

APPENDIX

TO THE

XXXVIIIth Volume

OF THE

JOURNALS

OF THE

HOUSE OF ASSEMBLY

OF THE PROVINCE OF

Lower-Canada.

Second Session of the Thirteenth Provincial Parliament.

Sess. 1828-29.

Printed by Order of the *House of Assembly*:

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QUEBEC :

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APPENDICE

DU

XXXVIIIe Volume

DES

JOURNAUX

DE LA

Chambre d'Assemblée

DE LA PROVINCE DU

Bas-Canada.

Deuxième Session du Treizième Parlement Provincial.

Sess. 1828-29.

Imprimés par Ordre de la *Chambre d'Assemblée.*

QUEBEC :

IMPRIMÉS ET A VENDRE PAR NEILSON & COWAN.

LIST OF THE APPENDIX.

SHEWING :

On what day the Papers therein mentioned were presented to the House.

1828.		
A.	November 25	LIBRARY OF THE HOUSE OF ASSEMBLY.—The Deputy Clerk's Report on the state of it.
B.	—	CLERK'S ASSISTANTS.—The Deputy Clerk's Report on the Assistants and extra Writers in his Office.
C.	28	IMPORTS & EXPORTS.—Statements of Imports and Exports at Quebec, New-Carlisle and Gaspé, in the year 1827.
	—	— Statement of the Imports and Exports at the Port of St. John, in the year 1827.
	—	— Statement of Duties collected at the Port of St. Marie Nouvelle Beauce, in the year 1827.
	—	— Statement of Articles exported to the United States of America, by the Port of St. Marie Nouvelle Beauce, in the year 1827.
	December 26	— Statement of Imports and Exports at Quebec, in the year 1828.
	—	— Statement of Imports and Exports at the Port of St. John, in the year 1828.
	—	— Statement of the Duties collected at the Port of Ste. Marie Nouvelle-Beauce, in the year 1828.
	—	— Statement of Imports at the Port of Stanstead, in the years 1827 and 1828.
	—	— Statements of Duties collected at the Port of Stanstead, in the years 1827 and 1828.
D.	November 28	BAPTISMS, MARRIAGES and BURIALS.—Returns of Baptisms, Marriages and Burials for the Districts of Quebec and Three-Rivers, in the year 1827.
	—	— Returns of ditto for the District of Montreal, in the years 1826 and 1827.
	December 13	— Supplementary Returns of Ditto for the District of Montreal, in the years 1826 and 1827.
E.	November 28	LACHINE CANAL.—Report of the late Commissioners for the Lachine Canal.
	—	— Report of the Commissioners for the Lachine Canal.
F.	December 1	PUBLIC ACCOUNTS :
	—	— No. 1. Account of the Ordinary Revenues and Extraordinary Resources constituting the Public Income of the Province of Lower-Canada, for 5 Quarters ended 5th January 1828.
	—	— No. 2. Account of Cash received for Casual and Territorial Revenue.
	—	— No. 3. Statement of Monies collected under the Provincial Acts 45 Geo. III., cap. 12 ;—2 Geo. III. cap. 7, and 51 Geo. III. cap. 12, and of the Expenses incurred in supporting and improving the Navigation of the River Saint Lawrence.
	—	— No. 4. Statement of Particulars of Payments and Deductions made from the Revenues of Lower-Canada, for Expenses of Collection, Drawbacks, Return of Duties, &c. in the five Quarters ended 5th January 1828.
	—	— No. 5. Abstract of Payments made on Warrants on account of the Civil Expenditure, from 1st Novr. 1826 to 31st Decr. 1827.
	—	— No. 6. Account of the Nett Income of the Revenue of Lower-Canada in the Five Quarters ended 5th January 1828, and of the Civil Expenditure of the Province, from 1st November 1826 to 31st December 1827.
	—	— No. 7. Statement of the Funds at the disposal of the Provincial Parliament, and the several Appropriations thereof, in 1827.
	—	— No. 8. Account of the Appropriations of the Legislature, and the Expenditure thereof in the year 1827.
	—	— No. 9. Abstract of Warrants issued during the year 1827, in payment of the Civil Expenditure of Lower-Canada, for services of preceding years.
G.	2	AGRICULTURAL SOCIETY :—Report of the Agricultural Society of the District of Quebec.
H.	4	GENERAL HOSPITAL of Grey Nuns at MONTREAL :—Report for the year 1828.
H.H.	—	CIVIL GOVERNMENT of CANADA :—Report from the Select Committee of the House of Commons.
I.	5	St. JOACHIM and St. PAUL'S BAY ROAD :—Report of the Commissioners for opening the said Road.
J.	—	INSANE PERSONS and FOUNDLINGS :—Account of Expenses incurred in the District of Three-Rivers, for the relief of Insane Persons and Foundlings, for the year 1828.

- K. December 9 **BANKS** :—Statements of the Bank of Montreal, of the Quebec Bank and of the Bank of Canada.
- L. --- **INSANE PERSONS and FOUNDLINGS** :—Report of the Commissioners for the District of Quebec.
- M. 12 **SHERIFFS RETURNS** :—List of Writs of *Capias ad Respondendum* issued out of the Court of King's Bench for the District of Montreal, directed to the Sheriffs of the said District, between 1st January 1794 and 20th October 1828.
- List of Persons arrested under and by virtue of Writs of *Capias ad Respondendum* issued out of His Majesty's Court of King's Bench for the District of Montreal, between 1st January 1811 and 20th October 1828, and who have been admitted to bail by the Sheriff of the said District.
- List of persons imprisoned for debt in the Gaol of the District of Montreal, between 1st January 1794 and 20th October 1828, with the amount demanded of each, and the dates of their committal and imprisonment and discharge.
- List of persons who have been admitted to bail under the Act of 7th Geo. IV. cap. 7, in the District of Montreal.
- List of persons confined on the 5th December 1828 for debt, in the Gaol of the District of Montreal, and the amount demanded of each.
- Return of Writs of *Capias ad Respondendum* directed to the Sheriff of the District of Three-Rivers, from 3d May 1827 to 20th October 1828.
- List of the number of Persons who have been taken into custody at Three-Rivers, on *Capias ad Respondendum*, and admitted to bail or imprisoned.
- Return of persons who have been confined in the Gaol of the District of Three-Rivers, under Writs of *Capias ad Respondendum* for debt, from 3d March 1827 to 25th October 1828.
- List of Writs of *Capias ad Respondendum* issued out of the Court of King's Bench for the District of Quebec, directed to the Sheriff of the said District, between 23d November 1822 and 20th October 1828.
- List of persons committed to the Gaol of the District of Quebec, under Writs of *Capias ad Respondendum* and *Capias ad Satisfaciendum*, from 13th September 1813 to 22d November 1822.
- List of cases wherein Defendants arrested under *Capias ad Respondendum* were admitted to bail, or were imprisoned between 22d November 1822 and 20th October 1828.
- List of persons committed to the Gaol of Quebec under Writs of *Capias ad Satisfaciendum*, from 22d November 1822 to 29th November 1828,
- List of persons confined in the Gaol of Quebec, under Writs of *Capias ad Respondendum* and *Capias ad Satisfaciendum*, on the 29th November 1828.
- N. 13 **AGRICULTURAL SOCIETY** :—Report of the Agricultural Society of the District of Three-Rivers.
- O. 15 **GENERAL HOSPITAL of GREY NUNS at Montreal** :—Report for the year 1827.
- P. 17 **DOCUMENTS** connected with the Public Accounts :—Copy of a Dispatch dated 30th September 1825, from the Earl Bathurst to the Earl of Dalhousie, recommending the payment of £700 to Mr. Ward Chipman, as third Arbitrator between Upper and Lower-Canada.
- Copy of a Dispatch dated 7th January 1826, from the Earl Bathurst to the Earl of Dalhousie, directing the payment of suspended Salaries and discontinuance of certain Offices.
- Copy of a Dispatch dated 14th March 1826, from the Earl Bathurst to the Earl Dalhousie, sanctioning the arrangement for the audit of the Public Accounts.
- Copy of a temporary and final arrangement for the Audit of Public Accounts.
- Copy of a Dispatch dated 31st August 1826, from the Earl Bathurst to the Earl of Dalhousie, sanctioning the payment of the Salary of £1000 to the Roman Catholic Bishop of Quebec, and respecting the Rent of the Bishop's Palace.
- Copy of a Dispatch dated 31st August 1826, from the Earl Bathurst to the Earl of Dalhousie, directing the issue of the usual Warrant for the payment of Sir Francis Burton's Salary.
- Copy of a Dispatch dated 8th September 1826, from the Earl Bathurst to the Earl of Dalhousie, directing that Mr. Amyot's Salary be defrayed out of the Revenues of the Crown.
- Extract of a Dispatch dated 1st June 1828, from His Majesty's Secretary of State for the Colonies, to His Excellency the Earl of Dalhousie.
- Copy of His Majesty's Warrant authorizing the payment of certain Salaries out of the produce of Duties imposed by the Statute of 14th Geo. III. cap. 88, amounting to £21,891 10s., dated 31st October 1826.
- Copy of His Majesty's Warrant authorizing the payment of Salaries to the amount of £4,981 out of the sum of £5000 granted by an Act of the Legislature of Lower-Canada, 36th Geo. III. cap. 9, dated 31st October 1826.
- Copy of His Majesty's Warrant authorising the payment of the fixed Salaries and allowances on the Civil Establishment of the Province of Lower-Canada for the year 1828, dated 25th August 1827.

P. December 17

- Copy of a Dispatch dated 28th December 1827, from His Majesty's Secretary of State for the Colonies to the Earl of Dalhousie, transmitting His Majesty's Warrant last above-mentioned, &c.
- Copy of His Majesty's Warrant authorising the payment of £400 Sterling per annum, to Thomas Amyot, Esquire, dated 28th January 1828.
- Copy of a Commission appointing the Honble. John Hale, Esquire, Receiver General of the Royal Patrimony and Revenues of the Province of Lower-Canada, dated 25th November 1823.
- Copy of a Letter from J. Hale, Esquire, dated 4th December 1823, to Mr. Secretary Cochran, proposing alterations in paying Pensions and Artificers, &c.
- Copy of a Commission appointing Thomas A. Young, Esquire, Auditor General of Public Accounts for the Province of Lower-Canada, dated 31st July 1826.
- Copy of Instructions to the Auditor General of Public Accounts, dated 20th December 1826.
- Copy of Commission appointing Joseph Cary, Esq., Inspector General of Public Accounts for the Province of Lower-Canada, dated 3d July 1826.
- Copy of Instructions to the Inspector General of Public Accounts, dated 20th December 1826.
- Copy of a Report made by a Committee of the Executive Council, on the 5th December 1826, on a Reference of proposed Regulations for conducting the business of the Offices of Auditor General and Inspector General of Public Accounts.
- Copy of another Report made by a Committee of the Executive Council on the 16th December 1826, respecting the mode of conducting the business of the above-mentioned Offices, and also Copies of other Papers on the same subject.

P. P.

- **ROADS AND OTHER INTERNAL COMMUNICATIONS** :—Six Reports of the Special Committee, to whom were referred that part of the Speech of His Excellency the Administrator of the Government, at the opening of the present Session, relating to Roads and other Internal Communications ;—the Petition of divers Inhabitants of the Eastern Townships situated in the County of Buckinghamshire ; the Petition of divers Inhabitants of the Township of Grenville and other Townships, and of the Seigniorship of La Petite Nation,—and the copy of Instructions to the Honorable W. B. Felton, Commissioner for the sale and management of Crown Lands in the Province of Lower Canada.

Q.

- 20 **AGRICULTURAL SOCIETY** :—Report of the Agricultural Society of the District of Montreal.

— Statement of the Funds of the Agricultural Society for the District of Montreal, December 1828.

— Report of the County of York Agricultural Society.

1829.

R. January 5.

- COMMISSIONERS FOR THE TRIAL OF SMALL CAUSES** :—List of the Commissioners appointed under the Acts 6, Geo. IV., Cap. 2. and 7, Geo. IV., Cap. 9.

— List of Commissioners dismissed by the Governor, and of Clerks of Commissioners who have been removed from office under the Governor's sanction.

R. R.

- 9 **COMMERCIAL AGENT** :—Report of the Special Committee to whom was referred the Petition of divers Merchants and Traders of Quebec, relating to a Commercial Agent.

R. R. R.

- LOTBINIERE SUFFERERS** :—Report of the Special Committee to whom was referred the Petition of the Curate, Church Wardens and Elders of the Parish of St. Louis de Lotbiniere relating to the distress of the Inhabitants of the said Parish, together with the Message of His Excellency the Administrator of the Government relating to the same object.

S.

- 10 **TURNPIKE ROADS** :—Report of the Special Committee to whom were referred the Petition of James Ellice Campbell and others, relating to a Turnpike Road between Longue Pointe and Montreal, with an Instruction to enquire into the amount of Tolls collected at the Lachine Turnpike Road, and into the manner in which the amount collected has been employed.

T.

- MR. JUSTICE BEDARD** :—Report of the Special Committee to whom was referred the Petition of the Honorable Mr. Justice Bedard.

U.

- ROADS** :—Report of the Special Committee to whom was referred the Petition from the City and County of Quebec, relating to Roads, with an Instruction to enquire and report on the state of the other principal thoroughfares within the same limits.

V.

- 14 **EXPLORATION** :—Report of the Commissioners for exploring the Saguenay.

— Journal of the St. Maurice Exploring Party,

— Journal of the Exploration of the Saguenay.

— Report of the Special Committee to whom was referred the Report of the Commissioners.

W.	1829.		
	January	14	KAMOURASKA COLLEGE: —Report of the Special Committee to whom was referred the Petition of divers Inhabitants of the County of Cornwallis, relating to a College in the Parish of Kamouraska.
X.		17	CROWN LANDS: —Copy of Instructions to the Commissioner for the Sale and Management of Crown Lands in the Province of Lower Canada.
Y.		27	PUBLIC ACCOUNTS: — ——— No. 1. Account of the Ordinary Revenues and Extraordinary Resources constituting the Public Income of the Province of Lower Canada, for the year ended 5th January, 1829. ——— No. 2. Account of Cash received for Casual and Territorial Revenue. ——— No. 3. Statement of Monies collected under the Provincial Acts 45, Geo. III. Cap. 12; 2, Geo. IV. Cap 7; 51, Geo. III. Cap. 12; and of the expenses incurred in supporting and improving the Navigation of the River St. Lawrence. ——— No. 4. Account of Duties collected at Chateauguay under the Provincial Act 48, Geo. III. Cap. 19, for the Improvement of the Inland Navigation of the River St. Lawrence, in the year ended 31st December 1828. ——— No. 5. Statement of particulars of Payments made from the Revenues of Lower Canada, for expenses of Collection, Drawbacks, Return Duties, &c. ——— No. 6. Abstract of Warrants issued on account of the Civil Expenditure of Lower Canada for the year ending 31st December 1828. ——— No. 7. An Account of the Nett Income of the Revenue of Lower Canada, and of the Civil Expenditure of the Province. ——— No. 8. Statement of the Funds at the disposal of the Provincial Parliament of Lower Canada, and the several Appropriations thereof, for the year ended 5th January 1829. ——— No. 9. An Account of the Appropriations of the Legislature of Lower Canada, and the Expenditure thereof for the year 1828. ——— No. 10. Abstract of Warrants issued during the year 1828, in payment of the Civil Expenditure of Lower Canada, for Services of preceding year.
			CIVIL GOVERNMENT: —Estimate of certain Expenses of the Civil Government of Lower Canada, for the year ending 31st December 1828, for which a Supply is required.
Z.		28	Estimate of the Civil Expenditure of the Government of Lower Canada, for the year 1829.
A. A.		31	PUBLIC ACCOUNTS: —Second Report of the Special Committee to whom were referred the Public Accounts for the years 1827 and 1828; and His Excellency's Message of the 17th December 1828, accompanied by certain Papers and Documents connected with the Public Accounts.
B. B.	February	6	EMIGRANT HOSPITAL: —Account Current of the Treasurer. ——— Expenditure of the Emigrant Hospital from 1st Novr. 1827, to 30th April 1828. ——— Expenditure of ditto, from 1st May to 31st October 1828.
C. C.			PUBLIC ESTIMATES: —Third Report of the Special Committee to whom were referred His Excellency's Messages of the 27th and 28th January 1829, with a Statement of certain Expenses of the Civil Government still unpaid, and the Estimate for the year 1829.
D. D.			JUSTICES OF THE PEACE: —Third Report of the Special Committee on the Bill for the Qualification of Justices of the Peace, with an Instruction respecting the Justices of the Peace in this Province.
E. E.		10	GRIEVANCES: —Reports of the Special Committee to whom were referred divers Petitions of the Inhabitants of the County of York; of the City of Montreal and other places, praying the redress of Grievances.
F. F.		13	REVENUE OF LOWER CANADA: —Estimate of the probable Amount of the nett Revenue of Lower Canada for the year 1829. — PUBLIC MONIES: —Statement of the actual amount of monies in the hands of the Receiver General on 1st January 1829.
G. G.		20	REPRESENTATION: —Report of the Special Committee to whom was referred the Bill to make a new and more convenient Division of the Province into Counties, for the purpose of effecting a more equal Representation thereof in the Assembly than heretofore.
H. H.		23	MONTREAL BANK: —Report of the Special Committee to whom was referred the Petition of divers Merchants and Traders of Quebec, complaining of the Montreal Bank, with certain Instructions; also, the Petition of the President, Vice President and Directors of the Montreal Bank.
I. I.		28	MILITIA: —First Report of the Special Committee to whom was referred that part of His Excellency's Speech which relates to the Organization of the Militia.
K. K.	March	6	— Second Report of the said Committee.
		2	COMMISSAIRES ENQUETEURS: —Report of the Special Committee appointed to enquire into the present state of the Administration of Justice in the Superior Terms of the Courts of King's Bench of Civil Jurisdiction, for the Districts of Quebec, Montreal and Three Rivers.
L. L.		12	MR. JUSTICE KERR: —Report of the Special Committee to whom was referred the Petition of B. C. A. Gagy, Esquire, complaining of the Hon. Mr. Justice Kerr.
M. M.			— MR. JUSTICE FLETCHER: —Report of the Special Committee to whom were referred the Petitions of Silas Horton Dickerson and Francis Armstrong Evans, complaining of the Honorable Mr. Justice Fletcher.

LISTE DE L'APPENDICE,

INDIQUANT

Les jours auxquels les Papiers y mentionnés ont été présentés à la Chambre.

1828,		
A.	25 Novembre	BIBLIOTHEQUE DE LA CHAMBRE D'ASSEMBLEE.—Rapport du Député Greffier sur l'état de la Bibliothèque.
B.	—	ASSISTANS DU GREFFIER.—Rapport du Député Greffier sur les Assistans et les Ecrivains extraordinaires dans le Bureau du Greffier.
C.	28	IMPORTATIONS ET EXPORTATIONS.—Etats des Importations et Exportations à Québec, à New-Carlisle et à Gaspé, en 1827.
		— Etat des Importations et Exportations au Port de St. Jean, en 1827.
		— Etat des Droits perçus au Port de Ste. Marie, Nouvelle-Beauce, en 1827.
		— Etat des Effets exportés aux Etats-Unis d'Amérique par le Port de Ste. Marie, Nouvelle-Beauce, en 1827.
	26 Décembre	— Etat des Importations et Exportations à Québec, en 1828.
		— Etat des Importations et Exportations au Port de St. Jean en 1828.
		— Etat des Droits perçus au Port de Ste. Marie, Nouvelle-Beauce, en 1828.
		— Etat des Importations au Port de Stanstead, en 1827 et 1828.
		— Etats des Droits perçus au Port de Stanstead, en 1827 et 1828.
D.	28 Novembre	BAPTEMES, MARIAGES ET SEPULTURES.—Retours des Baptêmes, Mariages et Sépultures pour les Districts de Québec et des Trois-Rivières en 1827.
		— Retours de ditto pour le District de Montréal pour 1826 et 1827.
	13 Décembre	— Retours supplémentaires de ditto pour le District de Montréal pour 1826 et 1827.
E.	28 Novembre	CANAL DE LA CHINE.—Rapport des ci-devant Commissaires du Canal de La Chine.
		— Rapport des Commissaires du Canal de La Chine.
F.	1er. Décembre	COMPTES PUBLICS :
		— No. 1. Compte des Revenus ordinaires et des Ressources extraordinaires qui constituent le Revenu Public du Bas-Canada, pour 5 Trimestres finissant le 5 Janvier 1828.
		— No. 2. Compte des Deniers reçus pour le Revenu Casuel et Territorial.
		— No. 3. Etat des Deniers perçus en vertu des Actes Provinciaux des 45e Geo. III. Chap. 12, 2e Geo. IV. Chap. 7, et 51e Geo. III. Chap. 12, et des Frais encourus pour améliorer la Navigation du Fleuve St. Laurent.
		— No. 4. Etat particulier des Payemens, et des Déductions faites sur le Revenu du Bas-Canada pour frais de Perception, Remises de Droits, &c. dans les cinq Trimestres échus le 5 Janvier 1828.
		— No. 5. Précis de Payemens faits sur <i>Warrants</i> pour la Dépense Civile, du 1er. Novembre 1826 au 31 Décembre 1827.
		— No. 6. Compte du Revenu net du Bas-Canada dans les cinq Trimestres échus le 5 Janvier 1828, et de la Dépense Civile du 1er Novembre 1826 au 31 Décembre 1827.
		— No. 7. Etat des Fonds à la disposition du Parlement Provincial, et des différentes appropriations d'iceux, en 1827.
		— No. 8. Compte des Appropriations de la Législature Provinciale et de la Dépense d'icelles en 1827.
		— No. 9. Précis des <i>Warrants</i> expédiés en 1827 pour payer la Dépense Civile du Bas-Canada, pour des Services des Années précédentes.
G.	2	SOCIETE' D'AGRICULTURE.—Rapport de la Société du District de Québec.
H.	4	HOPITAL GENERAL DES SŒURS GRISES de Montréal.—Rapport pour 1828.
H.	11.	— GOUVERNEMENT CIVIL DU CANADA.—Rapport du Comité Spécial de la Chambre des Communes.
I.	5	CHEMINS DE ST. JOACHIM A LA BAIE ST. PAUL.—Rapport des Commissaires pour ledit Chemin.
J.	—	INSENSES ET ENFANS TROUVE'S.—Compte des Dépenses encourues dans le District des Trois-Rivières, en 1828, pour les Insensés et les Enfants Trouvés.
K.	9	BANQUES.—Etat des Banques de Montréal, de Québec et du Canada.
L.	—	INSENSE'S ET ENFANS TROUVE'S.—Rapport des Commissaires de Québec.
M.	12	RETOURS DES SHERIFS.—Liste de Mandats de <i>Capias ad respondendum</i> émanés de la Cour du Banc du Roi de Montréal adressés aux Shérifs du District, du 1er Janvier 1794 au 20 Octobre 1828.
		— Liste des Personnes arrêtées en vertu de Mandats de <i>Capias ad respondendum</i> de la Cour du Banc du Roi de Montréal, du 1er Janvier 1811 au 20 Octobre 1828, et admises à caution par le Shérif.

1828.
M. 12 Décembre.

RETOURS DES SHERIFS continués :

- Liste de Personnes emprisonnées pour Dettes à Montréal entre le 1er Janvier 1794 et le 20 Octobre 1828, avec la Somme demandée de chaque, et les dates de leur emprisonnement et de leur élargissement.
- Liste des Personnes admises à caution à Montréal sous la 7e Geo. IV. Chap. 7.
- Liste des Personnes en Prison pour Dettes à Montréal le 5 Décembre 1828, et la Somme demandée de chacune.
- Retour de Mandats de *Capias ad respondendum* adressés au Shérif des Trois-Rivières, du 3 Mai 1827 au 20 Octobre 1828.
- Liste de Personnes arrêtées aux Trois-Rivières sur des *Capias ad respondendum* et admises à caution ou emprisonnées.
- Retours de Personnes emprisonnées pour dettes aux Trois-Rivières, sur des *Capias ad respondendum*, du 3 Mars 1827 au 25 Octobre 1828.
- Liste de Mandats de *Capias ad respondendum* adressés par la Cour du Banc du Roi de Québec au Shérif, entre le 23 Novembre 1822 et le 20 Octobre 1828.
- Liste de Personnes emprisonnées à Québec sur des Mandats de *Capias ad respondendum et ad satisfaciendum* du 13 Septembre 1813 au 22 Novembre 1822.
- Liste des cas où des Défendeurs arrêtés sur des *Capias ad respondendum* ont été admis à caution ou emprisonnés, entre le 22 Novembre 1822 et le 20 Octobre 1828.
- Liste de Personnes emprisonnées à Québec sur des *Capias ad satisfaciendum*, du 22 Novembre 1822 au 22 Novembre 1828.
- Liste de Personnes en Prison à Québec sur des *Capias ad respondendum et ad satisfaciendum*, le 29 Novembre 1828.

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O. 15
P. 17

SOCIÉTÉ D'AGRICULTURE.—Rapport de la Société des Trois-Rivières.

HOPITAL-GENERAL DES SŒURS GRISES de Montréal.—Rapport pour 1827.

- DOCUMENTS liés aux Comptes Publics.—Copie d'une Dépêche du Comte Bathurst au Comte Dalhousie, du 30 Septembre 1825, recommandant de payer £700 à Mr. Ward Chipman, Sur-arbitre entre le Bas et le Haut-Canada.
- Copie d'une Dépêche du Comte Bathurst au Comte Dalhousie du 7 Janvier 1826, ordonnant le payement des Appointemens suspendus et la discontinuation de certains Offices.
 - Copie d'une Dépêche du Comte Bathurst au Comte Dalhousie du 14 Mars 1826, confirmant l'arrangement pour l'audition des Comptes Publics.
 - Copie d'un Arrangement temporaire et final pour l'Audition des Comptes Publics.
 - Copie d'une Dépêche du Comte Bathurst au Comte Dalhousie du 31 Août 1826, approuvant le payement de £1000 d'Appointemens à l'Evêque Catholique de Québec, et au sujet du Loyer de l'Evêché.
 - Copie d'une Dépêche du Comte Bathurst au Comte Dalhousie du 31 Août 1826, ordonnant de faire sortir le *Warrant* ordinaire pour les Appointemens de Sir Francis Burton.
 - Copie d'une Dépêche du Comte Bathurst au Comte Dalhousie du 8 Septembre 1826, ordonnant que les Appointemens de Mr. Amyot soient payés sur les Revenus de la Couronne.
 - Extrait d'une Dépêche du Secrétaire Colonial au Comte Dalhousie du 1er Juin 1828.
 - Copie du *Warrant* de Sa Majesté, du 31 Octobre 1826, autorisant le payement de certains Appointemens sur les Droits de la 14e. Geo. III. Chap. 88, montant à £21,891 10s.
 - Copie du *Warrant* de Sa Majesté, du 31 Octobre 1826, autorisant le payement d'Appointemens au montant de £4981 sur les £5000 accordés par le Statut Provincial de la 36e. Geo. III. Chap. 9.
 - Copie du *Warrant* de Sa Majesté, du 25 Août 1827, autorisant le payement des Appointemens et Allouances fixes sur l'Etablissement Civil du Bas-Canada pour 1828.
 - Copie d'une Dépêche du Secrétaire Colonial au Comte Dalhousie, du 28 Décembre 1827, transmettant le dernier *Warrant* ci-dessus mentionné, &c.
 - Copie du *Warrant* de Sa Majesté, du 28 Janvier 1828, autorisant le payement de £400 Sterling par année à Thomas Amyot, Ecuyer.
 - Copie d'une Commission du 25 Novembre 1823, nommant l'Honorable John Hale Receveur-Général du Patrimoine et des Revenus Royaux du Bas-Canada.
 - Copie d'une Lettre de J. Hale, Ecuyer, du 4 Décembre 1823, au Secrétaire Cochran, proposant des changemens dans le payement des Pensions et des Ouvriers.
 - Copie d'une Commission du 31 Juillet 1826, nommant T. A. Young, Ecuyer, Auditeur-Général des Comptes Publics pour le Bas-Canada.
 - Copies d'Instructions à l'Auditeur-Général des Comptes Publics, du 20 Décembre 1826.
 - Copie d'une Commission du 3 Juillet 1826, nommant Joseph Cary, Ecuyer, Inspecteur-Général des Comptes Publics pour le Bas-Canada.
 - Copie d'Instructions à l'Inspecteur-Général des Comptes Publics, du 20 Décembre 1826.
 - Copie du Rapport d'un Comité du Conseil Exécutif, du 5 Décembre 1826, sur des Règlemens proposés pour les Bureaux de l'Auditeur et de l'Inspecteur des Comptes.

	1828.	DOCUMENTS continués :
P. 17	Décembre.	— Copie d'un autre Rapport d'un Comité du Conseil Exécutif du 16 Décembre 1826, sur la manière de conduire les Affaires des Bureaux ci-dessus, et aussi Copies d'autres Papiers sur le même sujet.
P. P.		— CHEMINS ET AUTRES COMMUNICATIONS INTERIEURES.—Six Rapports du Comité Spécial sur la partie de la Harangue de l'Administrateur qui a rapport aux Chemins et Communications Intérieures ;—les Pétitions des Habitans des Townships de l'Est dans le Comté de Buckinghamshire; des Habitans de Grenville et autres Townships et de la Petite Nation, et la Copie des Instructions à l'Hon. W. B. Felton, Commissaire pour la Vente et Gestion des Terres de la Couronne dans le Bas-Canada.
Q. 25		SOCIÉTÉ D'AGRICULTURE.—Rapport de la Société de Montréal. — Etat des Fonds de la Société de Montréal en Décembre 1828. — Rapport de la Société du Comté de York.
R. 5	1829. Janvier	COMMISSAIRES POUR LES PETITES CAUSES.—Liste des Commissaires en vertu des 6e. Geo. IV. Chap. 2, et 7e. Geo. IV. Chap. 9. — Listes des Commissaires destitués par le Gouverneur, et des Greffiers des Commissaires destitués avec l'approbation du Gouverneur.
R. R. 9		AGENT COMMERCIAL.—Rapport du Comité Spécial sur la Pétition des Marchands de Québec au sujet d'un Agent Commercial.
R. R. R.		HABITANS DE LOTBINIERE.—Rapport du Comité Spécial sur la Pétition du Curé et des Marguilliers de Lotbinière sur la détresse de la Paroisse, avec le Message de l'Administrateur à ce sujet.
S. 10		CHEMINS DE BARRIERE.—Rapport du Comité Spécial sur la Pétition de Campbell et autres au sujet d'un Chemin de Barrière de Montréal à la Longue Pointe, avec une Instruction au sujet du Péage perçu au Chemin de La Chine et de la manière dont il a été employé.
T. U.		LE JUGE BEDARD.—Rapport du Comité Spécial sur la Pétition du Juge Bedard. CHEMINS :—Rapport du Comité Spécial sur la Pétition de la Cité et du Comté de Québec au sujet des Chemins, avec une Instruction au sujet des autres principaux Chemins dans les mêmes limites.
V. 14		EXPLORATION :—Rapport des Commissaires pour l'Exploration du Saguenay. — Journal du Parti d'Exploration de la Rivière St. Maurice. — Journal de l'Exploration du Saguenay. — Rapport du Comité Spécial sur le Rapport des Commissaires.
W.		COLLEGE DE KAMOURASKA :—Rapport du Comité Spécial sur la Pétition du Comté de Cornwallis au sujet d'un Collège à Kamouraska.
X. 17		TERRES DE LA COURONNE :—Copie d'Instructions au Commissaire pour la Vente et Gestion des Terres de la Couronne dans le Bas-Canada.
Y. 27		COMPTES PUBLICS :— — No. 1.—Compte des Revenus ordinaires et des Ressources extraordinaires qui constituent le Revenu Public du Bas-Canada, pour l'année échue le 5 Janvier 1829. — No. 2.—Compte des Deniers reçus pour le Revenu Casuel et Territorial. — No. 3.—Etat des Deniers perçus en vertu des Actes Provinciaux des 45e. Geo. III. Chap. 12, 2e. Geo. IV. Chap. 7, et 51e. Geo. III. Chap. 12, et des Frais encourus pour améliorer la Navigation du Fleuve St. Laurent. — No. 4.—Compte de Droits perçus à Chateaugay en vertu de l'Acte Provincial, 48e. Geo. III. Chap. 19, pour l'amélioration de la Navigation du Fleuve St. Laurent dans l'année échue le 31 Décembre 1828. — No. 5.—Etat particulier des Payemens et des Déductions faites sur le Revenu du Bas-Canada pour Frais de Perception, Remises de Droits, &c. — No. 6.—Précis des Warrants expédiés pour la Dépense Civile du Bas-Canada pour l'année échue le 31 Décembre 1828. — No. 7.—Compte du Revenu net et de la Dépense Civile du Bas-Canada. — No. 8.—Etat des Fonds à la disposition du Parlement Provincial et des différentes Appropriations d'iceux, pour l'année échue le 5 Janvier 1829. — No. 9.—Compte des Appropriations de la Législature Provinciale et de la Dépense d'icelles en 1828. — No. 10.—Précis des Warrants expédiés en 1828 pour payer la dépense Civile du Bas-Canada pour des Services de l'année précédente.
Z. 28		GOUVERNEMENT CIVIL :—Estimation de certaines Dépenses du Gouvernement Civil de la Province pour l'année échue le 31 Décembre 1828 pour lesquelles il faut une Aide. — Estimation de la Dépense Civile du Gouvernement pour 1829.
A. A. 31		COMPTES PUBLICS :—Deuxième Rapport du Comité Spécial sur les Comptes Publics de 1827 et 1828 ; et le Message de Son Excellence du 17 Décembre 1828 avec d'autres Papiers liés aux Comptes Publics.
B. B. 6	Février.	HOPITAL DES EMIGRE'S :—Compte Courant du Trésorier. — Dépense de l'Hopital du 1er. Novembre 1827 au 30 Avril 1828. — Dépense de l'Hopital du 1er. Mai au 31 Octobre 1828.
C. c.		ESTIMATIONS PUBLIQUES ;—Troisième Rapport du Comité Spécial sur les Messages de Son Excellence des 27 et 28 Janvier 1829, avec un Etat de Dépenses du Gouvernement non encore payées et l'Estimation pour 1829.

		1829.	
D. D.	6	Février.	JUGES DE PAIX :—Troisième Rapport du Comité Spécial sur le Bill pour qualifier les Juges de Paix, avec Instruction au sujet des Juges de Paix de cette Province.
E. E.	10	—	GRIEFS :—Rapport du Comité Spécial sur les Pétitions du Comté de York, de la Cité de Montréal et autres lieux se plaignant de Griefs.
F. F.	13	—	REVENU DU BAS-CANADA :—Estimation du montant présumé du Revenu net de la Province pour 1829.
	—	—	DENIERS PUBLICS :—Etat du montant des Deniers entre les mains du Receveur-Général le 1er. Janvier 1829.
G. G.	20	—	REPRESENTATION :—Rapport du Comité Spécial sur le Bill qui divise la Province en Comtés de manière à avoir dans l'Assemblée une Représentation plus égale que ci-devant.
H. H.	23	—	BANQUE DE MONTREAL :—Rapport du Comité Spécial sur la Pétition des Marchands de Québec au sujet de la Banque de Montréal et la Pétition du Président et des Directeurs de la dite Banque.
I. I.	28	—	MILICE :—Premier Rapport du Comité Spécial sur la partie de la Harangue de Son Excellence qui a rapport à la Milice.
K. K.	6 Mars.	—	— Deuxième Rapport du dit Comité.
	2	—	COMMISSAIRES ENQUETEURS :—Rapport du Comité Spécial sur l'état de l'Administration de la Justice dans les Termes Supérieurs des Cours Civiles à Québec, à Montréal et aux Trois-Rivières.
L. L.	12	—	LE JUGE KERR :—Rapport du Comité Spécial sur la Pétition de B. C. A. Guky contre le Juge Kerr.
M. M.	—	—	LE JUGE FLETCHER :—Rapport du Comité Spécial sur la Pétition de S. H. Dickerson et F. A. Evans contre le Juge Fletcher.

Appendix
(A.)
25th Novr.

CLERK'S OFFICE, HOUSE OF ASSEMBLY,

FRIDAY, 21st November 1828.

REPORT.

STATE of the Library of the House of Assembly, made pursuant to an Order of the House of the 10th March, One thousand eight hundred and two. Since the last Report, to wit, on the 23d January 1827, there have been imported from London, and bought in this Province, the following Books; viz:—

VOLUMES.

1 London Directory for 1827	8vo
9 Scott's Life of Napoleon	12mo
2 Turner's Reign of Henry the VIII.	8vo
3 Ditto Anglo Saxon	"
5 Ditto History of the Middle Ages	"
3 Duff's History of the Marhattas	"
8 Mechanic's Magazine	"
6 Supplement to the Encyclopedia Britannica	4to
7 Transactions of the Horticultural Society	8vo
12 Asiatic Researches	"
10 Lingard's History of England	"
4 Philosophical Transactions to 1828	4to
2 Statutes 7 & 8 Geo. IV.	"
1 Almanack Royal	8vo
3 Edinburgh Review, 44, 45 & 46 vols.	"
2 Barnewall and Cresswell's Reports, 5 & 6 vols.	"
4 Quarterly Review, 34, 35, 36 & 37 vols.	"
4 Repertory of Arts, 3, 4, 5 & 6 vols.	"
5 Handsard's Debates, 14, 15, 16, 17 & 18 vols.	"
2 East India Register for 1826 & 1827	"
2 Royal Kalendar for 1827 & 1828	"
1 Burke's Peerage	8vo
3 Romance of History	12mo
1 Moreau's Tables of Ireland	folio
1 Commons Journals, vol. 81	"
1 Post Office Directory for 1828	8vo
4 Irving's Life of Columbus	"
2 Hallam's History of England	4to
2 Clarendon's Papers	"
1 Annals of Jamaica	8vo
1 Chitty's Statutes	"
1 Field's Analysis of Blackstone	"
1 Paley's Criminal Law, by Pratt	12mo
3 McKenzie's Works	"
5 Thompson's Alcedo	4to
1 European in India	"
1 Franklin's Voyage	"
2 Phillips' Africa	8vo
1 Humphrey on Property	"
1 Collyer's Criminal Law	12mo
1 Archbold's Pleading	"
1 Carrington's Criminal Law and Appendix	"
1 State Trials (Jardin's Index)	8vo
1 Stalman on Elections	"
1 Emigration Report	"
1 Hutchinson's Massachusetts Bay	"
1 McCulloch on Economy	"
1 Mirror of Parliament (sewed)	folio
2 Votes of Parliament	"
1 Ancient Tenures	8vo
1 Paley's Law of Principal and Agent	"
1 McKenzie's View of the United States	"
1 History of the United States (Goodrich)	"
1 Ditto of South America and Mexico	"
2 Orders of Knighthood	"
14 Pandectes de Pothier	12mo
5 Journal de Medecine	8vo
13 Histoire du Bas Empire, par Le Beau (1820)	"
12 Do de France de Lacreteille (1825)	"
4 Cours d'Economie Politique par Storch	"
5 Tableau de L'Empire Othoman	"
2 Voyages de Chastellux	"
2 Satires de Juvénal (1821)	"
4 Systemes de Philosophie par Degerando	"
3 Discussion du Code Civil	4to
1 Œuvres de la Bruyère	8vo
1 Examen Critique de la Campagne de Russie, par Gourgau, 1826	"
2 Antiquités Romaines	"

BUREAU DU GREFFIER, CHAMBRE D'ASSEMBLEE,

VENDREDI, 21 Novembre, 1828.

RAPPORT.

ÉTAT de la Bibliothèque de la Chambre d'Assemblée fait en conformité à un Ordre de la Chambre du dix Mars mil huit cent deux. Depuis le dernier Rapport, savoir, le vingt-trois Janvier dernier, il a été importé de Londres et acheté en cette Province les Livres suivans, savoir :

VOLUMES.

213		
1 Histoire de Raphaël	8vo	
1 Mémoires D'Argenson	"	
1 Histoire du Droit Public et Privé, par Bernardi	"	
2 Mémoires de Made. Rolland	"	
2 Ditto du Duc de Gaète	"	
8 Histoire des Français par Sismondi—1826	"	
3 Ditto D'Hérodote	"	
1 Eloquence Politique par Laurentie	"	
1 Cornelius Nepos	"	
2 La France, par Lady Morgan	"	
2 Memoires de Péron	"	
2 Manuscrit de 1815, par Fain	"	
1 Ditto de 1814 do	"	
1 Campagne de 1815 par Gourgau	"	
3 Œuvres de Lacreteille aîné	"	
1 Histoire des Confesseurs, par Grégoire	"	
3 Memoires de Ferrières	"	
4 Histoire D'Espagne par Dumas	"	
1 Homonymes Français	"	
1 Messéniennes par C. de Lavigne	"	
2 Physique de Biot	"	
2 L'Europe and L'Amérique en 1821--22 & 23	"	
1 Procès de Depradt	"	
1 Analyse du Crédit Public	"	
1 Revenue National, par Storch	"	
1 Discours sur L'Histoire Universelle	"	
2 Elémens de Grammaire, par Sicard	"	
1 Cours d'Instructions d'un Sourd Muet, par ditto	"	
8 Mémoires de Napoléon, par Monholon & Gourgau	"	
3 Lettres de Sestini	"	
3 Ditto de Brofes	"	
3 Voyages de Chantreau	"	
5 Ditto de Spallanzani	"	
3 Histoire de la Rivalité de la France et de l'Espagne	12mo	
3 Les Nuits Attiques	8vo	
4 Harmonies de la Nature	12mo	
5 Etudes de la Nature	8vo	
1 Histoire de Charles VII.	"	
23 Choix de Rapports, &c.	"	
3 L'Hermitte en Province, tomes 5, 6 & 7,	12mo	
5 Bibliothèque de la France, par Lelong	folio	
60 Dictionnaire des Sciences Médicales	8vo	
11 Cours de Littérature de La Harpe	"	
3 Medical Jurisprudence	"	
19 Œuvres de Jouy	12mo	
44 Histoire Naturelle de Buffon	4to	
20 Biographie des Contemporains	8vo	
4 Lettres de Madame de Maintenon	"	
3 Histoire des Ducs de Bourgoyne, tomes 11, 12 & 13	"	
2 Ditto de France, par Lacreteille, tomes 13 & 14	"	
3 Encyclopedie Methodique	4to	
1 L'Histoire du Nouveau Monde, ou Description des Indes Occidentales, par Jean DeLaet	folio	
2 Voyages de Lahontan	12mo	
1 Histoire de L'Hôtel Dieu de Québec	"	
2 Description de L'Amérique Septentrionale, par Mr. Deny, Gouverneur au Canada	"	
2 Aventures du Sieur LeBeau en Amérique	"	
4 Mœurs des Sauvages Américains, par Lafitau	"	
1 Voyages du Père Hennepin	"	
5 Journal Chambre des Deputés, 1826 & 1827	8vo	
1 L'Administration de la Justice Criminelle en Angleterre, par Cottu	"	
28 Journal de la Chambre d'Assemblée	"	
8 Do do des doubles	"	
1 Des Corps Politiques	4to	
1 Cours de Droit Public	8vo	
1 Regles du Droit Civil	4to	

Appendice
(A.)
25 Novre.

Appendix
(A.)
25th Novr.

VOLUMES	
561	
1 Regles du Droit Canon	4to
1 Decisions Catholiques	folio
4 Le Nouveau Ferrière	4to
1 Le Guide des Juges Militaires	8vo
2 La France & l'Émigration	"
1 Affaire des Elections	"
1 Histoire Littéraire de la France	"
572	

In all Five hundred and eighty-four Volumes added to the Library since the last Report, dated the Twenty-third day of January One thousand eight hundred and twenty-seven. The foregoing Books, including expenses, cost Five hundred and seventy-seven pounds seven shillings and eleven pence currency. The Library now contains Three thousand and seventy-two volumes, all in apparent good order.

WM. LINDSAY,
Clk. Afs'y.

VOLUMES	
572	
2 Histoire d'Alexandre premier	8vo
1 Essai sur les Revolutions	"
1 Histoire de Christophe Colomb	"
1 Archives des Découvertes	"
2 Faillites & Banqueroutes	"
4 Dictionnaire des Ouvrages anonymes	8vo
1 Histoire de la Réformation	12mo
584	

Appendice
(A.)
25 Novr.

En tout cinq cent quatre vingt quatre Volumes ajoutés à la Bibliothèque depuis le dernier Rapport, daté du vingt trois Janvier, mil huit cent vingt sept. Les Livres ci-dessus y comprenant les frais content cinq cent soixante dix sept Livres, sept chelins et onze pences courant. La Bibliothèque contient maintenant Trois mille soixante douze Volumes qui paroissent tous en bon ordre.

WM. LINDSAY,
Greff. Afsée.

Appendix
(B.)
25th Novr.

CLERK'S OFFICE, HOUSE OF ASSEMBLY,
TUESDAY, 20th November 1828.

THE Clerk of the House of Assembly respectfully states to the House, that in order to expedite the Public Business, he has retained the same number of extra Writers as were employed during the last Session, and at the same rates for their services.

WM. LINDSAY,
Clk. Afs'y.

BUREAU DU GREFFIER, CHAMBRE D'ASSEMBLEE,
MARDI, 20 Novembre 1828.

LE Greffier de la Chambre d'Assemblée expose respectueusement à la Chambre que pour expédier les Affaires Publiques il a pris le même nombre d'Ecrivains extraordinaires qu'il en a été employé durant la dernière Session, et avec aux mêmes prix pour leurs services.

WM. LINDSAY,
Greff. Afsée.

Appendice
(B.)
25 Novr.

Appendix
(C.)
28th Novr.

IMPORTS—1827.
AT QUEBEC.

619 Vessels; 152,712 Tons; 7,086 Men.

Value of Merchandize paying 2½ per cent.	£724,302	4	3
Value of Free Goods,	19,026	3	0
	£743,328	7	3

10854 gallons Madeira Wine	604424 gallons Leewards Rum
54887 do Port	2558 do Shrub
64679 do Spanish	48779 do Molasses
35926 do Teneriffe	455655 lbs. Refined Sugar
20076 do Sicilian	2891748 do Muscovado do
119 do Italian	159111 do Coffee
6253 do Sherry	26418 do Manufd. Tobacco
16292 do Fayal	88289 do Leaf do
25387 do French	17604 packs Playing Cards
1662 do Whiskey	190824 minots Salt
69026 do Brandy	57749 lbs Hyfon Tea
60204 do Gin	907625 do Green do
348739 do Jamaica Rum	89085 do Bohea do

N.B.—Three per cent has been deducted from all the above articles, except the Playing Cards.

AT NEW-CARLISLE.

From 10th October 1826 to 10th October 1827.

32 Vessels; 5642 Tons; 323 Men.

362 gallons Wine	773 lbs. Manfd. Tobacco
55 do Brandy	50 do Snuff
3217 do Rum	51540 bushels Salt, duty free
202 do Molasses	Value of Merchandize paying
8826 lbs. Muscovado Sugar	2½ per cent, £7603 19 9 cy.
515 do Coffee	

N.B.—Three per cent has been deducted from the above articles.

IMPORTATIONS—1827.
A QUEBEC.

619 Vaisseaux; 152712 Tonneaux; 7086 Hommes.

Valeur des Marchandises payant 2½ per cent,	£724302	4	3
Valeur des Marchandises exemptes de droit,	19026	3	0
	£743328	7	3

10854 gallons vin de Madère	604424 gls. rum des Iles sous le
54887 do de Port	2558 do de Shrub [vent
64679 do de Espagne	48779 do de Melasse
35926 do de Teneriffe	455655 livres de Sucre raffiné
20076 do de Sicile	2891748 do de Cassonade
119 do d'Italie	159111 do de Café
6253 do de Chérès	26418 do de Tabac fabriqué
16292 do de Fayal	88289 do de do en feuilles
25387 do Français	17604 paqts. de cartes à jouer
1662 do Whiskey	190824 minots de Sel
69026 do d'Eau-de-vie	57749 livres de Thé Hyfon
60204 do de Genièvre	907625 do de do Vert
348739 do Rum de la Jamaïque	89085 do de do Bou

N. B.—Il a été déduit 3 par cent sur tous les objets ci-dessus, excepté sur les cartes à jouer.

A NEW-CARLISLE.

Du 10 Octobre 1826 au 10 Octobre 1827.

32 Vaisseaux; 5642 Tonneaux; 323 Hommes.

362 galls. de Vin	773 livres Tabac fabriqué
55 do d'Eau-de-vie	50 do de en poudre
3217 do de Rum	51540 minots de Sel, exempt de
202 do de Melasse	(droit
8826 livres de Cassonade	Valeur des Marchandises payant
515 do de Café	2½ per cent, £7603 19 9 ct.

N. B.—Il a été déduit Trois par cent sur les objets ci dessus.

Appendix
(C.)
28th Novr.

AT GASPE.

From 10th October 1826 to 10th October 1827.

28 Vessels; 3073 Tons; 174 Men.

118 gallons Wine	800 lbs. Manfd. Tobacco
116 do Brandy	63 do Snuff
3506 do Rum	317 do Tea
2661 do Molasses	260 tons } Salt, duty free
121 lbs. Refined Sugar	29240 bush. }
8708 do Muscovado do	Value of Merchandize, paying 2½
347 do Coffee	per cent, £5530 2 2 cy.

N.B.—Three per cent has been deducted from the above articles.

Appendice
(C.)
28 Novr.

A GASPE'

Du 10 Octobre 1826 au 10 Octobre 1827.

28 Vaiffeaux; 3073 Tonneaux; 174 Hommès.

118 gallons de Vin	800 livres de Tabac fabriqué
116 do d'Eau-de-vie	63 do de do en poudre
3506 do de Rum	317 do de Thé
2661 do de Melasse	260 tonneaux } Sel, exempt
121 livres de Sucre raffiné	29240 minots } de droit
8708 do de Calsonade	Valeur des Marchandises payant
347 do de Café	2½ par cent, £ 5530 2 2 ct.

N. B.—Il a été déduit Trois par cent sur les objets ci-dessus.

EXPORTS—1827.

AT QUEBEC.

678 Vessels; 162094 Tons; 7523 Men.
35 of which built this year, registering 7540 tons.

933 ps. Masts & Bowsprits	362 kitts and kegs Rounds,
1999 do Spars	&c. 20828 lbs.
21736 tons } Oak Timber	11 casks Hams, 3284 lbs.
23 feet }	393 kegs Tongues
86090 tons } Pine Timber	32 do }
2 feet }	3 jars } Saufages
2171 tons } Ash	55 kegs } Tripe
39 feet }	10 jars }
7424 tons } Elm	648 kegs Lard, 30808 lbs.
34 feet }	2367 do Butter, 74835 do
1004 tons } Maple, &c.	12 casks }
35 feet }	5 hampers } Cheese.
1318133 ps. Standard Staves and	15 boxes }
Heading	2 kegs & loofe }
4058415 do Pipe and Puncheon	1791 casks and boxes Cod
Staves and Heading	fish, 10241 cwt.
68612 do Stave Ends	434 tierces }
937905 Three-Inch Deals	191 barrels } Salmon
688743 Boards and Planks	36 half do }
38677 Deal Ends	20 kitts }
17381 Battens	4 tierces }
76 Batten Ends	612 barrels } Pickld. fish
28949 Oars	40 half bbls }
13166 Handspikes	1233 bbls }
1801 Cords Lathwood	70 half bbls } Herrings
377 ps. Scantling	65 boxes }
82234 do Hoops	64 casks } Fish Oil, 4795
2997 puncheon Packs	119 bbls } gallons
10042 Madeira do	2880 gallons Linfeed Oil
47360 pieces Treenails	26 puns. } Oil Cake
72 Boat-hook Staffs	4378 ps. loofe } 330 cwt.
61 Knees	888 boxes Soap, 57789 lbs.
1300 Wooden Shovels	191 do Candles 7999 lbs
4500 Wedges	86 hhd. } Ale and
104982 Shingles	77 casks } Beer,
9409 bbls Pearl Ashes 33690	26 cafes } 8250 galls
cwt. 2 qrs. 4 lbs. nett	1 pun. }
17894 do Pot Ashes, 75691	2 casks } Cider 313 gls
cwt. 1 qr. 24 lbs nett	11 kegs }
391420 minots Wheat	2 barrels } Effence
4193 do Barley	6 boxes } Spruce
19385 do Oats	1 hhd. Peppermint
3,830 do Peafe	24 cafes Oil of do
1109 do Indian Corn	1 jar Oil of Spruce
2050 do Malt	12 casks } Canada Balfam
125 do Rye	25 kegs }
1421 do Flaxfeed	2 puns }
53839 bbls. } Flour.	858 bbls. }
329 half ditto }	2 casks }
333 puns. }	13 kegs } Cranberries
5 casks } Indian Meal.	12 boxes Seeds and Plants
1474 bbls. }	6 casks Bees' Wax, 13
3726 cwt. Biscuit	cwt. 3 qrs. 17 lbs
441 minots Potatoes	2 casks Bones
36 minots Turnips	4 hhd. }
319 barrels Onions	4 tons } Ox Horns
7589 do } Pork	7000 loofe }
837 half do }	1 cask Deer Horns
4320 barrels } Beef	1 tierce }
1367 half do }	100 pairs } Moccasins

EXPORTATIONS—1827.

A QUEBEC.

678 Vaiffeaux; 162094 Tonneaux; 7523 Hommes.
35 des dits vaiffeaux bâtis cette année, enrégistrés 7540 tonneaux

933 ps. Mâts et Beauprés	362 tinettes et barrils de
1999 do Esparres	Rondes, &c. 20828
21736 tonneaux } de Chêne	livres
23 pieds }	11 quarts de Jambons 3284
86090 tonneaux } de Pin	livres
2 pieds }	393 barrils de Langues
2171 tonneaux } de Frêne	32 do } de
39 pieds }	3 jarres } Sauciffes
7424 tonneaux } d'Orme	55 barrils } de blanc
34 pieds }	10 jarres } de Bœuf
1004 tonneaux } d'Erable,	648 barrils de Saindoux,
35 pieds } &c.	30808 livres
1318133 ps. Douves et Fonds	2367 barril de Beurré, 74835
d'Étalon	livres.
4058415 do Douves et Fonds	12 quarts }
de Pipes et Tonnes	5 paniers }
68612 Bouts de Douves	15 boîtes }
937905 Madriers de 3 pouces	2 brls et détachés } de Fromages.
683743 Planches et Madriers	1791 quarts et caiffes de Mo-
38677 Bouts de Madriers	rué, 10241 quint.
17381 Voliges	434 tierçons }
76 Bouts de Voliges	191 quarts } de
23949 Rames	36 demi-qrts. } Saumon
13166 Anspes	20 tinettes }
1801 Cordes de Lattes	4 tierçons }
377 ps. Lambourdes	612 quarts } Poiffon
82234 do Cercles	40 demi ditto } faumuré
2997 Tonnes en paquets	1233 quarts }
10042 Quarts en do	70 demi qrts. } de
47360 p. de Gournables	65 caiffes } Harengs
72 Gaffes	64 quarts } Huile de
61 Courbes	119 quarts } Poiffon 4795 gls
1300 Pelles de Bois	2880 galls. d'Huile de Lin
4500 Coins	26 tonnes } Pains de Lin
104982 Bardeaux	4378 détachés } 330 quint.
9409 quarts de Perlasse,	888 boîtes de Savon, 57789
33690qt. 2q 4 liv. nets	livres
17894 quarts de Potasse 75691	191 de Chandelle, 7999 livs.
qt. 1 q. 24 liv. nets	86 barriques } d'Aile et de
391420 minots de Bled	77 quarts } Bière,
4193 do d'Orge	26 caiffes } 8250 galls.
19385 do d'Avoine	1 tonne }
31830 do de Pois	2 quarts } Cidre, 313 gls.
1109 do de Bled d'Inde	11 barrils }
2050 do de Drèche	2 quarts } d'Effence
125 do de Seigle	6 caiffes } d'Épinette
1421 do de Graine de Lin	1 barrique de Peppermint
53839 quarts } de	24 caiffes d'Huile de do
329 demi do } Farine	1 jarre d'Huile d'Épi-
333 tonnes } de Farine de	nette
5 quarts } Bled	12 quarts } Baume du
1474 quarts } d'Inde.	25 barrils } Canada
3726 quint. de Biscuit	2 tonnes } de Pommes
441 minots de Patates	858 quarts }
36 do de Navets	2 quarts } d'Atocas
319 quarts d'Oignons	13 barrils }
7589 do } de	12 boîtes de Graines et
837 demi do } Lard	Plantes
4320 quarts } de	6 quarts de Cire, 13 quint.
1367 demi do } Bœuf	3 qts. 17 liv.
	2 quarts d'Os

Appendix
(C.)
28th Novr.

34 fides } Leather
3 bcls. }
6 Calf Skins
62 bales } Hides
1 pun. }
3520 loofe }
7 bales Sheep Skins
5 casks Tallow, 40 cwt.
3 qrs. 24 lbs.

38 hhds. } Tobacco,
1 parcel } 45642 lbs.
53 kegs }
2 boxes Segars
2 bcls. } Snuff,
1 keg } 294 lbs.

138 Stoves
1 cask Shumac
2 casks Vinegar
144 Turreens
18 Chairs
2 bcls. Gum
70 cwt. Bran
10 Boats
1 Canoe
484 Brooms
1 box Maple Sugar
2 do Bark Work
26 Fur Caps
20 bcls. Black Lead
16 bags Hops

164 Horses
1 Ox
87 Sheep
8 Turkies
30 pairs Fowls
3 trunks Eggs
1 bbl. Whiskey
1 do Nuts
1 Steam Engine
140 Flag Stones

FURS AND PELTRIES.

9484 Martin Skins
675 Bear and Cub
361 Fisher
7355 Beaver
808 Otter
4511 Muskrat
1566 Minx
356 Lynx
796 Fox
82 Cat
5427 Deer
38 Wolverine
3 Loupscerviers
49 Buffalo Robes
2 casks } Castorum
7 kegs }

4 boucauts } de Cornes
4 tonneaux } de
7000 détachés } Bœuf
1 quart de Cornes de Chevreuils

1 tierçon } de Souliers
100 paires } sauvages
34 côtés } de Cuir
3 paquets }
6 peaux de Verux
62 balles }
1 tonne } de Peaux
5520 détachés }
7 balles de Peaux de Moutons

5 quarts de Suif, 40 qts.
3 q. 24 liv.

38 boucauts } de Tabac
1 paquet } 45642 liv.
53 barrils }
2 boîtes de Cigarres
2 quarts } de Tabac en
1 barril } poudre, 294 liv.

138 Poëles
1 quart de Sumach
2 quarts de Vinaigre
144 Terrines
18 Chaîfes
2 quarts de Gomme
70 quint. de Son
10 Chaloupes
1 Canot
484 Balais
1 caiffe de Sucre d'érable

2 caiffes d'Ouvrages en Ecorce
26 Cafques
20 quarts de noir de Plomb
16 sacs de Houblon
164 Chevaux
1 Bœuf
87 Moutons
8 Dindes
30 couples de Volailles
3 caiffes d'œufs
1 quart de Whiskey
1 ditto de Noiffettes
1 Machine à Vapeur
140 Pierres plattes.

PELLETÉRIES.

9484 Peaux de Martres
675 d'Ours et d'Ourfons
361 de Pécans
7355 de Castor
808 de Loutres
4511 de Rats-mufqués
1566 de Vifons
356 de Loupscerviers
796 de Renards
82 de Chats
5427 de Chevreuils
38 de Carcajoux
3 de Loupscerviers
49 Robes de Bœuf
2 quarts } de Rognons
7 barrils } de Caïtor.

IMPORTED GOODS EXPORTED.

2 pipes }
4 hhds } Wine
17 qr. casks }
2 bcls. }
14 cases }
54 puns. Rum
2 hhds. Brandy
8 casks Molasses
41 hhds. } Muscovado
78 bcls. } Sugar
17 packages } Tea
264 chests & boxes }
11 boxes Chocolate
4 bcls. }
90 boxes } Raisins
8 cwt. }
36 tierces } Rice
27 bags }
5 boxes Capers
50 cases Olive Oil
2 kegs Tamarinds
2 casks Cudbear
30 kegs Barley
1 case Otto of Roses
6 tons } Logwood
438 pieces }
5 cwt. } Lignum Vitæ
159 ps. }
40 Still Bottoms

737 bars } Iron
50 bcls. }
20 cwt, }
8 casks } Old Copper
2 cases }
15 bcls. Blacking
29 boxes Glass
47 Grind Stones
161 chaldrons Coals
8 bundles Steel
108 Scythies
2 Anchors
6 Anvils
3 Grates
4 Iron Knees
16 kegs Paint
8 bags Cotton Wool
77 bcls. Pitch and Tar
284 do Turpentine
10 bcls. Rosin
4 Guns
10 cwt. Shot
8 qr. Casks } Gun-powder
62 kegs }
8 coils Cordage
1669 minots Salt
724 empty Casks
1 hhd. Verdegriis
175 packages Merchandize

EFFETS IMPORTE'S QUI ONT E'TE' EXPORTE'S.

2 pipes }
4 barriques } de Vin
17 quarts }
2 quarts }
14 caiffes }
54 tonnes de Rum
2 barriques d'Eau-de-vie
8 quarts de Melasse
41 barriques } do
78 quarts } Cassonade
17 paquets } de
264 caiffes et boîtes } Thé
11 boîtes de Chocolat
4 quarts }
90 boîtes } de Raisins
8 quint. }
36 tierçons } Riz
27 sacs }
5 boîtes de Capres
50 caiffes d'Huile d'Olive
2 barrils de Tamerin
2 quarts de Cudbear
30 barrils d'Orge
1 caiffe d'Otto de Roses
6 tonneaux } de
438 ps. } Campêche
5 quint. } de Gaïac
159 ps. }
40 Alambics

737 barres } Fer
50 paquets }
20 quint. } de Vieux
8 quarts } de Cuivre
2 caiffes }
15 quarts de Noir
29 caiffes de Vitre
47 Pierres à broyer
161 chal. de Charbon
8 paquets d'Acier
108 Faulx
2 Ancres
6 Enclumes
3 Grilles
4 courbes de Fer
16 barrils de Peinture
8 sacs de Ouate
77 qrts de Poix et de Goudron
284 do de Térébentine
10 quarts de Résine
4 Fusils
10 quarts de Plomb à tirer
8 quarts } de Poudre
62 barrils } à tirer
8 Rouleaux de Cordages
1669 minots de Sel
724 Quarts vuides
1 boucauts de Verdegriis
175 ballots de Marchandises

EXPORTS AT GASPE.

From 10th October 1826 to 10th October 1827.

25 Vessels; 3310 Tons; 208 Men.

9 hhds. }
6 puns. }
83 bcls. } Cod Fish
4 tierces }
4 kegs }
27600 cwt }
4 pipes }
34 hhds. } Fish Oil
68 bcls. }
20 casks }
1 pun } Salmon
9 bcls. }
15 bcls. Pickled Fish

30 bcls. } Herrings
25 kegs }
25 do Sounds
260 pieces Pine Timber
21782 do Deals
930 do Deal Ends
10321 do Staves & Heading
72 do Handspikes
69 do Spars
3 cords Lathwood
129 bundles Laths
1 ton Old Copper

EXPORTATIONS A GASPE'

Du 10 Octobre 1826 au 10 Octobre 1827.

25 Vaisseaux; 3310 Tonneaux; 208 Hommes.

9 barriques }
6 tonnes }
83 quarts } de Morue
4 tierçons }
4 barrils }
27600 quint. }
4 pipes }
34 barriques } d'Huile de
68 quarts } Poisson
20 quarts }
1 tonne } de Saumon
9 quarts }
15 quarts de Poisson saumuré

30 quarts } de
25 barrils } Harengs
25 do de Noues
260 ps. de Pin
21782 do de Madriers
930 do Bouts de Madriers
10321 do de Douves et Fonds
72 do Ansperes
69 do Esparres
3 cordes de Lattes
129 paquets de Lattes
1 tonneau de vieux Cuivre

Appendice
(C.)
28 Novr.

Appendix
(C.)
28th Novr.

EXPORTS AT NEW-CARLISLE.

From 10th October 1826 to 10th October 1827.

24 Vessels ; 4770 Tons ; 257 Men.

77 bbls	} Cod Fish,	87 pieces }	Birch
25 half do		150 tons }	
59 firkins		7 logs	Maple
68 bbls.		155 pieces	Plank
8 boxes	}	134 do	Spars
21706 cwts		110 cords	Lathwood
1 tierce	} Salmon	1040 pieces	Stave Ends
269 bbls.		1 pun.	
40 do	} Herrings	1 bale	Furs
6177 galls.		1 case	
489 pieces	} Pine	1 keg	Old Copper
3757 tons		1 box	

EXPORTATIONS A NEW-CARLISLE.

Du 10 Octobre 1826 au 10 Octobre 1827.

24 Vaisseaux ; 4770 Tonneaux ; 257 Hommes

77 quarts	} de	87 pièces }	de
25 demi do		150 tonneaux }	Merisier
59 tinettes		7 troncs	d'Érable
68 paquets		155 pièces	de Planches
8 caisses	} Mouue	134 do	d'Esparres
21706 quint.		110 Cordes	de Lattes
1 tierçon	} de Saumon	1040 pièces	bouts de Douves
269 quarts		1 tonne	
40 quarts	} de Pelleteries	1 balle	
6177 galls.		1 caisse	
489 pièces	} de Pin	1 barril	de
3757 tonneaux		1 boîte	vieux Cuivre.

Appendice
(C.)
28 Nov.

A GENERAL STATEMENT of the IMPORTS and EXPORTS at the Port of ST. JOHN, from 11th October 1826 to 10th October 1827.

ETAT GENERAL des IMPORTATIONS et EXPORTATIONS au Port de ST. JEAN, du 11 Octobre 1826 au 10 Octobre 1827.

IMPORTS :

IMPORTATIONS :

<i>Paying 2½ per Cent. duty.</i>	<i>Paying 15 per cent.</i>
438 Barrels Ashes	2890 Provision Barrels
21 do Apples	829½ barrels Ashes
13167 bushels do	170 do Cider
183 do Plumbs	99 do Lime
11½ do Peafe	25½ do Dye-woods
60 tons Hay	3 do Beer
1889 lbs. Cotton Wool	2 do Hardware
676 do Tallow	2 do Apple Sauce
200 Melons	2 do Tongues
693½ boxes Lemons and Oranges	1 do Plaister
1 Soda Machine	1 tierce Slate Pencils
4 hampers	1 do Gum Copal
3 barrels } Drugs	5 kegs Printing Ink
2 chests }	1 do Apple Sauce
3 boxes Plated & Glass-ware	1 do Oysters
1 do Cotton Goods	7½ bush. Dried Apples
1 case Sewing Silk	163930 lbs. Cheefe
3 pieces Black Silk Handkerchiefs	146534 do Butrer
3 boxes Silks	77000 do Fresh Cod
1 trunk Cotton Goods	71497 do Tallow
	24707 do Hops
	5825 do Lard
	5100 do Mutton
	4023 do Pork Hams
	2995 do Mutton do
	2824 do Clover Seed
	2276 do Cotton Wick
	2105 do Bees-wax
	1500 do Broom Corn
	1483 do Chocolate
	621 do Blue Vitriol
	566 do Sperm. Candles
	454 do Iron Castings
	276 do Dried Apples
	286 do pack Cords
	143 do Gum Copal
	121 do Terra de Senna
	119 do Gum Shellac
	105 do Wool
	91 do Rabbit Furs
	63 do Isinglafs
	60 do Chrome Yellow
	50 do Tongues
	39 do Lampblack
	39 do Tin foil
	27 do Onion Seed
	23 do Rotten Stone
	20 do Blue Smalts
	10 do Hatting Furs
	2195 galls. Sperm. Oil
	2091 do Spirits Turpentine
<i>Paying 7½ per Cent. duty.</i>	
28 barrels Juniper Berries	
8 do Turpentine	
46 do Pitch	
29 do Tar	
2 kegs Drugs	
1179 lbs. Yellow Ochre	
1067 do Honey	
952 do Flax	
339 do Sponge	
267 do Saufages	
56 do Rhubarb Root	
25 do Sarsaparilla	
22 do Vermillion	
227 bush. Nuts	
25 boxes Muscat Wine	
25 do Claret	
1 do Anchioves	
2 bales Sarsaparilla	
<i>Paying 10 per cent.</i>	
4528 Head of Cattle	
6582 Hogs	
6762 Sheep	
122 Horfes	

<i>Payant 2½ par Cent. de Droit.</i>	<i>Payant 15 par cent.</i>
438 quarts de Potaffe	6582 Cochons
21 do de Pommes	6762 Moutons
13167 minots de do	122 Chevaux
183 do de Prunes	
11½ do de Poires	
60 tonneaux de Foin	
1889 livres de coton brute	
676 do de Suif	
200 Melons	
693½ caiffes de Citron et d'Oranges	
1 Machine à faire l'Eau appelée Soda	
4 grands paniers } de drogues	
3 quarts }	
2 caiffes }	
3 boîtes d'Argenterie et Verrerie	
1 caiffe de Marchandises de Coton	
1 caiffe de le Soie à Coudre	
3 ps. de Mouchoirs de Soie Noire	
3 caiffes Soiries	
1 valife de Marchandises de Coton	
<i>Payant 7½ par Cent. de droit.</i>	
28 qts. fruit de G. nièvre	
8 do de Térébentine	
46 do de Poix	
29 do de Goudron	
2 barrils de Drogues	
1179 livres d'Ochre jaune	
1067 do de Miel	
952 do de Lin	
339 do d'Eponge	
267 do de Sauciffes	
56 do de Racines de Rhubarbe	
25 do de Sarsaparille	
22 do de Vermillion	
227 minots de Noix	
25 caiffes de Vin muscat	
25 do de do Clairet	
1 do d'Anchois	
2 balles Sarsaparille	
<i>Payant 10 par cent.</i>	
4528 Bestiaux	

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162 gallons Elephant's Oil
90 do Oysters
358 Geefe
44 Turkeys
24 Partridges
330 Fowls
27 Ducks
125 Lobsters
1 Flounder
37 boxes Spring Water
2½ do Drugs
12 do Silk Goods
6 do Types
7 do Tacks
8 do Cotton Goods
6 do Snuff Boxes
5 do Garden Seeds
4 do Combs
2 do Anchovies
2 do Feathers
2 do Cologne Water
2 do Furniture
2 do Plants
2 do Bonnets
2 do Lamp-wick
1 box Marble
1 do Scraps Leather
1 do Broom Corn
1 do Hair Cloth
1 do Sealing Wax
1 do China
1 do Lead Pencils
1 do Baskets
1 do Wire
1 do Gum Copal
1 do Tinman's Tools
9 bales Cotton Goods
7 do Bees Wax
3 do Woollen Goods
49 trunks Fancy Articles
33 do Combs
18 do Silk Goods
7 do Hardware
4 do Woollen Goods
3 do Cotton do
1 do Jewellery
1 do Crayons
1 do Snuff-boxes
1 parcel Bolting Cloths
550 doz. Corn Brooms
170 do Scythe Stones
158 do Whip Handles
26 do Corn Brushes
14 do Tapers
24 do Clock Bells
12 do Looking Glafs
Frames
11½ do Stone Jugs
10 do Sieves
6 do Afforted Lamps
1 do Grafts Mats
73 grosfs Bone Shirt Buttons
36 do Lamp-wick
3 do Clothiers Boards
2½ do Buckles
1 do Toys
4300 Handspikes
1000 Reed Poles
400 Sieve Kims
238 pieces Burr Mill
Stones
500 Wooden Faucets
290 pairs Shoe Lafts
288 do Oars
105 do Socks
107 Clay Furnaces
44 Reeds
40 Rattle Snakes
46 Chairs
36 Whip Stocks
24 Sieves
82 Window Blinds
24 Brafs Lamps
16 Stoves
13 Waggons

9 Sleighs
1 Coach
5 Gigs
7 Potash Kettles
3 Mill Saws
6 Mill Stones
3 Bedsteads
2 Rugs
2 Safes
1 Cider Mill Screw
1 Beer Pump
1 Tobacco Cutting Machine
1 Spinning Machine
2 Scouring Stones
2 Currying Knives
1 Small Boat
1 Copper Kettle
1 Rolling Machine
1 set Currier's Tools
1 do Tinman's do
2 pieces Cotton
8 pckgs. Trees
9 do Furniture
2 do Engravings
1 do Matts
1 do Whip Stocks
121457 pounds Sole Leather
5626 do Harnesfs do
4659 fides Upper do
2739 do Kip do
2059 do Horse do
3 do Patent do
96 shoulders Horse do
622 Horse Butts
1932 Raw Deer Skins
632 Raw Hides
5802 Calves Skins
2909 Sheep do
1186 Morocco do
252 Lining do
266 Binding do
231 Kip do
152 Lamb do
108 Kid do
33 Hog do
12 Buck do
23 grosfs Bindings
7019 Deer Skins
3018 Buffaloe do
1515 Raccoon do
406 Mink do
100 Martin do
100 Wolves do
100 Badgers do
53 Foxes do
37 WildCats do
11 Panthers do
5 Lynxes do

Paying 20 per cent duty.

245650 Segars
10 boxes Glafs Manufactures
1 do Glafs Plates
1 do Lamp Shades
1 do Fancy Soaps
1 trcs. Glafsware
4½ dozen afforted Glafs
Lamps
2 do Lamp Glaffes
48½ pounds Castile Soap

Paying 30 per cent. duty.

29 boxes Books & Paper
6 do Paper Hangings
2 do Boots and Shoes
2 do Clocks
3 trunks Leather Gloves
29 packages Books and
Papers
2 do Shoes & Boots
1 do Whip Thongs
133 dozen do do

Paying 15 par cent.

143 livres de Gomme Copal
121 do de Terra de Senna
119 do de Gomme Shillac
105 do de Laine
91 do de Fourrures de
Lapin
63 do de Colle de Poisson
60 do de Chrome jaune
50 do de Langues
39 do de Noir de fumée
39 do de Feuilles d'étain
27 do de Graines d'Oignon
23 do de Pierre pourrie
20 do de Bleu d'azur
10 do de Feutre
2195 galls. d'Huile de Blanc
de Balaine
2091 do d'Esprit de Térébentine
162 do d'Huile d'Éléphant
90 do d'Huitres
358 Oies
44 Dindes
24 Perdrix
330 Volailles
27 Canards
125 Ecreviffes
1 Carrelet
37 caiffes d'Eau de minerale
28½ caiffes de Drogues
12 do de Soiries
6 do de Types
7 do de Broquettes
8 do de Marchandises
de Coton
6 do de Tabatière
5 do de Graines de
Jardin
4 do de Peignes
2 do d'Anchois
2 do de Plumes
2 do d'Eau de Cologne
2 do de Meubles
2 do de Plantes
2 do de Bonnets
2 do de Mèches de
Lampe
1 caiffe de Marbre
1 do de morceaux de
Cuir
1 do plante de Blé
pour Balais
1 do d'Étoffe de poil
1 do de Cire à cacheter
1 boîte Porcelaine [eter
1 do Crayons
1 do Paniers
1 do Fil de Métal
1 do Gomme Copal
1 do Outils de Ferblantiers
9 balles Cotonades
7 do Cire
3 do Lainages
49 valises de marchandises
de goût
33 do Peignes
18 do Soieries
7 do Quincaillerie
4 do Lainages
3 do Cotonades
1 do Bijouterie
1 do Crayons
1 do Tabatières
1 paquet Toile à relinque
550 douz. de Jonc
170 do Pierre à Faulx
158 do Manche à fouets

26 douz. Broffe communes
14 do Torches
24 do Cloches d'Horloges
12 do Cadres de Miroirs
11½ do Cruches de graie
10 do Cribles
6 do Lampes afforties
1 do Nattes d'Herbes
73 grosfs Bouton d'Ecailles
36 do Mèches à Lampe
3 do Planches pour
Drapiers
2½ do Boucles
1 do Joujou
4300 do Bars de Guindeau
1000 do Barreau de Reed
400 do Bords de Cribles
238 pièces Pierre à moulanges
500 Robinites de Souliers
290 formes de Souliers
288 Rammes
105 Soc de Charue
107 fours de Glaife
44 Roseaux
40 Serpents à fonnettes
46 Chaifes
36 Manches de Fouets
24 Tamis
82 Jalousies
24 Lampes de Cuivre
16 Poèles
13 Chariots
9 Traineaux
1 Caroffe
5 Cabriolets
7 Chaudières à Potaffe
3 Scies de Moulanges
6 Pierres à Moulin
3 Bois de lits
2 Couvertes
2 Panneteries
1 Pressoir pour cidre
1 Pompe à Bière
1 Machine à couper le
Tabac
1 do à filer
2 Pierres à dégraisser
2 Couteaux à corroyer
1 petite Chaloupe
1 Chaudière de Cuivre
1 Machine à rouler
1 assortiment d'Outils de
Corroyeur
1 de ditto Ferblantier
2 pièces de Coton
8 paquets d'Arbres
9 do de Meubles
2 do de Graines
1 do de Nattes
1 do Manches de
Fouets
121457 livs. de Cuir à Semelles
5626 do de do à Harlois
4659 côtés de do à Empeignes
2739 do de do de Cabron
2089 do de do de Cheval
3 do de do à patente
96 Cuir d'épaules de
Cheval
622 de Croupes do
1932 Peaux de Chevreuils
crués
632 côtés de Cuir cru
5802 Peaux de Veaux
2909 do de Moutons
1186 do de Maroquin
252 do à doublure
266 do à bandes
231 do de Cabron
152 do d'Agneau
108 do de Chevreau
33 do de Cochon
12 do de Daim
23 grosfs de Bandes

Appendice
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28 Novr.

Appendix
(C.)
28th Novr.

60 doz. Leather Gloves
18 do Leather Stocks,
Walleys, &c.
4 fets Harnels
1 Piano Forte

Paying Specific Duties.

356339 pounds manufactured
Tobacco
139109 do Leaf do
1422 do Snuff
157916 do Rice
160 3/4 barrels Oatmeal
27 1/2 do Indian Meal
3 do Rye do
7 1/2 do Wheat Flour
172 bushels Corn
54 1/2 do Rye
23 do Peafe
10 1/2 do Wheat

43 1/2 cwt. Biscuit
882 1/2 gallons Whiskey
120 do Wine
50 dozens Bottles
2000 Red Oak Staves
300 feet Pine Plank
50 do Ash Timber
156 do Mahogany.

Duty Free.

3 boxes Books and
Maps
60 bushels Potatoes
1012 bbls Indian
Meal
325 do Pork
48 hhds Indian
Meal
79 kegs Butter
£227,963 5s. in Specie.

7019 Peaux de Chevreuils
3018 do de Buffle
1515 do Chats Sauvages
406 do Visons
100 do Martres
100 do Loups
100 do Blaireaoux,
53 do Renards
37 dh Chats Sauvages
11 do Panthèrs
5 Loupcerviers

Payant 20 par cent. de droit.

245650 Cigarres
10 caiffes de Verres fabri-
qués
1 do de Plateaux de
Verre
1 do Réverbère de
Lampe
1 do Savon d'odeur
1 tierçon de Verrerie
4 2/3 douz. de Lampes de
Verre assorties
2 do de Verres de
Lampe
48 1/2 livres de Savon de Cas-
tille

Payant 30 per cent. de droit.

29 boîtes de Livres et Pa-
piers
6 do de Tapifferies
2 do de Bottes et Sou-
liers
2 do d'Horloges
3 valises de Gants de cuir
29 paquets de Livres et
Papiers
2 do de Souliers et
Bottes
1 do de Fouets
133 douz. de do

60 do de Gants de cuir
18 do de Cols de cuir,
Befaces, &c.
4 garnitures d'Harnois
1 Piano Forte

Payant un droit particulier.

356339 livres de Tabac fabri-
qué
139109 do de do en feuilles
1422 do de do en poudre
157916 do de Riz
160 3/4 quarts de Farine d'A-
voine
27 1/2 do de do de Blé
d'Inde
3 do de do de Seigle
7 1/2 do de do de Fro-
ment
172 minots de Blé
54 1/2 do de Seigle
23 do de Pois
10 1/2 do de Froment
43 2/3 quint. de Biscuit
882 1/2 galls. de Whiskey
120 do de Vin
50 douz. de Bouteilles
2000 Douves de Chêne rouge
300 pieds de Planche de Pin
50 do de Frêne
156 do d'Acajou

Exempt de Droit.

3 caiffes de Livres et
Cartes géographiques
60 minots de Patates
1012 quarts de Farine
de Blé d'Inde
325 do de Lard
48 bou. de Farine
de Blé d'Inde
79 brls. de Beurre
£227963 5s. en Espèces.

Appendice
(C.)
28 Novr.

EXPORTS.

1760 bushels Salt	886 Rabbit Skins
5 do Barley	280 Lynxes
4 do Peas	77 Fishers
44 barrels Shad	50 Hares
21 do Mackarel	31 Bears
15 1/2 do Salmon	19 Raccoons
21 do Pickled Cod- fish	8 Deers
90 gallons Oil	6 Buffaloe Skins
26 do Rum	1 Wolverine
20 do Wine	80 doz. Chinchilla Skins
5 do Gin	29878 falted Seal Skins
5 do Brandy	8 Raw Calve Skins
1 1/2 do Peppermint	3 do Hides
1982 pounds Beaver	42 Horfes & 21 Colts
107 do Castorum	44770 feet Pine Boards
1500 do Venifon	36110 do do Planks
616 do Dry Codfish	152 do Marble
50684 Muskrat Skins	3000 Shingles
2003 Foxes	411 Saw Logs
5096 Martins	
771 Minks	£2176 17 11 Merchandize va- lued
554 Otters	£14583 0 0 in Specie

Total Value of Imports, £98,666 18 5
Total Amount of Specie imported, 227963 5 0
£326,630 3 5
Total Value of Exports, £15,395 19 3
Total Amount of Specie exported, 14,583 0 0
£29,978 19 3

Custom-House, St. John,
10th Oct. 1827.

W. MACRAE, Colr.
Wm. D. LINDSAY, Compt.

EXPORTATIONS.

1760 minots de Sel	280 Loupcerviers
5 do d'Orge	77 Pécans
4 do de Pois	50 Lièvres
44 quarts d'Alofe	31 Ours
21 do de Maquereaux	19 Chats sauvages
15 1/2 do de Saumon	8 Chevreuils
21 do de Morue fau- muré	6 Peaux de Buffle
90 gallons d'Huile	1 Carcajou
26 do de Rum	80 douz. Peaux de Chin- chilla
20 do de Vin	29878 peaux de Veaux-marins, falées
5 do de Genièvre	8 do de Veaux, crues
5 do d'Eau-de-vie	3 do de Côtés de Cuir
1 1/2 do de Peppermint	42 Chevaux et 21 Poulains
1982 livres de Caftor	44770 pieds de Planches de Pin
107 do de Rognons de Caftor	36110 do de do
1500 do de Venaifon	152 do de Marbre
616 do de Morue sèche	3000 Bardeaux
50684 Rats musqués	411 Billots
2003 Renards	
5096 Martres	£2176 17 11 Marchandifes évaluées
771 Visons	£14583 0 0 en Espèces
554 Loutres	
886 Lapins	

Valeur entière des Importations, £98,666 18 5
Montant total des Espèces importées, 227,963 5 0
£326,630 3 5
Valeur entière des Exportations, £15,395 19 3
Montant total des Espèces exportées, 14,583 0 0
£29,978 19 3

Bureau de la Douane, St. Jean,
10 Octr. 1827.

W. MACRAE, Collr.
W. D. LINDSAY, Contilr.

Appendix
(C.)
28th Nov.

STATEMENT of DUTIES collected at the Port of SAINTE MARIE NOUVELLE-BEAUCE, under the Imperial Act anno 6th Geo. IV. chap. 114, between the 10th October 1826 and the 10th October 1827, viz :

IMPORTS.	Value in Sterling.	At what rate.	Amount of Duties
80 lbs Honey	£3 0 0	at 7½ p.ct.	£0 4 6
44 Horses	1232 12 4	at 10 p.ct.	123 5 0½
190 Horned Cattle			
1758 Sheep			
1350 lbs. Dried Apples	57 12 7	at 15 p.ct.	8 12 10½
80 do Clover Seed			
870 do Butter			
1790 do Fresh Cod Fish			
5 do Bees-wax			
5 Martin Skins			
33 yards Cotton Linen			
2 Cotton Blankets	20 9 6	at 30 p.ct.	6 2 10½
24 Shaving Boxes			
4 Clocks	20 9 6	at 30 p.ct.	6 2 10½
27 pairs of Shoes			
Total,	£1313 12 5		138 5 3¼

Total number of Duties £138 5 3¼ Sterling.

Port of Sainte Marie Nouvelle-Beauce,
10th October 1827.

A. C. TASCHEREAU,
Collector H. M. C.

STATEMENT of DUTIES collected at the Port of Sainte Marie Nouvelle Beauce under the various temporary Acts, renewed or continued beyond the periods for which they were enacted in virtue of the 28th Section of the said Act, from the 10th October 1826 to the 10th October 1827, viz :

IMPORTS.

Nihil.

Port of Sainte Marie Nouvelle-Beauce,
10th October 1827.

A. C. TASCHEREAU,
Collector H. M. C.

STATEMENT of ARTICLES exported to the United States of America by the Port of Sainte Marie Nouvelle-Beauce through the Kennebec Road, between the 10th October 1826 and the 10th October 1827, viz :

Dry Goods to the amount of about	£300 0 0
Liquors,	60 0 0
	£360 0 0 currency

Port of Sainte Marie Nouvelle-Beauce,
10th October 1827.

A. C. TASCHEREAU,
Collector H. M. C.

RETURN of the FEES received by A. C. Taschereau, Preventive Officer at the Port of Sainte Marie Nouvelle-Beauce, from the 31st December 1826 to the 10th October 1827.

FEES.

Nihil.

Port of Sainte Marie Nouvelle-Beauce,
10th October 1827.

A. C. TASCHEREAU,
Preventive Officer.

ETAT des DROITS perçus au Port de Sainte-Marie Nouvelle-Beauce, en vertu de l'Acte Impérial de la 6e année Geo. IV. chap. 114, entre le 10 Octobre 1826 et le 10 Octobre 1827, favoir :

IMPORTATIONS.	Valeur en Sterling	A quel taux	Montant des Droits
80 livres de Miel	£3 0 0	at 7½ p.ct.	0 4 6
44 Chevaux	1232 12 4	at 10 p.ct.	123 5 0½
190 Bêtes à Cornes			
1758 Moutons			
1350 livs. de Pommes-fichés	57 12 7	at 15 p.ct.	8 12 10½
80 do de Graines de Lu-			
870 do de Beurre [zerne			
1790 do de Morue fraîche			
5 do de Cire			
5 Peaux de Martres			
33 verg. de Toile de coton			
2 Couvertures de lit de	20 9 6	at 30 p.ct.	6 2 10½
24 Boîtes à Barbe [coton]			
4 Horloges	20 9 6	at 30 p.ct.	6 2 10½
27 paires de Souliers			
Total	£1313 12 5		138 5 3¼

Montant total des Droits, £138 5 3¼ Sterling

Port de Ste.-Marie Nouvelle-Beauce,
10 Octobre 1827.

A. C. TASCHEREAU,
Collecteur D. S. M.

ETAT des DROITS perçus au Port de Ste.-Marie Nouvelle-Beauce, sous les différens Actes temporaires renouvelés ou continués au delà des périodes pour lesquelles ils étoient passés, en vertu de la 28 section de l'un des dits Actes, depuis le 10 Octobre 1826 jusqu'au 10 Octobre 1827, favoir :

IMPORTATIONS.

Nihil.

Port de Sainte-Marie Nouvelle-Beauce,
10 Octobre 1827.

A. C. TASCHEREAU,
Collecteur D. S. M.

ETATS des OBJETS exportés aux Etats-Unis de l'Amérique du Port de Ste. Marie Nouvelle-Beauce, par le Chemin de Kennebec, entre le 10 Octobre 1826 et le 10 Octobre 1827, favoir :

Marchandises sèches au montant d'environ	£300 0 0
Liquors,	60 0 0
	£360 0 0 courant

Port de Ste.-Marie Nouvelle-Beauce,
10 Octobre 1827.

A. C. TASCHEREAU,
Collecteur D. S. M.

RETOUR des HONORAIRES reçus par A. C. Taschereau, Officier de Douane au Port de Sainte-Marie Nouvelle-Beauce, depuis le 31 Décembre 1826 jusqu'au 10 Octobre 1827 :

HONORAIRES.

Nihil.

Port de Ste.-Marie Nouvelle-Beauce,
10 Octobre 1827.

A. C. TASCHEREAU,
Officier de Douane.

Appendice
(C.)
28 Nov.

Appendix
(C.)
26th Decr.

IMPORTS AND EXPORTS AT QUEBEC

FOR 1828.

IMPORTS—QUEBEC, 1828.

FROM THE UNITED KINGDOM.

554 Vessels entered, measuring 161009 Tons, and manned by 7081 Men.

19817 gals. Madeira Wine	213 gals. Shrub
48698 Port	126371 Brandy
21768 Spanish	71980 Gin
93533 Teneriffe	3322 Whiskey
2626 Sicilian	641359 lbs. Refined Sugar
1021 Italian	201139 Muscovado do
5125 Sherry	103867 Coffee
20792 Fayal	44703 Leaf Tobacco
13464 French	15006 packs Playing Cards
4194 Jamaica Rum	171147 minots Salt
13130 Leeward Island do	

Value of Merchandize paying 2½ per cent, £916,724 16 10
Value of Goods, duty free, 5,582 4 0
£922,307 0 10

FROM THE WEST INDIES.

42 Vessels entered, measuring 6206 Tons, and manned by 342 Men.

202633 gals. Jamaica Rum	1109311 lbs. Muscovado Sugar
504259 Leeward Island do	96114 Coffee
40799 Molasses	9280 Pimento

Value of Merchandize paying 2½ per cent, £1425 3 10
Value of Goods, duty free, 11 2 6
£1436 6 4

FROM BRITISH NORTH AMERICAN COLONIES.

100 Vessels entered, measuring 11172 Tons, and manned by 544 Men.

2200 gals. Jamaica Rum	14615 lbs. Coffee
109111 Leeward Island do	877167 Muscovado Sugar
32480 Molasses	5089 Souchong & Twankay
2683 Port Wine	Tea
478 Fayal do	861 Leaf Tobacco
36 French do	251 Segars
266 Brandy	9349 Rice
1067 Gin	6346 minots Salt

Value of Merchandize paying 2½ per cent, £5040 0 11
Value of Goods, duty free, 10268 13 5
£15,308 14 4

FROM FOREIGN EUROPEAN STATES.

10 Vessels entered, measuring 1402 Tons, and manned by 72 Men.

3855 gals. Port Wine	2643 gals. French Wine
12920 Teneriffe do	129 Cordials
3386 White do	2758 Brandy
334 Red do	17494 Gin
7410 Spanish do	1680 packs Playing Cards
206 Rhenish do	3667 minots Salt

Value of Merchandize paying 2½ per cent, £8351 17 5
Value of Free Goods, 130 15 0
£8482 12 5

FROM CHINA.

1 Vessel entered, measuring 647 Tons, and manned by 51 Men.

16681 lbs. Hyson Tea	34616 lbs. Bohea Tea
603759 do other Teas	

Value of Merchandize paying 2½ per cent, £1479 12 7

IMPORTATIONS ET EXPORTATIONS

A QUEBEC, POUR 1828.

IMPORTATIONS—QUEBEC, 1828.

DU ROYAUME-UNI

554 Vaisseaux entrés, mesurant 161009 Tonneaux, et équipés par 7081 Hommes.

19817 gals. de Vin de Madère	213 gals. de Shrub
48698 de Port	126371 d'Eau-de-vie
21768 d'Espagne	71980 de Genièvre
93533 de Ténériffe	3322 de Whiskey
2626 de Sicile	641359 de Sucre raffiné,
1021 d'Italie	201139 de Cassonade
5125 de Chérès	103867 de Café
20792 de Fayal	44703 de Tabac en feuilles
13464 de France	15006 paquets de Cartes à jouer
4194 gals. de Rum de la Jamaïque	171147 minots de Sel
13130 de do des Isle sous le vent	

Valeur des Marchandises payant 2½ par cent, £916,724 16 10
Valeur des Marchandises, exemptes de Droit, 5582 4 0
£922,307 0 10

DES INDES OCCIDENTALES.

42 Vaisseaux entrés, mesurant 6206 Tonneaux, et équipés par 342 Hommes.

202633 gals. de Rum de la Jamaïque	1109311 liv. de Cassonade
504259 de do des Isles sous le Vent	96114 de Café
40799 de Melasse	9280 de Pimento

Valeur des Marchandises payant 2½ par cent, £1425 3 10
Valeur des Marchandises exemptes de Droit, 11 2 6
£1436 6 4

DES COLONIES BRITANNIQUES DE L'AMERIQUE SEPTENTRIONALE.

100 Vaisseaux entrés, mesurant 11172 Tonneaux, et équipés par 544 Hommes.

2200 gals. de Rum de la Jamaïque	14615 livs. de Café
109111 de do des Isles sous le Vent	877167 de Cassonade
32480 de Melasse	5089 de Thé Souchong et Twankay
2683 de Vin de Port	Tea
478 de do de Fayal	861 de Tabac en feuilles
36 de do de France	251 de Cigarres
266 d'Eau-de-vie	9349 de Riz
1067 de Genièvre	6346 minots de Sel

Valeur des Marchandises payant 2½ par cent, £5,040 0 11
Valeur des Marchandises, exemptes de Droit, 10,268 13 5
£15,308 14 4

DES ETATS EUROPEENS ETRANGERS.

10 Vaisseaux entrés, mesurant 1402 Tonneaux, et équipés par 72 Hommes.

3855 galls. de Vin de Port	2643 gals. de Vin de France
12920 de do de Ténériffe	129 de Cordiaux
3386 de do Blanc	2758 d'Eau-de-vie
334 de do Rouge	17494 de Genièvre
7410 de do d'Espagne	1680 paquets de Cartes à jouer
206 de do du Rhin	3667 minots de Sel

Valeur des Marchandises payant 2½ par cent, £8351 17 5
Valeur des Marchandises exemptes de Droit, 130 15 0
£8482 12 5

DE LA CHINE.

1 Vaisseau entré, mesurant 647 Tonneaux, et équipé par 51 Hommes

16681 livres de Thé Hyson	34616 de Thé Bou
603759 d'autres Thé	

Valeur des Marchandises payant 2½ per cent, £1479 12 7

Appendice
(C.)
26 Decr.

Appendix
(C.)
26th Decr.

FROM THE UNITED STATES.

11 Vessels entered, measuring 3045 Tons, and manned by 132 Men.

44128 lbs. Rice	250 lbs. Segars		
16442 do Leaf Tobacco	3203 bbls. Flour		
28823 do Manfd. do	7200 pieces White Oak Staves		
Value of Merchandize paying 2½ per cent,		£954	1 7
Value of Free Goods,		55	11 1
		£1009	12 8

DES ETATS-UNIS.

11 Vaisseaux entrés, mesurant 3045 Tonneaux, et équipés par 132 Hommes.

44128 livres de Riz	3203 quarts de Farine		
16442 de Tabac en feuilles	7200 pièces de Douves de Chêne Blanc		
28823 de ditto Fabriqué			
250 de Cigarres			
Valeur des Marchandises payant 2½ par cent,		£954	1 7
Valeur des Marchandises exemptes de Droits,		55	11 1
		£1009	12 8

Appendice
(C.)
26 Decr.

EXPORTS—QUEBEC, 1828.

TO THE UNITED KINGDOM.

Cleared 616 Vessels, measuring 176484 Tons, and manned by 7735 Men—30 of which were built this year, 7272 Tons.

✓ 627 ps. Masts & Bowsprits	64 kegs and casks Canadian Balm
✓ 2070 do Spars	7 jars ditto ditto
✓ 24695 tons } Oak Timber	100 tons Oil Cake
✓ 12 feet }	2 puns. } Hides
110779 tons Pine do	324 loofe }
2024 tons Ash do	6000 Ox Horns
7157 tons Elm do	14 casks } do
1048 tons Maple do	1 box }
1584758 ps. Standard Staves and Heading	2 puns. } Bones
2085310 do Pipe and Puncheon Staves and Heading	4 hhd. }
74886 Stave Ends	13 casks } Bees Wax
1421187 Three-Inch Deals	3 cafes }
77969 Boards and Planks	8 packages Maple Sugar
39794 Deal Ends	147 lbs. ditto ditto
25534 Battens	5 pckgs. Indian Curiosities
281 Batten Ends	8 ditto Bird and Insect Skins
24439 Oars	2 jars Effence Oil
15758 Handspikes	1 cask Sarsaparilla
740 Cord's Lathwood	4 cafes Minerals
3000 ps. Hoops	1 keg Gentian Root
130 puncheon Shooks	1 jar } Bear's
1100 pieces Treenails	1 basket } Grease
960 Boat-hook Staffs	3 casks }
100 Spade Shafts	2 kegs } Honey
700 Shovels	326 lbs. }
2000 Shingles	4 casks Jeweller's Sweepings
110 Water Casks	38 packages Trees and Plants
4 cords } Oak Billets	3853 lbs Tobacco
81 ps. }	4 casks and kegs Nuts
3 Canoes	2 Stoves
10408 cks. Pearl Ashes, 35531 cwt. 2 qrs. 19bs.	1 cask Runnets
22399 do Pot Ashes, 97201 cwt. 3 qrs. 24 lbs	1 box } Castorum
119312 minots Wheat	6 kegs }
5041 do Oats	15 tierces } Salmoi.
17435 do Pease	58 barrels }
33 do Indian Corn	56 kegs }
452 do Flaxseed	3 barrels } Pickled Fish
8262 bbls. } Flour.	2 half do }
12 half ditto }	30 casks & kegs Cranberries
571 bbls Apples	2 bushels ditto
7 " Onions	2 puncheons } Whiskey
50 " Pork	4 barrels }
17 kegs Butter	
19 casks } Effence	
2 boxes }	
1 jar } Spruce	

EXPORTATIONS—QUEBEC, 1828.

AU ROYAUME-UNI.

Acquittés, 616 Vaisseaux, mesurant 176484 Tonneaux, et équipés par 7735 Hommes.—30 desquels vaisseaux ont été bâtis cette année, ou 7272 tonneaux.

627 ps. Mâts et Beauprés	64 barrils et quarts de Baume du Canada
2070 do Esparres	7 jarres de do do
24695 tonneaux } de Chêne	100 tonneaux de gâteaux de Lin
12 pieds }	2 tonnes } de Cotés
110779 tonneaux de Pin	324 détachées } de Cuir
2024 tonneaux de Frêne	6000 Cornes de Bœuf
7157 tonneaux d'Orme	14 quarts } de do
1048 tonneaux d'Erable	1 caiffe }
1584758 ps. Douves et Fonds d'Etalon	2 tonnes } d'O's
2085310 do Douves et Fonds de Pipes et Tonnes	4 bariques }
74886 Bouts de Douves	13 quarts } de Cire
1421187 Madriers de trois pouces	3 caiffes }
77969 Madriers et Planches	8 paquets de Sucre d'Erable
39794 Bouts de Madriers	147 livres de ditto ditto
25534 Voliges	5 ballots de Curiosités Sauvages
281 Bouts de Voliges	8 paqts. peaux d'Oiseaux et d'Infects
24439 Rames	2 jarres d'Huile d'Effence
15758 Anpces	740 Cordes de Lattes
3000 ps. Cercles	130 Jâts de Tonnes
130 Jâts de Tonnes	1100 ps. de Gournables
1100 ps. de Gournables	960 Gaffes
960 Gaffes	100 Manches de pelles
100 Manches de pelles	700 Pelles
700 Pelles	2000 Bardeaux
2000 Bardeaux	110 Quarts pour l'eau
110 Quarts pour l'eau	4 cordes } Bûches de
4 cordes }	81 pièces } Chêne
81 pièces }	3 Canots
3 Canots	10408 quarts de Perlasse, 35531 qt. 2q. 19 liv.
10408 quarts de Perlasse, 35531 qt. 2q. 19 liv.	22399 quarts de Potasse 97201 qt. 3 q. 24 liv.
22399 quarts de Potasse 97201 qt. 3 q. 24 liv.	119312 minots de Bled
119312 minots de Bled	5041 do d'Avoine
5041 do d'Avoine	17435 do de Pois
17435 do de Pois	33 do de Bled d'Inde
33 do de Bled d'Inde	452 do de Graine de Lin
452 do de Graine de Lin	8262 quarts } de
8262 quarts }	12 demi do } Farine
12 demi do }	571 do de Pommes
571 do de Pommes	7 do d'Oignons
7 do d'Oignons	50 do de Lard
50 do de Lard	17 barrils de Beurre
17 barrils de Beurre	19 quarts } d'Effence
19 quarts }	2 caiffes }
2 caiffes }	1 jarre } d'EpINETTE
1 jarre }	

IMPORTED GOODS EXPORTED.

1 Copper Still	1 pipe Wine
2 puns. Old Copper	1 qr. cask do
14 tons } Old Iron	16 puncheons Rum
10 cwt. }	113 bales Cotton
2 Chain Cables	55 pckgs. Merchandize

EFFETS IMPORTE'S QUI ONT E'TE' EXPORTE'S.

1 Alambic de cuivre	1 quart de Vin
2 tonnes de vieux cuivre	16 tonnes de Rum
14 tonneaux } de vieux	113 balles de Coton
10 quintaux } Fer	55 paquets de Marchandises
2 Cables de Chainé	
1 pipe de Vin	

Appendix (C.) 26th Decr.

FURS AND PELTRIES.

Table listing furs and peltries: 24470 Martin Skins, 6740 Fox do, 650 Lynx do, 2891 Minx do, 429 Fisher do, 10660 Beaver do, 48318 Muskrat do, 543 Bear & Cub do, 197 Raccoon do, 1354 Otter Skins, 4 Carcajoux do, 5 Wolverine do, 29 Hare do, 26 cased and open Cat do, 16 Deer do, 300 Martin Tails do.

PELLETIERIES.

Table listing pelletieries: 24470 Peaux de Martres, 6740 do de Renards, 650 do de Loupscerviers, 2891 do de Vifons, 429 do de Péccans, 10660 do de Castor, 48318 do de Rats-mufqués, 543 do d'Ours et d'Ours-fons, 197 do de Chats fauvages, 1354 do de Loutres, 4 do de Carcajoux, 5 do de Carcajoux, 29 do de Lièvre, 26 do de Chat, 16 do de Chevreuils, 300 Queues de Peaux de Martres.

Appendice (C.) 26 Decr.

TO THE BRITISH WEST INDIES.

45 Veffels, meafuring 7373 Tons, and manned by 405 Men.

Table listing goods for the British West Indies: 2 ps. Mafts, 105 do Spars, 4 do Oak Timber, 100 do Handspikes, 217 do Scantling, 1707 do Oars, 19 do Boats, 12 do Ladders, 18000 feet Boards, 1880 puns, 1173 hhds, 950 bbls, 122 qr. cask, 5000 Hoops, 28500 Shingles, 5629 minots Oats, 1101 do Peafe, 450 do Indian Corn, 20 kegs, 700 lbs, 4 kegs, 1295 lbs, 17596 lbs. Lard, 9155 lbs. Butter, 3 casks, 2 cafes, 329 lbs, 111 minots Rye, 9083 barrels, 407 half do, 303 puns, 1824 bbls, 428 cwt. Biscuit, 210 barrels Apples, 319 do Onions, 5516 bbls, 1078 half do, 2438 barrels, 1590 half do, 13 casks, 245 kitts, 25731 lbs. &c., 55 kegs, 5184 lbs., 5160 do, 99 casks, 27 cafes, 918 galls, 1 pun, 5 hhds, 100 boxes, 36 dozen, 72 galls, 119 casks, 16 boxes, 11006 cwt., 33 casks, 100 tierces, 87 barrels, 153 half do, 1558 barrels, 45 half bbls, 6 boxes, 9 casks, 3219 galls, 30 puns, 24784 lbs., 11547 lbs. Soap, 1 box Effence Spruce, 2 jars Canadian Bal-[fam], 11 hhds, 172 kegs, 11791 lbs., 1 cask Vinegar, 11 dozen Tureens, 122 Horfes, 5 Sheep, 5 casks & kegs, 520 lbs., 190 casks Potatoes, 100 bushels Potatoes, 3 bags Hemp Seed.

AUX INDES OCCIDENTALES BRITANNIQUES.

45 Vaisseaux acquittés, mesurant 7373 Tonneaux, et équipés par 405 Hommes.

Table listing goods for the British West Indies: 2 Mâts de Pin, 105 Esparres de do, 4 ps. de Chêne, 100 Anspects, 217 ps. Lambourdes, 1707 Rames, 19 Chaloupes, 12 Echelles, 18000 pieds de Planches, 1880 tonnes, 1173 barriques, 950 quarts, 122 quarts, 5000 Cercles, 28500 Bardeaux, 5629 minots d'Avoine, 1101 do de Pois, 450 do de Bled d'Inde, 20 barrils, 700 livres, 4 barrils, 1295 livres, 17596 livres, 9155 livres, 3 quarts, 2 caiffes, 329 livres, 111 minots de Seigle, 9083 quarts, 407 demi do, 303 tonnes, 1824 quarts, 428 quint, 210 quarts, 319 quarts, 5516 do, 1078 demi do, 2438 quarts, 1590 demi do, 13 quarts, 245 tinettes, 25731 livres, 55 barrils, 5184 livres, 5160 do, 99 quarts, 97 caiffes, 918 galls, 1 tonne, 5 barriques, 100 caiffes, 36 douzaines, 72 gallons, 119 quarts, 16 caiffes, 11006 quint, 33 quarts, 100 tierçons, 87 quarts, 153 demi-qrts, 1558 quarts, 45 demi ditto, 6 caiffes, 9 quarts, 3219 galls, 30 tonnes, 24784 livres, 11547 do, 1 caiffe d'Essence d'Epinette, 2 jarres de Baume du Canada, 11 barriques, 172 barrils, 11791 livres, 1 quart de Vinaigre, 11 douzaines de Terrines, 122 Chevaux, 5 Moutons, 5 quarts et brls, 520 livres, 190 quarts, 100 minots, 3 sacs de graines de Chanvre.

IMPORTED GOODS EXPORTED.

Table listing imported goods exported: 16 chests and boxes Tea, 1 pipe, 2 hhds, 114 tierces, 51 half do, 5 casks, 8 cwt, 65 barrels Pitch and Tar, 59 tons Coals, 57 cafes Liqueurs, 2 casks Varnish, 6 boxes Axes, 5400 Bricks, 18 barrels Turpentine, 2 Chain Cables, 28 packages Merchandises.

EFFETS IMPORTÉS QUI ONT ÉTÉ EXPORTÉS.

Table listing imported goods exported: 16 caiffes et boîtes de Thé, 1 pipe, 2 barriques, 114 tierçons, 51 demi do, 5 quarts, 8 quint, 65 quarts de Pois et de Goudron, 59 tonneaux de Charbon, 57 caiffes de Liqueurs, 2 quarts de Vernis, 6 caiffes de Haches, 5400 Briques, 18 quarts de Térébentine, 2 Cables de Chaîne, 28 ballots de Marchandises.

TO BRITISH AMERICA.

Cleared 98 Veffels, meafuring 6628 Tons, and manned by 372 Men.

Table listing goods for British America: 7 pieces Mafts & Spars, 6 do Oak Timber, 16 ps. Pine Timber, 29 tons Elm do.

A L'AMERIQUE BRITANNIQUE.

Acquittés 98 Vaisseaux, mesurant 6628 Tonneaux, et équipés par 372 Hommes.

Table listing goods for British America: 7 pièces de Mâts et Esparres, 6 ps. de Chêne, 16 do de Pin.

Appendix
(C.)
26th Decr.

22 tons Birch Timber
3 do Ash do
724 pieces Boards
366832 do Staves & Heading
3 cords Lathwood
24 Oars
722 bundles } Hoops
11800 pieces }
1822 puns. }
5099 bbls. } Shooks
71 trcs. }
150 Water Casks
47 cwt 2 qr. Pot & Pearl Ashes
800 minots Wheat
835 do Barley
8492 do Oats
2520 do Peafe
10 barrels Indian Corn
130 minots Rye
1002 do Flaxfeed
8 161 barrels } Flour
9 half do }
40 bags }
631 bbls. Indian Meal
1626 cwt. Biscuit
249 barrels Apples
22 do Onions
6639 do } Pork
314 half do }
2493 barrels } Beef
131 half do }
1812 lb. } Hams, Rounds,
6 casks } &c.
36 kegs } Lard
8581 lbs }
163 kegs } Butter
63139 lbs }
22 cafes Cheefe
3238 lbs. Cheefe
20 tierces Salmon

1789 galls. Fish Oil
3 tons Oil Cake
244 boxes } Soap
5257 lbs. }
8 boxes } Candles
360 lbs. }
84 casks } Ale and
30 galls } Beer
1 pun. }
2 hhds } Cider
130 galls. }
1 box } Effence
2 jars } Spruce
1 hhd. Peppermint
12 packages Trees and Plants
431 pairs Moccafins
6 Calf Skins
3 hhds. } Tobacco
4 kegs. }
9426 lbs. }
20 boxes } Cigars
119 lbs. }
1 cask } Snuff
2811 lbs. }
105 Stoves
32 Grates
2 casks Vinegar
9 dozen Tureens
112 Chairs
4 casks }
1 bale } Fur Caps
2 cafes }
10 Buffalo Robes
5 Horfes
75 bbls. Rye Meal
10 do Indian Corn
6 casks Seeds
627 lbs. Maple Sugar
1 cask Ox Horns
1900 bufhs. Malt

29 tonneaux d'Orme
22 do de Merificer
3 do de Frêne
724 ps. de Planches
366832 do de Douves et Fonds
3 cordes de Lattes
24 Rames
722 paquets } de Cercles
11800 pièces }
1822 tonnes }
5099 quarts } en bottes
71 tiers. }
150 Quarts d'Eau
47 quint 2 q. Potaffe et Perlaffe
800 minots de Bled
835 do d'Orge
8492 do d'Avoine
2520 do de Pois
10 quarts de Bled d'Inde
130 minots de Seigle
1002 do de Graine de Lin
18161 quarts }
9 demi do } de Farine
40 sacs }
631 quarts de Farine d'Inde
1626 quint. de Biscuit
249 quarts de Pommes
22 do d'Oignons
6639 do } de Lard
314 demi do }
2493 quarts } de Bœuf
31 demi do }
1812 livres } de Jambons,
6 quarts } Rondes, &c
36 barrils } de Saindoux
8581 livres }
163 barrils } de Beurre
63139 livres }
22 caiffes de Fromage
3238 livres de do
20 tiercons de Saumon
1789 gallons d'Huile de Poiffon

3 tonneaux de Pains de Lin
244 boîtes } de Savon.
5257 livres }
8 boîtes } de Chan-
360 livres } delles
84 quarts } d'Aile et de
30 galls. } Bière
1 tonne }
2 boucauts } de Cidre
130 galls. }
1 caiffe } d'Effence
2 jarres } d'Epinette
1 boucaut de Peppermint
12 paquets d'Arbres et Plantes
431 paires de Souliers fauvages
6 peaux de Veaux
3 boucauts }
4 barrils } de Tabac
9426 livres }
20 boîtes } de Cigarres
119 livres }
1 quart } de Tabac en
2811 livres } poudre
105 Poêles
32 Grilles
2 quarts de Vinaigre
9 douzaines de Terrines
112 Chaises
4 quarts }
1 balle } de Cafques
2 caiffes }
10 Robes de Buffle
5 Chevaux
75 quarts de Farine de feigle
10 do de Bled d'Inde
6 quarts de Graines
627 livres de Sucre d'E-rable
1 quart de Cornes de Bœuf
1900 minots de Drèche

Appendice
(C.)
26 Decr.

IMPORTED GOODS EXPORTED.

3 hhds. } Wine	4 puncheons Rice
18 dozen }	15 casks Barley
15 hhds. Gin	1 barrel Tar
4 puns. }	106 chaldrons Coals
2 bbls. } Rum	6 bun. Iron Hoops
30 galls. }	5 tons Logwood
7 puns. }	10 boxes Chocolate
2 bbls. } Molasses	54 blocks
108 galls. }	2 Chain Cables
4 barrels Sugar	124 cwt. }
820 bushels Salt	2 boxes } Old Iron
50 chests and } Tea	10 bundles }
boxes }	1 bale Wool
2704 lbs.	305 packages Merchandize

EFFETS IMPORTÉS QUI ONT ÉTÉ EXPORTÉS.

3 barriques } de Vin	15 quarts d'Orge
18 douzaines }	1 quart de Goudron
15 barriques de Genièvre	106 voies de Charbon
4 tonnes }	6 do de Cercles de Fer
2 quarts } de Rum	5 tonneaux de Campêche
30 gallons }	10 boîtes de Chocolate
7 tonnes }	54 Billots
2 quarts } de Melasse	2 Cables de Chàine
108 gallons }	124 quint. }
4 quarts de Sucre	2 caiffes } de vieux Fer
820 minots de Sel	10 paquets }
50 caiffes et boîtes Thé,	1 balle de Laine
(2704 livres)	305 paquets de Marchandizes
4 tonnes de Riz	

TO FOREIGN EUROPEAN STATES.

1 Vessel cleared, measuring 105 tons, manned by 7 Men.

190 cwt. Cod Fish	1½ tons Elm
1737 lbs. Butter	2 do Ash
950 Boards	2 do Birch
4313 lbs. Cheese	2 do Butternut
630 gallons Ale	4 Spars
450 lbs. Crackers	1209 Stave Ends
5 bariels Apples	98 pipes } Packs
400 pieces Scantling	83 hhds. }
15 tons Oak Timber	

AUX ETATS EUROPEENS ETRANGERS.

1 Vaisseau acquitté, mesurant 105 Tonneaux, équipés par 7 Hommes.

190 quintaux de Morue	1½ tonneaux d'Orme
1737 livres de Beurre	2 do de Frêne
950 Planches	2 do de Merisier
4313 livres de Fromage	2 do de Noyer
630 gallons d'Aile	4 Esparres
450 livres de Biscuits à l'Eau	1209 Bouts de Douves
5 quarts de Pommes	98 pipes } en Bottes
400 pièces de Lambourdes	83 boucauts }
15 tonneaux de Chêne	

TO THE UNITED STATES.

3 Vessels cleared, measuring 609 Tons, manned by 25 Men.

18 cwt. Cod Fish	12 bushels Potatoes
2 tierces } Salmon	96 bushels }
6 barrils }	12 barrels } Peae
459 do Pickled Fish	885 bushels Oats
9600 Hoops	

AUX ETATS UNIS.

3 Vaisseaux acquittés, mesurant 609 Tonneaux, équipés par 25 Hommes.

18 quint. de Mo rue	9600 Cercles
tiercons } de Saumon	12 minots de Patates
6 quarts }	96 minots } de Pois
459 quarts de Poisson sau-	12 quarts }
muré	885 minots d'Avoine

Appendix
(C.)
26 Decr.

A GENERAL STATEMENT of IMPORTS & EXPORTS at the Port of ST. JOHN, from 11th October 1827 to 10th October 1828, inclusive.

IMPORTS:

<i>Paying 2½ per Cent. Cy. duty.</i>	171865 lbs. Cheese
3234 Barrels Ashes	158524 do Butter
16508 bufs. Apples	64105 do Lard
85 do Plumbs	10909 do Clover Seed
17½ do Peaches	5271 do Hops
15 do Pears	3485 do Bees-wax
5 do Quinces	2260 do Mutton Hams
129½ boxes Lemons and Oranges	1883 do Pork do
11 do Fruits	1260 do Sperm. Candles
150 Water Melons	922 do Gum Copal
519225 lbs. Pork,	555 do Chocolate
265493 do Tallow	468 do Hatting Furs
53400 do Fresh Codfish	305 do Gum Shellac
11949 do Mutton	150 do Chrome Yellow
11570 do Beef	108 do Terra de Senna
2743 do Cotton Wool	95 do Wool
150 do Venison	90 do Whalebone
60 do Veal	81 do Rabbit Wool
4295 Raw Hides	77 do Black Lead
1130 do Calf Skins	66 do Rock Candy
20000 do Red Oak Staves	49 do Ivory Saw-duft
100 ps. Pine Timber	32 do Blue Smalts
3 do Mahogany do	25 do Lampblack
	20 do Carraway Seed
	20 do Rotten Stone
<i>Paying 7½ per Cent. Stg. duty.</i>	1293 galls. Sperm. Oil
450 barrels Pitch	633 do Spirits Turpentine
223 do Tar	280 do Apple Sauce
8 do Turpentine	25 bush. Dried Apples
8 do Juniper Berries	25 do Grass Seed
43 bufs. Nuts	4 do Flax do
3742 lbs. Ochre	3 do Hemp do
462 do Honey	105 boxes Drugs and Medicines
156 do Rhubarb	35 do Fruit Trees
120 do Saufages	33 do Saratoga Water
12 do Vermillion	24 do Types
182 gals. Olive Oil	24 do Woollen Goods
35 boxes Drugs and Medicines	19 do White Wax
21 do Whet Stones	14 do Combs
13 do Anchovies	14 do Plumes
3 do Sweetmeats	12 do Hardware
3 do Capers	10 do Tacks
1 do Paintings	10 do Fancy Articles
1 do Vermillion	8 do Furniture
1 bale Sarfaparilla	8 do Candle moulds
4 Marble Slabs	7 do Garden Seeds
	6 do Tools
	4 do Chair Timber
	3 do Soda Water
	3 do Rabbit Fur
	3 do Sperm. Candles
	2 do Segar Box Wood
	2 do Wearing Apparel
	2 do Paints
	2 do Snuff-boxes
	2 do Plants
	2 do Orgeat
	1 do Gold and Silver Leaf
<i>Paying 10 per cent. Stg. duty.</i>	1 do Toys
1544 Head of Cattle	1 do Needles
4096 Sheep	1 do Chimney Ornaments
2605 Live Hogs	1 do Wire
83 Horses	1 do Clothiers Boards
	1 do Isinglass
	1 do Fish Nets
	1 do Bolting Cloths
	1 do Hats
	78 trunks Fancy Articles
	9 do Combs
	4 do India Rubber Shoes
	2 do Tin Ware
	1 do Jewellery
	18 bales Feather s

ETAT GÉNÉRAL des IMPORTATIONS et EXPORTATIONS au Port de ST. JEAN, du 11 Octobre 1827 au 10 Octobre 1828, inclusivement.

IMPORTATIONS:

<i>Payant 2½ par Cent. de Droit courant</i>	49 quarts d'Huitres
3234 quarts de Potaffe	20 brls. d'Encre d'Imprimerie
16508 minots de Pommes	2 do de Bleu d'azur
85 do de Prunes	1 do d'Ecales de Cacao
17½ do de Pêches	10 paquets de Cordes
15 do de Poires	2 do de Lignes
5 do de Coings	171865 livres de Fromage
129½ boîtes de Citrons et d'Oranges	158524 do de Beurre
11 do de Fruits	64105 do de Saindoux
150 Melons d'eau	10909 do de Graine de trefle
519225 livres de Lard	5271 do de Houblon
265493 do de Suif	3485 do de Cire
53400 do de Morue fraîche	2260 do de Jambon de Mouton
11949 do de Mouton	1883 do de do Cochon
11570 do de Bœuf	1260 do de Blanc de Baleine
2743 do de Coton-brut	922 do de Gomme Copal
150 do de Venaison	555 do de Chocolat
60 do de Veau	463 do de Feutre
4295 côtés de Cuir vert	305 do de Gomme Shil-lac
1130 Peaux de Veau	150 do de Chrome jaune
20000 Douves de Chêne rouge	108 do de Terra de Senna
100 pièces de Pin	95 do de Laine
3 do d'Acajou	90 do de Côtés de Baleine
<i>Payant 7½ par Cent. de droit Stg.</i>	81 do de Peaux de Lapin
450 qts. de Poix	77 do de Mine de plomb
223 do de Goudron	66 do de Sucre Candi
8 do de Térébentine	49 do de Sciûre d'Ivoire
8 do de Baies de Genièvres	32 do de Bleu d'Azur
43 minots de Noix	25 do de Noir de fumée
3742 livres d'Ocre	20 do de Graines de Carraway
462 do de Miel	20 do de Pierre pourrie
156 do de Rhubarbe	1293 gals. d'Huile de blanc de Baleine
120 do de Sauciffes	633 do d'Esprit de Térébentine
12 do de Vermillion	280 do de Sauce de Pommés
182 gals. d'Huile d'Olive	25 do de Pommes sèches
35 boîtes de Drogues et Médicines	25 do de Graines de Foin
21 do de Pierres à aiguiser	4 do de do de Lin
13 do d'Anchois	3 do de do de Chanvre
3 do de Confitures	105 caiffes de Drogues et Médicines
3 do de Capres	35 do d'Arbres fruitiers
1 do de Peintures	33 do d'Eau de Saratoga
1 do de Vermillion	24 do de Types
1 balle de Sarfaparille	24 do de Lainage
4 morceaux de Marbre	19 do de Cire-blanche
	14 do de Peignes
	14 do de Plumes
	12 do de Quincaillerie
	10 do de Broquettes
	10 do de Objets de goût
	8 do de Meubles
	8 do de Moules à Chandelles
	7 do de Graines de Jardin
	6 do d'Outils
	4 do de Bois pour Chaises
	3 do d'Eau de Soda
	3 do Peaux de Lapin
	3 do de Blanc de Baleine
	2 do de Bois pour Boîtes à Cigarres
	2 do de Hards
	2 do de Peinture
<i>Payant 10 par cent. de droit, Stg.</i>	
1554 Bêtes à Cornes	
4096 Moutons	
2605 Cochons vivans	
83 Chevaux	
<i>Payant 15 par cent. de droit, Stg.</i>	
951 quarts pour Provisions	
847 do de Résine	
200 do de Cidre	
46 do de Bois pour teindre	
19 do de Bière	
9 do d'Esprit de Térébentine	
4 do de Graisse pour Savon	
2 do de Sauce de Pommes	
1 do de Colle de poiffon	
1 do de Quincaillerie	
1 tonne de Lignes	

Appendice
(C.)
26 Decr.

Appendix
(C.)
26th Decr.

10 bales Buffaloe Skins
2 do Quills
1 do Twines
1 do Woolens
32 bags Buttons
3 do Garden Seeds
2 do Mofs
245696 pounds Sole Leather
2036 do Harnes do
220 do Skirting do
120 do Shavings do
2007 sides Upper do
777 do Kip do
182 do Moccasin do
86 do Horfe do
3 do Card do
185 pieces Split do
25 do Shavings do
141 Horfe Butts do
34 shoulders Horfe do
6381 Calf Skins
1838 Sheep do
1775 Morocco do
1350 Buffaloe do
582 Seal do
555 Kip do
414 Lining do
274 Hare and Coney do
144 Binding do
136 Kid do
100 Ruffet do
32 Hog do
2 Russia do
22 gros Binding Skins
11 Boot Legs
587 Ge. fe
160 Turkies
117 Partridges
72 Fowls
4 Ducks
25 Fox Skins
694 pairs Lafts
336 do Skaits
115 do Socks
4 do Iron Sleigh Shoes
1 do Cart Wheels
7 do India Rubber Shoes
2 do Shears
255½ doz. Lining and Binding Skins
18½ do Stone Juzs
8 do Corn Brooms
6 do Corn Brushes
4 do Rabbit Skins
2 do Cloth Uppers
1148 Hat bodies
1800 Ash Oars
700 Reed Poles
500 Burs for Mill Stones
206 Cast Iron Gridirons
189 Spinning Wheel Heads
60 Locust Trees
59 gros Button Moulds
59 Cast Iron Ploughs
32 Patent Wool Cards
24 Mahogany Bed Posts
16 Clock Faces
12 Chairs
12 Riding Switches
10 Waggon,
6 Cooking Stoves
8 Gigs
6 Window Blinds
6 Bars Iron,
3 Sleighs
3 Beer Pumps
3 Cutting Machines
3 cannisters Varnish
2 Hobby Horfes
2 Mahogany Bedsteads
2 Chests Drawers
2 packages Furniture
2 Tables
1 Brass Kettle
2 Cast Iron Furnaces

1 Carding Machine
1 Tobacco Twister
1 Drill
1 Mill Crank
1 set Fire Irons
1 Printing Prefs
1 Bark Mill
1 Soda Fountain
1 Carriage
1 package Painters' Brushes
1 do Tinman's Tools

Paying 20 per cent Stg. Duty

313000 Segars
46 boxes Glass Manufactures
13 do Soaps
9 do Cotton Goods
7 do do Wick
6 do do Belts
16 trunks do Goods
26 bales do do
1 do do Wadding
4 barrels Glassware
2 hhds do
3 packgs do
1 do Cotton Goods
44 pounds Castile Soap

Paying 30 per cent. Stg. duty.

36 trunks Silk Goods
14 do Leather Manufactures
62 boxes Books and Papers
6 do Silk Goods
23 packages Books and Papers
6 do Silk Goods
6 do Leather Manufactures
4 do Clocks & Watch-
[es
2 do Harnesfes
1 do Musical Instruments
1 Musical Work Box

Paying Specific Duties.

257936 pounds manufactured Tobacco
111388 do Leaf do
3168 do Snuff of do
95390 do Rice
70 do Coffee
437 barrels Indian Meal
99½ do Oatmeal
94 do Rye do
70 do Wheat Flour
½ do Buck Wheat do
1 do Pork
248½ bushels Corn
90 do Rye
12 do Wheat
6 do Beans
14 galls. French Wine
20 do Brandy
12 do Liqueurs
107 do Rum
51012 dozen Bottles
14107 feet Pine Boards
14131 do Mahogany
1½ cwt. Biscuit

Duty Free.

15 boxes Books } Impor-
6 do Minerals } ted per
1 bdle. Paper } Special
1 cask Pattern } Li-
Cards } cence.

2 caiffes de Tabatières
2 do de Plantes
2 do d'Orgeat
1 do de Feuilles d'Or
and d'Argent
1 do de Bijoux
1 do d'Aiguilles
1 do d'Ornemens de
Cheminées
1 do de Fil de Fer
1 do de Planche pour
les Drapiers
1 do de Colle de Pois-
son

1 do de Rets
1 do de Toile à Blû-
teaux
1 do de Chapeaux
78 valifes de Marchandi-
ses de gout
9 do de Peignes
4 do de Souliers de
Gomme élastique
2 do de Ferblanteries
1 do de Joaillerie
18 balles de Plumes
10 do de Robes de
Bœuf
2 do de Plumes à é-
crire
1 do de Fil retort
1 do de Lainage
32 sacs de Boutons
3 do de Graines de
Jardin

2 do de Mousse
245696 livs. de Cuir à semelles
2036 do de do à Harnois
220 do de do à Bandes
120 do de Rognures de
Cuir
2007 côtés de do à Em-
peignes
777 do de Bœuf
182 Souliers sauvages
86 do de Cheval
3 do de Cuir à cardes
185 pièces de do fendu
25 do de Rognures de
Cuir
141 do de Cuir de croupe
de Cheval
34 do de do d'Epaule
de Cheval

6381 Peaux de Veaux
1838 do de Moutons
1775 do de Maroquin
1350 do de Boeuf
582 do de Loupsmarin
555 do de Cabron
414 do à Doublures
274 do de Lièvres et pe-
144 do à Bandes [tits
136 do de Chevreaux
100 do de brunes
32 do de Cochons
2 do de Russie
22 grosses de Cuir à bandes
11 Jambes de Bottes
587 Oies
160 Dindes
117 Perdrix
72 Volailles
4 Canards
25 Peaux de Renards
694 paires de Formes à Cor-
donnier
336 do de Patins
115 do de Chauffons
4 do de Licés de Fer
1 do de Roues de
Charette
7 do de Souliers de
Gomme élastique
2 do de Forces
255½ douz. de Peaux à Dou-
blures & à Bandes

18½ do de Cruches de grès
8 do de Balais de plante
de Blé
6 do de Brosses
4 do de Peaux de Lapins
2 do d'Empeignes de
Drap
1148 do de Chapeaux
1700 Rames de Frêne
700 Perches de roseaux
500 Pierres pour moulanges
206 Grils de Fonte
189 Têtes de Ronets à filer
60 Carougier
59 grosses de moules à
Boutons
59 Charrues de Fonte
32 cardes à Patente
24 Poteaux de Lit d'Aca-
jou

16 Cadrans
12 Chaifes
12 houssines à Cheval
10 Chariots
6 Poëles
8 Cabriolets
6 Jalousies
6 barres de Fer
3 Traîneaux
3 Pompes à Bière
3 Machines à couper
3 Boîtes de Vernis
2 Petits Chevaux
2 Lots de Meubles
2 Bois de Lit d'Acajou
2 Bureaux
2 Tables
1 Chaudière de cuivre
2 Tonneaux de Fonte
1 Machine à carder
1 do à Tabac
1 Touret
1 Grue de Moulin
1 Pelles Pincettes and
Tisonniers
1 Presse pour imprimer
1 Moulin à brifer l'écorce
1 Machine à faire l'eau
appelée Soda Water
1 Caroffe
1 paquet de Pinceaux
1 do d'Outils de Fer-
blantier

Payant 20 par cent. de droit Stg.

313000 Cigarres
46 caiffes de Verres fabri-
qués
13 do de Savon
9 do de Marchandises
de Coton
7 do de Coton à mèche
6 balles de Coton
16 valifes de Marchandises
26 balles de ditto de Coton
1 do de Coton brut
4 quarts de Verreries
2 boucauts de ditto
3 lots de ditto
1 do de Marchandises de
Coton
44 livres de Savon de Cas-
tille

Payant 30 per cent. de droit Stg.

36 valife de Marchandises
de Soie
14 do de Cuirs fabri-
qués
62 caiffes de Livres et Pa-
piers
6 do de Marchandises
de Soie
23 paquets de Livres et
Papiers

Appendice
(C.)
26 Decr.

Appendix
(C.)
26th Decr.

£28961 in Specie.

300 bbls. Pork } bonded for
522 kegs Butter } Exportation.

6 do Marchandises de Soie
6 do de Cuir fabriqué
4 do d'Horloges et Montrès
2 do de Harnois
1 do d'Instrumens de Musique
1 Orgue portative

Payant un droit particulier.
257936 livres de Tabac fabriqué
111388 do de do en feuilles
3168 do de do en poudre
95390 do de Riz
70 do de Café
437 quarts de Farine de Blé d'Inde
99½ do de do d'Avoine
94 do de Seigle
70 dq de Farine de Froment
½ do de ditto de Blé Sarrasin
1 do de Lard

248½ minots de Blé de seigle
90 do Seigle
12 do de Farine
6 do de Fèves
14 galls. de Vin François
20 do d'Eau-de-vie
12 do de Liqueurs
107 do de Rum
510½ douz. de Bouteilles
14107 pieds de Madriers de Pin
14131 do d'Acajou
1½ quintaux de Biscuit

Exempt de Droit.

IMPORTES PAR LICENCE SPECIALE.
15 caiffes de Livres
6 do de Minéraux
1 paquet de Papier
1 quart de Cartes de patrons

£28961 5s. en Espèces.

En dépôt pour exportation.
300 quarts de Lard
522 barrils de Beurre

Appendice
(C.)
26th Decr.

EXPORTS.

2652 bushels Salt	106 Racoon Skins
468 do Barley	37 Lynx do
61½ barrels Salmon	25 Badger do
27½ do Mackarel	6 Wolf do
12 do Pickled Cod-fish	5 Carcajoux
14 do Shad	84 Raw Calve Skins
2 do Herrings	2 do Hides
10351 pounds Dry Codfish	286 Horfes
15246 do Beaver	117 Colts
253 do Castorum	354000 feet Pine Timber
36 gallons Oil	33739 do Boards
10 do Rum	26990 do Planks
37252 Muskrat Skins	31460 do Hemlock Timber
11272 Seal do	4200 do Scantling
8443 Martin do	151500 Shingles
1639 Otter do	
1165 Mink do	£23476 10 0 in Specie
417 Fox do	
204 Bear do	£4965 10 8 Merchandize valued
155 Fifher do	

Total Value of Articles imported, £130,144 13 6
Total value of Specie imported, £28,961 0 0
Total Value of Articles exported, £40,110 5 9
Total Value of Specie exported, £23,476 10 0

Custom-House, St. John,
10th Oct. 1828.

W. MACRAE, Colr.
Wm. D. LINDSAY, Compt.

(1828.)

YEARLY RETURN of IMPORTS to the House of Assembly :

STATEMENT of DUTIES collected at the Port of Ste. Marie-Nouvelle-Beauce, under the Imperial Act anno 6th Geo. IV. chap. 114, between the 10th of October 1827, and the 10th of October 1828, viz :—

IMPORTS.	Value in Stg.	Duty of 10 per cent. Sterling.
5th Jany. Qr. Nihil.	Nihil.	Nihil.
5th April Qr. do	do	do

EXPORTATIONS.

2652 minots de Sel	116 peaux de Chats sauvages
468 do d'Orge	37 do de Loups-cerviers
61½ quarts de Saumon	25 Blaireaux
27½ do de Maquereaux	6 Peaux de Loups
12 do de Morue faumuré	5 dc de Carcajoux
14 do d'Alofe	84 do de Veaux crues
2 do de Harengs	2 Côtés de Cuir de Veaux
10351 livres de Morue sèche	286 Chevaux
15246 livres de Castor	117 Poulains
253 do de Rognons de Castor	354000 pieds de Pin
36 gallons d'Huile	33739 do de Madriers
10 do de Rum	26990 do de Planches
37252 peaux de Rats musqués	31460 do de Pin Canadien
11272 do de Veaux Marins	4200 do de Lambourdes
8443 do de Martres	151500 Bardeaux
1639 do de Loutres	£23476 10 0 en Espèces
1165 do de Vifons	
417 do de Renards	£4965 10 8 Merchandises évaluées
204 do d'Ours	
155 do de Pécans	

Valeur entière des objets importés, £130,144 13 6
Ditto d'Espèces ditto, £28,961 0 0
Valeur entière des objets exportés, £40,110 5 9
Ditto d'Espèces ditto, £23,476 10 0

Bureau de la Douane, St. Jean,
10 Octr. 1828.

W. MACRAE, Collr.
W. D. LINDSAY, Contlir.

(1828.)

RETOUR ANNUEL des Importations à la Chambre d'Assemblée :

ETAT des DROITS perçus au Port de Ste. Marie Nouvelle-Beauce, sous l'Acte Impérial de la 6ème. année Geo. IV. Chap. 114, entre le 10 d'Octobre 1827 et le 10 Octobre 1828, savoir ;

IMPORTATIONS.	Valeur en Stg.	Droit de 10 p. cent. Sterling
Qr. 5 Jany. Nihil.	Nihil.	Nihil.
Qr. 5 Avril do	do	do

<p>Appendix (C.) 26th Decr.</p>	<p>5th July Qr. { 7 Horses 22 Horned Cattle } £149 7 0</p> <p>10th Oct. Qr. { 72 Sheep 2 Horses } 20 0 0</p> <p>Total of Imports : £169 7 0</p> <p>9 Horses- 22 horned Cattle. 72 Sheep.</p> <p>Port of St. Marie Nouvelle-Beauce, 10th October 1828.</p> <p>A. C. TASCHEREAU, Collr. H. M. C.</p> <p>Sworn before me at Ste. Marie Nouvelle-Beauce, } 29th November 1828.</p> <p>FRANS. LEHOULLIER, J. P.</p> <p>I hereby swear that the above Return } is just and true.</p> <p>A. C. TASCHEREAU, Collr. H. M. C.</p>	<p>Qr. 5 Juillet { 7 Chevaux 22 Bêtes à cornes } £149 7 0</p> <p>Qr. 10 Oct. { 72 Moutons 2 Chevaux } 20 0 0</p> <p>Total des Importations : £169 7 0</p> <p>9 Chevaux, 22 Bêtes à cornes, 72 Moutons.</p> <p>Port de Ste.-Marie Nouvelle-Beauce, 10 Octobre 1828.</p> <p>A. C. TASCHEREAU, Coll. D. S. M.</p> <p>Affirmé devant moi à Ste.-Marie Nouvelle-Beauce, } 29 Novembre 1828.</p> <p>FRS. LEHOULLIER, J. P.</p> <p>J'affirme par ces présentes que le Re- } tour ci-devant est juste et vrai.</p> <p>A. C. TASCHEREAU, Coll. D. S. M.</p>	<p>Appendice (C.) 26th Decr.</p>
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(1828.)

YEARLY RETURN to the House of Assembly :

STATEMENT of DUTIES collected at the Port of Ste. Marie Nouvelle-Beauce, under the various temporary Acts renewed and continued beyond the periods for which they were enacted, in virtue of the 28th Section of the said Act, from the 10th October 1827 to 10th October 1828 :

IMPORTS.	DUTIES.
Nihil.	Nihil.

Port of Ste. Marie Nouvelle-Beauce,
10th October 1828.

A. C. TASCHEREAU,
Collr. H. M. C.

Sworn before me at Ste. Marie Nouvelle-Beauce, }
29th November 1828.

FRS. LEHOULLIER, J. P.

I hereby swear that the above Return }
is just and true.

A. C. TASCHEREAU,
Collr. H. M. C.

(1828.)

RETOUR ANNUEL à la Chambre d'Assemblée :

ETAT des DROITS perçus au Port de Ste.-Marie Nouvelle-Beauce, sous différents Actes temporaires renouvelés et continués au delà des périodes pour lesquelles ils étaient statuéés, en vertu de la 28e. section de l'un des dits Actes, du 10 Octobre 1827 au 10 Octobre 1828 :--

IMPORTATIONS.	DROITS.
Nihil.	Nihil.

Port de Ste.-Marie Nouvelle-Beauce,
10 Octobre 1828.

A. C. TASCHEREAU,
Coll. D. S. M.

Affirmé devant moi à Ste.-Marie Nouvelle-Beauce, }
29 Novembre 1828.

FRS. LEHOULLIER, J. P.

J'affirme par ces présentes que le Re- }
tour ci-dessus est juste et vrai.

A. C. TASCHEREAU,
Coll. D. S. M.

STATEMENT of IMPORTS at the Inland Port of Stanstead between the 5th April 1827 and the 10th October 1828, under the Imperial Act of Parliament 6th Geo. IV. cap. 114.

<p>3 bushels of Nuts and 3 barrels do 79 doz. Scythe Stones 88 Horses 378 Head of Cattle 991 Sheep 4 Hogs 13777 yds. of Cotton Manufac- ture 68 lbs. Ginger 33½ doz. Hair Combs 54 Screw Augurs 4 Mill Saws 937 lbs. Cotton Yarn and Wick 2 Sleighs 12 Waggon 1 box Cooper's Tools 58^{9/12} doz. Scythes 1^{2/12} Looking Glasses 1950 lbs. Crackers 3 doz. Press Paper 22½ feet Carding Machinery 6 Whips 1 barrel Tar</p>	<p>3 tons Pig Iron 5422 Nails 2994 lbs. Raw Hides 955 do Sole Leather 6 Cooking Stoves 94 lbs. Sugar 650 feet Window Glass 4 Ploughs 6½ dozen Womens' Shoes 1 pair Mens' Shoes Childrens' Shoes to the value of £1 17 3 1 Harness 6 Sets Collars 2 Saddles 218 lbs. Rice 500 feet Pine Boards 1 bushel Wheat 972 lbs. Dried Apples 1 set Grain Measures 393 lbs. and 36 sides Upper Leather 1 Set Tinsmiths' Tools 6 Silver Spoons 4 dozen Corn Brooms</p>
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ETAT des EFFETS entrés au Port intérieur de Stanstead, entre le 5 Avril 1827 et le 10 Octobre 1828, en vertu de l'Acte du Parlement Impérial 6 Geo. IV. ch. 114.

<p>3 minots et 3 quarts de Noix 79 doz. de Pierres à faux 88 Chevaux 378 Bêtes à Cornes 991 Moutons 4 Cochons 13777 verges de Toile de Coton 68 lbs. de Gingembre 38½ doz. de Peignes 54 Tarrières à vis 4 Scies à moulins 937 lbs de Coton à mèche 2 Carioles à patins (sleighs) 12 Voitures à quatre roues (waggon) 1 Boîte d'Outils de Tonne- lier 58^{9/12} doz. de Faucilles 1^{2/12} do de Miroirs 1950 lbs. de Biscuits 3 doz de Papier pour im- pression 22½ pieds de mouvemens pour des moulins à carder</p>	<p>6 Fouets 1 quart de Goudron 3 tonneaux de Fer en gucuse 5422 Cloux 2994 lbs. de Cuir vert 955 do Cuir à semelles 6 Poêles à Cuisine 94 lbs. de Sucre 650 pieds de Vitres 4 Charrues 6½ douzaines de Souliers pour femme 1 paire de Souliers d'homme Souliers d'Enfans pour la valeur de £1 17 3 1 Harnois 6 Colliers complets 2 Selles 218 livs. de Riz 500 pieds de Planches de Pin 1 minot de Bled 972 livs. de Pommes sèches 1 jeux de mesures pour le Grain 393 livs et 36 cotés de Cuir à Empeignes</p>
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Appendix
(C.)
26th Decr.

4 lbs Oil Peppermint
300 do Cheese
1 do Sewing Silk
2570 do Oatmeal
4 bbls. Apple Sauce
23 lbs Honey
800 do Sausages
611 bushels Charcoal
1 Still and Worm
500 lbs. Butter
17 Calf Skins
10 barrels Cider
60 lbs: Hops
5 boxes Garden Seeds
5 gls. Spirit of Turpentine
18 bushels Peas & Beans
34 do Oats
60 gallons Gin
1 Hoe
59 bushels Corn
8 Chaises
1 Leghorn Bonnet

200 Chair Bottoms
1 set of Weights and Measures
5 gross Buttons
3 barrels Pearl Ashes
15 Axes
2 Chests
2 Clocks
56 gallons Brandy
Sundry Articles of Tinware, £11 9s. 3½d.
Dye Stuffs. 70 Os. 6½d.
School Books and Stationery, £35 2s. 8d.
American Manufactures paying 15 per cent duty, value £141 14s. 7d.
Sundry American Manufactures, subject to 20 per cent duty, (£112 14s. 0d.
do. do. Silks subject to a duty of 30 per cent, £3 15s. 0d.

1 jeux d'Outils de Ferblanterie
6 Cuillers d'Argent
4 douz. de Balais
4 lbs. d'Huile de Peppermint
300 lbs. de Fromage
1 lb. de Soie à Coudre
2570 lbs. de Farine d'Avoine
4 qrts de sauce de Pommes
23 lbs. de Miel
800 lbs. de Saucisse
611 minots de Charbon
1 Appareil pour une Distillerie
500 lbs. de Beurre
17 Peaux de Veaux
10 barils Cidre
60 lbs. d'Houblon
5 boîtes de Graines à Jardin
5 gallons d'Esprit de Térébentine
18 minots de Pois et de Fèves
34 minots d'Avoine
60 gallons de Genièvre
1 Pioche

59 minots de Froment
8 Voitures
1 Chapeau de Paille de Livourne
200 Fonds pour des Chaises
1 jeux de Poids et Mesures
5 grosses de Boutons
3 quarts de Potasse
15 Haches
2 Coffres Forts
2 Horloges
56 gallons d'Eau-de-vie de France
Divers Articles de Ferblanterie, £11 9s. 3½d.
Articles de teinture, 70 Os 6½d.
Livres d'Ecole et Papeterie, £35 2s. 8d.
Manufactures Américaines qui payent un droit de 15 par cent, valeur £141 14s. 7d.
Diverses Manufactures Américaines sujettes à un droit de 20 par cent, £112 14s. 0d.
Do do Soies, sujettes à un droit de 30 par cent, £3 15s. 0d.

Appendice
(C.)
26 Decr.

SPECIFICATION of DUTIES collected on Goods imported from the United States of America, as above :

	Value.	Duty.
7½ per cent duty on	£65 9 8	4 18 2½
10 " " on	2413 6 6	241 6 8
15 " " on	1057 14 2½	158 13 1
20 " " on	364 1 7	72 16 3
30 " " on	86 0 0	25 15 11
Specific Duties	0 0 0	16 12 8
	£3986 11 11½	520 2 9½
Deduct the value of Cattle, they not being subject to Duty by 53d Geo. III. Cap. 2,	2413 6 6	
	£1573 5 5½	
Deduct, from the amount of Duties collected, 2½ per cent. on £1573 5 5½ to be accounted for in the Provincial Duties,		39 6 7½
Amount of Imperial Revenue,		£480 16 2

Custom House, Stanstead,
11th December 1828.

WM. HAMILTON, Collr.

DETAIL des DROITS prélevés sur les Marchandises importées des Etats-Unis de l'Amérique, comme ci-dessus :

	Valeur	Droits.
7½ par cent de droit sur	£65 9 8	4 18 2½
10 " " sur	2413 6 6	241 6 8
15 " " sur	1057 14 2½	158 13 1
20 " " sur	364 1 7	72 16 3
30 " " sur	86 0 0	25 15 11
Droits spécifiques	0 0 0	16 12 8
	£3986 11 11½	520 2 9½
A déduire, la valeur du Bétail non sujet aux droits, en vertu de l'Acte de la 53e. Geo. III. chap. 2,	2413 6 6	
	£1573 5 5½	
A déduire, sur le montant des droits prélevés, 2½ par cent sur £1573 5s. 5½d, dont il sera tenu compte dans les Droits Provinciaux,		39 6 7½
Montant du Revenu Impérial,		£480 16 2

Bureau de la Douane, à Stanstead,
11 décembre 1828.

WM. HAMILTON, Collr.

STATEMENT of Provincial Duties collected at the Inland Port of Stanstead, between the 5th April 1827 and the 10th October 1828, under the 53d Geo. III. cap. 2, 41st Geo. III. cap. 14 ; 35th Geo. III. cap. 8, and 45th Geo. III. cap. 113.

	Value.	Duty.
Sundry Goods enumerated in the account of Duties collected under the Imperial Act 6th Geo. IV. cap. 114, but which are liable to a duty of 2½ per cent. under 53d Geo. III. cap 2,	£1573 5 5½	39 6 7½
Sundry English Goods imported previous to September 1827,	62 12 7½	2 4 10
3 tons Tallow, 100 lbs. Poultry, 10 lbs. Lard, 3000 feet of Pine Boards, 19 cwt and 10 lbs Salts of Lye, 3 fresh Hogs, 156 barrels Pearl Ashes, 6 dozen Axe Helves, 2994 lbs. Raw Hides	544 6 4	13 12 1
4656 lbs. Tobacco, at 3d per lb.		58 4 0
267 do. Snuff, at 4d "		4 9 1
91 do. Cegars, at 3d "		1 8 10½
56 gals. Brandy } 35 Geo. III. cap. 8, 3d per gal. and } 60 do. Gin } 45 Geo. III. cap. 113, 3d do. }		2 18 0
Amount of Provincial Duties,		£122 3 6

Custom House, Stanstead,
11th December 1828.

WM. HAMILTON, Collr.

ETAT des Droits Provinciaux prélevés au Port Intérieur de Stanstead entre le 5 Avril 1827 et le 10 Octobre 1828, en vertu des Actes de la 53me. Geo. III. chap. 2 ; 41me. Geo. III. chap. 14 ; 35me. Geo. III. chap. 8, et 45me. Geo. III. chap. 113.

	Valeur.	Droit.
Diverses Marchandises énumérées dans le compte des Droits prélevés en vertu de l'Acte Impérial de la 6me. Geo. IV. chap. 114 ; mais sujettes à un droit de 2½ par cent, en vertu de la 53e. Geo. III. chap. 2,	£1573 5 5½	39 6 7½
Diverses Marchandises Anglaises importées avant Septembre 1827,	62 12 7½	2 4 10
3 tonneaux de Suif, 100 lbs. de Volaille, 10 lbs de Saindoux, 3000 pieds de planches de Pin, 19 quintaux et 10 lbs de Sels de Soudes, 3 Cochons frais, 156 quarts de Potasse, 6 douz. de manches de Haches, 2994 livs. de Cuir vert,	554 6 4	13 12 1
4656 livres de Tabac, à 3d. par liv.		58 4 0
267 do. de Tabac en poudre, à 4d. "		4 9 1
91 do. de Cigarres, à 3d. "		1 8 10½
56 gals. d'Eau-de-vie de France, } 35 Geo. III. ch. 8, 3d. per gal. et } 60 gals. de Genièvre, } 45 Geo. III. ch. 113 3d. per gal. }		2 18 0
Montant des Droits Provinciaux,		£122 3 6

Bureau de la Douane à Stanstead,
11 décembre 1828.

WM. HAMILTON, Collr.

Appendix
(D.)
28th Nov.

GENERAL STATEMENT and RETURN of Baptisms, Marriages and Burials, in the District of Quebec.

ETAT GENERAL et RETOURS des Baptemes, Mariages et Sepultures, dans le District de Quebec.

Appendice
(D.)
28 Nov.

Year. <i>Année</i>	Counties. <i>Contés.</i>	Parishes, Seigniories, Townships, &c. on the north side of the River. <i>Parishes, Seigneuries, Townships, &c. au nord du Fleuve.</i>	Baptisms. <i>Baptemes.</i>		Marriages <i>Mariages.</i>	Burials. <i>Sepultures.</i>		Augmenta- tion of the population as ascertain- ed from the Baptisms & Burials. <i>Augmentati- on de popula- tion de bap- temes et se- pultures.</i>	Total by Counties of the augmen- tation of the population. <i>Total par Contés de l'augmenta- tion de la population.</i>	Remarks. <i>Remarques.</i>
			Males. <i>Mâles.</i>	Females <i>Femelles.</i>		Males. <i>Mâles.</i>	Females. <i>Femelles.</i>			
1827.	Hampshire.	Grondines	28	19	6	4	2	41	277	
		Déchambault	46	36	12	10	12	60		
		Cap Santé	63	73	19	29	25	82		
		Ecureuils	15	5	6	7	5	8		
		Pointe-aux-Trembles	31	31	9	20	17	25		
		St. Augustin	61	36	18	24	12	61		
		Ste. Foi	13	20	2	20	14	9		
		Ancienne Lorette	42	37	11	25	29	25		
		Jeune Lorette	53	47	25	14	14	72		
		Charlesbourg	41	87	22	32	25	21		
	Quebec.	Beauport	27	32	11	22	16	21	309	
		Eglise Romaine	591	537	181	524	426	178		
		Eglise Protestante	91	83	63	131	98	55		
		Eglise Presbytérienne	70	57	49	38	36	53		
		Hotel-Dieu	0	0	0	19	15	34		
		Hopital-Général	10	9	2	6	7	6		
		Congrégation Militaire	52	42	13	60	21	13		
		Angé Gardien	16	19	6	24	10	1		
		Château-Richer	27	13	5	5	16	21		
		Ste. Anne	17	13	6	3	5	22		
	Northumberland.	St. Féréol	13	13	5	2	6	18	375	
		St. Joachim	11	14	4	4	7	14		
		St. Francois Xavier	7	9	0	6	3	7		
		Baie St. Paul	86	63	24	39	22	88		
		St. Urbain	2	2	0	1	3	0		
		Ile-aux-Coudres	12	7	3	1	6	12		
Eboulemens		0	0	0	0	0	0			
Malbaie		73	115	35	21	20	147			
St. Pierre		17	16	3	11	5	17			
St. Famille		16	22	12	5	15	18			
Orleans.	St. François	22	8	3	7	4	14	78		
	St. Jean	16	25	13	1	8	22			
	St. Laurent	6	15	4	5	9	7			
			1615	1494	590	1139	931	1039		
Buckinghamshire.	St. Jean L'Echailon	4	8	2	6	14	2	197		
	Lotbinière	71	46	12	20	17	80			
	Ste. Croix	34	41	6	11	10	54			
	St. Antoine	57	53	10	22	23	65			
	St. Nicolas	73	67	35	25	15	100			
	Pointe Lévy	95	96	36	48	47	96			
	St. Marie	147	136	37	63	59	161			
	St. Joseph	58	46	17	21	12	71			
	St. François	58	56	22	18	16	84			
	Ste. Claire	62	53	8	26	25	64			
Dorchester.	St. Henry	102	92	26	59	48	87	659		
	Beaumont	17	20	8	13	14	10			
	St. Charles	44	40	18	21	27	36			
	St. Gervais	160	126	45	71	55	160			
	St. Michel	27	29	17	17	18	21			
	St. Vallier	42	52	12	28	19	47			
	Berthier	8	7	1	6	7	2			
	St. François	29	15	10	8	4	32			
	St. Pierre	29	34	12	10	12	41			
	St. Thomas	68	64	27	39	26	67			
Hertford.	Cap St. Ignace	33	42	29	16	17	42	308		
	L'Islet	63	55	21	33	31	54			
	St. Jean Port Joli	56	57	26	31	31	51			
	St. Roch	63	57	26	31	37	52			
	Ste. Anne	45	43	36	16	22	50			
	Rivière Ouëlle	99	78	39	56	39	82			
	Kamouraska	128	126	62	78	57	119			
	St. André	57	68	17	20	30	75			
	Kakona	39	48	7	17	16	54			
	St. Patrice	43	44	7	13	16	58			
Devon.	Trois Pistoles	55	58	10	27	17	69	307		
	Ile Verte	34	20	7	11	12	31			
	Rimousky	58	62	22	24	24	72			
			1958	1839	670	905	817	2081		

N.B. Augmentation of the Population on the North side of the River, } 1039
 N.B. L'augmentation de la population au Nord du Fleuve est de }
 Do on the South side of the River, } 2781 } Total 3120
 Do au Sud do }
 Probable number in the ensuing year---Marriages, }
 Perspective pour l'avenir---Mariages, } 1260

Quebec, 11 Mars 1828.

PERRAULT & BURROUGHS, P.B.R.

ETAT GENERAL et RETOUR des Baptêmes, Mariages et Sépultures, dans le District des Trois-Rivières.

An-Comtés. née.	Paroisses, Seigneuries, Townships, ou Cités.	Baptêmes.		Mariages.	Sépultures.		Augmen- tation de la po- pulation é- tablie par la différence entre les Baptêmes et Sépultures.	Total pa- Comtés Augmen- tation de la popula- tion.	Remarques.	
		Mâles.	Femelles		Mâles.	Femelles				
1827 Hampshire	Trois-Rivières Congrégation Protestante des Trois-Rivières Cap La Magdaleine ChAMPLAIN St. Stanislas de Batiscan Ste. Geneviève de Batis- can St. Francois Xavier de Ba- tiscan Pointe du Lac Ste. Anne d'Yamachiche St. Léon de la Rivière du Loup St. Antoine de la Rivière- du-Loup Congrégation Protestante de la Rivière-du-Loup St. Joseph de Maskinongé Ste. Anne de Laperade St. Pierre Lesbecquets St. Edouard de Gentilly Bécancour St. Grégoire St. Jean Baptiste de Ni- colet Congrégation Protestante de Nicolet St Antoine de la Baie-du- Febvre St. Francois St. Michel d'Yamaska Township d'Alcot, Con- grégation Protestante Drummondville Congrégation Protestante de Drummondville	93	87	28	43	33	104	667	*Congrégation Pro- testante des Trois- Rivières, deux Sé- pultures plus que de Baptêmes. †Au Cap de la Mag- daleine, quatre Sé- pultures plus que de Baptêmes.	
		4	7	6	9	4	10			19
		2	1	4	5	2	3			37
		15	20	4	6	5	9			109
		25	17	9	9	3	14			81
		43	33	10	18	14	28			101
		11	16	22	6	2	0			4
		44	32	13	26	13	31			114
		88	83	31	28	34	21			66
		55	51	11	15	10	16			58
		82	84	38	37	28	17			81
		3	2	3	1	0	27			4
		80	92	40	27	31	30			114
		56	61	23	30	21	19			66
		45	48	48	19	16	15			52
56	57	25	15	17	37	98				
52	64	27	37	27	34	115				
86	64	36	34	18	36	115				
90	93	28	36	37	28	115				
8	2	1	1	1	1	1				
58	75	39	21	25	21	87				
83	84	27	26	26	26	115				
135	159	52	76	56	76	162				
21	11	23	2	1	2	29				
26	21	5	8	6	8	33				
12	11	3	3	3	0	20				
1273	1280	556	537	429	1583	1583				

Trois-Rivières, 1er. Mars 1828.

W. C. H. COFFIN, P. B. R.

GENERAL STATEMENT and RETURN of Baptisms, Mariages and Burials in the District of Three-Rivers.

Year Counties	Parishes, Seignories, Townships, or Cités.	Baptisms.		Mariages.	Burials.		Increase of population ascertained by the dif- ference be- tween Bap- tisms and Burials.	Total pe- Comtés Increase of popula- tion.	REMARKS.	
		Males.	Females.		Males.	Females.				
1827 Hampshire	Three-Rivers Protestant Congregation of Three-Rivers Cap La Magdaleine ChAMPLAIN St. Stanislas de Batiscan Ste. Geneviève de Batis- can St. Fras. Xavier de Ba- tiscan Pointe du Lac Ste. Anne d'Yamachiche St Léon de la Rivière du Loup St. Antoine de la Rivière du Loup Protestant Congregation of Rivière du Loup St Joseph de Maskinongé Ste. Anne de La Parade St. Pierre Lesbecquets St. Edouard de Gentilly Bécancour St. Grégoire St. Jean Baptiste de Ni- colet Protestant Congregation of Nicolet St. Antoine de la Baie du Febvre St. Francois St. Michel d'Yamaska Township of Alcot, Pro- testant Congregation Drummondville Protestant Congregation of Drummondville	93	87	28	43	33	104	667	*Protestant Congre- gation of Three-Ri- vers, two Burials more than Baptisms. †At Cap La Magde- leine, four Burials more than Baptisms	
		4	7	6	9	4	10			19
		2	1	4	5	2	3			37
		15	20	4	6	5	9			109
		25	17	9	9	3	14			81
		43	33	10	18	14	28			101
		11	16	22	6	2	0			4
		44	32	13	26	13	31			114
		88	83	31	28	34	21			66
		55	51	11	15	10	16			58
		82	84	38	37	28	17			81
		3	2	3	1	0	27			4
		80	92	40	27	31	30			114
		56	61	23	30	21	19			66
		45	48	48	19	16	15			52
56	57	25	15	17	37	98				
52	64	27	37	27	34	115				
86	64	36	34	18	36	115				
90	93	28	36	37	28	115				
8	2	1	1	1	1	1				
58	75	39	21	25	21	87				
83	84	27	26	26	26	115				
135	159	52	76	56	76	162				
21	11	23	2	1	2	29				
26	21	5	8	6	8	33				
12	11	3	3	3	0	20				
1273	1280	556	537	429	1583	1583				

Three-Rivers, 1st March 1828.

W. C. H. COFFIN, P. K. B.

Appendix
(D.)
28th Nov.

GENERAL STATEMENT and RETURN of the Baptisms, Marriages and Burials in the District of Montreal, for the year 1826.

Appendix
(D.)
28 Nov.

Counties.	Parishes, Seigniories, Townships or Cities.	Baptisms.		Marriages.	Burials.		Increase of population ascertained by the difference between Baptisms & Burials.	Total per Counties. Increase of population.	REMARKS.	
		Males.	Females.		Males.	Females.				
Montreal.	Protestant Episcopal Church,	113	92	51	72	53	80			
	Roman Catholic Parish Church,	551	586	240	359	372	406			
	Montreal Garrison,	24	24	14	24	11	13			
	Scotch Presbyterian Church,	96	85	75	56	50	75			
	Saint Andrew's Church,	"	"	"	"	"	"		No Register returned.	
	Hospital General,	2	1	"	49	52	"		Decrease of 98.	
	Rivière des Prairies,	17	27	9	15	7	22			
	Sault aux Recollets,	33	36	22	24	29	16			
	Longue Pointe,	20	18	4	11	5	22			
	Pointe aux Trembles,	13	13	7	12	5	9			
	Saint Laurent,	62	48	18	30	23	57			
	Sainte Geneviève,	71	52	23	30	28	65			
	Pointe Claire,	22	16	8	14	11	13			
	Sainte Anne,	8	4	4	5	3	4			
Richelieu.	Lachine,	17	23	5	17	15	8	-790		
	Sorel, Protestant Church,	9	10	3	11	5	3			
	Sorel, Catholic Church,	94	82	46	34	37	105			
	Petit Saint Ours,	83	80	32	32	38	93			
	Saint Jude,	52	49	19	27	30	44			
	Saint Denis,	90	70	21	18	31	81			
	Saint Charles,	36	23	22	19	22	18			
	La Présentation,	46	32	16	29	34	15			
	Saint Hyacinthe,	216	210	78	99	108	219			
	Saint Damase,	64	49	15	33	24	56			
	Saint Césaire,	55	57	15	24	23	65			
	Shefford,	20	10	11	3	2	25	-724		
	Bedford.	Compton, Hatley, Stanstead, &c.	"	"	"	"	"	"		No Register returned.
		Saint Hilaire,	19	18	12	9	6	22		
Saint Jean Baptiste,		89	77	43	48	35	83			
Saint Mathias,		94	49	37	46	32	65			
Sainte Marie,		110	118	55	94	82	52			
Saint Athanase,		"	"	"	"	"	"		No Register returned.	
Saint Armand, westerly part,		8	2	5	"	1	9			
Saint Armand, easterly part,		9	7	15	1	3	12			
Dunham, north part,		4	"	12	3	1	"		No increase.	
Dunham, south part,		9	2	2	3	1	7			
Caldwell and Christie's Manors,		37	37	15	11	5	58	-308		
Surrey.		Varenes,	87	81	32	54	44	70		
		Verchères,	59	75	22	23	20	91		
		Contrecoeur,	34	48	13	28	22	32		
	Saint Marc,	33	25	8	23	19	16			
Kent.	Belœil,	52	54	18	22	19	65	-274		
	Boucherville,	80	71	26	33	25	93			
	Longueuil,	61	69	33	17	16	97			
	Saint Joseph de Chambly,	107	96	34	46	47	110			
	Protestant Church at Chambly,	19	8	9	3	1	23	-323		
	Laprairie,	93	79	23	42	41	89			
	Saint Philippe,	96	103	34	81	61	57			
	Blairfindie,	142	153	51	49	52	94			
	Saint Constant,	156	147	57	90	77	136			
	Saint Johns (Protestant),	7	8	5	6	5	4			
Huntingdon.	Saint Clement de Beauharnois,	69	45	15	39	26	49			
	Saint Timothé de Beauharnois,	23	29	16	20	18	14			
	Sainte Martine de Beauharnois,	"	"	"	"	"	"		No Register returned.	
	Sault Saint Louis,	34	24	15	18	15	25			
	Chateauguay,	170	105	46	112	115	48			
	Saint Luc,	47	36	14	27	22	34			
	Saint Cyprien,	124	119	23	48	42	153	-803		
	Saint Régis,	"	"	"	"	"	"		No Register returned.	
	Mission on Ottawa River,	38	41	16	11	9	59			
	Lac des deux Montagnes,	28	30	8	19	20	19			
	Soulanges,	115	90	41	43	52	110			
	Isle Perrot,	15	12	16	3	8	16			
	Vaudreuil,	53	44	22	37	22	38			
	Saint Policarpe,	78	62	16	38	28	74			
Eslington.	Rigaud,	80	90	41	47	38	85			
	Saint Benoit,	141	129	55	59	62	149			
	Sainte Scholastique,	101	115	25	30	39	147			
	Saint Eustache	143	121	48	109	116	39	-736		
	Sainte Rose,	46	67	16	58	39	16			
	Saint Vincent de Paul,	54	43	18	32	39	26			
	Saint Martin,	74	88	24	42	48	72			
	Saint Thérèse,	70	71	24	40	43	58			
	Sainte Anne de Mascouche,	108	86	31	45	33	116			
	Terrebonne,	50	45	14	47	29	19	-307		
	L'Assomption,	73	59	37	41	51	40			
	Saint Sulpice,	24	19	10	15	10	18			
	Repentigny,	43	34	16	24	29	24			
	Lachenaie,	37	31	8	13	12	43			
Leinster.	Saint Henry de Mascouche,	58	56	21	33	28	53			
	Saint Roch,	126	101	16	78	51	98			
	Saint Ours du Saint Esprit,	"	"	"	"	"	"		No Register returned.	
	Saint Jacques,	118	122	34	59	46	135			
	Rawdon, Kilkenny, New-Glasgow, Paisley, &c.	2	9	2	"	"	11	-422		
	Berthier,	129	102	40	50	54	127			
	Saint Cuthbert,	104	105	31	64	74	71			
	Sainte Elizabeth,	132	100	43	22	16	194			
Warwick.	Saint Paul de Lavaltrie,	93	68	24	32	43	86			
	Sainte Antoinette de Lavaltrie,	28	16	10	19	6	19			
	L'Isle du Pads,	14	10	2	10	5	9			
	Kildare & Lac Maskinongé,	3	2	"	"	"	5	-511		
	Total,	5864	5350	2147	3193	2921	5198	5198		

Appendix
(D.)
28th Nov.

Appendix
(D.)
28 Nov.

ETAT GENERAL et RETOUR des Baptêmes, Mariages et Sépultures dans le district de Montréal, pour l'année mil huit cent vingt six.

Comtés.	Paroisses, Seigneuries, Townships ou Cités.	Baptêmes.		Mariages.	Sépultures.		Augmentation de la population établie par la différence entre les baptêmes et sépult.	Total par Comtés. Augmentation de la population.	REMARQUES.
		Mâles.	Femelles.		Mâles.	Femelles.			
Montréal.	Eglise Episcopale Protestante,	113	92	51	72	53	80		
	Eglise Paroissiale Catholique Romaine,	551	586	240	359	372	406		
	Garnison de Montréal,	24	24	14	24	11	13		
	Eglise Presbytérienne Ecossaise,	96	85	75	56	50	75		
	Eglise de St. André,	"	"	"	"	"	"		Point de Régitre remis.
	Hôpital Général,	2	1	"	49	52	"		Décroissement de 98.
	Rivière des Prairies,	17	27	9	15	7	22		
	Sault aux Recollets,	33	36	22	24	29	16		
	Longue Pointe,	20	18	4	11	5	22		
	Pointe aux Trembles,	13	13	7	12	5	9		
	Saint Laurent,	62	48	18	30	23	57		
	Sainte Geneviève,	71	52	23	30	28	65		
	Pointe Claire,	22	16	8	14	11	13		
	Sainte Anne,	8	4	4	5	3	4		
Richelieu.	Lachine,	17	23	5	17	15	8	-790	
	Sorel, Eglise Proestante,	9	10	3	11	5	3		
	Sorel, Eglise Catholique,	94	82	46	34	37	105		
	Petit Saint Ours,	83	80	32	32	38	93		
	Saint Jude,	52	49	19	27	30	44		
	Saint Denis,	90	70	21	18	31	81		
	Saint Charles	36	23	22	19	22	18		
	La Présentation,	46	32	16	29	34	15		
	Saint Hyacinthe,	216	210	78	99	108	219		
	Saint Damasc,	64	49	15	33	24	56		
	Saint Césaire,	55	57	15	24	23	65		
	Shefford,	20	10	11	3	2	25	-724	
	Compton, Hatley, Stanstead, &c.	"	"	"	"	"	"		Point de Régitre remis.
	Saint Hilaire,	19	18	12	9	6	22		
Bedford.	Saint Jean Baptiste,	89	77	43	48	35	83		
	Saint Mathias,	94	49	37	46	32	65		
	Sainte Marie,	110	118	55	94	82	52		
	Varenes,	"	"	"	"	"	"		Point de Régitre remis.
	Verchères,	8	2	5	"	1	9		
	Contrecoeur,	9	7	15	1	3	12		
	Saint Marc,	4	"	12	3	1	"		Point d'augmentation.
	Belœil,	9	2	2	3	1	7		
	Boucherville,	37	37	15	11	5	58	-308	
	Longueuil,	87	81	32	54	44	70		
	Saint Joseph de Chambly,	59	75	22	23	20	91		
	Saint Athanase,	34	48	13	28	22	32		
	Saint Armand, partie de l'ouest,	33	25	8	23	19	16		
	Saint Armand, partie de l'est,	52	54	18	22	19	65	-274	
Kent.	Dunham, partie nord,	80	71	26	33	25	93		
	Dunham, partie sud,	61	69	33	17	16	97		
	Manoir de Caldwell et Christie,	107	96	34	46	47	110		
	Eglise Protestante à Chambly,	19	8	9	3	1	23	-323	
	Laprairie,	93	79	23	42	41	89		
	Saint Philippe,	96	103	34	81	61	57		
	Blairfindie,	142	153	51	49	52	94		
	Saint Constant,	156	147	57	90	77	136		
	Saint Jean, (Protestante,)	7	8	5	6	5	4		
	Saint Clement de Beauharnois,	69	45	15	39	26	49		
	Saint Timothé de Beauharnois,	23	29	16	20	18	14		
	Sainte Martine de Beauharnois,	"	"	"	"	"	"		Point de Régitre remis.
	Sault Saint Louis,	34	24	15	18	15	25		
	Chateauguay,	170	105	46	112	115	48		
York.	Saint Luc,	47	36	14	27	22	34		
	Saint Cyprien,	124	19	23	48	42	153	-803	
	Saint Régis,	"	"	"	"	"	"		Point de Régitre remis.
	Mission sur la Rivière Ottawa,	38	41	16	11	9	59		
	Lac des deux Montagnes,	28	30	8	19	20	19		
	Soulanges,	115	90	41	43	52	110		
	Ile Perrot,	15	12	16	3	8	16		
	Vaudreuil,	53	44	22	37	22	38		
	Saint Policarpe,	78	62	16	38	28	74		
	Rigaud,	80	90	41	47	38	85		
	Saint Benoit,	141	129	55	59	62	149		
	Sainte Scholastique,	101	115	25	30	39	147		
	Saint Eustache	143	121	48	109	116	39	-736	
	Sainte Rose,	46	67	16	58	39	16		
Eslington.	Saint Vincent de Paul,	54	43	18	32	39	26		
	Saint Martin,	74	88	24	42	48	72		
	Saint Thérèse,	70	71	24	40	43	58		
	Sainte Anne de Mascouche,	108	86	31	45	33	116		
	Perrebonne,	50	45	14	47	29	19	-307	
	L'Assomption,	73	59	37	41	51	40		
	Saint Sulpice,	24	19	10	15	10	18		
	Répentigny,	43	34	16	24	29	24		
	Lachenaie,	37	31	8	13	12	43		
	Saint Henry de Mascouche,	58	56	21	33	28	53		
	Saint Roch,	126	101	16	78	51	98		
	Saint Ours du Saint Esprit,	"	"	"	"	"	"		Point de Régitre remis.
	Saint Jacques,	118	122	34	59	46	135		
	Rawdon, Kilkenny, New-Glasgow,	"	"	"	"	"	"		
Paisley, &c.	2	9	2	"	"	11	-422		
Warwick.	Berthier,	129	102	40	50	54	127		
	Saint Cuthbert,	104	105	31	64	74	71		
	Sainte Elizabeth,	132	100	43	22	16	194		
	Saint Paul de Lavaltrie,	93	68	24	32	43	86		
	Sainte Antoine de Lavaltrie,	28	16	10	19	6	91		
	L'Isle du Pads,	14	10	2	10	5	9		
	Kildare & Lac Maskinongé,	3	2	"	"	"	5	-511	
Total,	5864	5350	2147	3198	2921	5198	5198		

GENERAL STATEMENT and RETURN of the Baptisms, Marriages and Burials, for the District of Montreal, for the year 1827.

Appendix
(D.)
28th Novr.

Appendix
(D.)
28 Novr.

Counties.	Parishes, Seigniories, Townships, or Cities.	Baptisms.		Marriages.	Burials.		Increase of population ascertained by the difference between Baptisms and Burials.	Total per Counties. Increase of population.	REMARKS.
		Males.	Females		Males.	Females			
Montreal.	Montreal, Church of England,	113	95	54	76	51	81		
	Do. Roman Catholic Church,	553	571	184	373	350	401		
	Do. Garrison,	16	12	8	13	9	6		
	Do. Presbyterian,	"	"	"	"	"	"		No Register returned.
	Do. St. Andrew's Church,	30	22	23	12	9	31		
	Do. Hopital Général,	"	"	"	57	46	"		No Baptisms.
	Rivière des Prairies,	23	17	8	17	17	6		
	Sault au Recollet,	38	49	18	26	18	43		
	Longue Pointe,	16	12	2	13	5	10		
	Pointe aux Trembles,	27	18	10	19	10	16		
	St. Laurent,	50	52	27	20	21	61		
	Ste. Geneviève,	58	47	27	25	16	64		
	Pointe Claire,	34	25	12	13	11	35		
	Ste. Anne,	7	9	3	8	5	3		
Lachine,	25	20	8	19	9	17	- 774		
William Henry (Protestant),	5	8	3	7	2	4			
Do. Roman Catholic Church,	109	104	41	51	42	120			
Petit St. Ours,	84	79	28	29	34	100			
St. Jude,	55	57	18	14	16	92			
St. Denis,	60	74	22	24	27	83			
St. Charles,	39	36	13	10	10	55			
La Présentation,	52	48	13	32	22	59			
St. Hyacinthe,	258	229	73	110	95	282			
St. Damase,	65	48	13	32	22	50			
St. Césaire,	83	61	15	43	40	61			
Shefford,	1	1	9	2	3	"		Decrease of three.	
Compton, Hatley, &c.	3	5	30	1	"	7	- 913		
St. Hilaire,	43	28	8	11	5	45			
St. Jean Baptiste,	73	56	24	33	45	51			
St. Mathias,	61	63	25	28	18	78			
St. Marie,	157	150	37	50	56	201			
St. Athanase,	92	83	12	35	20	120			
St. Armand, west and east parts,	24	22	32	12	10	24			
Dunham, north and south ditto,	15	5	14	10	7	3			
Caldwell and Christie Manor,	38	34	16	12	7	53	- 575		
Varenes,	83	76	22	43	32	84			
Verchères,	60	76	23	22	20	94			
Contreccœur,	43	46	30	24	20	45			
St. Marc,	25	13	13	21	16	1			
Beloil,	47	40	16	20	19	48			
St. Antoine,	43	39	14	16	12	54	- 326		
Boucherville,	70	63	43	36	27	70			
Longueuil,	70	64	37	13	21	100			
St. Joseph de Chambly,	111	102	41	52	41	120			
Chambly, Church of England,	12	24	5	3	4	29	- 319		
Laprairie,	84	63	36	44	40	63			
St. Philippe,	99	108	36	80	60	67			
Blairfindie,	115	124	39	49	30	100			
St. Constant,	157	148	47	71	70	164			
St. Johns,	10	9	5	7	8	4			
St. Clement,	65	38	9	19	4	80			
St. Timothé, } de Beauharnois,	28	29	12	19	11	27			
St. Martine, }	74	75	16	38	26	85			
Sault St. Louis,	38	30	12	23	19	26			
Chateauguay,	140	109	30	59	45	145			
St. Luc,	54	44	17	22	13	63			
St. Cyprien,	175	146	33	70	63	188			
St. Régis,	"	"	"	"	"	"	-1072	No Register returned.	
Mission on Ottawa River,	45	33	13	12	14	52			
Lac des deux Montagnes,	36	30	11	28	12	26			
Soulanges,	108	78	39	45	34	99			
Ile Perrot,	23	18	7	7	9	25			
Vaudreuil,	72	61	24	26	15	92			
St. Policarpe,	76	64	18	38	27	75			
Rigaud,	102	93	38	25	33	137			
St. Benoit,	152	132	33	53	50	181			
St. Scholastique,	"	"	"	"	"	"		No Register returned.	
St. Eustache,	140	123	51	97	84	82	- 769		
L'Assomption,	77	54	40	41	51	39			
St. Sulpice,	37	39	6	14	18	44			
Repentigny,	40	30	19	17	19	34			
Lachenaie,	20	28	5	22	13	13			
St. Henry de Mascouche,	50	55	14	23	27	55			
St. Roch,	97	89	25	50	63	73			
St. Ours du St. Esprit,	64	57	19	32	34	55			
St. Jacques,	141	132	25	60	40	173			
Rawdon, New Glasgow, &c.	7	6	5	"	"	13	- 499		
St. Rose,	61	50	14	42	30	39			
St. Vincent de Paul,	78	46	13	28	20	76			
St. Martin,	76	84	22	42	46	72			
St. Therese,	83	81	12	30	33	101			
St. Anne de Mascouche,	98	91	23	49	40	100			
Terrebonne,	54	47	10	21	30	50	- 438		
Berthier,	135	104	44	18	18	203			
St. Cuthbert,	116	113	52	40	69	120			
St. Elisabeth,	135	124	50	27	20	212			
St. Paul de Lavaltrie,	16	14	8	12	17	1			
L'Île du Pads,	8	19	7	7	3	17			
Kildare & Lac Maskinongé,	"	"	"	"	"	"		No Register returned.	
St. Antoine de Lavaltrie,	99	73	23	35	44	93			
Lanoraie,	23	20	7	4	9	38	- 676		
Total,		6171	5594	2036	2923	2577	6361	6361	Increase.

Appendix
(D.)
28th Novr.

Appendice
(D.)
28 Novr.

ETAT GENERAL et RETOUR des Baptêmes, Mariages et Sépultures dans le district de Montréal, pour l'année mil huit cent vingt sept.

Comtés.	Paroisses, Seigneuries, Townships ou Cités.	Baptêmes.		Mariages.	Sépultures.		Augmentation de la population établie par la différence entre les baptêmes et sépultures.	Total par Comtés. Augmentation de la population.	REMARQUES.
		Mâles.	Femelles		Mâles.	Femelles			
Montréal.	Montréal, Eglise d'Angleterre,	113	95	54	76	51	81		
	Eglise Catholique-romaine,	553	571	184	373	350	401		
	Garnison,	16	12	8	13	9	6		Point de Régltre remis.
	Presbyteriens,	"	"	"	"	"	"		
	Eglise de St. André,	30	22	23	12	9	31		Point de Baptêmes.
	Hôpital Général,	"	"	"	57	46	"		
	Rivière des Prairies,	23	17	8	17	17	6		
	Sault aux Recollets,	38	49	18	26	18	43		
	Longue Pointe,	16	12	2	13	5	10		
	Pointe aux Trembles,	27	18	10	19	10	16		
	Saint Laurent,	50	52	27	20	21	61		
	Sainte Geneviève,	58	47	27	25	16	64		
	Pointe Claire,	34	25	12	13	11	35		
	Sainte Anne,	7	9	3	8	5	3		
Richelieu.	Lachine,	25	20	8	19	9	17	-774	
	Sorel, Eglise Proestante,	5	8	3	7	2	4		
	Sorel, Eglise Catholique Romaine,	109	104	41	51	42	120		
	Petit Saint Ours,	84	79	28	29	34	100		
	Saint Jude,	55	57	18	14	16	82		
	Saint Denis,	60	74	22	24	27	83		
	Saint Charles,	39	36	13	10	10	55		
	La Présentation,	52	48	13	32	22	59		
	Saint Hyacinthe,	258	229	73	110	95	282		
	Saint Damase,	65	48	13	32	22	50		
	Saint Césaire,	83	61	15	43	40	61		Décroissement de 9.
	Shefford,	1	1	9	2	3	"		
	Compton, Hatley, &c.	3	5	30	1	"	7	-913	
	Bedford.	Saint Hilaire,	43	28	8	11	5	45	
Saint Jean Baptiste,		73	56	24	33	45	51		
Saint Mathias,		61	63	25	28	18	78		
Sainte Marie,		157	150	37	50	56	201		
Saint Athanase,		92	83	12	35	20	120		
Saint Armand, parties ouest et est,		24	22	32	12	10	24		
Dunham, parties nord et sud,		15	5	14	10	7	3		
Manoir de Caldwell et Christie,		38	34	16	12	7	53	-575	
Varenes,		83	76	22	43	32	84		
Verchères,		60	76	23	22	20	94		
Contrecoeur,		43	46	30	24	20	45		
Saint Marc,		25	13	13	21	16	1		
Belœil,		47	40	16	20	19	48		
St. Antoine,		43	39	14	16	12	54	-326	
Kent.	Boucherville,	70	63	43	36	27	70		
	Longueuil,	70	64	37	13	21	100		
	Saint Joseph de Chambly,	111	102	41	52	41	120		
	Chambly, Eglise d'Angleterre,	12	24	5	3	4	29	-319	
	Laprairie,	84	63	36	44	40	63		
	Saint Philippe,	99	108	36	80	60	67		
	Blairfindie,	115	124	39	49	30	100		
	Saint Constant,	157	148	47	71	70	164		
	Saint Jean,	10	9	5	7	8	4		
	Saint Clement	65	38	9	19	4	80		
	Saint Timothé } de Beauharnois,	28	29	12	19	11	27		
	Sainte Martine }	74	75	16	38	26	85		
	Sault Saint-Louis,	38	30	12	23	19	26		
	Chateauguay,	140	109	80	59	45	145		
Saint Luc,	54	44	17	22	13	63			
Saint Cyprien,	175	146	33	70	63	188			
York.	Saint Régis,	"	"	"	"	"	"	-1072	Point de Régltre remis.
	Mission sur la Rivière Ottawa,	45	33	13	12	14	52		
	Lac des deux Montagnes,	36	30	11	28	12	26		
	Soulanges,	100	78	39	45	34	99		
	Ile Perrot,	23	18	7	7	9	25		
	Vaudreuil,	72	61	24	26	15	92		
	Saint Policarpe,	76	64	18	38	27	75		
	Rigaud,	102	93	38	25	33	137		
	Saint Benoit,	152	132	33	53	50	181		
	Sainte Scholastique,	"	"	"	"	"	"		Point de Régltre remis.
	Saint Eustache,	140	123	51	97	84	82	-769	
	L'Assomption,	77	54	40	41	51	39		
	Saint Sulpice,	37	39	6	14	18	44		
	Répentigny,	40	30	19	17	19	34		
Lachenaie,	20	28	5	22	13	13			
Saint Henry de Mascouche,	50	55	14	23	27	55			
Saint Roch,	97	89	25	50	63	73			
Saint Ours du Saint Esprit,	64	57	19	32	34	55			
Saint Jacques,	141	132	25	60	40	73			
Rawdon, New-Glasgow, &c.	7	6	5	"	"	13	-499		
Leinster.	Sainte Rose,	61	50	14	42	30	39		
	Saint Vincent de Paul,	78	46	13	28	20	76		
	Saint Martin,	76	84	22	42	46	72		
	Saint Thérèse,	83	81	12	30	33	101		
	Sainte Anne de Mascouche,	98	91	23	49	40	100		
	Terrebonne,	54	47	10	21	30	50	-438	
	Berthier,	135	104	44	18	18	203		
	Saint Cuthbert,	116	113	52	40	69	120		
	Sainte Elizabeth,	135	124	50	27	20	212		
	Saint Paul de Lavaltrie,	16	14	8	12	17	1		
	L'Isle du Pads,	8	19	7	7	3	17		
	Kildare & Lac Maskinongé,	"	"	"	"	"	"		Point de Régltre remis.
	Sainte Antoine de Lavaltrie,	99	73	23	35	44	93		
	Lanoraie,	23	20	7	4	9	30	-676	
Total,		6171	5594	2036	2923	2577	6361	6361	Augmentation.

Appendix
(D.)
28th Novr.

Appendice
(D.)
28 Novr.

ETAT GENERAL et RETOUR des Baptêmes, Mariages et Sépultures dans le district de Montréal, pour l'année mil huit cent vingt sept.

Comtés.	Paroisses, Seigneuries, Townships ou Cités.	Baptêmes.		Mariages.	Sépultures.		Augmentation de la population établie par la différence entre les baptêmes et sépultures.	Total par Comtés. Augmentation de la population.	REMARQUES.	
		Mâles.	Femelles.		Mâles.	Femelles.				
Montréal.	Montréal, Eglise d'Angletère,	113	95	54	76	51	81			
	Eglise Catholique-romaine,	553	571	184	373	350	401			
	Garnison,	16	12	8	13	9	6		Point de Régltre remis.	
	Presbyteriens,	"	"	"	"	"	"			
	Eglise de St. André,	30	22	23	12	9	31		Point de Baptêmes.	
	Hôpital Général,	"	"	"	57	46	"			
	Rivière des Prairies,	23	17	8	17	17	6			
	Sault aux Recollets,	38	49	18	26	18	43			
	Longue Pointe,	16	12	2	13	5	10			
	Pointe aux Trembles,	27	18	10	19	10	16			
	Saint Laurent,	50	52	27	20	21	61			
	Sainte Geneviève,	58	47	27	25	16	64			
	Pointe Claire,	34	25	12	13	11	35			
	Sainte Anne,	7	9	3	8	5	3			
Richelieu.	Lachine,	25	20	8	19	9	17	-774		
	Sorel, Eglise Proestante,	5	8	3	7	2	4			
	Sorel, Eglise Catholique Romaine,	109	104	41	51	42	120			
	Petit Saint Ours,	84	79	28	29	34	100			
	Saint Jude,	55	57	18	14	16	82			
	Saint Denis,	60	74	22	24	27	83			
	Saint Charles,	39	36	13	10	10	55			
	La Présentation,	52	48	13	32	22	59			
	Saint Hyacinthe,	258	229	73	110	95	282			
	Saint Damase,	65	48	13	32	22	50			
	Saint Césaire,	83	61	15	43	40	61			
	Shefford,	1	1	9	2	3	"		Décroissement de 3.	
	Compton, Hatley, &c.	3	5	30	1	"	7	-913		
	Bedford.	Saint Hilaire,	43	28	8	11	5	45		
Saint Jean Baptiste,		73	56	24	33	45	51			
Saint Mathias,		61	63	25	28	18	78			
Sainte Marie,		157	150	37	50	56	201			
Saint Athanase,		92	83	12	35	20	120			
Saint Armand, parties ouest et est,		24	22	32	12	10	24			
Dunham, parties nord et sud,		15	5	14	10	7	3			
Manoir de Caldwell et Christie,		38	34	16	12	7	53	-575		
Varenes,		83	76	22	43	32	84			
Verchères,		60	76	23	22	20	94			
Contreccœur,		43	46	30	24	20	45			
Saint Marc,		25	13	13	21	16	1			
Belœil,		47	40	16	20	19	48			
Kent.		St. Antoine,	43	39	14	16	12	54	-326	
	Boucherville,	70	63	43	36	27	70			
	Longueuil,	70	64	37	13	21	100			
	Saint Joseph de Chambly,	111	102	41	52	41	120			
	Chambly, Eglise d'Angleterre,	12	24	5	3	4	29	-319		
	Laprairie,	84	63	36	44	40	63			
	Saint Philippe,	59	108	36	80	60	67			
	Blairfindie,	115	124	39	49	30	100			
	Saint Constant,	157	148	47	71	70	164			
	Saint Jean,	10	9	5	7	8	4			
	Saint Clement	65	38	9	19	4	80			
	Saint Timothé } de Beauharnois,	28	29	12	19	11	27			
	Sainte Martine }	74	75	16	38	26	85			
	Sault Saint-Louis,	38	30	12	23	19	26			
Huntingdon.	Chateauguay,	140	109	30	59	45	145			
	Saint Luc,	54	44	17	22	13	63			
	Saint Cyprien,	175	146	33	70	63	188			
	Saint Régis,	"	"	"	"	"	"	-1072	Point de Régltre remis.	
	Mission sur la Rivière Ottawa,	45	33	13	12	14	52			
	Lac des deux Montagnes,	36	30	11	28	12	26			
	Soulanges,	100	78	39	45	34	99			
	Ile Perrot,	23	18	7	7	9	25			
	Vaudreuil,	72	61	24	26	15	92			
	Saint Policarpe,	76	64	18	38	27	75			
	Rigaud,	102	93	38	25	33	137			
	Saint Benoit,	152	132	33	53	50	181			
	Sainte Scholastique,	"	"	"	"	"	"	-769	Point de Régltre remis.	
	Saint Eustache	140	123	51	97	84	82			
Leinster.	L'Assomption,	77	54	40	41	51	39			
	Saint Sulpice,	37	39	6	14	18	44			
	Répentigny,	40	30	19	17	19	34			
	Lachenaie,	20	23	5	22	13	13			
	Saint Henry de Mascouche,	50	55	14	23	27	55			
	Saint Roch,	97	89	25	50	63	73			
	Saint Ours du Saint Esprit,	64	57	19	32	34	55			
	Saint Jacques,	141	132	25	60	40	73			
	Rawdon, New-Glasgow, &c.	7	6	5	"	"	13	-499		
	Sainte Rose,	61	50	14	42	30	39			
	Saint Vincent de Paul,	78	46	13	28	20	76			
	Saint Martin,	76	84	22	42	46	72			
	Saint Thérèse,	83	81	12	30	33	101			
	Sainte Anne de Mascouche,	98	91	23	49	40	100			
Terrebonne,	54	47	10	21	30	50	-438			
Effingham.	Berthier,	135	104	44	18	18	203			
	Saint Cuthbert,	116	113	52	40	69	120			
	Sainte Elizabeth,	135	124	50	27	20	212			
	Saint Paul de Lavaltrie,	16	14	8	12	17	1			
	L'Isle du Pads,	8	19	7	7	3	17			
	Kildare & Lac Maskinongé,	"	"	"	"	"	"		Point de Régltre remis.	
	Sainte Antoine de Lavaltrie,	99	73	23	35	44	93			
	Lanoraie,	23	20	7	4	9	30	-676		
	Total,		6171	5594	2036	2923	2577	6361	6361	Augmentation.

Appendix
(D.)
13th Decr.

SUPPLEMENTARY RETURN to the General Statements and Returns of the Baptisms, Marriages and Burials for the District of Montreal, for the years 1826 and 1827.

Years.	Parishes.	Baptisms.		Marriages.	Burials.		Increase ascertained by the difference between Baptisms and Burials.	Remarks.
		Males	Females		Males	Females		
1826.	County of Richelieu. Townships of Hatley, Compton, Stanstead, &c.	4	5	31	—	—	9	
1827.	County of Warwick. Kildare & Lac Maskinongé,	1	2	—	—	—	3	
1826.	County of Huntingdon. Sainte Martine de Beauharnois,	7	8	2	3	4	3	
1827.	Ditto	67	67	14	35	22	77	Increase, 97

Montreal, 10th December 1828.

MONK & MORROGH,
P. K. B.

RETOUR SUPPLEMENTAIRE aux Etats généraux et Retours des Baptêmes, Mariages et Sépultures, pour le District de Montréal, pour les années 1826 et 1827.

Années.	Paroisses.	Baptêmes.		Mariages.	Sépultures.		Augmentation établie par la différence entre les Baptêmes et les Sépultures.	Remarques.
		Mâles	Femelles		Mâles	Femelles		
1826.	Comté de Richelieu. Townships de Hatley, Compton, Stanstead, &c.	4	5	31	—	—	9	
1827.	Comté de Warwick. Kildare et Lac Maskinongé,	1	2	—	—	—	3	
1826.	Comté de Huntingdon. Ste. Martine de Beauharnois,	7	8	2	3	4	3	
1827.	Ditto	67	67	14	35	22	77	Augmentation, 97.

Montréal, le 10 Décembre 1828.

MONK & MORROGH,
P. B. R.

SUPPLEMENTARY RETURN to the General Statement and Return of Baptisms, Marriages and Burials for the District of Montreal, for the year one thousand eight hundred and twenty-seven.

Year.	City of Montreal.	Baptisms.		Marriages.	Burials.		Increase ascertained by the difference between Baptisms and Burials.	Remarks.
		Males	Females		Males	Females		
1827.	Scotch Presbyterian Church,	76	84	60	35	31	94	

Montreal, 4th December 1828.

MONK & MORROGH,
P. K. B.

RETOUR SUPPLEMENTAIRE à l'Etat général et Retour des Baptêmes, Mariages et Sépultures; pour le District de Montréal, pour l'année mil huit cent vingt-sept.

Année.	Cité de Montréal.	Baptêmes.		Mariages.	Sépultures.		Augmentation établie par la différence entre les Baptêmes et les Sépultures.	Remarques.
		Mâles	Femelles		Mâles	Femelles		
1827.	Eglise Ecossoise Presbyterienne,	76	84	60	35	31	94	

Montréal, 4 Décembre 1828.

MONK & MORROGH,
P. B. R.

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Appendix
(E.)
28th Novr.

To the Honorable the Commons of Lower-Canada, in Provincial Parliament assembled :

THE REPORT of the Subscribers, late Commissioners for the Lachine Canal;

Respectfully sheweth,

THAT the Report of the Commissioners for the year one thousand eight hundred and twenty-seven, dated the twelfth of November, and the Account dated the thirty-first of October of that year, relative thereto, accompanies this Report, and to which reference is craved.

That although the Act, under which they were appointed Commissioners, has expired, yet they considered it a duty incumbent upon them to continue their gratuitous management and superintendance of the Canal, as being essential to its preservation:—Also, although the Tolls have not been collected since the first of May one thousand eight hundred and twenty-eight, yet a continuation of the services of the Lock-keepers and Overseers was alike necessary, to attend on the passage of boats through the Locks, and to prevent injury thereto, as if the Tolls had been payable.

Repairs were likewise indispensable to be continued, where needful, to keep the works in good order. The amount of the wages of Lock-keepers and Overseers, with the cost of repairs from October one thousand eight hundred and twenty-seven to October one thousand eight hundred and twenty-eight, will be found by the Account herewith, to have been Six hundred and ninety-seven pounds nineteen shillings and four pence currency, to which being added, the salary of the Secretary and Treasurer, one hundred pounds, and the allowance of one hundred pounds to Mr. Duff, the Toll Collector at Lachine, for his services in one thousand eight hundred and twenty-eight, (as he had given up a material part of his business on accepting that situation, which he could not recal,) make the aggregate expense for the past twelve months, to be Eight hundred and ninety seven pounds nineteen shillings and four pence.

The net Tolls collected in one thousand eight hundred and twenty-seven, since stating the former account affecting that year, were one hundred and ninety-one pounds and nine pence, all which will be seen by the account herewith, excepting the one hundred pounds to Mr. Duff, which, being not yet paid, is not therein charged, but being deducted from the balance of that Account, will leave in the hands of the Secretary and Treasurer, Four hundred and thirty-two pounds five shillings and three pence.

There was collected this season, up to the first day of May one thousand eight hundred and twenty eight, when the Tolls were discontinued collecting, the sum of Three hundred and seventy six pounds and four pence—no part whereof has been required to be refunded, and it remains in the hands of the Secretary and Treasurer, to be applied as may be directed.

So much benefit has been found to result from sodding part of the banks, that it will be proper to extend the same when the Tolls are revived. Annual repairs will always be needful, but being dependant upon accident and contingencies, cannot be previously estimated. It is, however, highly gratifying to find that the expenses thereof are small in comparison of what have been found necessary in the Canals of the United States, and that ours in point of efficiency and durability far surpasses theirs.

As the subscribers cannot doubt of the expediency of reviving and continuing the Tolls payable under the Act which lately expired, it is proper respectfully to suggest the alterations or amendments which experience points out as necessary to be made thereto.

In the rate of Tolls no alteration need be made, excepting the reduction of that on wheat from one penny to three farthings per minot or bushel, in order to be more proportionate to flour. They would recommend prohibiting the passage of rafts with firewood and stones, as being found to be very injurious to the Banks, and the quantities thereof which from carelessness or accident are dropped into the Canal impede the passage of Boats. Scows hereafter built for carrying firewood or other articles, should be obliged to have round bows, as square ones do injury to the banks.

For other amendments and alterations needful, the Subscribers beg to refer to the Report of the thirtieth Decr. one thousand eight hundred and twenty-six, and that herewith of twelfth Novr. one thousand eight hundred and twenty-seven—and they reiterate the opinion that it is indispensably necessary to empower the Commissioners under the revived Act to make minor regulations to take immediate effect as therein stated, with limited penalties for breach thereof, to be summarily recovered before a Magis-

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(E.)
28 Novr.

Aux Honorables Communes du Bas-Canada, assemblées en Parlement Provincial.

LE RAPPORT des soussignées, ci-devant Commissaires pour le Canal de La Chine,

Représente respectueusement :

QUE le Rapport des Commissaires pour l'année 1827, daté du douze de novembre, et le Compte daté du trente et un d'octobre de cette année y relatif, accompagnent le présent Rapport, et l'on prend la liberté d'y référer.

Que quoique l'Acte en vertu duquel ils ont été nommés Commissaires soit expiré, ils ont regardé comme un devoir qui leur étoit imposé de continuer à se charger de la conduite et de la surveillance du Canal, comme choses essentielles pour sa préservation, et quoique les péages n'aient point été perçus depuis le premier mai 1828, il étoit néanmoins nécessaire d'employer encore des Gardiens des écluses et des surveillans pour le trouver au passages des bateaux et radeaux par les écluses, et empêcher qu'il n'y fut fait dommage, de même que si les péages avoient été exigibles.

Il étoit aussi indispensable de continuer les réparations là où elles étoient nécessaires afin de tenir les ouvrages en bon état. Le montant des gages des gardiens des écluses et des surveillans, ainsi que du coût des réparations, depuis Octobre 1827, jusqu'à Octobre 1828, se trouvera par le compte ci-annexé être de £697 19s. 4d, auquel joignant le salaire du Secrétaire et Trésorier £100—et l'allouance de £100 faite à M. Duff, le Collecteur des Péages, pour ses services vu 1828, en qu'en acceptant cette situation il avoit abandonné une partie essentielle de ses affaires qu'il n'étoit plus en son pouvoir de reprendre, font pour les douze derniers mois une dépense totale de £897 19s. 4d.

Le produit net des péages perçus en 1827, depuis le règlement du comte précédent pour cette année, a été de £191 Os. 9d. comme il appert par le compte ci-joint, excepté les £100 alloués à M. Duff, qui n'étant pas encore payés, n'y sont pas entrés, mais qui étant déduits de ce compte laisseront entre les mains du Secrétaire et Trésorier £432 5s. 3d.

Il a été perçu cette année jusqu'au premier de Mai qu'on a discontinué d'exiger les péages, la somme de £376 Os 4d. dont on n'a pas exigé qu'il fût versé aucune partie dans la masse, et qui demeure entre les mains du Secrétaire et Trésorier, pour être appliquée ainsi qu'il sera ordonné.

Ou a couvert de gazon une partie des bords avec tant d'avantage qu'il sera à propos de le faire plus généralement lorsque les péages auront été remis en vigueur. Les réparations annuelles seront toujours nécessaires, et comme elles dépendent d'accidents et cas fortuits, elles ne peuvent s'estimer d'avance. Il est néanmoins bien flatteur de voir que les dépenses qu'elles occasionnent, sont bien peu considérables en comparaison de celles qui se sont trouvées nécessaires pour les canaux des Etats-Unis, et qu'en fait de solidité, les nôtres surpassent de beaucoup ceux des Américains.

Comme les soussignées ne peuvent douter qu'il ne soit expédient de rétablir et de continuer les péages exigibles en vertu de l'Acte qui a expiré dernièrement, ils croient à propos de suggérer respectueusement les changemens ou les amendemens que l'expérience indique comme nécessaires.

Dans le taux des péages il n'est besoin d'aucun changement, si ce n'est la réduction sur celui du blé, de deux sous à un sous et demi par minot ou boisseau, afin qu'il soit plus proportionné à celui de la farine. Ils recommanderoient de prohiber le passage des cajeux et radeaux avec du bois de chauffage ou des pierres, attendu qu'il en résulte beaucoup de dommages pour les bords, et que la quantité qui s'en échappe dans le canal par négligence ou par accident, nuit au passage des berges ou bateaux. Les bacs construits pour charrier du bois de chauffage, ou autres articles, devroient nécessairement être arrondis à l'avant, vu que ceux qui sont quarrés dans cette partie endommagent les bords.

Pour les amendemens et changemens nécessaires, les soussignées prennent la liberté de référer au Rapport du 30 décembre 1826, et à celui ci-annexé du 11 novembre 1827, et ils réitérent l'opinion qu'il est indispensablement nécessaire de revêtir les Commissaires, en vertu de l'Acte remis en force, de l'autorité de faire des réglemens mineurs qui auroient effet immédiatement d'après ce qui y est exposé, et d'imposer de légères amendes pour infractions à ces réglemens recouvrables sommairement devant un magistrat

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(E.)
28th Novr.

trate, and with power to order the detention of Boats, when delinquencies happen, until the Penalties are paid, or security given for the payment; else, for the reasons stated in that Report, no practical benefit will result from any regulations. The power of making those minor regulations should extend to the loading and unloading boats, scows and vessels, (and rafts, if they are not prohibited) at any part of the Canal and Banks, and at either end thereof, from or upon the wharves or embankments appertaining thereto, and for such loading or unloading, (if they do not pass through the Canal) to pay as for a mile, at the least; and with power also to regulate and limit the time of such boats, scows and vessels, or their cargoes, remaining at or upon such wharves or embankments.

The Canal Wharf above the Port has this season been injured by the want of authority to prescribe and enforce regulations for the use thereof.

The Subscribers beg leave respectfully to repeat a suggestion, before made by the Commissioners, of a remedy for the great evils and inconveniencies to the trade, arising out of the present and long continued filthy state of the Port of Montreal, from the want of wharves for loading and unloading merchandize and other commodities. That remedy could be effected by a loan from the Canal Tolls to defray the expense of extending a wharf as far as the descent to the beach of the River opposite to St. Dizier's Lane, including that descent: The loan to be reimbursed as suggested in the said Report of the thirtieth of December one thousand eight hundred and twenty-six, or in such other manner as the wisdom of the Legislature may prescribe.

The Subscribers acting from the impulse of humanity, and confiding in the justice of Your Honorable House, take the liberty of transcribing and strongly recommending that part of the above said Report of one thousand eight hundred and twenty-six, which respects the widow and family of Mr. Burnett, the deceased Engineer of the Canal, whose merits none can doubt who see his works, and whose widow and family are now in the most lamentable distress. "The Commissioners again respectfully submit to the Legislature the claim of the deceased Engineer, Mr. Burnett, who, if he had lived, would, at the completion of the Canal, have been entitled to Five hundred pounds sterling beyond his salary; although he did not survive such completion, yet as the whole was laid out, models and drawings made, and the greatest part of the works of every description executed before his death, and afterwards continued by his son, whereby the employment of another Engineer became unnecessary, the claim is equitably due. His family is in pecuniary distress, and the Commissioners appeal with confidence to the justice and humanity of the Legislature for what, if it had continued to be a private undertaking, could have been enforced, because his engagement was fulfilled as to the spirit, although the Almighty prevented that of the letter of it. He was engaged when the Canal was a private undertaking, and when transferred to the public, all its benefits and burthens were also transferred. Whatsoever therefore would have been payable by the private Company under his engagement, fairly accrued to his family from the public."

All which is respectfully submitted.

Montreal, 10th November 1828.

(Signed) JOHN RICHARDSON,
Chairman late Commrs.
L. C. Canal.
C. W. GRANT,
T. PORTEOUS,
FRANs. DESRIVIERES,
DVD. ROSS.

THE GOVERNMENT of the Province of Lower-Canada in Account Current with FREDERICK GRIFFIN, Secretary to the Commissioners for the Lachine Canal.

DR

1827. To Cash paid the following persons, viz.	
Novr. 14. M. Bibaud, translating Report to the Legislature,	£0 10 0
29. D. McKenzie, Cedars, Screw Hoops, &c.	0 18 1
Decr. 1. Thos. Fingland, 75 panels of Fence, above Lock 5,	25 0 0
Carried forward,	£26 8 1

avec pouvoir d'ordonner la détention des bateaux dans le cas d'infractions ou offenses, jusqu'à ce que les amendes aient été payées, ou qu'il ait été donné caution pour leur paiement; autrement, pour les raisons exposées dans ce Rapport, il ne résulteroit aucun bien de quelques réglemens que ce fut. Le pouvoir de faire ces réglemens mineurs devoit s'étendre au chargement et déchargement des bateaux, radeaux et vaisseaux, à aucune partie du Canal ou de ses bords, (et des cajeux, s'ils ne sont pas prohibés) et à l'une ou l'autre de ces extrémités des ou sur les quais ou banquettes y appartenant; et tels bateaux, &c. devoient payer (s'ils ne passent pas par le Canal) comme pour un mille au moins, et les Commissaires être autorisés à régler le tems et les limites ou tels bateaux, radeaux et vaisseaux ou leurs cargaisons pourroient demeurer près ou sur tels quais ou banquettes.

Le quai du Canal au dessus du Port a été endommagé faute d'autorité pour prescrire et faire observer des réglemens quant à la manière de s'en servir.

Les soussignés prennent la liberté de répéter respectueusement une suggestion déjà faite par les Commissaires, quant au remède à apporter aux maux et aux inconveniens sérieux qui résultent pour le commerce de l'état présent et depuis longtems existant de propriété du Port de Montréal, occasionné par le manque de quais pour charger et décharger les marchandises et autres effets. Ce remède pourroit s'effectuer au moyen d'un emprunt sur les péages du Canal, pour subvenir aux frais d'un quai qui s'étendrait jusqu'à la descente au bord de l'eau vis-à-vis de la ruelle St Dizier, y compris cette descente: l'emprunt remboursable ainsi qu'il est suggéré dans le dit Rapport du 30 Decembre 1826, ou de telle autre manière que la Legislature, dans sa sagesse, le preseroit.

Les soussignés agissant par des motifs d'humanité, et se confiant en la justice de Votre Honorable Chambre, prennent la liberté de transcrire et de recommander fortement cette partie du susdit rapport de 1826, qui est relatif à la veuve et à la famille de Mr. Burnett, l'Ingénieur défunt du Canal, dont aucun de ceux qui voient ses ouvrages ne peut révoquer en doute le mérite, et dont la veuve est maintenant dans la plus lamentable détresse. "Les Commissaires soumettent de nouveau respectueusement à la Législature les droits de l'Ingénieur défunt Mr. Burnett qui, s'il eut vécu, auroit eu lorsque le Canal auroit été fini, droit à cinq cents livres sterling, au delà de son salaire. Bien qu'il n'ait pas vécu jusqu'à ce que le Canal ait été achevé, cependant comme le tout étoit disposé, les moules et les dessins faits, et la plus grande partie des ouvrages exécutés avant sa mort, et ont été ensuite continués par son fils, par où l'emploi d'un autre Ingénieur est devenu inutile, la somme est équitablement due. Sa famille est en grand besoin d'argent, et les Commissaires en appellent avec confiance à la justice et à l'humanité de la Législature pour ce qui auroit pu être exigé légalement si le Canal eût continué d'être une entreprise privée, par ce que son engagement a été rempli quant à l'esprit, bien que le tout-Puissant n'ait pas permis qu'il le fut à la lettre. Il fut engagé lorsque le Canal étoit une entreprise particulière, et lorsqu'elle est passée au public, tout ce qu'elle avoit d'avantageux et d'onéreux lui a été également transféré. Ainsi tout ce qui auroit été payable par la Compagnie privée, en vertu de son engagement, le public le doit en équité à sa famille."

Le tout néanmoins respectueusement soumis.

Montréal, 10 novembre 1828.

JOHN RICHARDSON,
ci-devant Président,
Comres. Canal L.C.
C. W. GRANT,
T. PORTEOUS,
FRANs. DESRIVIERES,
DVD. ROSS.

LE GOUVERNEMENT de la Province du Bas-Canada en compte courant avec FREDERICK GRIFFIN, Secrétaire des Commissaires pour le Canal de La Chine.

Dr.

1827. Argent payé aux personnes suivantes, savoir:	
Nov. 14. Mr. Bibaud, pour traduire le Rapport à la Législature,	£0 10 0
D. McKenzie, Cedres, Vis, &c.	0 18 1
Déc. 1. Thos. Fingland, 75 pagées de Clotures, audessus de l'écluse 5,	25 0 0
Porté ci-contre,	£26 8 1

Appendice
(E.)
28 Novr.

<p>Appendix (E.) 28th Novr.</p>	<p>1827. Decr. 2. Laborers and Storekeepers' Wages, from 1st to 30th Novr. inclusive, £59 4 11</p> <p>11. Receiver Genl. on account of Tolls collected to 31st Octr. last, remitted to him by Draft of the Bank of Montreal, 1500 0 0</p> <p>" Bank of Montreal, premium on said Draft, 1 17 6</p> <p>18. W. L. Coit, Oil, Rope, Grafts Seeds, &c. 20 10 11</p> <p>1828. Jany. 2. Wages of Lock-keepers and Overseers from 1st to 31st Decr. 1827, 23 18 0</p> <p>23. Guy Warwick & Co., Iron Castings for Crane, &c. 8 3 0</p> <p>April 2. Lock-keepers and Overseers, from 1st January to 31st March, and Laborers to 27th March, 1828, inclusive, 75 0 8</p> <p>26. Laborers from 28th March to 24th April inclusive, 45 7 2</p> <p>May 10. Lock-keepers and Overseers, from 1st to 30th April, and Laborers from 25 April to 3th May inclusive, 65 1 9</p> <p>31. Lock-keepers and Overseers, from 1st to 31st May, and Laborers from 9th to 29th May inclusive, 63 5 8</p> <p>June 2. M. Smyth, Ice-Knives, Cill Rake & Grappling Hook, " V. Roy Lapensée, Hammer, Crow Bar and Axe, 1 3 4</p> <p>27. W. Sharpe, Carriage Hire, 1 18 9</p> <p>30. Lock-keepers and Overseers, from 1st to 30th June, and Laborers from 30th May to 26th June inclusive, 71 14 8</p> <p>July 12. W. Reid, 2 fetts back and belly Bands for Horses to Tow Boats, Scows, &c. 1 0 0</p> <p>" John Whitlaw, sundry Carpenter's Jobs, repairing Crane, Wheelbarrows, Scows, Lock-houses, &c. 17 15 2</p> <p>26. McKay & Redpath, painting Locks, &c. 20 4 1</p> <p>Augt. 26. Fellow & Burton, Smith Work to Lock Gates, Sluices, &c. 7 12 3</p> <p>31. Lock-keepers and Overseers, from 1st July to 31st Augt, and Laborers from 27th June to 31st Aug. inclusive, 103 5 5</p> <p>Sept. 15. W. Evans, maintaining Fences 12 months, to 24th May next, 40 0 0</p> <p>30. Lock-keepers, Overseers and Laborers, from 1st to 30th September, 42 10 6</p> <p>Oct. 10. F. Griffin, 12 months Salary as Secretary, to 31st October 1828. 100 0 0</p> <p>Balance carried to next Account, 649 8 9</p> <p style="text-align: right;">532 5 3</p> <hr/> <p style="text-align: right;">£2830 4 7</p>	<p>1827. Montant d'autre part, £26 8 1</p> <p>Déc. 2. Gages des Journaliers et Gardiens d'Ecluses, du 1er. au 30 Nov. inclusivement, £59 4 11</p> <p>11. Receveur Général, à compte des Péages perçus jusqu'au 31 Octobre dernier, à lui remis par un Billet de la Banque de Montréal, 1500 0 0</p> <p>" Banque de Montréal, premium sur le dit Billet, 1 17 6</p> <p>18. W. L. Coit,—Huile, Cordes, Graines de Foin, &c. 20 10 11</p> <p>1828. Janv. 2. Gages des Gardiens d'Ecluses, et Inspecteurs, du 1er. au 31 Décembre 1827, 23 18 0</p> <p>23. Guy Warwick & Co.—Fonte pour Grue, &c. 8 3 0</p> <p>Avril 2. Gardiens d'Ecluses et Inspecteurs, du 1er. Janvier au 31 Mars, et Journaliers jusqu'au 27 Mars 1828, inclusivement, 75 0 8</p> <p>26. Journaliers, du 28 Mars au 24 Avril inclusivement, 45 7 2</p> <p>Mai 10. Gardiens d'Ecluses et Inspecteurs du 1er. au 30 Avril, et Journaliers, du 25 Avril au 8 Mai, inclusivement, 65 1 9</p> <p>31. Gardiens d'Ecluses et Inspecteurs, du 1er. au 31 Mai, et Journaliers du 9 au 29 Mai, inclusivement, 63 5 8</p> <p>Juin 2. M. Smyth,—Rateau, Grapin, &c. 1 3 4</p> <p>" J. Roy Lapensée—Marteau, Levier et Hache, 1 18 9</p> <p>27. W. Sharpe—Louage de Voiture, 1 17 6</p> <p>30. Gardiens d'Ecluses et Inspecteurs, du 1er. au 30 Juin, et Journaliers du 30 Mai au 26 Juin, inclusivement, 71 14 8</p> <p>Juillet 12. W. Reid—2 paires de Traits pour Chevaux pour hâler les Bateaux, Chalans, &c. 1 0 0</p> <p>" James Whitlaw—différens ouvrages de Charpentier, pour réparer la Grue, les Brouettes, &c. 17 15 2</p> <p>26. McKay & Redpath—pour placer les Ecluses, &c. 20 4 1</p> <p>Août 26. Fellow & Burton,—Ouvrage de Forgeron aux Portes des Ecluses, &c. 7 12 3</p> <p>31. Gardiens d'Ecluses et Inspecteurs, du 1er. Juillet au 31 Août, et Journaliers du 27 Juin au 31 Août, inclusivement, 103 5 5</p> <p>Sept. 15. W. Evans—pour entretenir les Clôtures 12 mois, au 24 Mai suivant, 40 0 0</p> <p>30. Gardiens d'Ecluses et Journaliers du 1er. au 30 Septembre, 42 10 6</p> <p>Oct. 10. F. Griffin—12 mois de Salaire comme Secrétaire, jusqu'au 31 Octobre 1828, 100 0 0</p> <p>Balance portée au Compte suivant, 649 8 9</p> <p style="text-align: right;">532 5 3</p> <hr/> <p style="text-align: right;">£2830 4 7</p>	<p>Appendice (E.) 28 Nov.</p>
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CR.

AVOIR.

1827

Novr. 1. By Balance brought from last Account,	£1639 3 10
24. By Tolls collected at Montreal to this date,	2 1 0
By ditto at Lachine to ditto,	£198 18 8
Carried over,	£198 18 8 £1641 4 10

1827.

Nov. 1. Balance apporté du dernier Compte,	£1639 3 10
24. Péages perçus à Montréal, jusqu'à cette date,	2 1 0
" Péages perçus à La Chine jusqu'à cette date	£198 18 8
Porté ci-contre,	£198 18 8 £1641 4 10

Appendix
(E.)
28th Novr.

	Brought over, £198 18 8	£1641 4 10
	Levs 5 per cent. Commission allowed to D. Duff, Esq. for collecting,	9 18 11
		188 19 9
1828.		
June 12. By Warrant on the Receiver General, No. 2137 dated 9th inst. for £900 Stg.	Currency, 1000 0 0	
		£2830 4 7

Montreal, 10th October 1828.

FREDK. GRIFFIN.

	Montant d'autre part, £198 18 8	£1641 4 10
	Moins 5 par cent. de Commis- sion allouée à D. Duff, E- cuyer, pour perception.	9 18 11
		188 19 9
1828.		
Juin 12. Warrant sur le Receveur-Gé- néral No. 2137, daté 9 du courant, pour £900 Stg.	Courant, £1000 0 0	
		£2830 4 7

Appendice
(E.)
28 Novr.

Montréal, 10 Octobre 1828.

FREDK. GRIFFIN.

To the Honorable the Commons of Lower-Canada, in
Provincial Parliament assembled.

THE REPORT of the Commissioners for the Lachine Canal :

Respectfully sheweth ;

THAT last spring, on the dissolution of the ice and of the unusual quantity of snow which fell during the preceding winter, very considerable injury was done by the waters of the Little Lake or River St. Pierre, breaking into the Canal, by reason (as mentioned in former Reports) of the impossibility of constructing a tunnel under the Canal of a size sufficient for the immediate discharge of such a body of water at that season. Considerable expense was consequently incurred in repairing the damage thereby occasioned to the banks, and in forming an additional waste weir on the other side to aid the rapid discharge of such waters in future. Experience however can alone determine whether such will be effectual. Other repairs were also required to remedy the effects of the winter and spring upon other parts of the Canal, and to clear out the earth and mud which had been deposited in the bed of it—these will necessarily be annual operations.

During the season of navigation this year laborers were necessary to be employed to repair injuries done by heavy rains, and by leakage in those parts of the banks raised above the level of the original foil, as well as to continue the expedients begun last year for preventing future injury from those rains, by giving the earth which had been excavated and deposited behind the banks, a slope backward with discharges therefrom. The inner slopes of the banks have in some places been foddred to try the effects thereof in prevention of injuries from rains, and from the undulation occasioned by the passage of boats.

It is unnecessary to detail further the employment of the laborers during the season, but some will every year be required to make immediate repairs when found necessary.

The Commissioners crave permission to refer your Honorable House to their Report of last year, respecting a remuneration of Five hundred pounds sterling, which they considered, and still consider, for the reasons therein stated, to be equitably due to the family of the deceased Mr. Thomas Burnett, the Engineer; and also respecting the amendments needful to be made to the Canal Act when continued: To these they have to add, the propriety of reducing the rate of toll upon wheat from one penny to three farthings per minot or bushel, it being at present disproportionate to that on flour.

One essential amendment is required—that is, to empower the Commissioners to make minor regulations, to take immediate effect for the passage of the Canal and respecting boatmen, as also trespasses on the banks by cattle, with limited penalties for the breach thereof to be summarily recovered before a Magistrate, as the delays incident to suits in the ordinary courts for recovery of penalties, render them perfectly nugatory as to practical benefit. As boatmen are mere itinerants, and may be off before even a summary process can be executed, a power should be given to detain boats where delinquencies happen, until the penalties are paid, or security given for the payment thereof.

The wharf along the basin of the Canal above the Port, received little injury during the last winter and spring, and as the earth employed in its formation is now thoroughly settled, and aided by a deposit of stones in certain places, as also with the whole surface now macadamized, there is every hope of its escaping future injury from high waters.

It is to be regretted that so great an improvement as this wharf could not have been extended, as stated in the last Report, to that part of

Aux Honorables Communes du Bas-Canada, réunies
en Parlement Provincial.

LE RAPPORT des Commissaires pour le Canal de La Chine,

Représente humblement ;

QUE le printemps dernier lors de la fonte de la glace et de la quantité extraordinaire de neige qui étoit tombée durant l'hiver, les eaux du Petit Lac St. Pierre firent beaucoup de tort au Canal en s'introduisant dans son lit, en conséquence (comme il a été mentionné dans des rapports précédens) de l'impossibilité de pratiquer sous le Canal un entonnoir de grandeur suffisante pour le passage immédiat de la quantité d'eau qui s'accumule dans cette saison. Il a été conséquemment encouru de grands frais pour réparer les dommages occasionnés par la aux bords du Canal, et pour construire un nouvel épanchoir de l'autre côté, afin d'aider à la prompte décharge de ces eaux à l'avenir. L'expérience seule néanmoins prouvera si cet expédient sera efficace. Il a fallu encore d'autres réparations pour remédier aux effets de l'hiver et du printemps, sur d'autres parties du Canal, et pour ôter la terre et la fange qui s'étoient amassées dans son lit; ce seront nécessairement des réparations annuelles.

Durant le tems de la navigation cette année il a été nécessaire d'employer des journaliers pour réparer le dommage causé par les fortes pluies et par les voies-d'eau dans les parties des bords qui ont été élevées au dessus du sol primitif, ainsi que pour continuer les expédiens auxquels on a eu recours l'année dernière afin d'empêcher pour l'avenir les dommages causés par ces pluies, en donnant à la terre qui a été tirée du Canal et déposée derrière ses bords une pente, et des égoux de l'autre côté. On a couvert de gazon la déclivité intérieure des rives en quelques endroits pour voir jusqu'où on remédieroit par là au dommage que causent ces pluies, ainsi que l'ondulation occasionnée par le passage des bateaux.

Il n'est pas nécessaire d'entrer dans de plus grands détails sur l'emploi des gens de journée, mais il en faudra annuellement quelques uns pour faire immédiatement les réparations lorsqu'elles deviendront nécessaires.

Les Commissaires prennent la liberté de référer Votre Honorable Chambre à leur Rapport de l'année dernière, concernant une rémunération de cinq cens livres sterling, qu'ils regardoient et qui'ils regardent encore, comme équitablement due à la famille de feu Mr. Thomas Burnett, l'ingénieur; comme aussi concernant les amendemens qu'il seroit à propos de faire à l'acte du Canal, lorsqu'il sera continué. Ils ont à ajouter à cela qu'il conviendrait de diminuer le taux du péage sur le blé, d'un denier à trois quarts de denier par minot ou boisseau, ce péage étant à présent disproportionné à celui qui se perçoit sur la farine.

Un amendement essentiel à faire est de donner aux Commissaires le pouvoir de faire des réglemens qui auroient effet immédiatement pour le passage du Canal, et concernant les bateliers, ainsi que les dommages causés sur les rives par les animaux, avec des amendes limitées pour l'infraction de ces réglemens, lesquelles seroient recouvrées sommairement devant un magistrat, attendu que le délai qui accompagne les poursuites dans les cours ordinaires pour recouvrement d'amendes les rend nulles quant à l'avantage pratique. Comme les bateliers sont des gens qui ne font que passer, qu'ils peuvent être partis avant même qu'une procédure sommaire ait en lieu, on devroit être autorisé à détenir les bateaux où il se commettrait des infractions aux règles, jusqu'à ce que les amendes aient été payées ou qu'il ait été donné des sûretés pour le payement.

Le quai le long du bassin du Canal au dessus du port a éprouvé peu de dommage durant l'hiver et le printemps dernier, et comme la terre employée à sa formation est maintenant affaissée et consolidée par un dépôt de pierres en quelques endroits, et que toute sa surface est couverte des pierres concassées, ou a tout lieu d'espérer que les hautes eaux ne lui feront pas de tort à l'avenir.

Il est à regretter qu'une amélioration telle que ce quai n'ait pas pu s'étendre, comme il a été mentionné dans le dernier rapport jusqu'à

Appendix
(E.)
28th Nov.

the harbour where goods are landed and embarked, the means whereof could be furnished by a loan from the Canal Tolls, if authorized by the Legislature.

That Report also stated a conviction of the Canal at no very remote period becoming highly profitable in a pecuniary point of view, in addition to its commercial utility, which is borne out by the increased receipt of the Tolls, and which it is expected will annually extend. Their amount this year up to the first of November, is £3051 6s. 6d. Currency. The general Account herewith will shew the Receipts and Expenditure, leaving a Balance of £1639 3s. 10d. to be paid over to the Receiver General.

From the increase of business of the Canal, two assistants to the Lock-keeper at three Locks near the Windmills, and one assistant at the two Locks at Cote St. Paul, were found to be necessary; as also a person to prevent obstructions and to preserve order among the boats on entering and leaving the Canal at the Lachine end thereof.

Part of the Expenditure to the amount of £350 16s. 6d. was incurred for damages adjudged by the Courts, with the Law Expenses incurred in the defence of those actions, and in a prosecution by order of the Commissioners for a most necessary one, namely—a *cours d'eau* of the Little River St. Pierre, which last is indispensable still to be renewed, to avoid claims in future for damages, as the clearing out the obstructions in that river (to which all who send the waters from their lands through that channel ought in justice to contribute) would so improve the drainage as to become a great preventive against injury by Canal leakage or by rains; and yet, this most beneficial measure is opposed at a much greater expense in Law Charges than would suffice for effecting that object. Had the claims made for damages been paid without opposition thereto, the amount would have far exceeded what has been adjudged. The Commissioners notice these matters to shew the unpleasant difficulties and contests to which they have been exposed in the performance of their duty.

All which is respectfully submitted.

Montreal, 12th November 1827.

JOHN RICHARDSON, Chairman,
Comms. L. C. Canal.
T. PORTEOUS,
FRANs DESRIVIERES,
GEORGE GARDEN,
D.V.D. ROSS.

The Government of the Province of Lower-Canada in Account Current with Frederick Griffin, Secretary to the Commissioners for the Lachine Canal.

Dr.

1827. To Cash paid the following persons, viz :

April 18.	Patrick McAulay, for extra cartage, in consequence of the Canal not being opened when he arrived at Lachine with his Boat and Cargo,	£5 7 3
24.	Samuel Hedge, 4 Axes,	1 10 0
30.	Overseers and Lock-keepers, from 1st January to this date, inclusive,	£73 3 4
	Labourers clearing the Canal and making various repairs during the same period,	66 9 1
May 14.	Thomas Fingland, 32 panels Fence made and erected at Locks 5, 6 and 7, at Gregory's Bridge below Lock 3,	11 6 8
19.	Andrew White, inspecting the entrance of the Canal at Lachine, measuring Property and removing a Bridge,	7 2 6
26.	Labourers employed at various repairs to the Canal, Bridges, &c. from 1st to 24th May inclusive,	46 18 10
28.	John Whitlaw, repairing Wheelbarrows and caulking Sluices, &c.	13 19 8
June 4.	John Bromby, making a Drain on Mr. Gregory's Land, to let off the waters retained thereon by the Bank of the Canal,	4 7 6
6.	Judgments rendered in the Inferior Term of the King's Bench, 22d November 1826, in favor of the following persons owning pro-	

Carried over, £73 3 4 £157 1 6

cette partie du port où les marchandises sont embarquées et débarquées, les moyens de l'exécuter pouvant être fournis par un emprunt sur les péages du Canal, s'il étoit autorisé par la Législature.

Ce Rapport mentionnoit aussi que les Commissaires étoient convaincus que le canal deviendroit à une époque peu éloignée, très profitable sous un point de vue pécuniaire, sans parler de son utilité commerciale; et cette conviction se trouve justifiée par l'augmentation de la recette des péages, qu'on s'attend encore à voir augmenter annuellement. Le montant des péages cette année jusqu'au premier de novembre, est de £3051 6s. 6d. Le montant général ci-joint fera voir dans la recette et la dépense une balance de £1639 3s. 10d. à payer entre les mains du Receveur-Général.

Vu l'augmentation des affaires du Canal, on a trouvé nécessaire de donner deux Assistans aux Gardien des trois Ecluses, près des moulins à vent, et un aux deux Ecluses de la Cote St. Paul, et d'avoir une personne pour empêcher les obstructions et préserver l'ordre parmi les bateaux à l'entrée ou la sortie du Canal à La Chine.

Une partie de la Dépense au montant de £350 16s. 6d. a été encourue pour dommages adjugés par les cours, avec les frais de procès encourus pour la défense de ces actions, et pour une poursuite très nécessaire faite par l'ordre des Commissaires, nommément pour un cours d'eau de la petite Rivière St. Pierre, laquelle poursuite il est encore indispensable de renouveler pour éviter les demandes ou actions en dommages, attendu qu'en ôtant les obstructions dans cette rivière (ce à quoi tous ceux qui envoient les eaux de leurs terres par cette voie devroient contribuer) on amélioreroit les moyens d'égout au point d'empêcher que le Canal ne fut endommagé par la pluie ou par des voies d'eau, et cependant on le dépense en frais de cour pour s'opposer à une mesure aussi avantageuse, et beaucoup plus qu'il ne faudroit pour parvenir au but désiré. Si les demandes faites pour dommages avoient été payées sans opposition le montant auroit excédé de beaucoup ce qui a été adjugé. Les Commissaires mentionnent ces choses pour faire voir les difficultés et les contestations désagréables, auxquelles ils ont été exposés dans l'exécution de leur devoir.

Le tout néanmoins respectueusement soumis.

Montréal, 12 novembre 1827.

JOHN RICHARDSON, Président,
Com. Canal L. C.
T. PORTEOUS,
FRANs DESRIVIERES,
GEORGE GARDEN,
D.V.D. ROSS.

Le Gouvernement de la Province du Bas-Canada, en Compte Courant avec Frederick Griffin, Secrétaire des Commissaires du Canal de Lachine.

Dr.

1827. Argent payé aux Personnes suivantes, savoir :

Avril 18	Patrick McAuley, pour chariage extraordinaire, en conséquence de ce que le Canal n'étoit pas ouvert quand il arriva à La-Chine avec sa Chaloupe & charge,	£5 7 3
24.	Samuel Hedge, 4 Haches,	1 10 0
30.	Inspecteurs et Gardiens, du 1er. janvier ju-qu'à cette date, inclusivement,	£73 3 4
	Travaux pour nettoyer le Canal, et pour faire différentes réparations durant le même période,	66 9 1
Mai 14.	Thomas Fingland, 32 pagés de Clôture faits et érigés aux écluses 5, 6 & 7, au pont Gregory en bas de l'Ecluse 3,	11 6 8
19.	Andrew White, pour inspecter l'entrée du Canal à La Chine, mesurer la propriété et enlever un Pont,	7 2 6
26.	Journaliers employés à différentes réparations au Canal, aux ponts, &c. du 1er. au 24 Mai, inclusivement,	46 18 10
28.	John Whitlaw, pour réparer les brouettes et calfater les Ecluses, &c.	13 19 8
Juin 4.	John Bromby, pour faire un Canal sur la terre de Mr. Grégory, pour décharger l'eau retenue sur icelle par le bord du Canal,	4 7 6
6.	Jugement rendu dans le Terme Inférieur du Banc du Roi, 22 novembre 1826, en faveur des	

H

Porté autre part, £73 3 4 £157 1 6

Appendice
(E.)
28 Nov.

Appendix
(E.)
28th Nov.

Brought over, £73 3 4 £157 1 6
perty at Côte St. Paul, for damages by them sustained in 1824, viz :

	Damages.	Costs.			
Mary Cand,	£4 2 6	£1 8 11			
Jerome Latour,	7 10 0	1 8 11			
Marcellin Madore,	3 5 0	1 8 11			
Michel Vincent,	0 17 6	1 8 11			
Dun. M'Naughton,	8 10 0	1 8 11			
Thomas Gauthier,	1 10 0	1 8 11			
Philibert Dagenais,	0 15 0	1 8 11			
Mal. M'Naughton,	2 5 0				
Do.	6 0 0	1 8 11			
	£34 15 0	£11 11 4			
		34 15 0	46 6 4		
June 16. Overseers and Lock-keepers, from 1st to 31st May inclusive, Labourers making various repairs from 25th May to 14th June, inclusive,			30 0 0		
				44 12 5	
27. Judgments rendered in the Superior Term of the King's Bench, 19th June 1827, in favour of the following persons owning property at Côte St. Paul, for damages by them sustained in 1824, viz :					

	Damages.	Costs.			
William Jackson,	£26	£10 12 9			
Jeremie Hurtubize,	10	2 16 9			
Bazile Pigeon,	16	10 11 1			
	£52	£24 0 7			
		52 0 0	76 0 7		
„ Judgment rendered in the Inferior Term of the King's Bench, 22d November 1826, in favor of William John and Peter Jackson, for Damages by them sustained in 1824, damages, £2—costs, £1 8s. 11d.				3 8 11	
29. J. R. Rolland, Esq. Atty. Costs taxed on dismissal of an Action instituted by order of the Commissioners, to establish the <i>cours d'eau</i> , of the Little River St. Pierre,				9 18 8	
July 14. Overseers and Lock-keepers from 1st to 30th June inclusive, Laborers macadamizing Tow-paths and making various repairs from 15th June to 12th July inclusive,			34 5 0		
				42 2 0	
30. William Evans, keeping Canal Fences in repair from 1st May 1827 to 1st May 1828,			41 5 0		
31. Overseers and Lock-keepers, from 1st to 31st July inclusive, Labourers making various repairs from 13th to 26th July, inclusive,			34 15 0		
				31 4 0	
Augst. 11. Labourers making various repairs from 27th July to 9th August inclusive,				42 19 3	
25. Ditto Ditto from 10th to 23d August inclusive,				43 15 4	
27. John Bromby,— macadamizing Wharf from Lock 7 to below Hall's,				50 0 0	
31. McKay & Redpath, pointing Locks, 1, 2, 3 & 4, in April last,				4 15 10	
A. Ferguson, printing Canal Regulations and blank Permits,				6 5 0	
Sept. 5. J. Bromby, 33 Scow Loads of Stone,			45 1 4		
Ditto macadamizing Slip below Hall's,				7 16 3	
11. Willm. Ayres, painting Rail Fences,				14 10 7	
12. John Bromby, transport of Stone Shell from Côte St. Paul, and spreading same on Tow-path above Lock 5, and 75 planks,				6 1 9	
15. Overseers and Lock-keepers, from 1st to 31st August, inclusive, Labourers making various repairs from 24th August to 13th September inclusive,			36 5 3		
				40 4 5	

Carried forward, £249 13 7 £672 4 3

Montant d'autre part, £73 3 4 £157 1 6
personnes suivantes, propriétaires à la Côte St. Paul, pour dommages par elles soufferts en 1824, savoir :

	Dom.mages.	Dépens.			
Mary Cand,	£4 2 6	£1 8 11			
Jérôme Latour,	7 10 0	1 8 11			
Marcellin Madore,	3 5 0	1 8 11			
Michel Vincent,	0 17 6	1 8 11			
Dun. M'Naughton,	8 10 0	1 8 11			
Thos. Gauthier,	1 10 0	1 8 11			
Philibert Dagenais,	0 15 0	1 8 11			
Mal. M'Naughton,	2 5 0				
Do.	6 0 0	1 8 11			
	£34 15 0	£11 11 4			
		34 15 0	46 6 4		
Juin 16. Inspecteurs et Gardiens d'Ecluses du 1er. au 31 Mai, inclusivement, Journaliers pour faire différentes réparations du 25 mai au 14 juin inclusivement,			30 0 0		
				44 12 6	
27. Jugemens rendus dans le Terme Supérieur du Banc du Roi, 19 juin 1827, en faveur des personnes suivantes, Propriétaires à la Côte St. Paul, pour dommages par eux souffert en 1824, savoir :					

	Don.mages.	Dépens.			
Wm. Jackson,	£26	£10 12 9			
Jerem. Hurtubize,	10	2 16 9			
Bazil Pigeon,	16	10 11 1			
	£52	£24 0 7			
		52 0 0	76 0 7		
27. Jugement rendu dans le Terme Inferieur du Banc du Roi, 22 Novembre 1826, en faveur de William, John et Peter Jackson, pour dommages par eux encourus en 1824—dommages, £2—dépens, £1 8 11,				3 8 11	
29. J. R. Rolland, Ecuyer, Procureur, dépens, taxés sur renvoi d'un action instituée par ordre des Commissaires, pour établir le cours d'eau de la Petite-Rivière St. Pierre,				9 18 8	
Juillet 14. Inspecteurs et Gardiens d'Ecluses, du 1er. au 30 Juin, inclusivement, Journaliers pour macadamiser le sentier de halage, et faire différentes réparations du 15 juin au 12 juillet, inclusivement,			34 5 0		
				42 2 0	
30. William Evans, pour garder le Canal en bon état, du 1er. mai 1827 au 1er. mai 1828,			41 5 0		
31. Inspecteurs et Gardiens d'Ecluses du 1er. au 31 juillet, inclusivement, Journaliers pour faire différentes réparations du 13 au 26 juillet, inclusivement,			34 15 0		
				31 4 0	
Août 11. Journaliers pour faire différentes réparations du 27 juillet au 9 août inclusivement,				42 19 3	
25. Ditto ditto du 10 au 23 août, inclusivement,				43 15 4	
27. John Bromby, pour macadamiser le Quai de l'Ecluse 7, en bas de chez Hall.				50 0 0	
31. McKay & Redpath, pour diriger les Ecluses 1, 2, 3 and 4, en Avril dernier,				4 15 10	
A. Ferguson, pour imprimer les règles du Canal, et permissions en blanc,				6 5 0	
Sept. 5. J. Bromby, 33 voyages en chalans, de Pierres,			45 1 4		
Ditto pour macadamiser le passage au dessous de chez Hall,				7 16 3	
11. William Ayres, pour peindre les garde-foux,				14 10 7	
12. John Bromby, pour les transport de Gravier de la Côte St. Paul et l'étendre sur le sentier de halage au dessus de l'Ecluse 5, et 75 planches,				6 1 9	

Porte ci-contre, £213 8 4 £631 19 10

Appendice
(E.)
28 Nov.

Appendix
(E.)
28th Novr.

		Brought forward, £249 13 7	672 4 3
Sepr. 18.	William Sharp, Carriage Hire,		3 15 0
20.	Bennet & Henderson, making & erecting a Crane on the Wharf below Lock 7,		25 0 0
24.	John Fellow, Blacksmith's work,		12 7 1
Oct. 31.	The Seminary of Montreal, one year's Rente constituée to this date,	60 0 0	
	Sewell & Griffin, Costs, Disbursements, &c. in defending various Actions instituted against the Commissioners in the Superior & Inferior Terms of the King's Bench; and Costs, Disbursements, &c. in an Action instituted for the establishment of the cours d'eau of the Little River St. Pierre,		99 17 2
	Michel Turgeon & Jas. Somerville, their Fees as Experts in the Action for the establishment of the cours d'eau of the Little River St. Pierre,		84 4 4
	Chas. Turgeon, Surveyor, attending the above-named Experts, and drawing Plan,		20 10 0
	T. Peltier, Esq., Fee as Counsel in same cause,		10 0 0
	John Whitlaw, making & erecting Fences, and various other Carpentry Work,		100 14 9
	H. H. Cunningham, Stationery, Overseers and Lock-keepers, from 1st Sept. to 31st Octr.	70 18 0	
	Labourers making various repairs from 14th to 31st October 1827, inclusive,		35 14 6
	Frederick Griffin, Salary as Secretary from 1st January to 31st October, inclusive, 10 months, at £100 per ann.	83 6 8	
	Incidental Expenditure,	£1065 19 8	
	Permanent ditto,	463 18 3	
	Balance carried to next Account,	1639 3 10	
		£3169 1 9	

CR.

1827.			
Jany. 1.	By Balance brought from the last Account,		£268 13 6
April 30.	By Tolls collected at Lachine to this date, inclusive,	£119 17 10	
May 31.	Do. do. do.	440 2 0	
	Do. at Montreal do.		5 13 3
June 6.	By Cash received from Marcellin Madore, amount overpaid to him in September 1821, on his land taken for the Canal,		0 4 6
30.	By Tolls collected at Montreal to this date, inclusive,		3 18 10
	Do. at Lachine, do.	622 4 11	
July 31.	Do. do. do.	649 16 1	
	Do. at Montreal do.		2 14 11
Aug. 31.	Do. do. do.		2 9 11
	Do. at Lachine, do.	415 10 0	
Sept. 30.	Do. do. do.	345 10 0	
	Do. at Montreal, do.		1 15 1
Oct. 31.	Do. do. do.		2 9 0
	Do. at Lachine, do.	439 14 8	
		3032 15 6	
	Less 5 per cent. Commission allowed to D. Duff, Esquire, for collecting at Lachine,	151 12 9	
		2881 2 9	
		£3169 1 9	

Montreal, 31st October, 1827.

FREDK. GRIFFIN,
Secy.

		Montant d'autre part, £213 8 4	631 19 10
Sép. 15.	Inspecteurs & Gardiens d'Ecluses du 1er. au 31 août, inclusivement,		36 5 3
	Journaliers pour faire différentes réparations du 24 août au 31 septembre, inclusivement,		40 4 5
18.	William Sharp—Louage de Voiture,		3 15 0
20.	Bennet & Henderson, pour faire et eriger une Grue sur le Quai au dessous de l'Ecluse 7,		25 0 0
24.	John Fellow, ouvrage de forgeron,		12 7 1
Octr. 31.	Le Séminaire de Montréal, une année de rente constituée jusqu'à cette date,	60 0 0	
	Sewell & Griffin, dépens, déboursés, &c. pour défendre différentes actions instituées contre les Commissaires dans les Termes Supérieur et Inférieur du Banc du Roi, et dépens, déboursés, &c. dans une Action instituée pour l'établissement d'un cours d'eau de la Petite Rivière St. Pierre,		99 17 2
	Michel Turgeon and Jas. Somerville, leurs honoraires comme Experts dans l'action pour l'établissement d'un cours d'eau de la Petite Rivière St. Pierre,		84 4 4
	Charles Turgeon, arpenteur, pour accompagner les Experts ci-dessous nommés, et dresser un plan,		20 10 0
	T. Peltier, écr., Honoraire comme Conseil dans la même cause,		10 0 0
	John Whitlaw, pour faire et placer des Clôtures, et différentes autres ouvrages de Charpenterie,		100 14 9
	H. H. Cunningham, papeterie, Inspecteurs et Gardiens d'Ecluses, du 1er Septembre au 31 Octobre	70 18 0	
	Journaliers, pour faire différentes réparations du 14 Septembre au 31 Octobre 1827, inclusivement,		35 14 6
	Frederick Griffin, salaire comme Secrétaire, du 1er. Janvier au 31 Octobre, inclusivement, 10 mois, à £100 pr. annum,	83 6 8	

Depenses incidentes,	£1065 19 8
Ditto permanentes,	463 18 3
Balance portée au Compte suivant,	1639 3 10
	£3169 1 9

AVOIR.

1827.			
Janvier 1.	Balance apportée du dernier compte,		£268 13 6
April 30.	Péages perçus à La Chine, jusqu'à cette date, inclusivement,	£119 17 10	
Mai 31.	Ditto ditto ditto	440 2 0	
	Do. à Montréal ditto		5 13 3
Juin 6.	Argent reçu de Marcellin Madore, montant à lui payé de trop, en Septembre 1821, sur la terre prise pour le Canal.		4 6 0
30.	Péages perçus à Montréal, jusqu'à cette date inclusivement,		3 18 10
	Do. à La Chine ditto	622 4 11	
Juillet 31.	Ditto ditto ditto	649 16 1	
	Do. à Montréal ditto		2 14 11
Août "	Ditto ditto ditto		2 9 11
	Do. à La Chine ditto	415 10 0	
Sépt. 30.	Ditto ditto ditto	345 10 0	
	Do. à Montréal ditto		1 15 1
Octobre 31.	Ditto ditto ditto		2 9 0
	Do. à La Chine ditto	439 14 8	
		£3032 15 6	
	Moins 5 par cent de Commission alloué à D. Duff, pour perception à La Chine,	151 12 9	
		2881 2 9	
		£3169 1 9	

Montréal, 31 Octobre 1827.

FREDERICK GRIFFIN,
Secrétaire.

Appendice
(E.)
28 Nov.

No. 2.

ACCOUNT OF CASH received by John Hale, Esquire, Receiver General of Lower-Canada, for Casual and Territorial Revenue, from 11th October 1826 to 5th January 1828.

KING'S POSTS.

From James M'Douall, 12 months rent to 10th October 1827, - - - - - £1200 0 0

FORGES OF ST. MAURICE.

None received.

KING'S WHARF.

From Messrs. Gillespie, Finlay & Co. one year's rent of part leased to the late John Mure, Esquire, to 1st December 1827, - - - - - 325 0 0

DROIT DE QUINT.

From Pierre Casgrain, Esquire, on his purchase at Sheriff's Sale of the Seigniorship of l'Islette, - - - - - £395 5 0

From C. P. Treadwell, dues to the Crown on two mutations of the Seigniorship of Pointe à Longueuil, - - - - - 0 10 6

395 15 6

LODS ET VENTES.

From sundry Persons, viz :

		Brought forward....£	
On Sale by Sheriff of Quebec to Ann Holmes, &c	50 0 0		596 2 1½
Ditto M. A. Giroux to Jean Bélanger,	66 18 4	On Sale by Jos. Giroux to Gab. Chalifoux,	2 7 2½
Ditto Geo. Ratté to Ed. Cloutier,	7 4 6	Ditto Gab. Chalifoux to Jos. Chalifoux,	1 3 3
Ditto Ls. Demutte to Jos. Defoy,	3 9 5½	Ditto ditto to Eléonore Lafrance,	1 17 10
Ditto Régis Martel to E. M. Desroches } dit Laliberté, }	4 3 4	Ditto J. F. Pageot to M. Côté,	8 16 2
Ditto John Munn to M. Allen,	3 15 0	Ditto Ant. Anderson to Jean Larochelle,	4 11 8
Ditto ditto to Jos. Frenet,	3 15 0	Ditto J. B. Chamberland to Al. Gauvreau,	20 3 6½
Ditto ditto to André Bélanger,	5 0 0	Ditto C. Dénéchau to Ben. Trudel,	2 1 8
Ditto ditto to J. O. Plessis,	8 6 8	Ditto B. Trudel to Frs. Dubeau,	2 19 2
Ditto Jos. Frenet to ditto	5 16 8	Ditto F. Dubeau to John Hesse,	3 10 10
Ditto P. Chamberland fils to ditto	25 6 11½	Ditto F. Laberge to Jos. Belleau,	2 13 9
Ditto A. Bélanger to ditto	5 2 6	Ditto F. X. Durette to C. Secretan,	54 14 1½
Ditto R. Lamb to ditto	11 13 4	Ditto W. F. Scott to Ant. Bonini,	3 4 10
Ditto A. Morrison to ditto	8 6 8	Ditto Sheriff of Quebec to veuve Falerdeau,	32 14 9½
Ditto Jean Bernard to Prisque Drolet,	3 11 4½	Ditto ditto to L. F. Dufresne,	18 3 1½
Ditto A. M'Cambridge to W. Alberti,	33 6 8	Ditto Veuve Falerdeau to Ls. Lacroix,	77 19 7
Ditto Angélique Munro to Jn. Anderson,	20 16 8	Ditto John Coffin to Hugh Boyle,	7 12 1
Ditto Sheriff of Quebec to Ls. Latouche,	135 8 4	Ditto Heirs P. Vezina to J. Cunningham,	28 2 2½
Ditto Margaret Leitch to Arch. Campbell,	14 11 5	Ditto Sheriff of Quebec to Geo. Pozer,	10 12 6
Ditto Sheriff of Quebec to Frs. Corneau,	76 11 3	Ditto ditto to Jos. Carrier,	156 5 0
Ditto Frs. Coulson to B. C. A. Gagy,	75 0 0	Ditto Jos. Valin to Jos. Prévost,	4 17 8½
Ditto Jean Bélanger to M. Trudel,	9 7 6	Ditto Frs. Déligny to Amable Benoit,	1 7 0
Ditto Et. Laberge to Jos. Gagné,	2 1 8	Ditto Sheriff of Quebec to E. Baird,	62 10 0
Ditto Jos. Gagné to Frs. Laberge,	2 6 9	Ditto Sheriff of Three-Rivers to Mary } B. Ogden, }	33 2 6
Ditto Nuns Hotel-Dieu to Frs. Bruen,	1 7 9½	Ditto Sheriff of Quebec to Jos. Leblond,	6 10 0
Ditto Frs. Gingras to Pierre Drolet,	12 19 3½	Ditto ditto ditto to W. Vermer,	7 3 9
Carried forward£	596 2 1½		1151 6 4½
		Total Currency.....£	3072 1 10½

Errors excepted.

Quebec, 1st December 1828.

JOS. CARY,
Insp. Genl. Pub. Prov. Accts.

No. 3.

STATEMENT of MONIES collected under the Acts of Provincial Parliament of 45th Geo. III. cap. 12, and 2d. Geo. IV. cap. 7, 51st Geo. III. cap. 12, and of the Expenses incurred in supporting and improving the Navigation of the River St. Lawrence, from 1st November 1826 to 5th January 1828.

	£	s.	d.		£	s.	d.
John Stewart—Salary as Master of the Trinity House, from 26th August 1824 to 31st December 1827, at £250 Currency per annum, - - - - -	250	0	0	By Amount collected by M. H. Perceval, Esquire, Naval Officer, in the quarter ended 5th January 1827, - - - - -	525	17	6
William Lindsay—Ditto as Registrar of ditto from 1st November 1826 to ditto - - - - -	81	13	4	do in the do ended 5th July 1827, - - - - -	697	13	9
John Lambly—Ditto as Harbour Master of ditto from ditto to ditto - - - - -	207	8	1	do in the do ended 10th October 1827, - - - - -	943	15	0
Jos. Fenwick—Ditto as Assistant ditto from ditto to ditto - - - - -	129	12	6	do in the do ended 5th January 1828, - - - - -	537	1	3
Gab. Franchère—Ditto as Harbour Master at Montreal, from ditto to ditto - - - - -	46	13	4		2704	7	6
Jesse D. Armstrong—Ditto as ditto at ditto from 1st May 1827 to ditto - - - - -	66	13	4	From which amount the Naval Officer has detained—			
Robt. Young—Ditto as Superintendent of Pilots at Quebec, 6 months at £90, and 8 months at £120 stg. from ditto to ditto - - - - -	138	17	9	For Commission at 2½ per cent, - - - - -	£67	12	1
Mrs. Hambleton—Salary and Allowance to her late husband as Keeper of the Light House on Green Island, from 1st. November 1826 to 14th April 1827, at £125 Currency per annum, - - - - -	50	13	2	And for a Blank Book purchased, - - - - -	2	16	0
Ditto—35 days as Keeper of ditto with an allowance to her son as an Assistant, from 15th April to 19th May 1827, - - - - -	11	19	9	And paid to the Receiver General, - - - - -	70	8	1
Robert N. Lindsay—Salary as ditto on ditto from 20th May to 31st December 1827, at £100 Currency per annum, - - - - -	61	17	5	Duties on Steam-Boats, 2d Geo. IV. Cap. 7.	2633	19	5
Ditto—Allowance as ditto to enable him to pay an Assistant, from ditto to ditto, at £25 Currency per annum, - - - - -	15	9	4	By amount collected by Fredk. East, Esquire, late Naval Officer in 1822, not before credited to this fund, - - - - -			
John Delisle—Salary as Clerk to the Montreal Branch of Trinity House, to ditto - - - - -	23	6	8	Less Commission at 2½ per cent, - - - - -	7	10	0
Ditto—8 months additional ditto as ditto to ditto, at £10 Cy. pr. annum, - - - - -	6	13	4	By amount collected by M. H. Perceval, Esquire, - - - - -	292	9	11
Jacques Langlois—Salary as Water Bailiff at Quebec to ditto, at £25 Cy. pr. annum, - - - - -	29	3	4	Naval Officer for the year 1826, - - - - -	£312	10	0
Claude Thibault—Ditto as ditto at Montreal to ditto at ditto - - - - -	11	13	4	By ditto in the year 1827, - - - - -	287	13	11
Adolphe Delisle—Ditto as ditto at ditto from 1st May to ditto - - - - -	16	13	4	Less Commission at 2½ per cent, - - - - -	600	3	11
M. H. Perceval and G. A. Gore, } One year's rent of the Naval Office, from 1st Collector and Comptroller, Quebec, } May 1826 to 30th April 1827, - - - - -	20	0	0	DOCK DUES in the Cul-de-Sac, 51 Geo. III. Cap. 12.	15	0	1
William Lindsay—Amount of his contingent disbursements as Treasurer to the Trinity House, for 1827, - - - - -	1205	15	4	By amount collected by Jos. Fenwick, Esqr. Superintendent of the Cul-de-Sac, in quarter ended 5th July 1826, - - - - -	£75	1	9
	2966	13	11	By ditto in ditto ended 10th October, - - - - -	26	5	0
				Less Commission at 2½ per cent. to be paid by Warrant, - - - - -	101	6	9
				By ditto in the quarters ended 5th January, 5th April & 5th July 1827, (for which the Accounts are not yet rendered.)	2	10	7
				By Chas. Brocklesby by do. in quarter ended 10th October 1827, } 20 3 8			
				and paid to the Receiver General, - - - - - } 59 8 2			
				By ditto in quarter ended 5th January 1828, - - - - -	79	11	10
				Less Commission at 2½ per cent. to be paid by Warrant, - - - - -	1	19	9
				Total £3688 1 5	77	12	1
To Balance unexpended, - - - - -	3469	10	6½	By Balance unexpended per last year's statement, - - - - -	2748	3	0½
Currency £6436 4 5½				Errors excepted.	6436	4	5½
				Quebec, 1st December 1828.			
				JOS. CARY,			
				Insp. Genl. Publ. Prov. Accts.			

No. 4.

Appendix
(F.)
1st. Dec.

STATEMENT of Particulars of Payments, and Deductions made from the Revenues of Lower-Canada, for Expenses of Collection, Drawbacks, Return of Duties, &c. in the five Quarters ended 5th. January 1828.

Amount Currency.

Payments out of the Income in its Progress of Collection.

No. 2.	Out of 14 Geo. 3d.—By the Collector of Quebec for Incidental Expenses,	£84	7	11
	Ditto By Ditto, Duties returned to sundry Merchants, being difference of Duty between 6d. & 9d. per Gallon of Rum, by order of the Commissioners of the Customs,	692	2	0
No. 3.	Out of 41 Geo. 3d.—Proportion of the Incidental Expenses at Quebec, in the three last Quarters,	4	0	0
No. 5.	„ 33 3d.—Ditto of ditto at ditto,	45	0	0
No. 6.	„ 35 „ —Ditto of ditto at ditto,	610	0	0
	„ —Drawback paid on Salt exported for Fisheries,	427	10	2
No. 7.	„ 53 & 55 „ —Proportion of the Incidental Expenses at Quebec, in the three last Quarters,	£417	10	0
	And in part payment of the Officers of the Customs at Quebec for Salaries,	240	0	0
				657 10 0
No. 8.	„ 55 „ Cap. 3.—Proportion of Incidental Expenses at Ditto, in the three last Quarters,	£621	7	4
	And in part payment of the Officers of the Customs at Quebec for Salaries,	240	0	0
				861 7 4
No. 9.	„ 3 Geo. 4th. Cap. 119. In part payment of ditto at ditto,	1955	6	3
No. 10.	„ 6 „ 4th. 114. In „ of ditto at ditto,	£6366	4	6
	By the Collector at St. John for Commission at 2½ per Cent. on Collections at that Port,	205	16	9
	By ditto at Côteau du Lac for ditto ditto,	120	6	8
	By ditto at ditto for Incidental Expenses,	378	11	2
				7070 19 1
No. 11.	„ 45 & 51 Geo. 3d. and 2d. Geo. 4th.—By the Naval Officer at Quebec for Commission at 2½ per Cent, on Pilotage Duties,	67	12	1
	By ditto for Incidental Expenses,	2	16	0
	By ditto for Commission at 2½ per Cent, on Duties on Steam-Boats,	22	10	1
	By Superintendent of Cul-de-Sac for do. on Dock Dues,	4	10	4
				97 8 6
No. 12.	„ 48 Geo. 3d. Cap. 19.—By the Inspector of Rafts, &c. at Chateaugay for Commission at 5 per Cent, on Duties collected,	10	18	4
No. 13.	„ 4 Geo. 4th. Cap. 3.—By the Clerk of the Court in the Township of Eaton, Commission at 2½ per Cent, on ditto ditto,	0	1	6
	Total deducted from Income in progress of Collection,	£12516	11	1

Payments made out of the Income by the Receiver General as charges of Collection, Return Duties, &c.

No. 1.	Casual and Territorial Revenue—Commission to the Inspector General of the King's Domain, on the amount of Lods et Ventés and Quints received,	£154	13	1
No. 6.	35 Geo. 3d. Amount of Incidental Expenses incurred in the Collection of Provincial Duties at Quebec, in the Quarter ended 5th. January 1827,	780	14	1
	Duty returned to Mr. W. Budden, being an over payment made by him on a quantity of refined Sugar imported in 1825,	22	12	8
No. 7.	53d. & 55th. Geo. 3d. Incidental Expenses at Quebec, in the Collection, for the Quarter ended 5th. January 1827,	19	9	0
No. 8.	55 Ditto Cap. 3. Ditto at ditto on Ditto under ditto,	13	18	8
	Drawback of Duty on Teas paid to sundry persons, under the provisions of the Provincial Act 6 Geo. IV. cap. 1,	231	18	9
No. 9.	6 Geo. 4th. Cap. 114. Expenses of Collections at St. John—Salary to the Collector, from 1st. November 1826 to 31st December 1827, at £210 Currency per annum,	£245	0	0
	Ditto to the Comptroller, to ditto, at £140,	163	6	8
	Ditto to the Gauger, to ditto, at £40 Sterling,	51	17	0
	Incidental Expenses in five Quarters ended 5th January 1828,	476	15	8
				936 19 4
	Total deductions from the Revenue for Expenses of Collection, &c.	Currency, £14676	16	8

Errors Excepted.

Quebec, 1st. December 1828.

JOS. CARY,

Insp. Genl. Pub. Provl. Accounts.

No. 5.
ABSTRACT of PAYMENTS made on Warrants granted by His EXCELLENCY THE EARL of DALHOUSIE, G. C. B., Captain General and Governor in Chief, on JOHN HALE, Esquire, Receiver General, on Account of the Civil Expenditure of Lower-Canada, for Fourteen Months, from 1st November 1826 to 31st December 1827.

NAMES.	SERVICES.	Sterling.		REMARKS.
		£	s.	
PAYMENTS made out of the APPROPRIATED REVENUES at the disposal of the Crown.				
His Excellency the Earl of Dalhousie, G. C. B.	Fourteen Months Salary as Captain General and Governor in Chief, from 1st November 1826 to 31st December 1827,	5250	0 0	
Honble. Sir Francis N. Burton, K. G. B.	Ditto as Lieutenant Governor of Lower-Canada, ditto,	1750	0 0	
Alexander Forbes,	Ditto as ditto of Gaspé and Inspector of Fisheries, to ditto,	350	0 0	
Thomas Amyot,	Ditto as Secretary and Registrar of the Province, to ditto,	466	18 4	
Jonathan Sewell,	Ditto as Member of the Executive Council, to ditto,	116	13 4	
John Richardson,	Ditto as ditto ditto to ditto,	116	13 4	
James Kerr,	Ditto as ditto ditto to ditto,	116	13 4	
M. H. Perceval,	Ditto as ditto ditto to ditto,	116	13 4	
Charles De Léry,	Ditto as ditto ditto to ditto,	116	13 4	
John Stewart,	Ditto as ditto ditto to ditto,	116	13 4	
William Smith,	Ditto as ditto ditto to 19th March 1827,	38	1 7	
Representatives of the late Olivier Ferrault,	Ditto as Registrar and Clerk of the Executive Council, to ditto, ditto	641	13 4	
H. W. Ryland,	Ditto as Assistant ditto	213	0 0	
G. H. Ryland,	Ditto as Receiver General, for Duties under 14 Geo. III. at £500 Stg. per annum, to do.	583	6 8	
John Hale,	Ditto as Chief Justice of the Province, to ditto,	1750	0 0	
Jonathan Sewell,	Ditto as ditto of Montreal, to ditto,	1283	6 8	
James Reid,	Ditto as one of the Puisné Judges of the Court of King's Bench for the district of Quebec, to do.	1050	0 0	
James Kerr,	Ditto as ditto of ditto for ditto	1050	0 0	
Edward Bowen,	Ditto as ditto, from 1st November 1826 to 19th March 1827,	342	14 8	
Representatives of late O. Per-	Ditto as ditto, from 29th March to 31st December 1827,	681	7 4	
rault,	Ditto as ditto, for the District of Montreal, to ditto,	1050	0 0	
J. T. Taschereau,	Ditto as ditto, for ditto to ditto,	1050	0 0	
George Pyke,	Ditto as ditto, for ditto to ditto,	1050	0 0	
L. C. Foucher,	Ditto as ditto, for ditto to ditto,	700	0 0	
N. F. Unacke,	Ditto as Provincial Judge for the District of Three-Rivers, to ditto,	192	6 6	
Pierre Bedard,	Ditto as ditto for the District of Gaspé, to 25th February 1827, at £600 stg. per ann.	400	0 0	
Representatives of the late Alex. Caron,	Ditto as ditto for ditto, from the 1st May to 31st December 1827, at ditto per ditto,	700	0 0	
J. G. Thompson,	Ditto as ditto for the District of St. Francis, from 1st November 1826 to ditto,	233	6 8	
John Fletcher,	Ditto as Judge of the Court of Vice-Admiralty, from ditto to ditto,	350	0 0	
James Kerr,	Ditto as Attorney General, from ditto to ditto,			
James Stuart,				

C. R. Ogden,	Ditto as Solicitor General, from ditto to ditto,	233	6 8	
George Vanfelson,	Ditto as Advocate General, from ditto to ditto,	233	6 8	
Thomas A. Young,	Ditto as Sheriff of the District of Quebec, from 1st November 1826 to 30th April 1827,	50	0 0	
W. S. Sewell,	Ditto as ditto of ditto, from 1st May to 31st December 1827,	66	13 4	
Representatives of the late F. } W. Ernauting,	Ditto as ditto of the District of Montreal, from 1st November 1826 to 28th February 1827, at £100 Sterling per annum,	32	17 6	
Lewis Gugy,	Ditto as ditto of ditto, from 3d March to 31st December 1827 at ditto,	82	16 7	
Ditto,	Ditto as ditto of the District of Three-Rivers, from 1st November 1826 to 2d March 1827, at £75 Sterling per annum,	25	1 4	
Isaac G. Ogden,	Ditto as ditto for ditto, from 3d March to 31st December 1827 at ditto per ditto,	62	2 5	
Thomas Man,	Ditto as ditto of the District of Gaspé, from 1st November 1826 to ditto,	81	13 4	
Charles Whitcher,	Ditto as ditto of ditto of St. Francis to ditto,	58	6 8	
J. G. Thompson,	Ditto as Coroner of ditto of Quebec, from 1st November 1826 to 27 April 1827, at £100 Sterling per annum,	48	15 4	
B. A. Panet,	Ditto as ditto of the District of Quebec, from the 1st May to 31st December 1827, at £100 Sterling per annum,	66	13 4	
J. M. Mondelét,	Ditto as ditto of ditto of Montreal, from 1st November 1826 to ditto per ditto,	116	13 4	
William Green,	Ditto as Clerk of the Crown for the ditto of Quebec, to ditto,	46	13 4	
John Delisle,	Ditto as ditto for ditto of Montreal, to ditto,	46	13 4	
W. C. H. Coffin,	Ditto as ditto for ditto of Three-Rivers, from 1st November 1826 to 31st December 1827,	23	6 8	
Ls. Montizambert,	Ditto as Clerk to the Court of Appeals to ditto,	140	0 0	
Michel Landry,	Ditto as Usher of ditto to ditto,	31	10 0	
Amasa Bebec,	Ditto as Clerk of the Courts and Clerk of the Peace at Gaspé, and Allowance for travelling Expenses,	70	0 0	
C. B. Felton,	Ditto as ditto of ditto at St. Francis, to ditto,	58	6 8	
J. T. Taschereau,	Ditto as Chairman of the Quarter Sessions at Quebec, from 1st November 1826 to 28th March 1827, at £500 Sterling per annum,	202	14 9	
Robert Christie,	Ditto as ditto at ditto, from 29th March to 31st December 1827, at ditto per ditto,	378	10 9	
Samuel Gale,	Ditto as ditto at Montreal, from 1st November 1826 to ditto, at ditto per ditto,	583	6 8	
Thomas Coffin,	Ditto as ditto at Three-Rivers, from ditto to ditto, at £250 Sterling per ditto,	291	13 4	
Michel Landry,	Ditto as Crier of the Court of King's Bench at Quebec, to ditto at £20 sterling per ditto,	23	6 8	
Joseph Plamondon,	Ditto as Tipstaff to the Court of King's Bench at Quebec, to 30th April 1827, at £18 Sterg.	9	0 0	
Thomas Cookson,	Ditto as ditto at ditto, from 1st May to 31st December 1827, at ditto per ditto,	12	0 0	
George Stanley,	Ditto as Crier and Tipstaff to ditto at Montreal, from 1st November 1826 to 31st December 1827, at £38 Sterling per annum,	44	6 8	
Pierre Portugais,	Ditto as ditto and ditto to ditto at Three-Rivers, from ditto to ditto, at £25 Stg. per annum,	29	3 4	
CONTINGENCIES.				
James Stuart,	So much of his Contingent Accounts as Attorney General to 10th October 1827,	£1090	0 0	
Thos. A. Young,	Contingencies as Sheriff of the District of Quebec, for Support of Gaol and Maintenance of Prisoners from 11th October 1826 to 9th May 1827,	318	8 11	
	Carried over,	£1408	8 11	
		£25,141	8 9	

NAMES.	SERVICES.	Sterling, £ s. d.			Total Amt. stg. £ s. d.			REMARKS.
		£	s.	d.	£	s.	d.	
W. S. Sewell,	Amounts brought over, £1408 8 11	25	141	8	9			
Representatives of late F. W. } Ermatinger, Lewis Gagy,	Contingencies as Sheriff of the district of Quebec for support of Gaol and maintenance of prisoners, from 10th May to 10th October 1827, 537 9 8 Ditto as ditto of Montreal for ditto and ditto from 11th October 1826 to 28th February 1827, 411 19 4 Ditto as ditto of ditto for ditto and ditto from 1st March to 10th October, 1827, 552 17 3 Ditto as ditto of ditto of Three-Rivers, for ditto and ditto to ditto, 137 17 4 Ditto as ditto of ditto of Gaspé for ditto and ditto to ditto, 85 1 0 Ditto as ditto of ditto for ditto and ditto to ditto, 27 0 0	3160	13	6	36949	10	6	
J. H. Dunn, Receiver General } of Upper-Canada.	Proportion of duties collected at the port of Quebec, under the Imperial Act 14 Geo. 3, cap. 88, to which the Province of Upper-Canada is entitled under the provisions of the Imperial Act 3 Geo. 4, cap. 119, Salary as Secretary to the Governor in chief from 1st. November 1826 to 31st. December 1827,	85	47	8	3		Amount paid out of Produce of 14th Geo. III.	
A. W. Cochran,	Ditto as Assistant to ditto from ditto to ditto, Ditto as senior Assistant in the office to ditto at 10s. stg. per day, Ditto as junior ditto in ditto to ditto at ditto Ditto as office-keeper in ditto to ditto at £45 sterling, Contingencies of the Provincial Secretary's office, to 10th October 1827, Allowance for circuits as Chief Justice of the Province, Ditto for ditto as Chief Justice of Montreal, Ditto for ditto as Judge of the Court of King's Bench, Quebec, Ditto for ditto as ditto ditto Ditto for ditto as ditto ditto Ditto for ditto as ditto ditto Ditto for ditto as ditto ditto Ditto for ditto as ditto ditto Ditto for ditto as ditto ditto Six months allowance as Sheriff of the District of Quebec for a Public Executioner, to 30th April 1827,	583	6	8				
W. S. Sewell,	Eight months ditto as ditto for ditto, to 31st. December 1827, Allowance as ditto of the ditto of Montreal for a ditto from 1st. November 1826 to 28th February 1827, at £27 sterling per annum, Ditto as ditto of the ditto of Three-Rivers for a ditto from 3d March to 31st December 1827, at £27 sterling per annum, Ditto as ditto of the ditto of ditto for a ditto from 1st November 1826 to 2d March 1827 at ditto per ditto, Ditto as ditto of the ditto of ditto for a ditto from 3d March to 31st December 1827, Contingencies as Coroner for the district of Quebec for the six months ending the 10th April 1827,	13	10	0				
Representatives of late F. W. } Ermatinger, Lewis Gagy,	Ditto as ditto for ditto from ditto to ending the 10th October 1827, Ditto as ditto for the district of Montreal for 12 months to ditto, Ditto as ditto for ditto of Three-Rivers, for 12 ditto to ditto, Disbursements made by him in burying 23 bodies of the sufferers who perished on board the Rob Roy wrecked at l'Islette,	8	17	6				
Ditto,		22	7	3				
Isaac G. Ogden, J. G. Thompson,		9	0	5				
B. A. Panet, J. M. Mondelét, J. G. De Tonnancour, Robert Harrower,		22	7	3				
		57	12	0				
		219	9	5				
		96	13	10				
		48	10	0				
		25	17	6				

William Green,	Contingencies as Clerk of the Crown for the District of Quebec, in the 12 months ending 10th October 1827,	64	4	6			
John Delisle,	Ditto as ditto for ditto of Montreal in ditto ending ditto, Ditto as ditto for ditto of Three-Rivers in ditto ending ditto, Ditto as Prothonotaries for the ditto of Quebec in ditto ending ditto, * Ditto as ditto for the ditto of Montreal in ditto ending ditto, Ditto as ditto for the ditto of Three-Rivers in ditto ending ditto, Ditto as ditto for the ditto of Saint Francis in ditto ending ditto, Ditto as Clerks of the Peace for the ditto of Quebec in ditto ending ditto, Ditto as ditto ditto for the ditto of Montreal in ditto ending ditto, Ditto as ditto ditto for the ditto of Three-Rivers in ditto ending ditto, On account of disbursements as Chairman of the Quarter Sessions at Quebec for Police purposes, On ditto ditto at Montreal for ditto, For conveying John Fisher, a prisoner, from the gaol at Montreal to the Province line, &c. Salary as Messenger in the Police Office at Three-Rivers, from 1st. November 1826 to 31st December 1827, at £12 10s. sterling per annum, Ditto as Crier of the Quarter Sessions at Three-Rivers from ditto to ditto at £5 stg. per do, Ditto as Interpreter to the Courts of Quebec to ditto at £40 sterling per ditto, Ditto as ditto to ditto at Montreal to ditto at ditto, Ditto as ditto to ditto at Three-Rivers, from the 5th December 1826 to 31 December 1827 at £25 sterling per annum, Ditto as Keeper of the Gaol at Quebec from 1st November 1826 to 31st December 1827, at £90 sterling per annum, Allowance as ditto for paying two Turnkeys to ditto at £72 sterling per ditto, Salary as ditto of the ditto at Montreal to ditto at £30 sterling per ditto, Allowance as ditto for paying two Turnkeys to ditto at £72 sterling per ditto, Salary as ditto of the ditto at Three-Rivers to ditto at £45 sterling per ditto, Allowance as ditto for paying one Turnkey to ditto at £22 10 sterling per ditto, Salary as ditto of the ditto at Sherbrooke to ditto at £25 sterling per ditto, Ditto as High Constable at Quebec to ditto at £36 sterling per ditto, Ditto as ditto at Montreal to ditto at £36 sterling per ditto, Ditto as ditto at Three-Rivers to ditto at £27 sterling per ditto, Salary as Keeper of the Court House at Quebec, to do. at £54 sterling per ditto, Ditto as ditto of ditto at Montreal, to do. at £72 do. per ditto, Ditto as ditto of ditto at Three-Rivers, to do. at £36 do. per ditto, Ditto as ditto of ditto and Gaol at New-Carlisle, to do. at £54 do. per ditto, Ditto as ditto of ditto at Sherbrooke, to do. at £15 stg. per ditto, Ditto as Messenger and Office Keeper to the Executive Council, to the 31st December 1827, at £50 Stg. per annum, For Boxes and Blank Books furnished for his Office as Clerk of the Terrars, For extra writing done in the Civil Secretary's Office, Allowance for Travelling Expenses as Sheriff of the District of Gaspé, from 1st November 1826 to 31st December 1827,	132	6	7			
W. C. H. Coffin, Perrault & Burroughs, Levesque, Monk & Morrough, W. C. H. Coffin, C. B. Felton, Green & Perrault, John Delisle, David Chisholm, Amasa Bebec, Robert Christie,		23	8	11			
		62	0	9			
		227	16	11			
		65	12	0			
		45	0	0			
		213	7	6			
		14	2	0			
		39	18	3			
		36	0	0			
		90	0	0			
		257	8	5			
		26	19	6			
		14	11	8			
		5	16	8			
		46	13	4			
		46	13	4			
		26	14	8			
		105	0	0			
		84	0	0			
		105	0	0			
		84	0	0			
		52	10	0			
		26	5	0			
		29	3	4			
		42	0	0			
		42	0	0			
		31	10	0			
		63	0	0			
		84	0	0			
		42	0	0			
		63	0	0			
		21	0	0			
		58	6	8			
		37	4	4			
		65	0	0			
		11	13	4			
		5199	18	11			£36849 10 6
	Carried over, £	5199	18	11			

NAMES.	SERVICES.	Sterling. £ s. d	Total Amount. Sterling.	REMARKS.
Anasa Bebee, Thomas Cary & Co., W. R. Rayside, Jonathan Sewell,	Amount brought over, £ Disbursements for hire of Rooms for holding Circuit Courts in the District of Gaspé, For Maps furnished for the Executive Council, For Provisions do. to 5 Prisoners conveyed to Halifax in the Brig Kingfisher, Rent of Building used for the Civil Offices of Government, from 1st Nov. 1826 to 31st December 1827, at £495 sterling per annum, Salary as Messenger in the Governor's Secretary's office, from do. to do, at £45stg. p. an. Ditto as extra ditto in ditto from ditto to ditto, at 2s. 6d. Currency per day, Six Months Rent of a House occupied as Offices for the Governor's Secretaries, to 30th April 1827,	5199 13 11 28 16 0 8 18 6 5 1 3 577 10 0	£36849 10 6	Amount paid out of appropriation 35 Geo. III.
Fisher & Kemble, Thos. Cary & Co., Neilson & Cowan, John Adams, François Bélanger, John King, Adam Gordon, John King, Michael Quinn, James Stuart,	For Printing and Stationary for the Civil Secretary's Office, from 11th October 1826 to 10th October 1827, For ditto and ditto from ditto to ditto, For ditto and ditto from ditto to 30th April 1827, For copying Plans for ditto, For Postages for ditto in the year ended 10th October 1827, For Work done and Articles furnished for the Building used for Public Offices, Salary as Provincial Agent in London, from 1st November 1826 to 31st December 1827, Allowance for providing extra Fuel for the Executive Council, from ditto to ditto, Salary as Doorkeeper and Office Servant to ditto, from ditto to ditto, at £30 Stg. per an. Balance of his Contingent Account as Attorney General, in the 12 Months ending 10th October 1827,	52 10 0 47 18 6 67 10 0 65 2 0 26 15 10 8 15 8 4 12 3 815 10 9 17 0 7 200 0 0 40 0 0 58 6 8 700 5 4 216 4 5	5819 19 8	
C. R. Ogden, Perrault & Burroughs, Levesque, Monk and Morrough, W. C. H. Coffin, C. B. Felton, Ls. Plamondon & representa- tives, A. W. Cochran, Joseph Bouchette, Ditto, Ditto, William Sax, J. F. Bouchette, Jos. Bouchette, j ^{nr} . D ^{pr} . S ^{rv} . G ^{ent} . Ditto, J. Burrows, Dy. Provl. Surveyor, François Bélanger, Thomas A. Young,	Amount of his ditto as Solicitor-General in ditto ended ditto, Ditto as Prothonotaries of the Court of King's Bench at Quebec, for Fuel and Candles in ditto ended ditto, Ditto as ditto of ditto at Montreal, for ditto in ditto ended ditto Ditto as ditto of ditto at Three-Rivers for ditto in ditto ended ditto Ditto as ditto of ditto at St. Francis for ditto in ditto ended ditto Salary as Clerk of the Terrars of the King's Domain, from the 1st November 1826 to 31st December 1827, at £90 Stg. per annum, Ditto as Auditor of Land Patents, to ditto, at £200, per do. Ditto as Surveyor-General, to ditto, at £450 per do. Allowance as ditto of an Office Servant and Stationary to ditto, at £60 per do. Six Months ditto for Office Rent, to 30th April 1827, Salary as first Clerk in the Surveyor General's Office, from the 1st November 1826 to 31st December 1827, at 10s. sterling per diem, Ditto as Second ditto in ditto to ditto at £150 per annum, Expenses of Surveying parts of the Townships of Lochaber, Grenville & Buckingham, Ditto for surveying the Beach at St. Roch, and for Plans, Ditto for surveying the Townships of Templeton and Eardley, For Postages for the Surveyor General's Department, Salary as Auditor General of Public Accounts, and allowance for a Clerk, from 1st November 1826 to 31st October 1827,	90 0 0 120 0 0 27 0 0 27 0 0 105 0 0 233 6 8 525 0 0 70 0 0 33 15 0 213 0 0 175 0 0 265 15 2 18 13 6 45 0 0 7 19 4 500 0 0	2584 12 0	Amount paid out of produce of Custom and Territorial Revenue.

NAMES.	SERVICES.	Sterling. £ s. d	Total Amount. Sterling.	REMARKS.
Jas. Brewer, Mathew Jack, Joseph Cary, John Hale, Ditto, Charles Whitcher, James Stuart, Attorney General, Charles La Berge, B. J. Schiller, Thomas Aylwin, High Constable of Quebec. Ph. Burns, do. at Three-Rivers, Thomas Fargues, M. D. W. D. Selby, M. D. George Carter, J. H. Dunn, Receiver General of Upper-Canada, Jane M. Livingston,	Two months Salary as Clerk to the Auditor General of Public Accounts, to 31st December 1827, at £100 Sterling per annum, Salary as Extra Clerk to ditto during the illness of Mr. Brewer, from 5th November 1826 to ditto to ditto per ditto, Ditto as Inspector General of Public Accounts, at £300 Sterling, and Allowance for a Clerk and Contingencies, at £100 Sterling per annum, Ditto as Receiver General of Provincial Duties, from ditto to ditto, at £500 Sterling per annum, Allowance as ditto for a Clerk, to ditto, at £100 Sterling per annum, Contingencies as Sheriff of the District of St. Francis, for the Support of the Gaol and maintenance of Prisoners, to the 10th October 1827, To defray the expense of service of subpoenas to Crown witnesses for the district of Montreal, Court of Oyer and Terminer in May 1827, For do. of do. during do. at do. in September, and the Court of Oyer and Terminer in November 1827, For attendance of himself and petty Constables during the sessions of the Criminal Term at Quebec, and for service of subpoenas, For ditto and do. during do. at Three-Rivers and for do. Salary as Physician attending the Prisoners confined in the Gaol of Quebec, and for Medicines furnished from 1st Novr. 1826 to 31st Decr. 1827, at £200 stg. per annum, Ditto as do. at Montreal from do. to do. at do. per do. Ditto as do. at Three-Rivers, from do. to do. at £80 per annum, Proportion of the duties collected at Quebec under the Provincial Act 41 Geo. 3, which the Province of Upper Canada is entitled to receive from the provisions of the Act of the Imperial Parliament 3 Geo. 4 cap. 119, Annuity as a Widow of Robert Ramsay Livingston, formerly Captain in the Indian Department, at £50 Sterling per annum, from 25th March to 31st December 1827, pursuant to His Majesty's Warrant, dated 29th February 1828,	16 13 4 115 11 5 466 13 4 583 6 8 116 13 4 89 12 3 90 0 0 27 0 0 23 8 0 73 7 10 53 5 5 233 6 8 233 6 8 93 6 8 88 15 5	4496 16 8	Amount paid out of net Produce 41 Geo. III.
François Baillairgé, Road Treasurer, Quebec. J. Delisle, do. at Montreal, F. Vassal de Monviel, Adjutant General of Militia, F. Vassal de Monviel,	Assessment on Public Buildings and Lots within the City of Quebec occupied by Government, for the year 1827, Ditto ditto within the City of Montreal, For Pensions to wounded Militiamen for 14 Months to 31st December 1827, 57 Geo. III. Cap. 33. Six Months Salary as Adjutant General of Militia to 30th April 1827, Carried over, £	227 8 6 35 13 0 263 2 6 978 0 0 225 0 0 225 0 0	£49789 10 0	Amount paid out of Fines and Forfeitures.
EXPENDITURE UNDER SPECIAL APPROPRIATIONS BY PROVINCIAL ACTS				
36 Geo. III. Cap. 9.				
55. Geo. III. Cap. 10.				
57 Geo. III. Cap. 33.				

NAMES.	SERVICES.	Sterling.			Total Amount. Sterling.	REMARKS.
		£	s.	d		
J. T. Taschereau, M. L. J. Duchesnay, Lieut. Col. J. B. Duchesnay, Lieut. Col. F. G. Heriot, F. Vassal de Monviel,	Salary as Deputy Adjutant General of Militia, to 28th March 1827, at £300 Currency; Ditto as ditto, from 29th March to 30th April 1827, at ditto, Ditto as Provincial Aide-de-Camp, to ditto, Ditto as ditto to ditto, So much of Contingent Expenses and Clerks, to ditto, 3 Geo. IV. Cap. 39.	225	0	0	£50430 12 6	Amounts brought over, at £300 Currency.
Madame Panet,	14 Months Pension, from 1st November 1826 to 31st December 1827, at £270 Stg. per an.	109	9	7		
Mrs. Eliza Ann Aubrey,	3 Geo. IV. Cap. 40. Pension of the late Sir Jas. Monk, from 1st to 18th November 1826, at £550 Sterling,	24	8	2		
Robert Griffin, Cashier of the } Montreal Bank, } Mrs. M. Painter,	4 & 5 Geo. III. Cap. 3 & 26. Two years Interest on £1600 up to the 31st October 1826, borrowed by the Commis- sioners for the Erection of a Gaol at Sherbrooke, Two years ditto, on £1200 Currency, up to the 28th December 1827, by ditto for ditto,	172	16	0	302 8 0	
Fredk. Griffin,	4 Geo. IV. Cap. 16. Payment of Interest of Loan for the La Chine Canal, to 31st October 1827,	578	3	2		
Ditto,	5 Geo. IV. Cap. 19. Ditto of ditto on ditto for ditto,	1620	0	1	2198 3 3	
Benjamin Tremain, J. P. Leprohon, René Kimber,	5 Geo. IV. Cap. 10. On Account of Disbursements as Treasurer to the House of Correction, at Quebec, to the 1st May 1827, Balance of his Account of ditto as ditto, at Montreal, to ditto, On Account of ditto as ditto, of ditto, at Three-Rivers, to ditto,	90	0	0		
A. G. Douglas,	5 Geo. IV. Cap. 29. Amount of his Contract, for making the Road from Saint Grégoire to Long Point, in the Township of Kingsley, For Expenses incurred by the Commissioners on said Road,	96	2	10		
M. Bell,	5 Geo. IV. Cap. 30. Being one half of the Sum for which he has contracted to make the Road from Côteau-du- Lac, to the Province Line,	45	0	0	231 2 10	
William Duncan,		401	17	0		
		40	10	0	442 7 0	
					225 0 0	

NAMES.	SERVICES.	Sterling.			Total Amount. Sterling.	REMARKS.
		£	s.	d		
F. Lehoullier, A. C. Taschereau, } and Jos. Rény,	5 Geo. IV. Cap. 30. As Commissioners, for their Expenses in repairing the Road between the Upper Settle- ments in the Chaudière and the Province Line,	27	18	0	202 10 0	
J. F. X. Perrault, H. B. Johnston, Joseph Roy, Louis Dumoulin, J. G. Boisseau, J. F. Tétu, J. G. Tonnancour, Rény Puze, L. M. Cressé, Pierre Vallée, Isidore Levesque, Stephen McKay, J. E. Faribault, O. F. De Lagorgendière, H. St. George Dupré, J. B. Cazeau, W. H. Chaffers, F. H. Seguin, A. C. Taschereau, L. G. Brown, R. L. Morrough, Henry Griffin, Et. Mayrand, W. F. Scott, Henry Crebassa, Archd. Campbell,	5 Geo. IV. Cap. 33. Amount of his Account as returning Officer at the Election for the County of Quebec, Ditto of his ditto, as ditto, for the County of Gaspé, Ditto of Hertford, Ditto of Kent, Ditto of Devon, Ditto of Richelieu, Ditto of Borough of Three-Rivers, Ditto of County of Cornwallis, Ditto of Buckingham, Ditto of Surrey, Ditto of Warwick, Ditto of Northumberland, Ditto of York, Ditto of Leinster, Ditto of Hampshire, Ditto of Montreal, Ditto of Orleans, Ditto of Bedford, Ditto of Effingham, Ditto of Dorchester, Ditto of Huntingdon, Ditto of East Ward of the City of Montreal, Ditto West Ditto for the County of St. Maurice, Ditto for the Upper-Town, Quebec, Ditto for the Borough of Wm. Henry, Ditto for the Lower-Town, Quebec,	76	15	11		
Perrault & Burroughs, Protho- } notaries, Quebec, } W. C. H. Coffin,	6th Geo. 4th. Cap. 8. For making an Abstract of Baptisms, Marriages and Burials, in the District of Quebec, for the Years 1826 and 1827, For ditto and ditto in the District of Three-Rivers, for the Year 1827,	15	6	11		
Green & Perrault, Clerks of the } Peace, Quebec, } D. Chistolm, Clerk of the Peace } of Three-Rivers,	6th Geo. IV. Cap. 22. For distributing the Acts of the Provincial Parliament of 1827, For ditto ditto of ditto of 1827, Carried over	23	14	4		
		10	11	6		
		24	2	0		
		79	17	10		
		19	0	9		
		34	16	7		
		42	9	0		
		29	18	1		
		49	8	8		
		36	16	8		
		10	19	0		
		40	17	2		
		13	1	5		
		41	12	1		
		49	5	1		
		29	17	7		
		22	12	6		
		20	10	5		
		25	4	0		
		17	2	0		
		19	16	0		
					835 1 3	
		38	1	6		
		10	2	6		
		20	0	0		
		9	0	0		
					48 12 0	
					29 0 0	
					£56050 17 0	

NAMES.	SERVICES.	Sterling. £ s. d.	Total Amount, Sterling.	REMARKS.
W. S. Sewell,	6 Geo. IV. Cap. 30. One of the Commissioners for Repairs to the Gaol at Quebec, on Account of Expenses thereof,		£56050 17 0	
Ehos. Wilson,	6 Geo. IV. Cap. 31. Treasurer and one of the Commissioners for encouragement of Agriculture in the District of Quebec for Premiums, &c.	315 0 0		
Henry Griffin, David Grant,	Ditto ditto of Montreal for ditto, Ditto—ditto of Three-Rivers for ditto,	450 0 0 72 0 0		
Henry Dunn,	7 Geo. IV. Cap. 13. As President of the Welland Canal Company, on account of the Shares of the Stock of that Company to be held by the Government of Lower-Canada,		18000 0 0	
J. Le Boutillier,	7 Geo. IV. Cap. 15. Being the Price of a Stone House purchased from him for serving as a Gaol at Percé, in the District of Gaspé,		680 0 0	
Sarah Sills, John S. Baldwin & Julius Quesnel,	7 Geo. IV. Cap. 17 Amount awarded her by this Act, Being a Return of Duty paid by them,		253 10 8 247 4 11	The total payment under special appropriation is £20,769 2s. 7d.
EXPENSES OF THE LEGISLATURE, (In part provided for out of the Produce of the Duties under Provincial Act 33d, Geo. III.)				
LEGISLATIVE COUNCIL.				
James Kerr, William Smith, Charles De Léry, Jac. Voyer, A. W. Cochran, C. R. D'Estimauville, William Singer, H. M'Donald, Chas. Blouin, Jane Brown, Ditto, William Smith,	Salary as Speaker of the Legislative Council for the year 1827, Ditto as Clerk of ditto, from 1st Nov. 1826 to 31st December 1827, at £450 Stg. Ditto as Assistant ditto of ditto from ditto to ditto, 800 do. 225 Ditto as Writing Clerk of ditto, from ditto to ditto, 180 Ditto as Law Clerk of ditto from ditto to ditto, 135 Ditto as Gentleman Usher of the Black Rod, from ditto to ditto, 90 Ditto as Sergeant at Arms to ditto from ditto to ditto 25 Ditto as Doorkeeper to ditto from ditto to ditto 32 8s. Ditto as Messenger to ditto from ditto to ditto, 22 10s. Allowance for having care of apartments of ditto from ditto to ditto, 27 Ditto as ditto for House Rent from ditto to ditto, 81 10s. Salary as Master in Chancery from ditto to ditto,	900 0 0 525 0 0 420 0 0 262 10 0 210 0 0 157 10 0 165 0 0 29 3 4 87 16 0 26 5 0 31 10 0 94 10 0		

Chas. De Léry, Asst. Clerk } Legislative Council, Ditto Ditto, Ditto,	Balance of the Contingent Expenses incurred in conformity with the Address of that House 3d March 1827. On account of expenses during the recess, pursuant to ditto, For the purchase of Books, &c. imported 1826, and a remuneration granted to the Law Clerk for the continuation of the Index. (in both languages.) to the Statutes, from the year 1817 to 1826, pursuant to ditto dated 6th March 1827, To cover the Contingent expenses incurred in the Office of the Legislative Council, since the Session 1827, and for payment of the usual annual allowances for the officers and servants thereof and contingent expenses to be incurred during the recess, Rent of the Bishop's Palace occupied by the two branches of the Legislature, from 1st Nov. 1826 to 31st Dec. 1827, at £500 Sterling per annum,	1965 10 9 90 0 0 299 14 8 1519 18 0	6674 7 9 588 6 8
HOUSE OF ASSEMBLY.			
William Lindsay, Clerk of the } House of Assembly, Ditto, Ditto, Ditto,	Account of the contingent expenses of that House, for the year 1827, pursuant to their addresses of 5th January and 5th March 1827, Balance due on the contingent expenses of the year 1825 and 1826, pursuant to ditto of 5th March 1827, For the payment of the Officers and servants of the House of Assembly from 1st November 1826 to 30th April 1827, Salary as Clerk of the House of Assembly, from 1st May to 31st December 1827, at £450 Sterling per annum, Salary as Assistant ditto to ditto from ditto to ditto, at £360 sterling, Ditto as English Translator to ditto from ditto to ditto at £180 ditto, Ditto as French ditto to ditto from ditto to ditto at £180 ditto, Ditto as Law Clerk to ditto from ditto to 31st October 1827 at ditto, Ditto as ditto to ditto from 29th to 31st December 1827, at ditto, Ditto as Sergeant at Arms to ditto from 1st May to 31st October 1827 at £90 sterling, Ditto as ditto to ditto from 21st November to 31st December 1827 at ditto, Allowance for taking care of the apartments and furniture belonging to the House of Assembly, and for house rent from 1st May to 31st December 1827 at £24 15s. stg. per an. Ditto for ditto and ditto from ditto to ditto at ditto per ditto, Salary as Clerk of the Crown in Chancery from 1st May to 31st December 1827, at £100 sterling per annum, For Printing done for the office of the Clerk of the Crown in Chancery,	4050 0 0 1676 14 0 794 15 0 300 0 0 240 0 0 120 0 0 97 7 11 90 0 0 1 4 7 45 0 0 9 19 8 16 10 0 16 10 0 66 13 4 6 6 0	
UNAVOIDABLE AND NECESSARY EXPENSES OF THE CIVIL GOVERNMENT for which there is no express Legislative Provision.			
P. E. Desbarats, King's Printer, Ditto,	PRINTING THE LAWS. For printing the Acts of the last Session of the Provincial Legislature, For printing the Ordinances and reserved Acts of 1826,	247 3 9 201 11 10	448 15 7
			£91796 3 1
Carried over,			

NAMES.	SERVICES.	Sterling. £ s. d.	Total Amount. Sterling.	REMARKS.
	Amount brought over,		£91796 3 1	
	PENSIONS.			
H. W. Ryland,	Pension from 1st November 1826 to 31st December 1827, at £300 sterling, per annum,	350 0 0		
Sir George Pownal, Kt.	ditto to ditto at £300 ditto,	350 0 0		
Mrs. Hunn,	ditto to ditto at £250 ditto,	291 13 4		
Mrs. Baby,	ditto to ditto at £150 ditto,	175 0 0		
Mrs. Taylor,	ditto to ditto at £50 ditto,	58 6 8		
L. De Salaberry,	ditto to ditto at £200 ditto,	233 6 8		
Mrs. Lemaître,	ditto to ditto at £50 ditto,	58 6 8		
Mrs. Rototte,	ditto to ditto at £30 ditto,	42 0 0		
Henry Harwood,	ditto to ditto at £21 12s. ditto,	35 0 0		
A. & M. De Louvière,	ditto to ditto at £20 ditto,	25 4 0		
Miss Finlay,	ditto to ditto at £18 ditto,	23 6 8		
Miss McKay,	ditto to ditto at £18 ditto,	21 0 0		
Miss Desbarats,	ditto to ditto at £12 ditto,	14 0 0		
Widow Sauvageau,	ditto to ditto at £10 ditto,	11 13 4		
Hyp. Montizambert,	ditto to ditto at £10 ditto,	11 13 4		
M. Montizambert,	ditto to ditto at £10 ditto,	11 13 4		
Louise Montizambert,	ditto to ditto at £10 ditto,	11 13 4		
Marguerite Launière,	ditto to ditto at £10 ditto,	11 13 4		
G. Launière,	ditto to ditto at £10 ditto,	11 13 4		
Elizabeth Launière,	ditto to ditto at £7 10s. ditto,	11 13 4		
Mrs. Rainville,	ditto to ditto at £5 ditto,	8 15 0		
Mrs. De Musseau,	ditto to ditto at £5 ditto,	5 16 8		
Mrs. Schindler,	ditto to ditto at £5 ditto,	5 16 8		
Mrs. M. Elmsley,	ditto to ditto at £200 ditto,	233 6 8		
			2021 19 0	
	RENTS AND REPAIRS OF PUBLIC BUILDINGS, &c.			
Ls. Montizambert, Act. Pro. Sec	Allowance for providing an Office for registering and enrolling the Grants of Crown Lands, as required by Provincial Act 36th Geo. III. Cap. 3, at £54 Sterling per annum,	63 0 0		
John Phillips,	For work done and articles furnished for repairs and alterations at the Castle of St. Lewis, between 11th Oct. 1826 and 10th Oct. 1827,	548 8 1		
His Excellency the Earl of Dal-	For two Register Grates provided for the Castle St. Lewis,	39 14 5		
house, G. C. B. }				
Robert Robinson,	For work done and materials furnished for the Government House at Montreal,	22 7 7		
Joseph Ferrière,	For work done and materials furnished for the Government House at Montreal,	24 3 9		
Isabella Monk,	Wages for having care of do.	16 8 6		
John Phillips,	For work done in buildings occupied for the Civil Offices of Government,	91 2 11		
Synnott & Donnavan,	For painting done to do.	5 14 9		
J. B. La Rue, Road Surveyor,	Balance of his Account for keeping the Winter Roads in repair, opposite buildings occupied for Public purposes in Quebec,	13 10 0		

NAMES.	SERVICES.	Sterling. £ s. d.	Total Amount. Sterling.	REMARKS.
	MILITIA STAFF AND CONTINGENCIES.		1512 5 10	
Francis More,	For work done in repairing the house lately occupied as the Civil Secretary's Office,	8 9 7		
John Grout,	For sweeping Chimneys in Public Buildings in Quebec,	5 4 0		
W. C. H. Coffin, Prothonotary,	For repairs and alterations made to the Court House at Three-Rivers,	128 5 0		
Maurice Ryan,	ditto made to ditto,	41 9 2		
François Fontaine,	ditto made to Police Office at ditto,	22 5 6		
Perrault & Burroughs,	ditto made to ditto at Quebec,	209 12 9		
Levesque, Monk & Morrough,	For work and ditto in the vaults of the Court House at Montreal,	72 0 0		
Mathew Bell,	For Stoves furnished for the Civil Offices of Government,	92 14 11		
R. & A. Haddan,	For fitting up apartments for the Executive Council,	41 12 6		
Thos. Hobbs,	For fitting ditto for the Civil Secretary's Offices,	26 8 11		
R. & A. Haddan,	For articles furnished for ditto ditto,	3 3 3		
A. W. Cochran,	For Fire-wood purchased for the Civil Offices of Government,	41 10 3		
			300 0 0	
			180 0 0	
			120 0 0	
			120 0 0	
			360 15 9	
			5 4 0	
			1085 19 9	
	SUPPORT OF HOSPITALS AND OTHER CHARITIES.			
Jean Bélanger, Treasurer and	For the relief of Insane, support of Foundlings, &c. at Quebec,	675 0 0		
Commissioner,	ditto ditto	760 8 8		
François Durette, ditto,	For support of Foundlings at the religious Hospitals at Montreal,	360 0 0		
George Selby, ditto,	For ditto of ditto relief of Insane, &c. at Three-Rivers,	285 15 3		
I. G. Ogden,	On account of expenditure of Emigrant Hospital at Quebec,	1215 0 0		
Jacques Voyer, C. Dénéchau }			3245 18 6	
and M. Clouet,			£99662 6 2	
	Carried over,			

NAMES.	SERVICES.	Sterling. £ s. d.	Total Amount. Sterling.	REMARKS.
	Amount brought over,		£90662 6 2	
	SCHOOLS.			
Rev. J. L. Mills,	For the payment of salaries of Schoolmasters, under the Royal Institution for the advancement of learning, from 1st November 1826 to 31st December 1827.	2185 12 11		
Ditto,	For preparing, arranging and furnishing three copies of the Returns of Schools, required by the Act 6th Geo. IV. cap. 13, to be laid before the Legislature,	90 0 0	2275 12 11	
	MISCELLANEOUS EXPENSES.			
E. W. R. Antrobus,	Salary as Grand Voyer of the District of Quebec, from 1st November 1826 to 31st December 1827, at £150 sterling per annum.	175 0 0		
L. R. C. De Léry,	Ditto as ditto of the ditto of Montreal, from ditto to ditto per ditto,	175 0 0		
P. L. Panet,	Ditto as ditto of the ditto of Three Rivers, from ditto to ditto at £90 ditto,	105 0 0		
Farquhar McRae,	Ditto as Surveyor of Highways and streets, in the District of Gaspé, to ditto at £50 per do.	58 6 8		
John Grout,	Ditto as Inspector of Chimnies at Quebec, to ditto at £60 sterling.	70 0 0		
P. Boucherville,	Ditto as ditto of ditto at Montreal, to ditto at ditto,	70 0 0		
Alexander Thompson,	Ditto as ditto of ditto at Three-Rivers, to ditto at £25 ditto,	29 3 4		
John Simpson,	Ditto as ditto of Merchandise at Côteau du Lac, and allowance for House Rent to ditto at £108 sterling.	196 0 0		
C. R. D'Estimauville,	For Translations of Official documents of Government,	45 0 0		
Robert Christie,	For performing the duties of Chairman of the Quarter Sessions of the Peace in the District of Gaspé, in 1827,	90 0 0		
T. A. Young, Sheriff of Quebec,	Payments made to needy Witnesses under Provincial Act 39th Geo. III. cap. 9,	92 3 9		
W. S. Sewell, ditto ditto,	Ditto ditto ditto under ditto,	76 5 5		
L. G. Guey, at Montreal,	Ditto ditto ditto under ditto,	540 0 0		
I. G. Ogden, at Three-Rivers,	Ditto ditto ditto under ditto,	37 3 4		
David Chisholm, Clerk of the Peace at Three-Rivers,	Amount of his expenses incurred in distributing the Militia Ordinances,	4 10 0		
Frederick Gædyke,	Allowances for serving as Interpreter to the Courts of Oyer and Terminer and General Gaol delivery at Montreal,	16 6 8		
Noah Freer,	On behalf of the St. Lawrence Steam Boat Company, being for the hire, use and detention of the Steam Boat Chambly, in April 1827, in carrying over certain Prisoners to be executed at Pointe Lévi, and the Sheriff and escort,	45 0 0		
Antoine Hamel,	Allowance for residing in the Island of Anticosti, with a view to the relief of shipwrecked persons, from 1st November 1826 to 31st Decr. 1827, at £50 sterling per annum,	58 6 8		
Benjamin Tremain,	For expenses of the House of Correction at Quebec, to 1st May 1827, over and above the sum appropriated for that service,	135 0 0		

M. Clouet,	Amount of expenses incurred in cleaning, levelling and improving the Area of the Bishop's Palace,	105 17 6	2124 9 4
J. H. Dunn, Receiver General of Upper-Canada,	Proportion of Duties collected at Quebec, under Provincial Acts 33d, 35th, 38d and 55th Geo. III. which the Province of Upper-Canada is entitled to receive, under the provisions of the Act of the Imperial Parliament 3d Geo. IV. cap. 119,		18598 4 8
	Total Expenditure of the year 1827,	Sterling,	£122655 7 1

Errors excepted.

Quebec, 1st December 1828.

JOS. CARY,
Insp. Genl. of Public Provincial Accounts.

No. (6.)

COMPTE DES REVENUS DU BAS-CANADA, pendant les cinq Quartiers finissant le 5 de Janvier 1828 ; et des Dépenses Civiles de la Province, à prendre du 1er. Novembre 1826, à aller jusqu'au 31 Décembre 1827.

No. des Cmpts.	TITRES DES REVENUS.	Courant.	Montant Sterling.	No. des Cmpts.	DEPENSES.	Montant Sterling.
		£ s. d.	£ s. d.			£ s. d.
1	<i>Revenus appropriés à la disposition de la Couronne</i>			4	Salaires et Contingens des Officiers du Gouvernement et de l'Administration de la Justice, à prendre sur la 14e. Geo. III.	36 49 10 6
7	Produit clair de l'Acte Impérial de la 14e Geo. III.	41102 9 11	36992 5 0		Ditto et ditto de ditto et ditto, à prendre sur l'aide de la 35e. Geo. III.	58 19 19 8
	Appropriation en aide par l'Acte Provl. de la 35e. Geo. III. £5000 stg. par année, fait pour 14 Mois				Ditto et ditto de ditto et ditto, à prendre sur le revenu Casuel and Territorial,	2584 12 0
1	Produit clair du Revenu Casuel et Territorial	2217 8 9½	5833 6 8		Ditto et ditto de ditto et ditto, à prendre sur le produit de la 41e. Geo. III.	4196 16 8
1	Ditto des Droits et Licences en vertu de la 41e. Geo. III.	5016 14 1	4515 0 8		Pension à prendre sur les Amendes et Confiscations,	38 11 2
1	Ditto des amendes et confiscations	361 2 11½	325 0 8		Surplus des Revenus sur les Dépenses ci-dessus,	49789 10 0
			50291 6 11		Dépenses Totales, £	501 16 11
1	<i>Revenus à la disposition de la Législature.</i>				Payemens faits en vertu d'Appropriations spéciales par des Actes Provinciaux,	50291 6 11
	Produit clair des Droits en vertu de la 35e Geo. III.	2296 10 0			Salaires des Officiers et Contingens du Conseil Législatif,	26769 2 7
	Ditto des Licences à do. 35e. do. £38218 17 1½				Hoyer de l'Evêché, occupé par la Législature,	6674 7 9
	Appropriation déduite comme ci-dessus, Stg. 5833 6 8 ou 6431 9 7				Salaires des Officiers et Contingens de la Chambre d'Assemblée,	583 6 8
					Frais de l'Impression des Lois,	7531 0 6
	Produit clair des Droits en vertu de la 53e Geo. III, ch. 11,	31737 7 6½			Pensions,	448 15 7
	Ditto, do. 35e. do. ch. 3,	21396 12 0½			Loyers et Réparations des Edifices publics, &c.	2021 19 0
	Ditto, do. l'Acte Impl. 3 Geo. IV. ch. 19,	26973 2 11½			Paye de l'Etat Major de la Milice et Contingens, depuis le 1er. Mai 1827,	1512 5 10
	Ditto, do. do. 6 do. 114,	18 5 0			Soutien des Hopitaux et autres établissemens de charité,	1085 19 9
	Ditto, do. l'Acte Provl. 4 do. 3,	11405 9 9			Pour les Ecoles,	3245 18 6
	Ditto, des ventes 4 do. 21,	3 1 0			Dépenses diverses,	2275 12 11
		38 11 5			Proportion des Droits accordée au Haut-Canada,	2124 3 4
			84482 1 9		Surplus des Revenus sur les Dépenses ci-dessus,	18593 4 8
					Sauf Erreurs.	72865 17 1
		Stériling,	£84482 1 9			11616 4 8
						84482 1 9

Québec 1er. Décembre 1828.

JOS. CARY,

Insp. Génl. Comptes Pub. Provl.

(No. 8.)

COMPTE DES APPROPRIATIONS DE LA LEGISLATURE DU BAS-CANADA, et de la Dépense d'icelle dans l'Année 1827.

APPROPRIATIONS.		Montant.		Montant Dépensés.		Balance non Dépensée.	
		£	s. d.	£	s. d.	£	s. d.
Par l'Acte 5e. Geo. IV. Chap.	5. Seigneurie de La Salle, balance non dépensée l'année dernière,	554	0 0	0	0 0	554	5 0
	10. Maisons de Correction ditto	245	17 11	0	0 0	245	17 11
	" Ditto au 1er. Mai 1827.	300	0 0	256	16 6	43	3 6
	13. Encouragement de l'Agriculture,	75	0 0	0	0 0	75	0 0
	14. Encouragement de la Prison à Montréal, balance l'année dernière,	100	0 0	0	0 0	100	0 0
	19. Emprunt pour le Canal de Lachine ditto,	30000	0 0	0	0 0	30000	0 0
	20. Communication entre Québec et Halifax ditto,	1500	0 0	0	0 0	1500	0 0
	27. Aide pour 1825, ditto,	278	10 7	147	2 5	131	8 2
	28. Amélioration du Chemin de la Baie St. Paul ditto,	500	0 0	0	0 0	500	0 0
	29. Ditto Township de Kingsey ditto,	495	0 0	491	10 0	3	10 0
	30. Ditto au Côteau du Lac, &c. ditto,	510	11 5	250	0 0	260	11 5
	31. Ditto Chemins de Kennebec et Craig ditto,	969.	8 11	225	0 0	744	8 11
Par l'Acte 6e. Geo. IV. Chap.	12. Soutien des Hopitaux et autres Charités, ditto,	14	17 3½	0	0 0	14	17 3½
	13. Encouragement des Ecoles dans la Province ditto,	133	19 1	92	13 10	41	5 8
	" Do. de l'Education dans le dist. de Québec ditto,	300	0 0	0	0 0	300	0 0
	22. Aux Greffiers de la Paix pour les mettre en état de faire distribuer les Loix en 1826, ditto	7	10 0	0	0 0	7	10 0
	" Aux ditto	75	0 0	32	4 5	42	15 7
	30. Réparations à la Prison à Québec,	1573	9 8	600	0 0	973	9 8
	30. Changemens à la Bâtisse pour le Moulin Pédale,	825	0 0	0	0 0	825	0 0
	31. Encouragement à l'Agriculture,	1600	0 0	930	0 0	670	0 0
	32. Etablissement du Chemin à la Baie St. Paul,	500	0 0	0	0 0	500	0 0
	33. Pour améliorer la Navigation de la Rivière Richelieu,	2400	0 0	0	0 0	2400	0 0
Par l'Acte 7e. Geo. IV. Chap.	34. Pour explorer le Nord du fleuve St. Laurent,	500	0 0	0	0 0	500	0 0
	13. Actions dans le Canal de Welland,	25000	0 0	20000	0 0	5000	0 0
	15. Bâtisse d'une Prison à Percé,	1000	0 0	700	0 0	300	0 0
	17. Compensation due au frère de Sarah Sills,	281	14 0	281	14 0	0	0 0
	18. Remise de Droits à Baldwin & Quesnel,	274	14 4	274	14 4	0	0 0
		£70014	18 2½	24281	15 6	45733	2 8½
						61777	5 10½

A ajouter la Balance non appropriée selon Compte No. 7.

Total non Dépensé, £107510 8 7

Sauf Erreurs.

Québec, 1er. Décembre, 1828.

JOS. CARY,

Insp. Génl. Comptes Pub. Prov.

(No. 9.)

PRECIS des WARRANTS émanés par Son Excellence le Comte de DALHOUSIE, Capitaine Général et Gouverneur en Chef, durant l'année 1827, en payement de la Dépense Civile du Bas-Canada, pour Services dans les années précédentes.

NOMS.	SERVICES.	Sterling.	Montant Total, Sterling.	REMARQUES.
Louis Gugy,	Balance de son Compte de Dépenses Contingentes, comme Schérif du District des Trois-Rivières, au 10 Octobre 1824,	4 17 1	4 17 1	
C. E. DeLéry,	Appointemens comme Membre du Conseil Exécutif, depuis le 15 Juin au 31 Oct. 1825.	38 1 1		
C. B. Felton,	Balance de son Compte de Dépenses Contingentes, comme Prothonotaire et Greffier de la Paix pour le District de St. François, au 10 Octobre 1825,	12 18 9		
Ditto,	Montant de son Compte, comme Greffier de la Paix à ditto, pour services dans les Causes Criminelles en 1825,	57 18 2		
Synnot & Donovan,	Ouvrages de Peintre au Chateau, en 1825,	9 0 8		
Olivier Godin,	6 mois d'allouance pour avoir résidé sur l'Isle d'Anticosti, au 1er. Octobre 1825,	15 0 0	132 8 2	Cette somme est portée contre la Balance de l'aide accordé pour l'année 1825.
Thomas Bingham,	<p style="text-align: center;">APPROPRIATIONS SPECIALES— <i>Acte de la 5e. Geo. IV. Chap. 7.</i></p> Rémunération pour avoir fait un dénombrement de partie du Comté de York en 1826,		3 16 1	
Adam Gurlon,	<p style="text-align: center;">DE PENSES de l'ADMINISTRATION de la JUSTICE et SOUTIEN du GOUVERNEMENT CIVIL.</p> 12 Mois d'Appointemens comme Agent de la Province, au 31 Octobre 1826,		200 0 0	
Représentans de feu F. W. Ermatinger,	Montant de son Compte de Dépenses Contingentes, comme Schérif du District de Mont-réal, pour 6 mois expirés le 10 Avril 1826,	497 13 2		
Ditto,	Ditto de déboursés pour des Couvertes pour les Prisonniers, en Février 1826,	22 1 6		
Louis Gugy,	Ditto de son Comptes de Dépenses Contingentes, comme Schérif aux Trois-Rivières, pour 6 mois expirés le 10 Octobre 1826,	72 4 7		
Ditto,	Payemens à des Témoins indigens assignés de la part de la Couronne à do. expirés do.	10 15 6		
Charles Whitcher,	Balance de son Compte de Dépenses Contingentes, comme Schérif du District de St. François, au 10 Avril 1825 et 10 Avril 1826,	63 1 1		
Levesque & Monk,	Ditto de ditto comme Prothonotaires à Montréal, pour l'année expirée le 10 Oct. 1826,	116 6 3		
Green & Ferrault,	Compte de Dépenses Contingentes comme Greffiers de la Paix à Québec, dans les six mois expirés ditto,	231 0 10		
	Portés en l'autre part, £	953 2 11	£341 1 4	

NOMS.	SERVICES.	Sterling.	Montant Total, Sterling.	REMARQUES.
C. B. Felton, John Delisle, William Green, W. C. H. Coffin, Louis Lefebvre, M. Landry, James Gilker.	De l'autre part, £ Balance de Dépenses Contingentes, comme Greffier de la Paix du District de St. François, dans les six mois expirés le 10 Avril 1828, Montant de ditto pour Services comme Clerc de la Couronne à Montréal, durant les Termes Criminels d'Août et Septembre en 1826, Ditto pour ditto à Québec, dans Mars et Septembre 1826, Ditto du Compte de Fraser et Coffin, pour services rendus comme Greffiers de la Paix aux Trois-Rivières, pour les 6 mois expirés le 10 Octobre 1826, Appointemens comme Huisier Audancier de la Cour des Sessions de Quartier aux Trois-Rivières, depuis le 11 Avril 1822 au 31 Octobre 1826, à £5 Stg. par année, Pour services comme ditto de ditto à Québec, en 1826, Arrérage d'allouances additionnelles comme Gardien de la Prison et Salle d'Audience à New-Carlisle, du 1er. Nov. 1822 au 31 Octobre 1826,	953 2 11 3 2 2 73 11 4 61 18 8 9 10 8 22 15 11 8 4 9 72 0 0	£341 1 4 1204 5 7 182 14 9	
C. E. De Léry, John Stewart,	CONSEIL EXECUTIF. 12 mois d'Appointemens comme Membre, au 31 Octobre 1826, 302 jours ditto comme ditto depuis le 3 Janvier au 31 Octobre 1826,	100 0 0 82 14 9		
Made. Mary Elmsley,	PENSIONS.			
John Simpson, Ditto, John Hale,	CHARGES DIVERSES. 12 mois d'appointemens comme Inspecteur des Marchandises au Côteau du Lac, au 31 Octobre 1826, 12 mois d'allouance comme ditto pour Loyer de Maison à ditto, Montant de son Compte comme Receveur Général pour payemens faits par lui pour des Extraits de Titres passés devant Notaires, et qui ont rapport à des ventes d'Immeubles dans le Domaine du Roi, entre le 31 Juillet 1824 et 18 Mai 1826, en conformité à l'Ordonnance de la 25e. Geo. III. Ch. 4.	150 0 0 18 0 0 29 8 5 32 6 6 17 9 3		
Les Représentans de feu W. } Lemaître, } F. Macrae. }	REPARATIONS AUX EDIFICES PUBLICS, &c. Montant des Réparations faites au Chateau au 5 Octobre 1826, Ditto pour ouvrages de Peintre à ditto en 1826, Ditto pour ouvrages faits au Bureau du Secrétaire Civil en ditto,	79 10 10 13 11 1 2 7 10	247 4 2	
John Phillips, Synnot & Donnovan, John Phillips,			95 9 9	

NOMS.	SERVICES.	Sterling.	Montant Total, Sterling.	REMARQUES.
Aux Représentans de feu le } Lieut. Col. Taylor, } Lieut. Col. Geo. Heriot, } François Bélanger, Maître de } Poste à Québec. }	APPROPRIATIONS SPECIALES. <i>Pour l'Etat Major de la Milice en vertu de l'Acte de la 57e. Geo. III. ch. 88.</i> Appointemens comme Aide de Camp Provincial depuis le 1er. Mai au 8 Août à £180 sterl. par année, Ditto comme ditto depuis le 9 Août au 31 Oct. 1826, à ditto, par ditto, Frais de Port de Lettres pour le Service de Sa Majesté dans le Bureau de l'Adjudant Général des Milices dans les 6 mois expirés le 31 Oct. 1826,	49 6 3 41 8 5 12 19 10	103 14 6	
Samuel Moore, William Banks, J. T. Carpenter, Norman McLeod, Thos. Whaler, Jos. Davies, Sheppard Parker,	POUR LES ECOLES. <i>En vertu de l'Acte de la 6e Geo. IV. ch. 18.</i> 6 mois d'Appointemens comme Maître d'Ecole dans le Village de Freighsburg, au 30 Avril 1826, Appointemens comme ditto à Chambly, depuis le 3 Août au 31 Oct. 1826, Ditto comme ditto à la Chetû d'en-bas, Argenteuil, du 27 Mars au 31 Oct. 1826, à £18 sterl. per année, Ditto comme ditto, à Williamtown dans la Seigneurie de Beauharnois du 1er. Mai au 31 Octobre 1826, 12 mois ditto, comme ditto, dans le District sud de Stukely, à ditto, 6 mois ditto, comme ditto, dans le Village de Huntingdon, township de Hinchinbrook, à ditto, Appointemens comme ditto, dans le district Nord de Stukely du 1er. Novembre 1825 au 31 Juillet 1826,	18 0 0 5 3 6 10 6 0 9 0 0 18 0 0 9 0 0 13 9 0	88 8 6	
Jonathan Sewell, William Smith, Ditto, H. W. Ryland,	LEGISLATURE. Résidu de son Allouance, comme Orateur du Conseil Législatif pour l'année 1826, 6 mois d'Appointemens comme Greffier de ditto, au 31 Oct. 1826, Ditto comme Maître en Chancellerie, au ditto, 12 mois de ditto comme Greffier de la Couronne en Chancellerie, au ditto,	450 0 0 225 0 0 40 10 0	715 10 0 100 0 0	
	Total Sterling,		£3173 8 7	

Sauf Erreurs.
Québec, 1er. Décembre 1828.
JOS. CARY,
Jusp. Génl. Comptes Pub. Prov.

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

Appendix
(G.)
2d Decr.

THE Quebec Agricultural Society requests leave to lay before Your Honorable House, a Report of its transactions, from the date of the previous one submitted at the last Session of the Legislature.

The Society has never ceased in its endeavours to promote improvements in the practice of the farmers within its influence, by every means in its power ; with this attention the several periodical exhibitions of farming stock and agricultural produce, as well as trials of skill in the fundamental operation of ploughing, have been regularly held, with one single exception, arising from difficulties which it was not in the power of the Society to controul.

The result of these exhibitions has been followed with corresponding good effects, visible to the Society, in the spirit of emulation manifested in producing superior specimens of live stock, of agricultural productions, of domestic manufactures and improved ploughing, in each of which departments the Society has had at every successive competition, occasion to commend and reward merit of various degrees.

The Society has also, as part of the duty enjoined on it by the Legislature, held out to the inhabitants of the counties within this district, the encouragement offered to be extended to them through the medium of associations of their forming. In some few instances this system has been acted on, but the Society regrets an apparent want of the necessary cooperation of gentlemen residing in the country, in promoting this desirable end, and without whose assistance it does not seem probable that much good can be effected in this way.

There remains in the public chest a sum of one hundred and fifty pounds, being part of the appropriation of one thousand eight hundred and twenty-six, left for the use of the Country Societies, when they shall think proper to apply for it.

The efforts of the Society have hitherto necessarily been confined to the system of exciting partial and unconnected improvements in practice by means of premiums conferred for excellence in the various farming productions, stock, implements, &c. The Society has long since been well aware that there requires more efficacious means than that system, to inculcate and induce a reform in the defective practice so long followed in this Province without the advantage that the land is susceptible of bringing to the farmer on a better method of management.

In this view, the Society has on former occasions, and again requests leave to bring under the consideration of this Honorable House other and more fundamental means for attainment of that desirable end—desirable not merely for the personal benefit of the farmer, but for the good of the country at large ; the prosperity of the agricultural classes is a necessary step to the general advancement of a country.

It is generally admitted that our farmers have no means of becoming acquainted with the improved practical operations and scientific system now adopted and followed with proportional advantage by the European Agriculturist ; this desideration should be supplied them in some shape or other, the more early of attainment the better ; but this should be a national concern, and established for the benefit of the rising generation by Legislative munificence. One or more practical farms of instruction established in well selected parts of the Province and conducted by practical agriculturists acquainted with every branch of their profession, operative as well as theoretic, and to which would advantageously be annexed lectureships in the scientific branches of the vocation, such as Chemistry, Botany, Veterinary Surgery, &c. would eminently tend to promote the object in view.

There are such establishments in Europe, national as well as private, and it may be a matter of useful enquiry whether it would not be expedient during the want of such an establishment within ourselves, to send some of our agricultural youth selected from various parts of the province to such school for a period of years

Aux Honorables Chevaliers, Citoyens et Bourgeois de la Province du Bas-Canada, assemblés en Parlement :

LA Société d'Agriculture de Québec demande qu'il lui soit permis de mettre devant cette Honorable Chambre un Rapport de ses procédés, depuis la date du Rapport précédent soumis à la dernière Session de la Législature.

Appendice
(G.)
2 Dis

La Société n'a épargné aucun effort ni moyens en son pouvoir, pour introduire des améliorations dans l'Agriculture pratique, chez les cultivateurs qui se trouvent dans le cercle de ses opérations : dans cette vue, à une seule exception près qu'ont occasionné des difficultés tout-à-fait insurmontables, il y a en régulièrement plusieurs expositions de bestiaux et de produits d'agriculture, aussi bien que de concours, où le cultivateur a eu occasion de faire preuve d'adresse et d'habileté dans l'opération fondamentale du labourage.

La Société a eu la satisfaction de voir que ces expositions ont produit le résultat qu'on en attendait ; elles ont fait naître l'émulation, on a fait des progrès dans l'art du labourage ; on a montré des bestiaux vivans bien supérieurs, et l'amélioration s'est fait sentir jusque dans les produits d'agriculture et les articles de fabrication domestique ; à chaque concours la société a eu occasion de recommander et de récompenser des efforts plus ou moins heureux dans les divers départemens de l'économie rurale.

La Société n'a pas oublié cette partie des devoirs que lui a imposés la Législature, et qui est de suggérer aux habitans des comtés du district de Québec, l'encouragement qui leur est offert par le moyen de sociétés de leur choix. On a suivi ce système en quelques endroits, mais la Société voit avec douleur chez les messieurs résidans dans les campagnes, un manque apparent de la co-opération nécessaire, pour atteindre un but si désirable, et sans leur assistance il n'est pas probable qu'on puisse faire un grand bien par cette voie.

Il reste dans la caisse publique une somme de cent cinquante louis, formant partie de l'appropriation de mil huit cent vingt six, laissée pour l'usage des Sociétés de campagnes, lorsqu'elles jugeront convenable de la demander.

Jusqu'à présent les efforts de la Société se sont nécessairement bornés à exciter des améliorations partielles et nullement suivies dans l'agriculture pratique, par le moyen de prix accordées à quiconque présentait les meilleurs produits d'agriculture, les plus beaux bestiaux, les meilleurs instrumens, &c. La Société connoit depuis longtems qu'il faudroit d'autres moyens plus efficaces que ce système, pour inculquer et amener une réforme dans la pratique défectueuse, depuis si longtems suivie en cette Province, et qui a empêché la terre de donner les produits plus considérables, qu'elle est susceptible de rapporter au cultivateur, par une meilleure méthode de culture.

Dans cette vue, la Société a déjà soumi et demande qu'il lui soit permis de soumettre à la considération de cette Honorable Chambre d'autres moyens plus sûrs pour parvenir à cette fin désirable, et qui l'est non-seulement pour l'avantage individuel du cultivateur, mais encore pour le bien du pays tout entier ; la prospérité de la classe agricole est la voie nécessaire à l'avancement général dans tout les pays.

Tout le monde convient que nos cultivateurs n'ont aucun moyen de se mettre au fait des améliorations qui se sont opérées dans la pratique de l'agriculture en Europe, et du système raisonnée qu'ont adopté et que suivent avec un avantage proportionnel les agriculteurs européens. Il faudroit de manière ou d'autre, trouver un moyen de leur procurer cet avantage, et le plus facile sera le meilleur. Mais cela est une affaire nationale, que dans sa munificence la Législature devrait prendre sur elle. Un des meilleurs moyens pour avancer l'objet en vue, seroit d'établir dans des endroits avantageux de la Province, et de faire cultiver par des agriculteurs expérimentés dans toutes les branches, soit pratiques soit théoriques de leur art, une terre, ou plus, où les gens pourraient aller puiser l'instruction ; il seroit très-avantageux de joindre à ces insitutions des écoles où l'on donnerait des leçons sur les branches scientifiques de la profession, telles que la Chimie, la Botanique, l'Art vétérinaire et la Chirurgie.

Il existe en Europe de pareilles insitutions, tant nationales que privée, et il vaudroit la peine de s'enquérir si, tant qu'il n'y en aura pas d'établies parmi nous, nous ne ferions pas bien d'envoyer pour plusieurs années, à de semblables écoles, aux frais du public, quelques-uns de nos jeunes agriculteurs, que l'on prendrait dans

Appendix
(G.)
2d Decr.

at the public charge;—those on their return to the management of estates of their own on the methods learned abroad, would tend to spread improvements by the result of their example of superior management.

The Society is also of opinion, that were it practicable to introduce among our agriculturists a taste for reading on subjects connected with their occupations, it would greatly promote the desired end.

In this intention the Society has long had in contemplation to publish a periodical paper exclusively on farming subjects for their use, it should in the first instance be distributed gratis—On a calculation made some time since, it was found that One hundred pounds a year would defray the expense of materials, printing, conducting and distributing such a paper in the French language only throughout the Province, a certain number in each parish to be circulated by the inhabitants themselves.

The culture of hemp within this Province might, if properly encouraged, become a subject of much importance, and therefore well worthy the attention and fostering aid of the Legislature. On all these subjects which the Society has taken upon itself to recommend, it will readily give such further information as may be required, on being called upon.

The funds placed at the disposition of the Society by enactment of the Legislature in the year One thousand eight hundred and twenty-six, are now nearly exhausted, as will appear on reference to the accompanying Statements of the Society's Treasurer.

The Society concludes its Report with a prayer for a further pecuniary grant to conduct the ordinary operations of awarding premiums as heretofore, and humbly represent to Your Honorable House the expediency of making the grant for at least five years successively. This request is made with a view to obviate any injurious interpretations in the efforts of the Society, which might, as on a former occasion, lessen the confidence of the public in it.

J. NEILSON,
Chairman.

Quebec, 2d December, 1828.

The Quebec Agricultural Society in Account Current with THOMAS WILSON, Treasurer.

<i>Dr.</i>				
1827.				
June 6th.	To Cash paid Messrs. Neilson and Cowan's Account, for Stationery, Printing, &c. from 10th April 1826, to 10th March 1827,	£	s.	d.
		33	5	2
Octr. 1st.	To Cash paid divers persons, Premiums and Gratifications at District Cattle Show and Ploughing Match,	57	15	0
13th.	To Cash paid for two Heifers and one Bull of the Ayrshire Breed,	42	10	0
1828.				
Jany. 11th.	To Cash paid divers Persons, Premiums and Gratifications at Fatted Swine Show in Quebec,	10	10	0
April 2d.	To Cash paid do. do. for Agricultural Produce and Experiments, and Show of Fatted Oxen & Sheep &c. in Quebec	50	0	0
Octr. 2d.	To Cash paid do. do. at District Cattle Show and Ploughing Match,	44	10	0
	To Cash paid Messrs. Neilson & Cowan's Account for Stationery, Printing, &c. from the 12th April 1827 to the 10th April 1828,	29	10	6
	Carried forward,	£274	0	8

les différentes parties de la Province; et ceux-ci à leur arrivée dans ce pays, mettant en pratique sur leurs propres terres les méthodes qu'ils auraient apprises, contribueraient par leurs exemples et par leurs succès à propager l'esprit d'amélioration.

La Société voit un autre moyen d'avancer considérablement vers le but désirer, et ce serait d'inspirer, s'il est possible, à nos cultivateurs le goût de la lecture dans les matières analogues à leurs occupations.

Dans cette vue, la Société a depuis longtems en contemplation de publier une feuille périodique, à leur usage, exclusivement consacrée à l'agriculture, et que dans les commencemens on distribueroit gratis. On a calculé depuis que la somme annuelle de cent louis couvrirait les dépenses nécessaires pour les matériaux, l'impression, la rédaction, et pour la distribution d'un tel papier en français, par toute la Province; chaque paroisse en devant avoir quelques exemplaires, que les habitans se communiqueroient les uns aux autres.

La culture du chanvre en cette Province est un objet qui s'il était dûment encouragé, pourroit devenir de la plus haute importance, et sous ce point de vue il mérite l'attention et l'assistance favorable de la Législature. La Société sera prête, en tout tems, à donner toute information qu'on désirera, sur tous les sujets qu'elle a pris la liberté de recommander.

Les fonds mis à la disposition de la société par un statut de la Législature en l'année mil huit cent vingt six, sont presque épuisés, comme on le verra en référant aux comptes ci-annexés du Trésorier de la société.

La Société termine son Rapport en demandant une aide pécunière ultérieure pour mettre la Société en état de continuer à donner des prix et récompenses, comme ci-devant, et représente humblement à Votre Honorable Chambre l'avantage qu'il y a de donner cette aide pour au moins cinq années consécutives cette demande est faite dans la vue de prévenir aucunes interprétations injurieuses aux efforts de la société, et qui, comme en quelques occasions précédentes, pourraient diminuer la confiance que le public repose en elle.

J. NEILSON,
Président.

Québec, 2 décembre 1828.

La Société d'Agriculture de Québec en compte courant avec THOMAS WILSON, Trésorier.

<i>Di.</i>				
1827.				
6 Juin.	Argent payé à MM. Neilson and Cowan, pour papéterie, impression, &c., depuis le 10 Avril 1826 jusqu'au 10 Mars 1827,	£	s.	d.
		33	5	2
1 Oct.	Argent payé à diverses personnes en prix et gratifications à l'exposition de bestiaux et au concours du labourage en ce dist.	57	15	0
13 "	Payé pour deux génisses et un taureau de la race d'Ayrshire,	42	10	0
1828.				
11 Janv.	Payé à diverses personnes, en prix et gratifications, à l'exposition des cochons gras, à Québec,	10	10	0
2 Avril.	Payé do do do produits d'agriculture et expériences, et à l'exposition de bœufs et moutons gras, &c. à Québec,	50	0	0
2 Oct.	Payé do do do à l'exposition de bestiaux, et au concours du labourage du district,	44	10	0
	Payé le compte de MM. Neilson and Cowan, pour papéterie, impression, &c. depuis le 12 Avril 1827, jusqu'au 12 Avril 1828,	29	10	6
	Porté ci-contre,	£274	0	0

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2 Dic.

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2 Dec.

Novr.	Brought forward,	£274 0 8
	To Balance in the Treasurer's hands,	113 17 0
		<u>£387 17 8</u>

Cr.

1827.		
Jany. 1.	Balance in the Treasurer's hands,	£37 17 8
Aug. 31.	By Cash per warrant from His Excellency the Governor in Chief, on account of a vote of the Legislature in 1826,	350 0 0
		<u>£387 17 8</u>

NOTE.

To be paid out of the above Balance as Premiums and Gratifications for fatted Swine on the 11th January next,	20 0 0
To be paid do.do. offered for Agricultural Produce and Experiments and for fatted Oxen and Sheep, &c. D.440	110 0 0
	<u>130 0 0</u>
To Stationery and Printing up to April next, about	25 0 0
	<u>£155 0 0</u>

Errors excepted.
Quebec, 25th Nov. 1828.

THOs. WILSON,
Treasurer.

Appendice
(G.)
2 Dec.

Nov.	Montant d'autre part,	£274 0 8
	Balance entre les mains du Trésorier,	113 17 0
		<u>£387 17 8</u>

Cr.

1827.		
21 Janv.	Balance entre les mains du Trésorier,	£37 17 8
31 Août.	Argent en vertu d'un warrant de Son Excellence le Gouverneur en Chef, suite d'une appropriation de la Législature en 1826,	350 0 0
		<u>£387 17 8</u>

N. B. A payer sur la balance ci-dessus, en prix et gratifications, pour cochons gras, le 11 de Janvier prochain,	20 0 0
A payer do do offert pour produits d'agriculture et expérience, et pour bœufs et moutons gras, &c. 440 piastres,	110 0 0
	<u>£130 0 0</u>
Pour papeterie, impression, &c. jusqu'au mois d'Avril prochain, environ,	25 0 0
	<u>£155 0 0</u>

Sauf Erreurs.
Quebec, 25 Nov. 1828.

THOs. WILSON, Trésorier.

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(H.)
4th Decr.

Children received in the Montreal General Hospital of Grey Nuns, from the 1st November 1827 to the 31st October 1828.

Enfants reçus dans l'Hopital Général des Sœurs-Grises de Montréal, depuis le 1er Novembre 1827 jusqu'au 31 Octobre 1828.

Appendice
(H.)
4 Dec.

1827. Nov. 4.	Jérôme	mort le 12 Octobre	1828. Fév. 7.	Louis	mort le 28 d'Août
13.	Joseph	mort le 29 Novembre	22.	Joseph	mort le 6 Mars
18.	Catherine	morte le 19 Décembre	26.	Narcisse	
17.	Grégoire	mort le 21 Novembre	27.	Julie	
19.	Victoire		29.	Clémence	
26.	Joseph	mort le 24 Février	Mars 10.	Charlotte	
28.	Marguerite		13.	Perpétue	morte le 11 Septembre
Déc. 4.	Françoise		14.	Emelie	
5.	Guillaume	mort le 1er Mars	17.	Elizabeth	
7.	Fébronie	morte le 22 Décembre	17.	Marguerite	
12.	Eliza	morte le 22 Décembre	18.	Marianne	
15.	Bernard	mort le 28 Mars	24.	Benoite	morte le 9 Avril
21.	Eliza		24.	Daniel	
1828. Janv. 5.	Adeline	morte le 25 Février	27.	Marie	
7.	Frederick	mort le 16 Mars	Avril 12.	Antoine	mort le 27 Avril
8.	Zoé	morte le 27 Janvier	22.	George	mort le 18 Juin
8.	Catherine	morte le 29 Février	23.	George	mort le 14 Mai
8.	Sarah		Mai 2.	Athanase	
10.	Caroline	morte le 24 Août	7.	Paul	mort le 30 Septembre
14.	Sulpice	mort le 30 Mars	9.	Monique	mort le 17 Juin
16.	Joseph	mort le 6 Septembre	23.	William	
19.	Jacques	mort le 3 Septembre	29.	Marie	
21.	Agnes		29.	Jean	mort le 16 d'Août
21.	Flavien	mort le 16 Juillet	Juin 4.	Hélène	morte le 22 Juin
21.	Opportune	morte le 22 Février	6.	Pacône	mort le 23 Juin
22.	Charles		9.	Agathe	
25.	Judith		9.	Louis	mort le 5 Juillet
25.	Paul		14.	Basile	mort le 23 Juin
Fév. 1.	Marguerite	morte le 4 Septembre	15.	Angèle	mort le 9 Septembre
5.	Jérémie	mort le 9 Octobre	21.	Pierre	

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1828. Juin 27.	Anthelme	mort le 4 Juillet
Juillet 1.	Jean	
10.	Sophie	mort le 25 Juillet
15.	Henriette	morte le 22 Juillet
22.	Olivier	mort le 31 Juillet
23.	Charles	
Août 1.	Joseph	mort le 14 d'Août
15.	Etienne	mort le 27 d'Août
16.	Xavier	mort le 14 Septembre
29.	Jean-Marie	morte le 24 d'Août
21.	Salomon	
25.	Marianne	
28.	Eléonore	morte le 4 Septembre
Sept. 3.	Bénonie	mort le 13 Septembre
7.	Edouard	
9.	Eudoxie	mort le 1 Octobre

We have received 92 Children, from November 1827 to 31st October 1828, of which 52 died.

505½ months, for Nurses, at 20s. per month,	£505	10	0
Boarding of 40 Children in the Hospital, at the rate of £7 10s. per annum,	308	5	0
2012 days maintenance of 6 Insane Persons in the Cells, at 2s. per day,	201	4	0
	<hr/>		
	£1014	19	0

Sr. M. MARG. LEMAIRE, Supre.
Sr. McMULLIN, Dépositaire.

1828. Sept. 10.	Henry	mort le 25 Septembre
10.	Julie	
15.	Marie	
26.	J. Baptiste	
35.	Henriette	morte le 11 Octobre
Oct. 2.	George	
8.	François	
10.	Cathérine	morte le 31 Octobre
10.	Marie	morte le 28 Octobre
13.	Edouard	mort le 22 Octobre
13.	Anne	
16.	Bonaventure	
22.	Antoine	
28.	Guillaume	
30.	Joseph	
31.	Anne	

Nous avons reçu depuis Novembre 1827 jusqu'au 31 Octobre 1828, 92 Enfants, sur lesquels 52 sont morts.

La pension de 505 mois et demi de Nourrices, à £1 par mois,	£505	10	0
La pension de 40 Enfants dans l'Hôpital, sur le pied de £7 10s. par an,	308	5	0
2012 jours de pension pour 6 Insensés dans les loges, à 2s. par jour,	201	4	0
	<hr/>		
	£1014	19	0

Sr. M. MARG. LEMAIRE, Supre.
Sr. McMULLIN, Dépositaire.

Appendice
(H.)
4 Decr.

REPORT.

THE SELECT COMMITTEE appointed to inquire into the state of the Civil Government of *Canada*, as established by the Act 31 Geo. III. and to report their Observations thereupon to The House; and to whom several PETITIONS for an alteration in the present Government were referred;—HAVE examined the Matters to them referred, and agreed to the following REPORT:

YOUR Committee began their investigation into the State of the Civil Government of *Canada*, by examining the several Petitions from the Inhabitants of the two Provinces, which had been referred to them by the House. The Petitions from the Townships of the Lower Province, signed by above 10,000 persons, complain of the want of Courts within their own limits, and of the administration of French Law in the French Language; that they are without Representation in the House of Assembly in Lower-Canada, and that Emigrants of British origin have been deterred from settling in the Province; and, finally, they pray that a Legislative Union may take place between Upper and Lower-Canada.

Your Committee then proceeded to examine the Petition signed by about 87,000 Inhabitants of Lower-Canada, resident within the Seigneuries, who complain of arbitrary conduct on the part of the Governor of the Province; of his having applied public money without legal appropriation; of violent prerogatives and dissolutions of the Provincial Parliament; and of his having prevented the passing of many useful Acts, which they enumerate. They complain also, that a Receiver-General had been maintained in the exercise of his functions for some years after his insolvency was known to the Government; that similar abuses had prevailed with respect to the office of Sheriff. And it is further stated, that the rights of the Petitioners had been injured by Acts of the Imperial Parliament, particularly by the Canada Trade Act, and the Act passed in the sixth year of His Majesty's Reign, c. 59, affecting the Tenures of Land.

For a further knowledge of the grievances complained of, your Committee beg leave to refer to the Petitions which will be found in the Appendix.

Before your Committee proceed to explain or to discuss these important subjects, they think it their duty to state, that Petitions from the Province of Upper-Canada were also referred to their consideration; the prayer of which Petitions is, that the proceeds arising from the sale of certain Lands, set apart for a Protestant Clergy, may not be applied solely to the use of the Clergy of the Church of England, (the adherents to which throughout the Province they state, in contradiction to the representations of Archdeacon Strachan, to be comparatively few in number), but that they may be applied to the maintenance of Protestant Clergymen of other denominations, and to the purposes of general education.

As these Petitions appear to comprehend the most material subjects that have of late agitated the Provinces of Upper and Lower-Canada, your Committee thought the best course they could pursue was to examine witnesses as to each Petition in succession; and in communicating to the House the information they have received, and the opinions they have been induced to form as to the Civil Government of *Canada*, they will treat of the different subjects, as much as possible, in the order in which they were investigated.

Your Committee proceeded to examine into the system of Law established in Lower-Canada, to which their attention was particularly drawn by the Petition from the Townships. Your Committee have examined evidence in great detail on this subject; from which they collect, that uncertainty has long existed on points of law relating to the Tenure of Real Property in that portion of the Province. It appears that shortly after the Cession of the Province, the King of England, in a Proclamation dated the 7th of October 1763, (which will be found in the Appendix), declared, amongst other things, that "all the Inhabitants of the Province, and all others resorting to it, might confide in His Royal protection for enjoying the benefit of the Laws of England;" and he announced that he had "given commands for the erection of Courts of Judicature, with an appeal to His Majesty in Council."

In the year 1774, the first Act of Parliament was passed, making provision for the better government of this part of the British dominions. By this Act the English Criminal Law was preserved. But it was enacted "that in all matters of controversy relating to property and civil rights, resort should be had to the Laws of *Canada* as the rule and decision of the same; and all causes that should thereafter be established in every Court of Justice, to be appointed within the Province, should, with respect to such property and rights, be determined agreeably to the said Laws and Customs of *Canada*." There is, however, one marked exception to this concession of the French Law, namely, "that it should not apply to Lands which had been or should be granted in Free and Common Socage."

After an interval of seventeen years, this Act was followed by the Constitutional Act of 1791. The provisions of this important Act have no bearing upon the subject under our consideration, excepting that it provides, with respect to Lower-Canada, that Lands shall be granted in Free and Common Socage, if so desired; and further, that such Grants shall be subject to such alteration as to the nature and consequences of Socage Tenure as may be made by the Provincial Legislature, and with His Majesty's approbation and assent; but no such alteration has been made.

On examining into the application of those provisions in the Province, it appears not only that doubts have existed as to the true interpretation of them, but that the general practice of the Colony has been to convey real property within the Townships according to the Canadian forms, and that it has descended and been subject to the incidents of that Law. In the year 1826 the British Parliament passed an Act, which put its own interpretation of these Statutes beyond the reach of further dispute. This Act, commonly called the Canada Tenure Act, declared that the Law of England was the rule by which real property within the Townships was to be hereafter regulated and administered. In offering any recommendations on points of so much difficulty and importance, Your Committee are fully aware of the disadvantages under which they labour, and of their inability, from their want of sufficient technical and local information, to enter for any useful purpose into minute and intricate details. They do not however decline to offer as their opinion, that it would be advantageous that the declaratory enactment in the Tenure Act, respecting Lands held in Free and Common Socage, should be retained; that mortgages should be special, and that in proceedings for the conveyance of Land, the simplest and least expensive forms of conveyance should be adopted, upon the principles of the Law of England, that form which prevails in Upper-Canada, being probably, under all circumstances, the best which could be selected; that a registration of deeds relating to Socage Lands should be established as in Upper-Canada.

Your Committee are further of opinion, that means should be found of bringing into effective operation the Clause in the Tenures Act which provides for the mutation of tenure, and they entertain no doubt of the inexpediency of retaining the seigneurial

rights of the Crown, in the hope of deriving a profit from them. The sacrifice on the part of the Crown would be trifling, and would bear no proportion to the benefit that would result to the Colony from such a concession.

In addition to these recommendations, it appears to be desirable that some competent jurisdiction should be established to try and decide causes arising out of this description of property, and that Circuit Courts should be instituted within the Townships for the same purpose.

The Committee cannot too strongly express their opinion, that the Canadians of French extraction should in no degree be disturbed in the peaceful enjoyment of their religion, laws and privileges, as secured to them by the British Acts of Parliament; and so far from requiring them to hold lands on the British Tenure, they think that when the lands in the Seigneuries are fully occupied, if the descendants of the original settlers shall still retain their preference to the tenure of *Fief et Seigneurie*, they see no objection to other portions of unoccupied lands in that Province being granted to them on that tenure, provided that such lands are apart from, and not intermixed with, the Townships.

Your Committee are now desirous of adverting to the Representative System of Lower Canada, with respect to which all parties seem to agree that some change should take place; to this branch of their enquiry they are desirous of recalling to the recollection of the House, that under the provisions of the Act of 1791, the division of the Province for the purpose of exercising the elective franchise, was entrusted to the Governor; and it appears that Sir Alured Clarke took the numerical amount of the population, as the sole basis on which his calculations were formed, and divided into counties as much land as was found to contain a given number of inhabitants; on the thickly-peopled banks of the Saint Lawrence a small district was found to suffice, while in the more distant parts vast territories were comprehended in one county, in order to obtain the required amount of population; thus it happens that the Counties of Kent, Surrey, Montreal, Leinster and Warwick, do not, altogether, equal in extent the single County of Buckinghamshire; the small Counties, too, are composed wholly of lands holden as Seigneuries. A Bill actually passed the Assembly, the object of which was to increase the number of the Representative Assembly. This Bill did not become a law; and it appears to have been founded upon the same principle, and to have involved the same error as the original arrangement by Sir Alured Clarke. It has been stated by one of the witnesses, that under the proposed division, a disproportionate increase would have been given to the Representatives from the Seigneuries.

In providing a representative system for the inhabitants of a country which is gradually comprehending within its limits newly peopled and extensive districts, great imperfections must necessarily arise from proceeding, in the first instance, on the basis of population only. In Upper-Canada, a representative system has been founded on the compound basis of Territory and Population. This principle we think might be advantageously adopted in Lower Canada.

One of the obstacles which is said greatly to impede the improvement of the Country, is the practice of making grants of land in large masses to individuals who had held official situations in the colony, and who have evaded the conditions in the grant by which they were bound to provide for its cultivation, and now wholly neglect it. Although powers have been lately acquired by the Government to estreat these lands, and although we think that under certain modifications this power may be advantageously used, we are nevertheless of opinion that a system should be adopted similar to that in Upper Canada, by the levy of a small annual duty on lands remaining unimproved and unoccupied contrary to the conditions of the grant.

It now becomes the duty of Your Committee to advert to the Petitions signed by the Inhabitants of the Seigneuries. On the important subjects contained in them, they thought it right to call for explanation from Mr. Neilson, Mr. Viger and Mr. Cuvillier, Members of the Assembly of Lower Canada, who had been deputed to this country for the purpose of seeking redress for the injuries complained of by the Petitioners.

From the testimony of these gentlemen they have learned, with the deepest regret, that the disputes which have arisen between the Government and the House of Assembly, originating (as they appear to have done) in doubts as to the right of appropriating and accounting for a considerable portion of the public revenues, have led to a state of confusion and difficulty in the administration of public affairs in that Colony, which calls for an early and decisive remedy.

With a view to understand accurately the grounds of this dispute, the Committee have carefully examined into the different sources of revenue arising in Lower Canada, and they have examined also the public documents which have enabled them to trace the successive steps which have been taken by the contending parties in these disputes. Your Committee beg leave to refer to the evidence of Mr. Neilson, and of Mr. Wilnot Horton, for a detailed account of the origin and progress of these differences.

Upon this important subject your Committee have felt that they should not do wisely in confining their views to a critical examination of the precise meaning of the words of the different Statutes. They look rather to the circumstances of Lower Canada, to the spirit of its Constitution, to the position and character of the local Government, and the powers, privileges and duties of the two branches of the Legislature. Although from the opinion given by the law Officers of the Crown, your Committee must conclude that the legal right of appropriating the revenues arising from the Act of 1774 is vested in the Crown, they are prepared to say that the real interests of the Provinces would be best promoted by placing the receipt and expenditure of the whole public revenue under the superintendance and control of the House of Assembly.

On the other hand your Committee, while recommending such a concession on the part of the Crown, are strongly impressed with the advantage of rendering the Governor, the Members of the Executive Council, and the Judges, independent of the annual votes of the House of Assembly for their respective salaries.

Your Committee are fully aware of the objections in principle which may be fairly raised against the practice of voting permanent salaries to Judges, who are removable of the pleasure of the Crown; but being convinced that it would be inexpedient that the Crown should be deprived of that power of removal, and having well considered the public inconvenience which might result from their being left in dependence upon an annual vote

vote of the Assembly, they have decided to make the recommendation, in their instance, of a permanent vote of salary.

Although your Committee are aware that the grant of permanent salaries has been recommended to a much greater number of persons connected with the Executive Government than they have included in their recommendation, they have no hesitation in expressing their opinion that it is unnecessary to include so large a number; and if the officers above enumerated are placed on the footing recommended, they are of opinion that all the revenues of the Province (except the territorial and hereditary revenues) should be placed under the control and direction of the Legislative Assembly.

Your Committee cannot close their observations on this branch of their inquiry without calling the attention of the House to the important circumstance, that in the progress of these disputes the local Government has thought it necessary through a long series of years, to have recourse to a measure, (which nothing but the most extreme necessity could justify) of annually appropriating, by its own authority, large sums of the money of the Province, amounting to no less a sum than £140,000 without the consent of the Representatives of the People, under whose control the appropriation of these sums is placed by the Constitution.

Your Committee cannot but express their deep regret that such a state of things should have been allowed to exist for so many years in a British Colony, without any communication or reference having been made to Parliament on the subject.

Upon the several points referred to your Committee, connected with the Office of Receiver General, of the Sheriffs, and of the Jesuits' Estate, your Committee proceeded to examine evidence upon each. The facts of the cases as regards the Receiver General, Mr. Caldwell, are detailed in Mr. Neilson's evidence. Mr. Caldwell was a defaulter in 1823 for £96,000 of the public money of the Province. Upon an examination of his accounts by the House of Assembly, no acquittal could be traced from the Treasury of a later date than 1814, though some balances were stated up to 1819; and it appeared by documents then produced, that the fact of his deficiency was known for a considerable time before he was suspended.

Your Committee recommend for the future, that steps should be taken, by efficient securities and by a regular audit of the accounts, to prevent the recurrence of similar losses and inconveniences to the Province.

As connected with this branch of the inquiry, your Committee recommend, that precautions of the same nature should be adopted with regard to the Sheriffs; as it appears that within a few years two instances of the insolvency of these officers have occurred while possessed, in virtue of their office, of large sums of money deposited in their hands.

With respect to the Estates which formerly belonged to the Jesuits, your Committee lament that they have not more full information; but it appears to them to be desirable that the proceeds should be applied to the purposes of general education.

One of the most important subjects to which their inquiries have been directed; has been the state of the Legislative Councils in both the Canadas, and the manner in which these Assemblies have answered the purposes for which they were instituted. Your Committee strongly recommend, that a more independent character should be given to these bodies; that the majority of their Members should not consist of persons holding offices at the pleasure of the Crown; and that any other measures that may tend to connect more intimately this branch of the Constitution with the interest of the Colonies, would be attended with the greatest advantage. With respect to the Judges, with the exception only of the Chief Justice, whose presence, on particular occasions, might be necessary, your Committee entertain no doubt that they had better not be involved in the political business of the House. Upon similar grounds it appears to your Committee, that it is not desirable that Judges should hold seats in the Executive Council.

Your Committee are desirous of recording the principle which, in their judgment, should be applied to any alterations in the Constitution of the Canadas, which were imparted to them under the formal Act of the British Legislature of 1791. That principle is to limit the alterations which it may be desirable to make by any future British Act, as far as possible, to such points as, from the relation between the Mother Country and the Canadas, can only be disposed of by the paramount authority of the British Legislature; and they are of opinion that all other changes should, if possible, be carried into effect by the local Legislatures themselves, in amicable communication with the local Government.

Upon the great question of the Union of the two Canadas, your Committee have received much evidence, to which they desire to call the attention of the House. With respect to the state of public feeling that appears to prevail in these Colonies on this momentous subject, your Committee are not prepared, under present circumstances, to recommend that measure.

Your Committee nevertheless think it highly desirable that some satisfactory arrangement, (and if possible one of a permanent nature,) should be effected between the two Canadas with regard to the imposition and distribution of the Customs collected in the St. Lawrence. They trust, however, when the heats which so unfortunately exist, shall have subsided, that such an arrangement may be amicably effected.

It now remains for us to lay before the House the result of our inquiries into the Clergy Reserves, which appear, by the statements of the Petitioners from Upper-Canada, to be the cause of much anxiety and dissatisfaction in that Province. By the Act of 1791 the Governor is directed to make, from and out of the Lands of the Crown within such Provinces, such allotment and appropriation of Lands for the support and maintenance of a Protestant Clergy within the same, as may bear a due proportion to the amount of such Lands within the same, as have at any time been granted by or under any authority of His Majesty. And it is further provided, that such Lands so allotted and appropriated shall be, as nearly as the circumstances and the nature of the case will admit, of the like quality as the Lands in respect of which the same are so allotted and appropriated; and shall be, as nearly as the same may be estimated at the time of making such grant, equal in value to the seventh part of the lands so granted.

The directions thus given have been strictly carried into effect, and the result is, that the separate portions of Land which have been thus reserved are scattered over the whole of the Districts already granted.

It was no doubt expected by the framers of this Act that, as the other six parts of the Land granted were improved and cultivated, the reserved part would produce a rent, and that out of the profits thus realized, an ample fund might be established for the maintenance of a Protestant Clergy. These anticipations, however, have not as yet been, and do not appear likely to be soon realized. Judging indeed, by all the information the Committee could obtain on this subject, they entertain no doubt that these reserved Lands, as they are at present distributed over the country, retard more than any other circumstance the improvement of the Colony, lying as they do in detached portions in each Township, and intervening between the occupations of actual settlers, who have no means of cutting roads through the woods and morasses which thus separate them from their neighbours. The allotment of those portions of reserved wilderness has, in fact, done much more to diminish the value of the six parts granted to these settlers, than the improvement of their allotments has done to increase the value of the reserve. This we think must be apparent from the results of the attempts which have been made to dispose of these Lands. A cor-

poration has been formed within the Province, consisting of the Clergy of the Church of England, who have been empowered to grant leases of those Lands for a term not exceeding 21 years. It appears that in the lower Province alone the total quantity of Clergy Reserves is 488,591 acres, of which 75,639 acres are granted on leases, the terms of which are, that for every lot of 200 acres, 8 bushels of wheat or 25s. per annum, shall be paid for the first 7 years; 16 bushels, or 50s. per annum, shall be paid for the next 7 years, and 24 bushels, or 75s. per annum, for the last 7 years. Under these circumstances, the nominal rent of the Clergy Reserves is £930 per annum. The actual receipt for the average of the last three years has been only £50 per annum. The great difference between the nominal and the net receipt is to be accounted for by the great difficulty of collecting rents, and by tenants absconding. We are informed also, that the resident Clergy act as local Agents in collecting the rents, that a sum of £175 had been deducted for the expenses of management, and that at the date of the last communication on this subject, £250 remained in the hands of the Receiver-General, being the gross produce of the whole revenue of an estate of 954,488 acres.

An attempt has been made to dispose of this estate by sale. The Canada Company, established by the Act 6th Geo. IV. cap. 75, agreed to purchase a large portion of these reserves at a price to be fixed by Commissioners; 3s. 6d. per acre was the price estimated, and at this sum an unwillingness was expressed on the part of the Church to dispose of the Lands.

The Government therefore have made arrangements with the Company, and an Act has since been passed authorizing the sale of these Lands to any person desiring to purchase them, provided the quantity sold does not exceed 100,000 acres each year.

As your Committee entertain no doubt that the reservation of these Lands in Mortmain is a serious obstacle to the improvement of the Colony, they think every proper exertion should be made to place them in the hands of persons who will perform upon them the duties of settlement, and bring them gradually into cultivation.

That their value, whatever it may be, must be applied to the maintenance of a Protestant Clergy, there can be no doubt. And your Committee regret that there is no prospect, as far as a present and a succeeding generation is concerned, of their produce being sufficient for that object, in a country where wholly unimproved land is granted in fee for almost nothing to persons willing to settle on it. It is hardly to be expected that with the exception of some favoured allotments, responsible tenants will be found who will hold on lease, or that purchasers of such Land will be found at more than a nominal price.

Your Committee, however, are happy to find that the principle of the progressive sale of these lands has already been sanctioned by an Act of the British Parliament. They cannot avoid recommending in the strongest manner the propriety of securing for the future any provision which may be deemed necessary for the religious wants of the community in those Provinces, by other means than by a reservation of one-seventh of the land, according to the enactment of the Act of 1791. They would also observe that equal objections exist to the reservation of that seventh, which in practice appears to be reserved for the benefit of the Crown; and doubtless the time must arrive when these reserved Lands will have acquired a considerable value from the circumstance of their being surrounded by settled districts, but that value will have been acquired at the expense of the real interest of this Province, and will operate to retard that course of general improvement, which is the true source of national wealth. Your Committee are of opinion therefore, that it may be well for the Government to consider whether these Lands cannot be permanently alienated, subject to some fixed moderate reserved payment, (either in money or in grain, as may be demanded,) to arise after the first 10 or 15 years of occupation. They are not prepared to do more than offer this suggestion, which appears to them to be worthy of more careful investigation than it is in their power to give to it; but in this, or in some such mode, they are fully persuaded the Lands thus reserved ought without delay to be permanently disposed of.

To a property at once so large and so unproductive, it appears that there are numerous claimants.

The Act of 1791 directs that the profits arising from this source shall be applied to a Protestant Clergy; doubts have arisen whether the Act requires the Government to confine them to the use of the Church of England only, or to allow the Church of Scotland to participate in them. The Law Officers of the Crown have given an opinion in favour of the Rights of the Church of Scotland to such participation, in which your Committee entirely concur; but the question has also been raised, whether the Clergy of every denomination of Christians, except Roman Catholics, may not be included; it is not for your Committee to express an opinion on the accuracy which the words of the Act legally convey. They entertain no doubt, however, that the intention of those persons who brought forward the measure in Parliament was to endow with Parsonage Houses and Glebe Lands, the Clergy of the Church of England, at the discretion of the local Government; but with respect to the distribution of the proceeds of the reserved Lands generally, they are of opinion that they sought to reserve to the Government the right to apply the money, if they so thought fit, to any Protestant Clergy.

The Committee see little reason to hope that the annual income to be derived from this source is likely, within any time to which they can look forward, to amount to a sufficient sum to provide for the Protestant Clergy of these Provinces; but they venture to press the early consideration of this subject on His Majesty's Government, with a view to an adjustment that they may be satisfactory to the Province; of the principle on which the proceeds from these Lands are hereafter to be applied, and in deciding on the just and prudent application of these funds, the Government will necessarily be influenced by the state of the population, as to religious opinions, at the period when the decision is to be taken. At present it is certain that the adherents of the Church of England constitute but a small minority in the Province of Upper-Canada. On the part of the Scotch Church, claims have been strongly urged on account of its establishment in the Empire, and from the numbers of its adherents in the Province. With regard to the other religious sects, the Committee have found much difficulty in ascertaining the exact numerical proportions which they bear one to the other; but the evidence has led them to believe, that neither the adherents of the Church of England nor those of the Church of Scotland form the most numerous religious body within the Province of Upper-Canada.

The attention of the Committee having been drawn to the establishment of the University of King's College, at York, in Upper-Canada, they thought it their duty to examine the Charter granted to that College; that Charter was granted under the Great Seal, and it is to be observed, that it does not impose on the Students an obligation to subscribe to the thirty nine Articles, which was done in the case of the other North American Colleges. Your Committee find it provided, amongst other arrangements for the conduct and government of this Institution, that the Archdeacon of York for the time being, shall, by virtue of his Office, at all times be President of the said College.

It is further ordained, that there shall be within the said College or Corporation, a Council, to be called and known by the name of the College Council, which shall consist of the Chancellor, the President, and of seven Professors in Arts and Faculties of the said College; and that such said Professors shall be members of the Established Church of England and Ireland, and shall, previously to their admission, sign and subscribe the thirty nine Articles of Religion. To this Council the whole government of the College is confided. Of the great advantage which the establishment of a College for the purposes of general education

education in Upper-Canada is likely to confer upon the Province, your Committee entertain the strongest conviction; they lament only that the Institution should be so constituted as materially to diminish the extent to which it might be useful.

It cannot, they think, be doubted, as the guidance and government of the College is to be vested in the hands of the members of the Church of England, that in the election of Professors, a preference would inevitably be shown to persons of that persuasion; and in a country where only a small proportion of the inhabitants adhere to that Church, a suspicion and jealousy of religious interference would necessarily be created.

For these and other reasons, the Committee are desirous of stating their opinion, that great benefit would accrue to the Province by changing the constitution of this body. They think that two Theological Professors should be established, one of the Church of England and another of the Church of Scotland, (whose lectures the respective candidates for holy orders should be required to attend) but that with respect to the President, Professors, and all others connected with the College, no religious test whatever should be required.

That in the selection of Professors no rule should be followed, and no other object sought than the nomination of the most learned and discreet persons, and that (with exception of the Theological Professors) they should be required to sign a declaration, that, as far as it was necessary for them to advert in their lectures to religious subjects, they would distinctly recognise the truth of the Christian Revelation, but would abstain altogether from inculcating particular doctrines.

Though your Committee have now disposed of the most important subjects of their enquiry, they are aware that on an examination of the petitions, and of the evidence many other matters will appear entitled to consideration.

The Committee think it necessary also to observe, that the evidence from Upper-Canada has not been equally ample and satisfactory with that which they have had the advantage of receiving from the Lower Provinces. Your Committee, however, are desirous of directing the attention of Government to the Sedition Act, (should it not be found to have expired,) the repeal of which appears to have been long the object of the efforts of the House of Assembly of Upper-Canada.

Your Committee also beg leave to call the particular attention of the Government to the mode in which Juries are composed in the Canadas, with a view to remedy any defects that may be found to exist in the present system.

Your Committee lament that the late period of the Session in which they were appointed has rendered a minute investigation into all parts of the subject submitted to their inquiry impossible. They believe too, that if the Legislative Assemblies, and the Executive Government of Canada, can be put on a right footing, that means will be found within the Province of remedying all minor grievances. They are disposed nevertheless to recommend that the prayer of the Lower Canadians for permission to appoint an agent in the same manner as agents are appointed by other colonies which possess local legislatures, should be granted, and that a similar privilege should be extended to Upper-Canada, if that Colony should desire it.

At an early period of their investigation, Your Committee perceived that their attention must be directed to two distinct branches of inquiry:—1st. To what degree the embarrassments and discontents which have long prevailed in the Canadas, had arisen from

defects in the system of laws and the constitutions established in these Colonies.—2nd. How far those evils were to be attributed to the manner in which the existing system has been administered.

Your Committee have clearly expressed their opinion that serious defects were to be found in that system, and have ventured to suggest several alterations that have appeared to them to be necessary or convenient. They also fully admit that from these, as well as from other circumstances, the task of Government in these Colonies, (and especially in the Lower Province,) has not been an easy one; but they feel it their duty to express their opinion that it is to the second of the causes alluded to that these embarrassments and discontents are in a great measure to be traced. They are most anxious to record their complete conviction that neither the suggestions they have presumed to make, nor any other improvements in the laws and constitutions of the Canadas, will be attended with the desired effect, unless an impartial, conciliatory and constitutional system of Government be observed in these loyal and important Colonies.

Your Committee had closed their Inquiry, and were proceeded to consider their Report, when it became their duty to enter into further evidence upon a Petition referred to them by the House, and signed by the Agents who had brought to this country the Petition of 87,000 Inhabitants of Lower-Canada, of which mention has been made in a former part of their Report.

This Petition, and the evidence by which it is supported, contain the most grave allegations against the administration of Lord Dalhousie since the period at which those Gentlemen left the Colony.

Those complaints consist chiefly of the dismissal of many officers of the militia for the constitutional exercise of their civil rights; of the sudden and extensive remodelling of the commission of the peace, to serve (as it is alleged) political purposes; of a vexatious system of prosecutions for libel at the instance of the Attorney-General, and of the harsh and unconstitutional spirit in which these prosecutions have been conducted.

Your Committee have hitherto felt that they should best and most usefully discharge their duty by studiously abstaining from commenting upon the official conduct of individuals; but it is impossible for them not to call the serious and immediate attention of His Majesty's Government to these allegations.

Your Committee also feel bound to urge upon His Majesty's Government, in the most especial manner, their opinion, that it is necessary that a strict and instant inquiry should take place into all the circumstances attending these prosecutions, with a view to giving such instructions upon them as shall be consistent with justice and policy.

Your Committee learn, with the greatest concern, that disputes have lately arisen in Upper-Canada between the local Government and the House of Assembly, which have led to the abrupt termination of the Session of the Legislature of that Colony.

22d July 1828.

MINUTES OF EVIDENCE.

Jovis. 8^o die Maij. 1828.

The Right Honourable
THOMAS FRANKLAND LEWIS,
IN THE CHAIR.

Samuel Gale, Esq. called in, and examined.

What acquaintance have you with Canada?—I have resided there almost from infancy. Are you a native of England?—I am not; I am a native of St. Augustine in East Florida. Have you held any public situations in Canada?—I have.

Be so good as to state what they are?—Chairman of the Quarter Sessions for the city and district of Montreal.

Describe the nature of that situation; by whom were you appointed?—The Governor-in-chief.

Is any salary annexed to it?—There is.

Have you ever held any other public situation in that country?—I think not. I was once indeed, by some communications not under seal, requested to act as a Commissioner relating to the boundary lines between Upper and Lower Canada; there had been some difference with respect to these boundary lines, and I was written to act as Commissioner.

Are you a proprietor in Canada?—I am; I have lands both in the seigneuries and in the townships.

Then you are acquainted with the division of Canada, with a view to the representation in the Lower House of Assembly?—I am.

Can you state what is the proportion of persons having a right to vote residing in the seigneuries, as compared with those who reside in the townships?—It would be impossible for me to answer that question. I can only state, that the condition which entitles persons to vote by the statute is being possessed, for their own use and benefit, of a dwelling-house and lot of ground in the town or township, of the yearly value of £3 sterling; or of being possessed of lands in freehold, or in fief, or in roture, of the yearly value of 40s. sterling, or upwards. How many individuals there may be of that description in the Province I can hardly take upon me to say.

What is the greatest number you have ever known polled at any election that has come under your observation?—That again is a matter to which I have very little attended, and could scarcely take upon me to answer; I believe there is a great difference in the number of electors in different places; in some places more than 3000 votes have been given; in other places, such as Sorel and Three-Rivers, only a few hundreds.

Is not the town at which the election is held in the counties generally within the seigneuries?—I do not know any instance where it is not in the seigneuries.

And near of course to the River St. Lawrence?—Generally near the River St. Lawrence; there are some of the places in the seigneuries that are more or less distant from the St. Lawrence.

Do the voters residing in the townships generally attend the elections?—They do not generally attend at the elections.

What prevents their attendance?—The distance at which they are from the places of election; the difficulty of communication from the bad state of the roads, which would require most of the inhabitants of the townships voting at the elections to take a journey of three days, going and returning; and very few indeed would feel inclined to take such a journey, when they would of course find such numbers of other voters present as would render whatever vote they might have to give perfectly unavailing.

What other voters?—Voters in the seigneuries; there are a variety of reasons why they would not travel from their residences in the townships to vote at the places of election; the expense is a very obvious one, the difficulty of communication is another, and the intility of the vote when given would be a third reason.

You have stated as one reason the bad state of the roads; is there any particular reason why roads are not made from the townships in the seigneuries to the towns where the elections are held?—The only cause why the roads are not better is, I believe, the inadequacy of the laws regarding communications; the laws were made so as to adapt themselves, I believe, to the making of roads in the seigneuries, where the lands are conceded in a particular mode; those laws, although they might perhaps answer with respect to the seigneuries (that is, answer better at any rate than they would with regard to the townships,) are quite insufficient with respect to the townships; they oblige every individual in the seigneuries to make a road along the front of his land. The land is generally divided into lots of three acres in front; the original object was, that each individual proprietor might have a front upon the river. The lots run back generally to the distance of about 30 acres or a mile, so that each individual proprietor of a lot in the seigneuries may have his road to make along a front of three acres, but in the townships the lots are laid out very differently, and there are reserves between the different lots; so that it must be perfectly evident, that laws obliging a person to make roads upon the front of their lands, could never answer to establish communications between one part of the country and another in the townships.

Have any attempts been made by the Legislature to improve the system of making roads in the townships?—There were nearly, I believe, 25 years passed without more than perhaps £1000 being given towards making roads; from the first period when the Constitution was established in 1791 to 1815, I believe that there was not more than £1000 laid out upon roads generally to make communications. In 1815 and in 1817, I believe, considerable sums of money were voted for the improvement of internal communications; since that period, for the last ten years, I think, there have not been more than about £3000 devoted to that purpose, or authorized to be so employed.

You say that the laws might do pretty well for the seigneuries; are good roads made under those laws in the seigneuries?—An Englishman certainly would consider them very bad.

Are they practicable roads?—They are practicable roads?

Is not there a system of road-making in the seigneuries, conducted under the system of law that prevails there by an officer appointed, called the grand voyer for the administration of the roads in the seigneuries?—The person who lays out the roads is the grand voyer; there is a grand voyer in each district.

Can any road be made without his authority?—Not legally established in the country.

Does his authority extend to the Townships?—It does.

How is he appointed?—Those officers are appointed by the Governor.

Has he the power of preserving the road when it is made?—There are persons, sous-voyers and others, appointed to superintend; the grand-voyer makes his proces verbal to establish the roads; this proces verbal is laid before the court of quarter sessions, and there it is either confirmed or rejected. However, it is generally confirmed, inasmuch as the court considers itself only entitled to reject when the forms of the law are not complied with; they consider that the grand-voyer is almost exclusively vested with the right of determining as to the expediency or inexpediency of the road.

When he has determined upon the expediency of forming a new road, in what manner are the funds obtained, first in the seigneuries, and secondly out of the seigneuries, in the townships?—The grand-voyer orders each individual proprietor to contribute so

many days work, or such a proportion of labour; (or to make bridges, when it shall be required to make bridges.) The individuals are pointed out in the proces verbal who are to be held liable to make and keep in repair the roads and bridges.

Are any funds assigned for the purpose?—No funds are assigned; it is done by the proprietors, who work in the proportions that he orders.

Both in the seigneuries and in the townships?—Both in the seigneuries and in the townships the work is done in the proportions ordered by the grand voyer.

Is that proportion according to the extent of the individual property through which the road is to go?—The grand voyer, doubtless, in the performance of his duty, endeavours to make each contribute to the road in proportion as he shall benefit from it.

Do you mean to say that the authority of the grand voyer is absolute over the proportion that each person is to contribute to the expense of the road?—It may be considered that much is left to his discretion.

Does he act under any law?—He acts under a law, but the law does not always point out what labour he shall oblige each individual to perform, further than that it shall be done as equitably as possible, in reference to the degree of benefit that the person shall receive from the road and his extent of ground.

Does this system of the grand voyers give satisfaction in the Province?—I believe that the system is satisfactory enough in the seigneuries, but it is not satisfactory, if I may judge from what I have heard, through the townships.

You say considerable sums of money were voted in 1816 and 1817; do you know the amount of those sums?—I believe, by reference to a paper, I shall be able to state that. It was between £8,000 and £9,000 in 1815 and about £55,000 in 1817.

Is it a system that occasions complaints on the part of the townships?—It does, undoubtedly.

To what purposes were the sums that were voted in certain years appropriated, and what rendered them necessary, inasmuch as it appears that the people themselves have to make the roads?—Their labour in various parts of the country would not have been sufficient, owing to the distance of the settlements, the length of the roads, and other causes. The assistance that the Legislature gave might, in a trilling degree, be intended to supply that deficiency. But the money I believe was chiefly expended upon roads in the seigneuries. It was injudiciously appropriated for local, rather than for general purposes, for towns and old settled places rather than for new settlements.

Why is this system satisfactory in the seigneuries, and not in the townships?—The power of the grand voyer, and the mode of obliging the proprietors to labour, was one that was better adapted to the seigneuries, owing to the mode of conceding the lands in the seigneuries, than it was in the townships, owing to the manner in which the township lands were laid out.

You mean that the proportion of labour pressed more heavily upon the townships, from their being of greater extent and width?—The proportion of labour undoubtedly did press heavier in that way, but it pressed heavier for other reasons; the roads, instead of going along the line of ranges in the townships were obliged to traverse the lots very frequently diagonally. There is this that may be said, however, the seigneuries are more commonly level; the roads therefore may be made in a given direction with more facility; and they follow the concession lines, which are straight lines generally, without much inconvenience. The face of the country in the townships is quite different; there it is diversified by lakes and mountains and falls, and it is not possible for a road to be made along the line of ranges. As far as my observation has extended, I do not know any township in which it would be practicable; therefore that system which would answer in a level country, where a road may be made without deviation, will not answer in a country which does not admit of roads being so made, and where the roads are to traverse either lengthways or diagonally the lots.

In point of fact, is the want of roads in the townships, and the wish to obtain a different mode of laying out roads and forming other communications, one of the grievances of the townships which have been brought before the Legislature, and not attended to?—I believe that it is one of those grievances. I have not attended to the Assembly myself, and can therefore only speak from information; but I understand it to be the case.

Have petitions ever been forwarded to Parliament upon the subject?—I believe so; I have been so informed.

By your answers it would seem that the roads in general run parallel with the river; is that so?—The roads along the river generally follow the course of the river, and the roads along the subsequent concessions generally run in a straight line.

In a line at right angles with the river?—Not at right angles with the river always.

Do you recollect any instance of an appeal from the decision of a grand voyer; how does he proceed?—As I said before, the grand voyer makes his order with respect to every new road; this order which is called a proces verbal, is presented to the court of Quarter Sessions confirmed, it is very often opposed in the court of Quarter Sessions, but it is almost universally confirmed there, notwithstanding any opposition made to it, unless there has been some defect of form. The law requires certain formalities to be observed, such as that upon a petition presented to him the grand voyer shall cause a notice to be given at the church door, after divine service, that he will come to the place, and requiring all persons interested in the road to give him their advice or opinion with respect to the making the road; if there should be any want of attention to these formalities, and some others required by law, then the court would reject the proces verbal, which would oblige the grand voyer to do it over again with those formalities; but if the objection raised by the party opposing should be as to the expediency and justice of the roads, and the apportionment, the court would rarely venture to dismiss on those accounts, because the grand voyer is considered the judge of those matters. Appeals have sometimes been made from the court of Quarter Sessions to the court of King's Bench, and the court of King's Bench have held the same doctrines as to the authority vested in the grand voyer.

Then the inhabitants of the townships consider themselves in no other way aggrieved by the present state of the law, with regard to roads in Lower Canada, than what necessarily arises from the inconvenient manner in which the English towsnhips are laid out?—I cannot say that those are the only complaints I have heard.

In what manner do the inhabitants of the English townships consider that they have been unfairly used by the Legislature with regard to the roads in Lower Canada?—They consider that the Legislature ought to have made provisions better adapted to the situation of the townships than the law which already exists. They also consider that it would have been perfectly fair for the Legislature to have caused money to be laid out in making these communications, and after they were made, in causing, while it should be necessary, some outlay to keep them out, till the inhabitants were enabled to do it.

Are the Committee to understand from what you have stated that it is more difficult to keep up good roads and good communications in the way in which the townships are laid out, than it is in the way in which the seigneuries are laid out?—It is far more difficult to get the roads originally made, as well as to keep them up.

You said that the Legislature, till 1817, had liberally provided for the roads of the province, and that since that time they have been inadequately provided for?—What I said was, that there had been no provision that I recollected, except about 1000, during the space of 25 years, from 1791 to 1815; then in 1815 and 1817 there were considerable sums, by an act of the Legislature, ordered to be employed in the improvement of internal communications; and since that period, I believe, there have been only about 3000, devoted to that purpose.

To what do you attribute the Legislature giving less since 1817 than it did before?—I do not recollect the causes that I have heard assigned for it at present.

Since the year 1817, have any Appropriation bills for roads been passed by either branch of the Legislature, which have not received the sanction of the other?—I cannot state whether there was or was not.

Did you consider the want of communication in the townships as one of the grievances you were to represent.—I did, certainly.

To what did you attribute that want of communication, and what were the suggestions you had to offer for the remedy of it?—Undoubtedly, one of the reasons to which the difficulties of communication, as well as many other difficulties under which the townships labour, I have generally heard ascribed to an indisposition on the part of the Provincial House of Assembly, to give encouragement to such settlements: that I have very often heard assigned as one of the reasons; it is by many believed to be a reason.

Have there been any proposals made in the Legislature to appropriate funds for the improvement of the internal communication in the townships since the year 1817?—There have; and I think that there may have been sums to the amount of about £3000 appropriated for roads, of which a part was directed to be employed in the townships.

Has the Governor, since the year 1817, ever called the attention of the Legislature to the necessity of improving the internal communications?—Yes, in his speeches or messages, I believe, frequently.

What notice has been taken of that recommendation?—As I said before, not being a member of the Legislature, I cannot take upon me to state; it is considered that the proceedings that ought to have been adopted in those particulars were neglected.

Will you state what proceedings you think ought to have been adopted?—I consider that the law ought to have been altered, so as to adapt it to the situation of the townships.

What law?—The law that now exists in the province regarding roads, namely, the Act of the 36th of Geo. the 3d.

Is that impression in the townships general among the English settlers, that if some principal lines of communication were made there would be great increased facility to the formation of settlements in those townships?—There cannot be any doubt of it.

Is it the impression that it is in order to prevent such settlements that difficulties are thrown in the way of forming such roads?—It is believed so by a great many.

You have stated other grievances which you were desirous to represent, bearing hard upon the British settlers in the townships; what are those grievances?—I might perhaps offer, as a more succinct mode of pointing them out, a petition that was drawn up and signed by upwards of 10,000 persons at the time that they prayed, in order to obtain relief from these difficulties, for the union. The petition that was drawn up by them contained what were considered generally amongst them as their grievances; it would be shorter, therefore, to read them from this petition than to state them in any other manner.

What is the date of that petition?—It was transmitted from the townships in 1823.

Do you conceive that that is a fair statement of what is generally complained of?—I do believe it to be a fair statement; it is entitled the petition from the inhabitants of British birth and descent in Durham, Stanbridge, and so on, enumerating a great number of them in Lower Canada.

[The witness delivered in a copy of the petition, which was read.]

With respect to what is there mentioned, I have only to state that I do not know any alteration in the condition of the townships, except only that there has been for a certain portion of their number a court established, which decides causes of a very limited amount; that however affects only a portion of the townships comprised in what is called the inferior district of St. Francis.

By whom has that court been established?—It was established by the Legislature. I believe that His Excellency recommended the establishment of a court there, and the Legislature established it; it is under a temporary act, however, which expires next year.

Under the Act of 1791, permission was given to any person who desired it, to have his property granted to him in free and common socage out of the seigneuries?—Yes.

Is it under that Act that the townships have arisen?—I consider that without that Act it would have been equally competent to the Government to have established the townships.

Is not all the land in the townships held in free and common socage?—It is; but I conceive that that was a tenure that was established from the very commencement of Canada becoming an English colony. In the year 1763, His Majesty's proclamation promised to all his subjects, both in England and in the Colonies, the benefit of the laws of England, if they would go to Canada.

At what time was land first granted in free and common socage in Canada?—I believe it was so granted in few years after the conquest.

Is all the land in the townships held in free and common socage?—All.

Will you describe the position of the land?—The seigneuries constitute a narrow tract of land on both sides of the river St. Lawrence, of varying breadth from ten to forty miles. In the rear of those seigneuries, in the province of Lower Canada, the townships have been granted since 1791.

Have the goodness to state, supposing the course of the river to be east and west, how far to the eastward or towards the mouth of the river the seigneuries extend?—They extend in a connected line to the Mal Bay River on the north side, and to De Peiras or Metis on the other side of the river. There are some detached seigneuries even beyond these on each side of the river.

And westward they extend to Upper Canada?—They do.

Are they continuous along the whole of that line?—They are continued from Metis on the one side, and from Mal Bay on the other side of the river St. Lawrence up a little above Montreal.

Without any interval?—Without any interval along the banks of the river.

To the west of Quebec, and in depth from the river to the American frontier, do the seigneuries extend the whole distance?—They do not.

Is the land immediately upon the American frontier in seigneurie or in township?—Generally in township, not universally.

Is there a line of seigneuries extending along the bank of the river Richelieu?—Yes.

Does that extend along the river Richelieu to the American frontier?—It does.

Does that cut off and separate the townships at the back of the seigneuries in the Lower Province from the Upper Province?—Those seigneuries do intervene between the townships and the Upper Province.

And they form a continued line up to the American frontier?—They do on the river Richelieu.

Will you direct your attention to that portion of territory which is on the west of the river Richelieu, and between the St. Lawrence and Upper Canada. Are there any townships in that district, or is it all occupied by seigneuries?—There are some townships.

Can you state at all what the breadth of the tract of seigneurie is on both sides of the river Richelieu, near the boundary of the province that divides the great tract of townships, on the south of the St. Lawrence and east of the Richelieu, from the townships south of the St. Lawrence and west of the Richelieu?—The breadth on both sides may be about six leagues.

The portion of land that is west immediately of the river Richelieu is called the county of Huntingdon, is it not?—There are three counties between the Richelieu and the St. Lawrence, Huntingdon, Kent and Surrey.

Do the townships in the county of Huntingdon join immediately upon the townships in Upper Canada, or do the seigneuries intervene there?—They would join immediately, but that the river St. Lawrence separates them.

But there is no seigneurie between?—None.

Is the whole southern bank of the river St. Lawrence, between the mouth of the river Richelieu and the point where Lower Canada meets the United States, in seigneuries?—It is not, the whole of it; there is the exception of the township of Godmanchester, on the Lake St. Francis.

The seigneuries then reach to the township of Godmanchester?—They do.

Can you state the probable number of inhabitants that at present occupy that district

of township which is situated to the east of the river Richelieu? They estimate themselves at 40,000.

Is the district of country that is occupied by townships all allotted, or is there any part of it still in the hands of Government?—I believe there are ungranted lands on that side of considerable extent.

Does the space of the townships greatly exceed the space of ground occupied as seigneuries?—Yes.

Is the soil of the townships very inferior in quality to that of the seigneuries?—I have seen many parts of it in which it was as good as any soil could possibly be. In general the face of the country is much more diversified: the seigneuries generally are a flat country; the townships have hills and lakes much more frequently than the seigneuries.

Is there any thing like a capital town in this district of townships?—There is not.

Are there any considerable villages in it?—There are several villages; I do not know that any of them would deserve the name of considerable; there is one however that is, I believe, as large as other villages in Canada; that is Stanstead.

Is there any considerable market town?—No.

Are there any seigneuries lying detached among the townships?—None.

Will you describe the state of the eastern boundary of the townships; how far do they extend to the east with reference to the River St. John?—They extend to the State of Maine; and where that commences is a controverted point.

What is the district of Gaspé, is that in township or seigneurie?—There are several townships, and some seigneuries there.

When the Lower Province was divided into counties, upon what principle was the division made?—It is natural to suppose that the division was made with a view to the then population.

Is the result of that division, that some of the counties consisting exclusively of seigneuries, are of very small dimensions, and that other counties consisting principally of townships are of very great extent?—Yes.

Name some of the counties of small extent consisting of seigneuries?—There are the county of Surrey and the county of Kent; the county of Buckingham, I suppose, is equal in extent to a dozen of both those counties.

Does the county of Buckingham return two members?—It returns only two members. There are some seigneuries in the county of Buckingham, but its principal extent consists of township lands. There is the county of Northumberland, which extends from the St. Lawrence to the Hudson's Bay territories, and is equal in extent to a kingdom.

Is not that an extent of wilderness?—It is at present chiefly so.

Not laid out in townships?—No.

Does the county of Kent, or the county of Surrey, though small in point of extent, possess a larger population at this moment than the county of Buckingham?—I take it that the county of Buckingham possesses a far larger population than either of those.

There was a census of the population taken in 1825. In what manner was it taken; in counties or districts?—It was the population of the counties, I believe.

Have you that document by you?—I have not.

Have you it in England?—I think I can get it.

If in the townships any individual has a suit at law, or any business at the county town, what facility has he of communicating it: are there direct roads to the county town?—We have no county courts there; the courts are all district courts.

Where are the district courts held?—At Montreal and Three Rivers, and Quebec.

Is there no court at all held in the counties?—We have no courts held in the counties; we had the country divided into counties for the purpose of sending representatives; it is the old division that was made in 1791.

Where is the place of election in each county?—It is a place appointed by the Legislature; I do not recollect the names of each.

Each county has a place of election within itself?—It has a place or places.

And they are all within the seigneurie?—They are, except perhaps at Gaspé.

Have any petitions been presented from the inhabitants of the townships to the Legislature to introduce in the townships British courts and British jurisdiction?—I believe there have many for the establishment of courts.

What reception have they met with?—I understand that they have been treated with neglect; that they have never been attended to at all except as to the temporary act for St. Francis.

Does it consist with your knowledge that applications have been made for the registration of freeholders and deeds?—Residing always at Montreal, and the Legislature being held at Quebec, it is difficult to say that it consists with my personal knowledge; but I understand and believe that that is the case, that applications have been made repeatedly to the Colonial Legislature for register offices.

Is there much inconvenience experienced from the want of registers in the townships? Very great indeed; it is considered as essential to the security of property, where a long chain of titles cannot be given (as is the case in a new country), that a person shall be able to ascertain whether he who was formerly proprietor of the land has disposed of it anteriorly or not, and whether he can give a good title.

Are there any civil courts in the townships other than those which are in the seigneuries formed under the French system?—None, except in the inferior district of St. Francis, which is a district comprising a certain number of townships, and established recently, since the signing of the petition that I produced.

Supposing an inhabitant of a township to sue another inhabitant upon a question of civil property, must he bring his action in the French courts?—He must bring his action in the French courts of law.

And sue and be sued in the French language?—The English language is generally made use of by the advocates or lawyers who are English; there is no law to prevent their setting forth their claim in English, and that I consider the legal language of the writs; but the law that is to determine the claim is French, generally speaking.

How does the French law apply to the land held in free and common socage?—At present it does not apply to the land held in free and common socage at all, that land is exempt from the operation of the French law.

Then by what law is it administered?—It could only be administered in conformity to the Imperial statutes under the English law.

By what courts?—It must be administered by the courts that now exist, or not be administered at all; it must be administered by the courts of Montreal, Quebec, and Three Rivers.

Are not the judges mostly English?—They are; there are however three Canadian judges.

Are the chief justices both or either of them Englishmen?—I believe that the chief justices of the province is from Massachusetts, and I believe the chief justice of Montreal is a Scotchman.

What law does he administer?—French, when that law has not been altered by British or Provincial enactment.

What is the law that applies to dower, to wills, and to all the transactions and relations that grow out of the transfer of property and its descent?—The French law exists in Lower Canada, except where the English law has been introduced in its stead; the English criminal law exists in Lower Canada and the French civil law; there have been some modifications of the French civil law under provincial statutes and ordinances.

In all questions relating to land held in free and common socage, must not those questions be decided in the English courts where the English law is administered?—We have none as contradistinguished from the courts where the French law is administered.

According to the nature of the suit is not the decision given according either to the French or to the English law?—Precisely; they are the same courts of King's Bench and the same judges. In the criminal courts the decision is given according to the English law; in the civil courts it is given according to the French law, except in so far as particular statutes have introduced the English law or altered the French law.

Are they the same individual judges that administer the French law with respect to those lands held according to the custom of Paris, and those lands held in free and common socage?—Precisely the same.

Are those gentlemen all English lawyers?—No.

Are they French lawyers?—Those judges are French lawyers. There are some French Canadians, but the majority of them are Englishmen; the law they chiefly administer, however, is the French law, that being the law of the country.

Is not the French law, the law of the country, applicable to all the lands and to all the occupiers of those lands in the English townships, although the system of seigneuries does not prevail as to the tenure of the lands; and what are marriage rights?—The British statute, called the Tenures Act, must have put that question at rest; and it is expressly declared in that statute, that the French law cannot apply to lands granted in free and common socage. Marriage establishes, unless there be some stipulation to the contrary by previous marriage contract, two rights, amongst others, one of which is called dower, and the other communauté. The dower differs in some measure from the English law of dower, as well as far as regards the quantum of land, as also far as regards the further disposition of the property; it consists of half the real property belonging to the husband, either of his own acquisition or otherwise, at the time he married, and also of half the real property that may come to him by inheritance during the time of the marriage. The dower belongs unalienably to the children of the marriage; the widow is only entitled to the fruits and the revenues of it during her life; and if there be no marriage contracts all property is subject either to dower or communauté.

Do you mean all property, both of Canadians and of settlers, in the townships?—No, I do not mean that all the settlers in the townships are liable to both those rights; but a portion of their property is liable to one of those rights, the right of communauté; at least it is so held by some; and these are points which it would be very desirable to have settled.

Does your observation extend to both real and personal property?—A dower is of real property only; a communauté consists of personal as well as real property.

Does it apply equally, as the case may be, under the like circumstances, to the English settler in the township, as it does to the Canadian in the seigneurie?—I think that the Canada Tenure Act has confirmed the exclusion of the French dower from the townships, inasmuch as the dower consists of real property; but with regard to the communauté, it is held by some that that exists in the townships, except where real property is concerned. The communauté is composed partly of personal and partly of real property; it is composed of all the personal property and the real property that is not liable to dower. The wife is entitled to one half the communauté, that is, one half of the entire personal property of the husband, and one half of the real property which he has acquired during his marriage.

Does this go to the heirs of the wife?—If the wife dies before the husband, the children I will be entitled to her share of the communauté; that is, to one half of it instantly upon her death, even although the husband acquired the whole of this communauté; and the consequence is, very frequently, lawsuits between parents and children; I have known very often children bringing suits against their parents.

Suppose the children die before the wife, upon the death of the wife does the property go to the heirs of the children or of the wife?—If there were grand-children living it would go to them; but supposing the wife to die without having had children, it would go to her heirs, although they were strangers to the husband; so that, supposing the wife dies, if there has been no previous marriage contract, her relations can claim from the husband one half of the fruits of his labour, although the wife might never have brought him any thing.

Would a previous marriage contract pleaded in the French courts bar the right of communauté?—Undoubtedly the right of communauté would be destroyed if there were a previous marriage contract setting it aside; but in order to make a previous marriage contract, it is necessary to have some idea of the law, and most Englishmen who come to that country know very little about that.

Even in the case where a marriage contract did not subsist, could the husband have power to alter that disposition by will, or does the power only apply to cases where the party has died intestate, and there has been no marriage contract?—I do not conceive that the husband would have a right to dispose of the communauté by will; he can spend it, or he can dispose of it while he lives, but not by will, as I conceive.

You have stated that it is undecided in the country whether this communauté does apply always to English settlers in the townships; has the question ever been brought before the courts?—I have no knowledge myself of its having been brought forward contradictorily. I do not know that any instance exists of its having been decided where the opposition was made upon the ground that the law did not apply. The courts, of course, if the objection be not taken, would make it apply; but I do not know that it has been objected to, and decided formally upon objection.

What is the appeal from the courts of Canada upon the French law?—The appeal is first to the Court of Appeals at Quebec, and next to the King in Council here.

Have there been appeals to the King in Council upon the construction of the French law in the seigneuries?—In some cases.

Martin, 13^o. die Maij, 1828.

Samuel Gale, Esq. again called in; and Examined.

WHEN you were last before the Committee you placed before them a Petition, numerously signed by the inhabitants of the townships in Lower Canada; it is stated in that petition, that "the townships are peopled by persons who inhabit lands granted under the British tenure of free and common socage, who have a Protestant Clergy, for whose maintenance a portion of those lands are set apart, and who, notwithstanding, are subject to French laws, of which they know nothing." According to the statute law which is in force in Canada, are not the persons who live in the townships subject to the English civil law, as well as the English criminal law?—I have heard some legal characters state that they consider the townships entitled to the English civil law in toto; I have heard others deny the position. The following are some of the alterations of the law in the colony; in the first instance, by His Majesty's proclamation, in the year 1763, it was declared that all his subjects resorting to Canada should be entitled to the benefit of the laws of his Realm of England; the statute of 1774 bestowed the French laws upon the seigneuries, but excepted from the operation of those laws the rest of the province granted or to be granted in socage, the tenure of the townships. The English laws were acted upon, as it has been stated, from 1763 to 1774; those who maintain that the English laws are now fully in force in the townships, found themselves upon the proclamation, the practice for eleven years after, and the exception in the statute of 1774.

What does the statute of 1774 provide in that respect?—After having introduced into the seigneuries the body of French law, which was assumed by the statute to be the establishment of a law not then existing in Canada, it declares that nothing in that Act shall extend or be construed to extend to lands granted or to be granted under the English tenure, that is, in free and common socage.

Is not it held distinctly to limit the operation of the French law to the seigneuries and the inhabitants thereof?—It is, by some legal characters.

Upon what grounds is it held by other persons that the French law has any effect upon the townships?—There are some who deny that the English laws, except the criminal, were ever legally introduced into Lower Canada, either antecedently to the statute of 1774, or by the provisions of that statute.

Do they deny that the statute of 1774, has any effect or power within the Canadas?—Their conclusion amounts to that, as far as regards the exceptions of that statute respecting the English civil law for the townships. They deny that the English laws in civil matters, as before mentioned, were legally introduced into Canada, and therefore they hold that the Act of 1774, in so far as it purports to introduce the French laws into the seigneuries, was a mere work of supererogation, since legally, according to them, the French laws were in force in the seigneuries before and until the Act of 1774; and as a consequence, they maintain that the exception in that Act, declaring that nothing contained therein shall extend or be construed to extend to lands in free and common socage can produce no effect, inasmuch as the French laws were then in force, instead of owing their existence to that Act. Had the Act established the English laws by words of positive enactment, instead of endeavouring to do so by words of exception, they admit that the English laws would be in force in the townships. It was from such legal subtlety that the townships were in danger of being deprived of the advantage of laws which Act intended to give them.

Is this denial a mere matter of common conversation, or do the Chambers, or the Legislative Assembly, go so far as to recognise this denial in their practice?—In some of the Acts passed in the Assembly, they appear to consider the French laws to be in force in the townships.

Do you mean Acts or Bills?—I mean Acts. There was an Act in 1823, which established a court with a small jurisdiction in a certain part of the townships, a jurisdiction to the amount of 20%, and in that Act there are expressions used whereby it would be concluded that the French laws were assumed to operate in the townships.

Where is that court held?—That court, I believe, is held in Sherbrooke.

Can you state any other Act from which it may be inferred that it is held by the members of the Assembly that the French law is in force in the townships, notwithstanding the Act of 1774?—I do not recollect at this moment any Act that has been passed, but I think there may be, and I believe that various bills which have passed the Assembly would show that such was their interpretation.

Can you refer to any thing else besides those Acts, from which it may be inferred that it is the opinion of the leading persons amongst the Canadians, that the provisions of the Act of 1774 are not of authority, and ought not to prevail in Lower Canada?—I do not at the moment recollect any thing further than the mere general opinions expressed in conversation by those gentlemen; they would hardly find fault with the provisions of that Act, where they confirmed or re-established French institutions; it is only where exceptions are made in favour of English civil institutions that the effect of the Act would be denied.

Can you mention any Act of this nature, and leading to this inference, which has been passed in Canada since the passing of the Tenures Act?—No, I do not recollect any passed since.

By the passing of the Tenures Act then, that question, so far as the Legislature of Canada is concerned, appears to have been set at rest?—No, that question has been set at rest only as far as regards real property by the Tenures Act.

In what year was the Tenures Act?—1826.

Are you aware whether there has been any decision in courts of justice upon the point whether the English law does or does not prevail in the townships?—I do not know that that point has been made a subject of litigious controversy; there may have been suits determined upon that principle; but if the question was not raised, no conclusion as to the settlement of the principle could be drawn from such determinations.

You are a lawyer?—I am.

In the interval between the Proclamation and the Act of 1774, was not Mr. Hay chief justice of the Province of Quebec?—I believe he was.

Can you state what the form of his commission was, with regard to administering the law according to the practice of the courts of England?—I do not recollect what his commission was, but I take for granted that it must have been in conformity to the proclamation, in which case it must have been to administer the laws as nearly as might be agreeably to the laws of England.

Can you state whether any cases with regard to property of any kind were so decided, either in the seigneuries or in the townships, under that proclamation? I have not seen any of the decisions of Mr. Hay which I at present recollect; reports were not published in Canada.

What do you know of any petitions which have been presented to the Assembly, praying that British courts of justice and British laws might be introduced into the townships? There have been several petitions presented; some sent to England, praying for English courts and English laws; and others to the Assembly, praying for courts, register offices, and for a representation.

Has any thing been done in consequence of those petitions praying for courts?—I do not know any thing further than that at a very recent period, in 1823, a court was established, with a small jurisdiction of 20% in personal cases, over a small portion of the townships.

What portion of the townships have access to this court?—I believe it is chiefly that portion of the townships situate within that part of the county of Buckingham which is the district of the Three-Rivers.

Is that court distinctly limited to that district?—It is; and the jurisdiction does not extend beyond 20%, nor beyond 10% without appeal; so that it is a trifling jurisdiction.

Who is appointed judge of it?—Mr. Fletcher.

Is he an English lawyer?—He is.

A native of Britain?—A native of Britain, as I understand; and I believe he was a practitioner at the bar in London.

Are the English laws administered in that court?—I have not been there, and as there are no reports of adjudged cases, I do not know; but I presume that his decisions in those personal cases are all under the French law, excepting in so far as it may have been modified by provincial statutes.

Did not the House of Assembly pass a bill, introducing the trial by jury in civil cases?—After several judicature bills had been previously passed by the Legislative Council, the Assembly passed a judicature bill, wherein trials by jury, of a new description, were indeed introduced, but wherein also trials by jury of a previous description were abolished;—a bill which, in my opinion, when I formerly looked into its enactments, might have been rightly considered as one that it would be impossible to sanction and proceed upon without injury to the country.

What was the nature of the injury apprehended?—It was not considered to be fit for the state of the province.

Do you know on what particular grounds that opinion was entertained?—I do not recollect exactly now; it is long since I have looked at it. The bill appeared to provide a cumbersome and difficult system. In some civil cases it established juries, indeed, whose members might be less qualified for their office, but in whom unanimity was required, instead of juries as now established, who might be better qualified, and of whom nine might return a verdict. Its operation would have excluded divers townships whose inhabitants belonged to the jurisdiction, and might have been parties to the suit, from furnishing jurors. It left untouched the main evil of the present system, in not forming a sufficient tribunal to give certainty and uniformity to the jurisprudence of the country, which, as it has not, as to French laws, the perpetual corrective of a body of living expounders in the parent state, must require more especially an able and permanent appellate tribunal in the country.

Have you the bill?—The bill is in my possession.

Then that was an approximation to the English law which passed in the House of Assembly, and was rejected by the Governor and the Legislative Council?—I do not know whether

whether it ever went before the Governor; but I believe it was not rejected upon the ground of its approximation to the English law.

Did the Legislative Council ever introduce or originate a bill purporting to be an amendment of this bill?—They passed, during several sessions, a bill for the establishment of a different judicature, since it is admitted, on all hands, that the judicature at present existing in Lower-Canada is in a very defective state. The first bills that were passed for the amendment of the judicature were passed during several successive years in the Legislative Council, as I understand.

Had that judicature bill brought in in the Assembly reference to the whole province, with one uniform operation, or had it reference to a distinct operation in the townships?—It had, I believe, reference to one uniform operation in the townships and in the seigneuries.

Can you furnish the Committee with copies of the bills to which you have alluded?—I will produce copies of some of them.

Are the contracts and legal instruments which are executed by the inhabitants of the townships, although living under the English law, and holding land in free and common socage, in English forms or in French forms?—I do not reside there, and I cannot state the practice there now.

What is the mode of conveyance?—The mode of conveyance I know frequently has been according to the French form. But I always considered that illegal, even before the Canada Tenure Act was passed in England, and therefore whenever I had any thing to do with conveyances I always used to have them executed in the English form.

What form?—Generally lease and release.

How could they apply the Canadian form of conveyance to the tenure in free and common socage?—They used to go to a notary just as they would do with respect to lands in the seigneuries, and get the notary to pass what is called an Act, and the notary would thereafter have to make a copy under his signature, which, if it had concerned lands in the seigneuries, would have been a sufficient deed, but I do not consider that it would have been a sufficient deed under the English laws.

Is there not one of the forms of tenure under the French laws, which is almost the same thing as free and common socage in effect?—I conceive not; there is one that is called *franc alev*, but that is of two kinds; *franc alev noble* and *franc alev roturier*; the *franc alev noble* is a kind of seignury, with many conditions and rights generally attached to seigneuries, and at the same time it would be, as well as the *franc alev roturier*, under all the liabilities to the French law in other particulars, such as dower and *communauté*, and notarial mortgages, which the lands in the seigneuries are subject to.

Do you consider that they do not resemble free and common socage?—No; they are subject to a variety of liabilities, being French tenures, to which such English tenure is not subject.

If an Englishman die in Quebec intestate, possessed only of personal property, according to what law would that property be distributed?—Of course, according to the French law, as to all Englishmen domiciled in the seigneuries; and if it were in the townships, it is maintained by a part of the inhabitants of Lower-Canada that there too it would be distributed under the French law; but it is held by another part of the subjects in Canada, that is the English, that it ought to be distributed according to the English laws.

Has not there been any decision of a court as to that question?—I do not know whether the particular question has been litigiously contested; there may have been decisions with respect to personal property in the townships, which decisions may have been rendered according to the French laws, but these were perhaps not decisions rendered when that particular question and that particular objection were raised before the court, so that these decisions would determine nothing.

In the case of an Englishman dying in Quebec possessed of personal property, would he have the power of disposing of it by will?—If he were not married, unquestionably.

Supposing he were married previously to coming to Quebec?—I should conceive that if a marriage took place out of Canada, all the liabilities consequent upon the marriage would be in conformity to the law of the place where the marriage was contracted; unless where the husband was previously established in Canada, and went to another country in order to get married, and returned to resume his residence in Canada; in that case I should suppose that the liabilities consequent upon the marriage would follow the laws of Canada.

Supposing that an individual emigrating from England to Quebec marries, when there, a lady who has also emigrated from England to Quebec, and both of them are possessed of personal property, according to the law in force there, would the husband, in the case of his death and no settlement being made, have the power of disposing of the property by will?—I believe there may be a difference of opinion upon that point; for my own part I should conceive, as the law now stands, that the husband in such case would not have a right to dispose of all his personal property; that he could not dispose of that part which belong to his wife, who is entitled to the *communauté*.

Will you state your reasons for that opinion?—During his life the husband can sell and dispose of the property constituting the *communauté*, but at his death the wife becomes invested with the exercise of her pre-existing right to one half of it; and although the law authorizes the husband, as master of the *communauté*, *inter vivos*, and using his wife's rights as well as his own, to dispose of all the property that belongs to the *communauté*, one would hardly construe that that authority would extend to the testamentary bequest of property that is considered to belong to another, and whose right of gestion over it commences the moment he dies. His will comes into operation only at his death; but upon the contingency which brings his will into operation, his wife would seem entitled to the exercise of her pre-existing right over half the *communauté*. It is, among others, for this reason, that the right of the wife being pre-existent, although called into exercise only at the same moment that the will of the husband comes into force, I conceive that he has no right to deprive her by will of her half of the *communauté*.

Is this distribution founded upon any part of the custom of Paris?—Upon the custom of Paris, that establishes the *communauté*. Where a wife died without making a will and left out children, one half of the husband's property, amounting to several thousand pounds, was claimed by the wife's relations from the husband, although the wife had brought him no money whatever.

Would the same results follow in the case of a person dying at any place within the townships, Quebec being within the seigneuries?—That would depend wholly upon the question whether the English or the French law is to be considered to exist in the townships with regard to personal property.

How is the fact?—I have already stated that the fact is by some considered doubtful. If the French law exists in the townships, there is no doubt that all that right of *communauté* and all its consequences would exist there. If the English laws be introduced in toto in the townships, instead of being confined simply to the lands, then this right of *communauté* does not exist there.

In the course of years has no person died intestate in the townships, so as to bring this question before the court for decision?—I dare say persons have often died intestate. I have stated, in answer to a previous question, that I do not know any case in which the precise exception has yet been urged in a court of justice.

Then, in point of fact, the French law has been allowed to take its course?—It has been often allowed to take its course; but I know many cases in which the parties have made an arrangement by agreement as to personal property.

Supposing a person possessed of real property within the seigneuries was to die intestate, what would happen then?—His real property would, if it were ignoble property, be equally divided among his children; if it were noble, that is, if it were a fief or seignury, it would not be divided quite equally, but the eldest son would have an extra portion; that is, he would have two thirds if there were only one child besides himself, and he would have one half if there were several children.

What power has a person over his real property to settle by will in both these cases?—It would depend in a good measure upon the precaution he had taken before he married.

Supposing he dies without being married?—If he dies without being married he may do as he likes with all his property, he may bequeath it all; but if he dies, being married, the right he has over his property depends upon his having taken the precaution previous to his marriage to establish his right by contract or not. If under the contract he has reserved to himself a perfect and entire control and disposal over all his property, in that case he has a right to bequeath it all by will. If he has not taken this step, either from want of prudence or from ignorance of the liabilities that his property would be under from not making the contract, then he cannot dispose of a very considerable portion of his property.

What proportion?—He could not dispose of that which would be liable to the dower, which would be one half of all the lands that he possessed at the time of his marriage, or that he might have succeeded to by inheritance, as well as some others.

What happens to the dower upon the death of the widow?—The dower then belongs to the children.

Supposing there are none?—Then, upon the death of the wife, it would go back again to the husband's relations.

Supposing a person to have complete control over his real property, what is the mode of conveyance in order to transfer it to another when it is sold?—The common practice is, to have an act of sale drawn by a notary, somewhat similar to our deeds-poll, stating the transaction and the consideration, this is signed by the parties, and remains for ever with the notary. There is no original deed, commonly given out to the parties when notarial instruments are passed, and the notary gives certified copies; these certified copies amount to proof in a court of justice; they are considered authentic instruments, which prove themselves, somewhat as the record of one of the courts of England would be deemed authentic in another of the courts of England.

Is that registered in any public office whatever to which persons can subsequently have access?—No; registers have been very much desired, because without them there is no possibility of knowing whether a man has not transferred his property a dozen times or a hundred times before.

Must all subsequent transactions with regard to the transfer of real property be carried on in the house of the same notary with whom the original transaction took place?—No, there are 250 notaries, or about that number, in the province of Lower-Canada, and a person may go to any one of those that he pleases, and each is bound to keep secret the transactions that pass before him.

How do you know the former state of the title of any property which you may wish to purchase?—There is no possibility of knowing it.

Do you borrow money upon mortgage?—There is a great deal of difficulty in doing so, seeing that persons can obtain no certainty that they have a secure lien upon the property. A man may go before a notary and mortgage his property; this mortgage may be a mere declaration before a notary, that a certain sum is due by the mortgagor to the mortgagee, and the same individual may go before each of the other 250 notaries in Lower-Canada, and mortgage his property in the same manner, and there is no possibility of knowing whether he has or has not given other mortgages previously.

Do your observations apply to land in the seigneuries only, or to land held in the townships also?—To land in the seigneuries now, because the Canada Tenure Act has exonerated the land in the townships from the operation of the French laws relating to mortgage.

Is there any specific process necessary in mortgaging?—It is simply necessary that the mortgagor should declare that he owes a specific sum, and mortgages his property, which will import all the property that he then has, or for ever after may acquire; the law attaches it to all the property, upon an Act containing that simple declaration, and signed by the parties before a notary.

Is it not the fact, that an individual may go to a notary and perfect a mortgage, and that the next day he may sell his property without the possibility of the mortgagee's attaining any knowledge of that fact?—Yes, but then I apprehend that the purchaser would suffer and not the mortgagee, because whoever is first in date is prior in right.

Must not that lead to a great many law suits?—An immense number of lawsuits and frauds. I have seen widows and orphans, whose money had been lent upon mortgage, deprived of their all. There is scarcely a term in any of the courts that passes without numbers of those frauds being brought to light.

Do you understand that this system with regard to mortgages is one that necessarily springs out of the establishment of the French law; do you understand that it prevails so in France, or does it depend upon local statutes?—All those laws under which the notarial mortgages are effected are derived from the custom of Paris, or through French institutions. In France, however, frauds of this description might not have been so frequently practised, because there was a criminal law that subjected those who thus imposed upon others to punishment. This criminal law has not existed in Lower-Canada since the acquisition of the country by the English, because the English criminal law was substituted in lieu of the French. But that provision of the French law was by no means adequate to prevent frauds; it might indeed after the commission of such offences punish the individuals who might be guilty of them, but the object that is particularly desirable is to prevent them altogether, which might be done by having registers.

Does the mode of conveyance you have mentioned apply to noble holdings?—To all lands in seignorial Canada.

In the House of Assembly has any member ever introduced a bill for the purpose of amending this state of the law within your knowledge?—Yes, a bill was introduced into the House of Assembly for the establishment of register offices. A bill was also introduced, and actually passed, in the Legislative Council for that purpose for the townships; but the bill that was introduced into the Assembly was, I believe, a general bill for the establishment of register offices, and this bill fell through in the Assembly.

Was it lost by a large majority?—I do not recollect by what majority; but I know that some of the reasons assigned for rejecting the bill, published in a speech as pronounced before the Assembly, were, that "the religious principles and the habits of the people were adverse to the practice of lending money upon interest;" and "that it would enable the few that had money to do injury to the many that were needy." And it was asked "whether it would not be better for the *riche avide* to lose a portion of his superfluity if he lent his money, than that the poor man should be expropriated." Those were some of the reasons that were published as assigned by a lawyer in the House of Assembly. I have the publication here.

Was it upon the failure of this bill in the House of Assembly that a bill for the same purpose, but confining its objects to the townships, was introduced into the Legislative Council?—No, I think that bill was introduced into the Legislative Council first, but am not certain.

Was that rejected by the House of Assembly?—They made no proceedings upon it at all, as I have understood.

Was it in consequence of the sudden dissolution of the Parliament, or from their coming to any matter that rendered it impossible to go on with the public business?—I do not know whether it was in consequence of the sudden prorogation of Parliament; but I believe there have been subsequent sessions in which the matter might have been taken up had it been thought fit. It was about a year ago that the Assembly rejected their own registry bill.

In what year was it that those bills passed the Legislative Council?—I think that the register bill was passed in the Legislative Council in 1826, but I am not quite certain whether it was in 1825 or 1826. It had been petitioned for, however, a number of times during several years.

Was it subsequently to the time when Sir Francis Burton was provisionally administering the Government?—I cannot recollect whether it was in that year or after. Is

Is it your opinion that the civil law of Lower Canada could be materially altered without extensively affecting existing interests in that Province?—I should conceive that the civil law might be altered without extensively affecting existing interests; the rights of those that possess them now might be by a clause in an Act preserved.

Does that mode of conveyance which you have described as existing in the seigneuries interfere at all with the transmission of real property?—It renders it always very uncertain and very insecure. And I have known a number of persons that have come from England to settle in Canada, who had brought money to purchase property, quit Lower Canada in consequence. I have known some with £1000, and others with more. It drives people out of the country; they cannot think of settling and laying out money in the purchase of land, where, after having possessed the land for a number of years, they may find an individual with a mortgage upon it, which divests them of their right.

What effect has it upon the interest of money lent upon mortgage?—It has this effect, that it is generally very difficult, and that there is often no such thing as getting it upon mortgage; and that keeps back the improvement of the country; because if money cannot be borrowed upon the credit of land, there must be a great deficiency of requisite capital to be employed in its improvement.

Are you aware of the existence of any estates which include lands in the seigneuries and also in the townships, belonging to the same individual, bordering upon each other?—There are several individuals who possess property both in the seigneuries and in the townships bordering upon each other.

According to what form does land pass from one person to another in the townships?—At present I believe none would transfer except under English forms. Heretofore, too, most prudent persons used to transfer under English forms, but it was customary among a good many to transfer under the French forms.

Is that practice pretty well established at present within the townships?—Not having been there lately, I cannot say from personal observation, but I have no doubt of it. It must be so, I think, inasmuch as no other transfer at present could be legal.

Does the practice of borrowing money upon mortgage prevail in the townships?—Doubtless a good many would be desirous to borrow money upon mortgage if they could obtain it; but as there are no register offices there, the inhabitants, even in the townships, although not subject to all the difficulties that seigniorial mortgages would occasion, must find it extremely difficult to borrow money upon mortgage.

If an individual purchases an estate within the townships, does the title that is made out for him show or profess to show the previous transfers that have taken place of that property, or does it show the original title of the property?—There are not the means of giving a long chain of titles to lands in the townships, such as would secure the purchaser in his property, or enable him to know that he was secure. In England a long chain of titles may be given, but in a country settled only yesterday, in which an individual may have received a grant of some thousand acres, of which he would transfer perhaps two hundred, or other small portion at a time, it is impossible that the old titles can go with the new; it is impossible that, unless there are register offices, it should be known that he has not previously transferred the same land to somebody else; and, for those and other reasons, they desire register offices in the townships, upon principles resembling those upon which they are generally established over the rest of America.

According to what forms is property distributed by will?—A will may be made now and before the Canada Tenures Act it might have been made according to the French or according to the English forms.

Which practice prevails?—I believe it is the general practice to make their wills according to the English form among the English inhabitants.

In the case of intestacy, is property in the townships distributed according to the English law; does the right of primogeniture prevail?—I conceive that it does, in landed property.

Does the right of dower prevail in the same form and to the same extent as in England?—Happily that right is now precisely the same in the townships as it is in England.

The Committee perceive in the petition that reference is made to a bill which the Legislative Council passed in the session of 1825, for the purpose of introducing into the townships the English law of dower and conveyance, and making innumerable special, and establishing public offices for the registration of all mutations of real property, and of all mortgages on the same. Was that bill thrown out by the Assembly?—It was not passed.

How far has the Canada Tenures Act passed by the Imperial Parliament supplied the provisions of that bill?—It has established all with the exception of the register.

With respect to the mode of borrowing money in the townships, do you deliver up the old titles when the conveyance is by lease and release, as is done in this country?—The titles are all new there. The titles sometimes include a vast deal more than the vendor parts with, and of course therefore he must keep his own titles to himself, he cannot part with them to one to whom he sells only one-tenth part of what he has.

Does not he covenant to produce the title-deeds?—He would have little objection to enter into a covenant of that kind, but that covenant amounts to no more than a warranty. It gives no security to the purchaser, provided the vendor has made a previous sale of it.

Are you not aware that the practice is in England every day, when large estates are sold, to enter into covenants for the production of the title-deeds, and that is no objection to any title in this country?—You have one security in this country that unfortunately could not be expected to exist in a new country, you have the character of the individuals possessed of large property, you have their great wealth as a security. There the sellers of land are often those that perhaps sell their all when they sell a small tract; at any rate there is a universal opinion which is acted upon, (and practice has proved it to be just), that without registration it is impossible to ascertain whether the title to land be good or not, or whether the encumbrances upon land are secure or not.

Since the passing of the Canada Tenures Act, has the question of the establishment of registration offices been again mooted in either house?—I believe it is since that period that it has been rejected in the Assembly.

Have the English population in Lower Canada any desire to disturb the routine of law, or to have the customs of the French Canadians in the seigneuries changed?—No. If the French Canadians be desirous to maintain the yoke of their ancient laws in the seigneuries, the English, I believe, would seek no alterations there, unless what might be necessary for the security of property, or consistent with the inclinations of the French Canadians. But it is hard to impose those French laws upon the remaining portion of the Province, when it is disagreeable, and must be disadvantageous to commerce, to improvement, and to the mass of the inhabitants of that portion; and would be a further violation of the pledges for the establishment of English laws solemnly given by the British Government to all its English subjects, in addition to the violation of those pledges which has already taken place by the Act of 1774, establishing French laws in the seigneuries.

Do you imagine that the feeling for the alteration of the law is universal on the part of the population in the English townships?—I do; there are some few deviations from the law and practice existing in this country, that of course they would be glad of; but those are modifications that could be made in Canada afterwards. But they would like to have the same foundation of law in the townships that they have throughout all the rest of America, except Lower Canada.

Would they rather borrow from the amended law of the United States than from the law of England?—They would rather borrow from the amended law of the United States, or rather from the amended law of the English provinces than from the law of England, because of course the amended law is merely an adaptation of the foundation of English law to the state of things existing in America.

Did not a bill to allow prisoners the benefit of counsel pass the House of Assembly, and was rejected by the Legislative Council?—I have heard of a bill of that description; but I did not pay much attention to it, and I can hardly say whether it passed in the Assembly, or whether it passed in the Legislative Council. I at this moment merely recollect having heard some observations concerning such a bill, and should think it consistent with justice

Amongst the persons who emigrate to the British Provinces in North America, is there not a decided preference shown to settling in Upper Canada rather than Lower Canada?—I believe that it may be said that a decided preference is shown by the majority of Englishmen and Scotchmen to settling every where rather than in Lower Canada; not only the British Provinces, but also the United States seem to be preferred to Lower Canada, in its present state.

Is not there a disposition manifested on the part of many persons, who are natives of the United States, to settle in Upper Canada?—I believe a good many people have gone from the United States to Upper Canada.

Has it happened that many persons who have come to Lower Canada, with the intention of settling in that Province, on their becoming acquainted with the state of things you describe, have given up that intention, and have crossed the border, and settled in the United States?—Great numbers. Upon the Journals of the House of Assembly will be found the following observation of the Land Committee:—"From May 1817 to the end of the year 1820, there arrived at the Port of Quebec 39,163 settlers; the great majority of them, intimidated by the length and rigour of the winter of this country, and unacquainted with the laws and language thereof, have ascended the St. Lawrence, and are now dispersed over the lands of Upper Canada and the United States, where they have found a more genial climate, their own language and institutions analogous to those to which they have been accustomed." That is an extract from a report of a Committee of the House of Assembly in Lower Canada. The winter, in many parts of Lower Canada, is not such as to deter settlers from establishing themselves there, as may be seen in other reports of the Assembly.

What object do you conceive the Committee had in making that report?—I would submit that the report should explain itself. I conceive it is pretty evident that the naked fact is given in such a way as to show no intention of taking any steps in the Legislative Assembly to lessen such of the inconveniences alluded to as it might be in their power to remedy, nor to encourage emigrants; and a want of encouragement in any other part of America would be considered disgraceful. That it appeared right to them to adhere to every thing that prevented emigrants from Britain, or from other parts of the British dominions, coming into the unsettled country.

Do you think that 100,000 persons is too great a calculation to make of the emigrants that probably would have settled in Lower Canada, if the laws had been other than they are?—I do not think it too great a calculation, since a great many more than that number have come out to Lower Canada.

From what nation were those emigrants?—From England, Scotland and Ireland.

Were any of them citizens of the United States?—Of those that are here spoken of, none. In point of fact, have not many of the citizens of the United States passed their own boundary, and established themselves in the province of Lower Canada?—Numbers of them have.

Are not many of the lands to the south of the St. Lawrence settled by citizens of the United States?—A great many. Upon the Act of 1791 being passed, proclamations were issued in Lower Canada, in conformity to instructions received from the Government here, inviting the American loyalists to come and settle in the townships of Lower Canada, promising them grants of lands, and giving them encouragement to settle there; and in consequence of this, numbers of old loyalists did come forward and make application for grants of land, and lands were granted to them; and those who now inhabit those lands are either those loyalists themselves, or their descendants, or the persons to whom they have sold them.

Do you mean to say that, after the separation of the two Provinces of Upper and Lower Canada in 1791, the object of which separation was to give the exclusive possession of the Lower Province to the French Canadians, and of the Upper Province to the English settlers, proposals were made to encourage the settling of Americans in Lower Canada?—I mean that those proclamations were made after the division of the Provinces of Upper and Lower Canada; and I mean to state, that it was not and could not be the object of the statute of 1791 to reserve the Province of Lower Canada to the French Canadians, inasmuch as that would have been doing for a French Colony more than Britain ever did for an English colony, and inasmuch as express provisions were made of reserves for the Protestant clergy, and other matters inconsistent with such an object; and as also it was expressly declared by Mr. Pitt to be "his intention to assimilate the Canadians to the language, the manners, the habits, and above all, to the laws and constitution of Great Britain." He stated this expressly in Parliament at the time that the bill of 1791 was under discussion in this country; and I am convinced that whatever nation, be it France or be it England, shall endeavour to establish or rear up a French nation in North America, will ultimately incur the lasting enmity, not only of that branch of the great English national family which now exists independently in North America, but also of our own colonies; since the latter would be ultimately exposed to as much injury from the existence of a French nation in North America as the United States would be.

What is the present practice, are the citizens of the United States in the habit of settling in the Province of Lower Canada?—They occasionally come in and make purchases of lands, but not in the same manner as it was anticipated at the time those proclamations were issued that they would have done.

Those proclamations offered them a specific encouragement, and now they would come in merely as purchasers or settlers upon the same terms as other people?—Yes.

In point of fact, do they now come in in considerable numbers?—I have not been resident in the townships for a considerable length of time, and I cannot say in what numbers they come, but many of them must be desirable settlers for a new country.

Are not the best settled townships those which run along the American border?—The most populous of the townships are those.

Do not they sell their produce, and get manufactures from the American side?—They do very frequently, and in fact they could not do otherwise unless they were to dispense with manufactures altogether; because there are scarcely any roads whereby they can communicate with the markets in Canada during the summer; and there are roads whereby they can communicate with the markets elsewhere, so that necessarily they are often obliged to get their supplies from America.

Is not the consequence of that, that they are supplied with American manufactures, or with English manufactures, which have paid duty to the American Government?—I dare say that that is the case frequently.

Are they not divided from the seigneuries by large tracts of uninhabited country?—The townships nearest the seigneuries are the least inhabited. I cannot say that the townships are divided from the seigneuries, because they extend to them; but that part of them that is near the seigneuries is generally uninhabited, and those at a distance are best inhabited.

Is not that the great difficulty that English settlers meet with, that the Government does not make roads across the unsettled districts?—That is one of the difficulties certainly.

In what manner do they wish the funds to be raised to make these roads?—There are various modes in which, I dare say, they would be satisfied that a fund should be raised. If there was a small tax imposed upon all lands that have been granted, whether now in the hands of absentees or others, (which I believe is the case in Upper Canada,) to be laid out in improving the roads, I believe it would be satisfactory.

Has that ever been proposed in the House of Assembly?—I believe not; I do not know however.

Do you think there is any party that would object to that?—I dare say there is.

Would not those persons be the principal opponents who hold those tracts of country which are not at present settled?—Some of them might very probably be amongst the number of the opponents, I cannot say that all would. Speaking for myself, who am an absentee and have lands there, I certainly should rejoice that a tax were imposed upon all the lands that I have towards roads, provided only a similar tax were imposed upon all other lands.

Would not such a measure operate better than the law of escheat which was passed in the Imperial Parliament?—I do not see that one of those laws ought to prevent the operation of the other; I think that both might exist with advantage at the same time, if upon proper and efficient principles.

Would

Would not such a law be more efficacious towards the improvement of the country?—I think it would be more efficacious towards the improvement of the country, if universally and impartially carried into effect, and as one absentee holding lands I should rejoice at any such tax for that purpose.

You have stated that it would be very desirable to levy a tax upon land generally for the purpose of making roads of communication; do you not consider that it would be highly desirable that the lands reserved to the Crown, and the reserves belonging to the Clergy, should be subject to the same necessity of contribution towards the roads in their immediate neighbourhood?—All that would be highly advantageous to the community, no doubt, whether it would be fair to the Crown is another matter.

Has not a small land-tax been imposed in the Upper Province upon lands and property of individuals left waste?—I believe there has.

Can you state what have been the results of that tax?—I cannot; I believe it has not been long in operation; but I have no doubt that if it had been imposed upon proper principles, so as to be fully and fairly executed, the result must have been highly advantageous, because it has been proved to be so throughout the rest of the continent of North America.

As far as you know, with respect to Upper Canada, have the Clergy and Crown reserves materially impeded the formations of great lines of communication?—I believe that those reserves have very much impeded the lines of communication, and it is inevitable.

The petitioners apply that courts of jurisdiction should be established in the townships for the administration of justice, in conformity to the laws of England; does not that involve the establishment of judges, and the whole system of English judicature?—I should suppose that to be their meaning.

In the case of any war breaking out between the United States and Great Britain, and an attack being made on Canada, is it not generally understood that the line of the Richelieu is the one by which Canada is most accessible, and that which it is most desirable to strengthen and secure?—I believe it has always been considered so; fortifications have been always made there. During the time of the French, the fortifications were made there, and they have continued to be made on that river ever since the acquisition of Canada by the English.

Is it not desirable, with the view to the defence of Canada, that the townships should be peopled and strengthened as much as possible?—I consider that the security of any country depends upon the arms and hearts of its inhabitants; and I conceive that the filling of a country with a loyal population is an infinitely better means of defence than all the money that could be expended upon fortifications in it.

Is not the line of the River Richelieu chiefly occupied by the seigneuries at present?—It is. Does not the district of the townships in Lower Canada lie between the American frontier and the line of the seigneuries on the St. Lawrence?—It does, on the south side of the river.

Although the immediate line of the River Richelieu is now occupied with seigneuries, in the case of any attack being made along that valley, would not Canada be rendered infinitely more secure, if the country at the back of the seigneuries, now held in townships, were filled with a powerful and active population?—I can only say, as I said before, that the arms and the hearts of a loyal people are the best defence of a country, and the greater their numbers the better.

Are you not of opinion, that an improvement of the law would lead to the colonization of that part of the country which, for the grounds stated, you consider desirable?—There is no question about it, it would be peopled with fourfold rapidity if that were done.

Are you acquainted with the district of country most contiguous to the United States?—Yes, I am.

Are not considerable numbers of the United States people, of the lower class, making encroachments on that district?—That part of the country now alluded to seems a part of the country in the district of Quebec, which I am not acquainted with.

The question alludes to the district of Montreal?—There is no dispute about boundary there.

Are not a pauper population from the United States making encroachments as squatters, on that district?—With respect to a pauper population, that can hardly be found in America; but there is a certain population that are called squatters, who are the pioneers of all improvement almost every where throughout America; some of those undoubtedly occasionally get into Lower Canada, but not to any extent; but it will be universally the case, that where lands are not taken and improved by those that have good titles to them, they will be taken up by squatters that have not good titles.

Is not therefore a desirable object to people these frontier tracts with acknowledged citizens of their own Province?—Undoubtedly, with persons acknowledged character or property or industry; it is certainly most desirable to people them.

Is not that system of intrusion by squatters constantly progressive?—I do not know that there are a greater number of squatters now in Canada than there were 10 years ago.

Do not they advance?—They generally precede the advancement of settlements; those squatters belong to the first class of pioneers, that are the first settlers in every new district.

Under the Act of 1791 was not the number of members in the House of Assembly fixed at 50, and in the Legislative Council at 15?—The House of Assembly is to be not less than 50, and the Legislative Council not less than 15.

Of what number does the Legislative Council now consist?—Of about 28.

Of what number does the Assembly now consist?—Fifty.

Has it remained at 50 since the proclamation of Sir Alured Clarke?—It has.

What number are there of country members, and what number represent cities and towns?—There are 39 Members from the 21 Counties; there are 11 Members from cities and towns; Montreal sends four, Quebec four, Three Rivers two, Sorel one.

Was there any provision made for the gradual alteration or increase of the number of members in the House of Assembly at the time the Act of 1791 was carried into effect?—No, there was nothing of that kind; nothing that fixed a progressive increase of the Legislature; if it be desired, I can state how that progressive increase would take place on the other side in the vicinity of Canada.

What provision has been made in Upper Canada for adapting gradually the numbers of representatives to the increase of extent, and the increase of inhabitants in the townships as they become gradually settled?—I have been told there are certain territorial divisions, some of pretty nearly similar extent, which when they attain a certain degree of population are entitled to send one member; and when they have a greater degree of population, they may send two, and not increase after that unless subdivided.

In what way has that been provided for; is it by an Act of the British Parliament?—By Act of the Provincial Parliament, as I understand.

Will you state as far as you can what provision is made in the United States for providing representatives for such barren countries as they become gradually inhabited?—In the state of Vermont, which adjoins Lower Canada, and by which Lower Canada is chiefly bounded upon the south, the country is divided into sections of equal extent, which

believe they call towns or townships; each one of those sections sends a representative, although the population of some may be ten times the number of that of others, and the object is (and it is well adapted for a new country) to allow those sections of country for which less has been previously done, and of which less has been previously ascertained, the means of sooner making their wants known in the Legislature, and sooner attaining equal ultimate improvement.

Is not the state of Vermont already very thickly settled in almost all parts of it?—No, it is not very thickly settled in almost all parts of it. There are some townships in which the settlers are not at all numerous; there are some, as I understand, which were inhabited chiefly by Scotchmen, who, when they settled in those townships, after they had remained there a twelvemonth were entitled to send representatives to the Assembly of the State; and were entitled, at the end of two years, to be representatives themselves. Such was the encouragement given to immigration there.

Generally speaking, would you call Vermont one of the parts of the Union the oldest settled?—It was not one of the thirteen States as they are called; it is one of the newer States.

Have the Assembly at any time shown a disposition or expressed a wish to make any change in the state of the representation of Lower Canada, or to increase their numbers?—They have; they have shown a disposition to alter the system of representation, as they said partly with a view to give a representation to the townships. The Assembly introduced a bill which the inhabitants of that country have since declared to be, as to them, a delusion and a mockery; although at first, when only generally informed that its object was to give them representatives, they had expressed their satisfaction.

What was it that the bill proposed?—It was a bill whereby the whole number of representatives was proposed to be increased, I cannot say exactly to what number, as I have not the bill by me, but I believe to about twenty or upwards. The whole of the members now are returned from the seigneuries, and of that additional number three fourths or four fifths were by this bill to be added to the members from the seigneuries.

Do you mean practically to the seigneuries, or that they were to be added to the counties that already return through the influence of the inhabitants of the seigneuries?—Practically, the great increase would have been returned by or through the influence of the seigneuries. There was a new division of the counties, the names of the former counties were altered in this bill, and French names substituted in lieu of the English ones that they now bear; under this division, perhaps, nearly 20 new members would have been added to the members from the seigneuries, which now send all to the House of Assembly, while only four or five would have been given in toto to the townships which now send none to the Assembly; those who send all would hardly seem to require an increase; and the consequence of such a division would, from what I have last stated, show that an Englishman or a Scotchman settling in a new township, in the State of Vermont, would have an infinitely greater proportionate right in the representation of that State after one year's residence, than an Englishman or a Scotchman settling in the new townships in Canada would have in the representation of that British Province if he were to remain there all his life.

Has not the House of Assembly twice passed bills to extend the representation on the principle of making population the standard whereby to regulate that extension?—That I believe was the original foundation, and I believe that there have been bills introduced upon that principle. When such bills are introduced in the United States, even upon the democratic principle of universal suffrage, which could not be justifiable in Canada, they always provide a corrective for any alteration that may take place in the population. They do not make the laws which give a representation proportionate to the population, rest permanently on the population at the time the Acts are passed, but they provide at the same time a census that shall be taken every three or four years, according to which the representation is to adapt itself, so that if there be any difference in the population of the respective districts within three or four years, there is a self corrective applied to the representation. That was not the case in this bill in Lower Canada, it was a bill nearly founded upon the state of the population in the present day, which might alter in a new country so as to be totally different in the space of four or five years, and no provision was made for any such alteration. Besides, even in several of the United States, the principle of universal suffrage is conceived to be rather too democratic in that democratic country, as appears from what I have stated to be the case in Vermont, where the representation is territorial or compounded of the territory and the population.

Have not what is called the French party in the House of Assembly declared their willingness to give up any advantage they may possess from the property being chiefly in their hands, and to proceed upon the principle of taking population as the basis of representation in that country?—With regard to property, I do not know nor believe that a larger or even so large a proportionate share of the landed property is in their hands; and I believe that the English only desire a territorial representation, that is, that certain extents of country should be laid out as counties, which is a practice sometimes followed even in the United States; that the counties should be as nearly equal as may be, and that when the counties have a certain proportion of population they should then send members, but not until they have a certain proportion of population.

Would not that have the effect of giving undue weight in the House of Assembly to newly peopled counties?—Not by any means an undue weight. It is considered right, as I have already stated, that those counties, of which previously less has been ascertained, and for which previously less has been done, should be enabled to make their wants known and attended to, and the circumstances that have occurred in Lower Canada show the necessity of it, because for a long series of years the inhabitants of the townships have been unavailingly endeavouring to procure redress of grievances from the House of Assembly; they employed some years ago an agent at Quebec for that purpose, as people might employ an agent to make representations to a distant country, but he could only solicit, without having an opportunity, of bringing any thing forward in the Legislature.

Do you conceive then that the inhabitants of the English townships ought to have a number of members in the House of Assembly, beyond the proportion that their population bears to the population in the French part of the country?—I do not think in a new country that to regulate the representation by the population is a mode that will most tend to advance it; the most beneficial mode, as it appears to me, must be one in which representatives may be brought as early as propriety will permit from new settlements, which stand more in need of legislation and help than the old.

Then you think a representation compounded of population and territory is the representation most suited to the wants of a new country?—I think it is the only representation suited to the wants of a new country.

With regard to what you have stated with respect to Vermont, are you aware how things stand in that respect in the other states of North America?—I am not aware how it is in general. I passed through Vermont in coming to this country, and in passing through I naturally inquired into the state of their representation, and I found it to be as I have mentioned. In Vermont they have as much reason to be jealous of allowing foreigners, who come into that country and reside only a couple of years, this territorial right in the representation, as an English colony could have any title to be jealous of allowing a representation to native British subjects.

Do you conceive that in any other State in the Union the newly and thinly settled parts of the State have given to them a larger share in the representation, in proportion to their population, than the older settled parts of that State?—I believe that is the case.

Can you mention any other instance of it?—I cannot state any instance positively. I have understood this to be the case, that in some of the States the counties are all laid out of equal extent, even before they are inhabited, and that the law establishes, that as soon as a county shall contain a certain number of inhabitants it shall be entitled to have a representative. If they, who allow in many of their States foreigners to become naturalized in one, two or three years, do not object to this mode of sending representatives, in an English colony it could hardly seem justly exceptionable, when the settlers in whose favour it is desired are either Englishmen or Scotchmen.

Is not that at present the law in Upper-Canada?—I dare say it is somewhat similar to that. In Upper-Canada they would probably have no strong objection to the division I am speaking of; and there could be little objection to it in Lower-Canada, except that which would arise from a wish to exclude English representatives. There may be these considerations to influence them in those countries where the sections that send representatives are laid out of a certain extent throughout; they consider that although at first the representation may be unequal in proportion to numbers, yet that this is a defect which every year is diminishing, and which is in some measure compensated by equality of territory, and that it is the mode that is best adapted to the progress of new settlements.

What is the size of the county of Orleans?—I believe it is not equal to a single township of 10 miles square in extent; it sends one representative.

What is the size of the county of Buckingham?—It contains a number of seigneuries, and I believe about 70 townships in addition to the seigneuries.

What number of members does that send to parliament?—It sends two.

What is the size of each of the townships?—I believe the general rule is 10 miles square.

Can you furnish the Committee with a copy of the census of the population to which reference was made in your former evidence?—I will deliver in a copy of it (*the witness delivered in the same*). I believe, as far as the townships are concerned, there is inaccuracy in that census; there could not have been the same facility in ascertaining the numbers of those that were dispersed over an immense extent of country, as there would be in ascertaining the numbers of those who live along the banks of the river, where it must be comparatively easy to make the enumeration.

If a system was applied to Lower-Canada similar to that which you describe to exist in Upper-Canada, and in the State of Vermont, namely, that of giving the power to send representatives from any townships that might hereafter be settled and inhabited, according to a compound scale of territory and population, is it likely that in that immense tract of country that lies to the north of the St. Lawrence, such a number of townships would hereafter be settled as to create an Assembly far too numerous?—I could not conceive that the Assembly would be more numerous in that way, (each county comprising several townships, and entitled to representation only when possessed of a certain population,) than when a certain measure was spoken of in the Parliament in this country some years ago, it was presumed that it would be: besides, if the present counties were to be diminished in extent, it could not be wrong to diminish the number of their members, which would allow some to be given to new counties, without, *pro tanto*, increasing the total number of representatives.

Do you refer to the Union?—Yes. There was, I believe, a recommendation to the Committee of the House of Assembly to take into consideration the propriety of authorizing the Governor to divide the townships into counties, giving six townships as a county, and of authorizing him to issue writs for the election of members.

When was that project submitted to the consideration of the Government?—It was in the year 1823, that instructions were given to a Committee of the House of Assembly to inquire whether it would not be expedient to empower the Governor from time to time to form new counties in the townships, each county to consist of six townships, I believe that those instructions were given to the Committee of the House, in consequence of a message from the Governor, as there had been a great variety of complaints from the townships that they were not represented.

Do you know whether the inhabitants of the townships exercise the elective franchise?—In general they certainly do not, because their distance is so great from the place of election; and besides, if they were to exercise the elective franchise with regard to one or two members only, it would be perfectly useless.

Do you conceive that that evil, of the distance which prevents their going up to vote, might be remedied under another system?—If that evil alone were remedied, it would not be worth the trouble of remedying it under the present system.

Is any portion of that district that is called Northumberland likely to be settled at an early period?—I have heard that there are several millions of acres of land that may be very fit for cultivation, and that flourishing and extensive settlements may be made there.

Can you speak of the district that lies between the river Saguenay and the Ottawa?—I cannot from personal knowledge. I have not travelled over that part of the country myself. I have understood that it is probable that the country may be settled and improved.

You were understood to state, that you had reason to suppose that the return of the English population in the townships is less than it should really be; have not you also reason to suppose that the Canadians were very shy of returning their numbers, for fear the Government were about to impose a poll-tax?—I never heard any thing of that kind that I recollect.

How are the English inhabitants distributed, are they distributed in such a way as in any one county to form a majority?—I believe that is not the case any where, unless in Gaspé.

You have stated that you are chairman of the quarter sessions?—I am, for the district of Montreal.

Was it by Lord Dalhousie that you were appointed?—It was.

What is the tenure of that situation?—I believe that all situations in Canada are held during pleasure. Since I am asked respecting the appointment, I may be allowed to state that I did not solicit the appointment; it was offered to me; when offered I declined it, but accepted it after the offer was renewed with urgency.

Is your salary paid out of the 14th of George 3, or out of the money appropriated by the Legislature?—I of course take it that this forms a part of the expense of the maintenance of the civil government, and the administration of justice. I take for granted that it is considered payable out of the permanently appropriated funds.

Are you at all acquainted with the establishments in Lower-Canada for education?—I believe there are four Romish Colleges or seminaries for the education of youth. There are also a number of corporations in each parish; by an Act of the Legislature in 1824, the fabrique, as it is called, of the parish forms a corporation entitled to receive donations and bequests, and acquire property in mortmain to a limited extent, for the advancement of education. These are the Roman Catholic parishes; the funds so received are to be at the disposal of the fabrique for the purposes of education.

Have any steps been yet taken in the application of those funds?—I do not know whether much funds have been realized as yet. There are no English colleges in Lower-Canada, but there has been an Act passed for the advancement of learning so long ago as 1801, under which a number of common schoolmasters are appointed.

Do you mean English schoolmasters?—I believe generally English. It is a language highly necessary to be taught in seigniorial Canada.

Who appoints them?—I believe the Governor appoints those schoolmasters.

What establishments are there for the education of the lower orders in the French part of Lower-Canada?—All those seminaries and colleges that I have been speaking of, besides numbers of the schools under the Act of 1801, and the schools that may be established under the Act with respect to the fabriques, making them corporations entitled to receive in mortmain.

Is there not a considerable property in Lower-Canada that, before the expulsion of the Jesuits in Lower-Canada, was possessed by them?—Yes.

When the Jesuits were expelled, did that property pass into the hands of the Government?—A decree of the Pope's annihilated the order. But I believe that the English Government always allowed the Jesuit missionaries to remain in possession until the death of the last of them; upon the death of the last of the order the Government of course took possession of the estates.

How has that property been applied since it was in possession of the Government?—The greater part of the net revenue arising from those estates has been employed, as I have understood, in the advancement of education.

Jouis, 15^o. Maij, 1828.

Eduard Ellice, Esq. called in; and Examined.

THE Committee understand you are a proprietor of land in Lower Canada?—I am a proprietor of land in both Upper and Lower Canada.

Do you hold land in the seigneuries of Lower Canada as well as in the townships?—In both.

In what part of Lower Canada is it situated?—I hold the last seignory bordering upon

Upper Canada, called Beauharnois; it lies about 18 miles above Montreal, on the southern bank of the River St. Lawrence.

Did you acquire it by purchase?—No, I inherited it.

Have you frequently been in the Province of Lower Canada?—I have been there twice. For any considerable time?—I was in Canada and the adjoining state of New York about a year each time.

Have you paid much attention to the administration of property and the state of the law there?—A good deal, being very much interested in it.

You are aware that by an Act that was called "The Canada Tenures Act" powers were given to transfer land held under the title of "Seignury" to that of free and common socage?—A clause was passed to that effect at my suggestion in the Canada Trade Act in 1822, and subsequently the Canada Tenures Act was passed in 1825.

Have you acted upon that?—I have endeavoured to act upon both, but the difficulties in the way of taking advantage of the provisions of either Act have been so great, that in utter despair of being able to obtain a mutation of tenure, I have, within the last year, directed the settlements to proceed upon the old system, although I conceive it was greatly to the disadvantage of the country and of the property itself.

Will you be so good as to describe what you mean by the word settlements?—Farms let to tenants of land not before occupied or brought into a state of cultivation. From my father's death, in 1804, till 1826, a period of 22 years, I gave directions to grant no new leases, expecting that at some future period the tenures would be changed; and, acting upon that principle, I have made a great sacrifice of income during that period. In the year 1826, after fruitless effort to obtain a change in the tenure, in the first place under the Act of 1822, and then under the Act of 1825, I directed my agents to proceed in conceding the lands upon the old tenure; and by a return I have of the concessions made in 1827, I find 228 new farms have been conceded to an equal number of tenants, containing a superficial quantity of nearly 20,000 acres of land, and for which I obtain a perpetual rent of about 500*l.* a year.

Will you be so good as to describe the character of the obstructions which have prevented the provisions of the Act, called "The Canada Tenures Act," from being carried into effect? Instructions were sent, as I understand, to the local government to carry into effect the provisions of the Act of 1822. The governor submitted those instructions to his executive council, who advised that a fine of one fifth of the value of the property for which a change of tenure was desired should be required as the condition of the concession of the rights of the Crown in such cases. Considering that to be more than five or six times the value of the exchange, I declined it. I then made an application to the Colonial Department, stating the little probability of any changes of tenure taking place while such terms were required, and that I did not know a single person in Lower Canada, except myself, at that time disposed to accept a change for nothing. In consequence of my representations, other instructions were sent, desiring the Government to offer a mutation at the lower fine of five per cent upon the value, and I might have been disposed, for the sake of showing an example to the country, to accept the change upon those terms, but my agent found so many other difficulties interposed by the local authorities, that all further attempts appeared hopeless; and he represented to me the little chance there was of any ultimate arrangement on the subject repaying the great sacrifices of rent I was making in the mean time, by deferring the settlement of the land.

Are you not aware of an Act which passed in the British Parliament in the year 1825 for the express object of facilitating a mutation of tenures?—I have already stated I was aware of it, and in consequence of that Act I desired my agent to renew the attempt, giving him instructions at the same time to proceed with settlements under the old tenure, if his endeavours were still fruitless, in consequence of which the new settlements in 1827 was made.

Can you state what reasons were given explaining the impossibility of carrying the Act into execution?—Without referring to the particular letters, I cannot say; but the impression upon my mind is, that my agent being very anxious to comply with my wishes of obtaining a change of tenure, wrote to me generally that it was utterly hopeless.

Do you conceive that the difficulty of changing the tenure since the passing of the Act of 1826 arose from any defect in the Act?—The difficulty of changing the tenure arose, in my opinion, from no defect either in the Act of 1822 or of 1825; it arose probably from a very general cause of difficulty in that country; a dread on the part of the local authorities to act upon their own responsibility, complaining of defective instructions from home; and this aggravated by perpetual reference backwards and forwards from the Government to the Colonial Secretary, in the hope that they might at last agree upon the means of executing the provisions of the law.

Are the Committee to understand that the powers of that Act of Parliament are not sufficiently clear to enable the governor to carry them into effect without any doubt as to authority from this side of the water?—In my apprehension, the provision in the Act of 1822 was sufficiently clear for a government that would have acted with any promptitude and energy, and would have felt interest in the object in view.

You have said that your application was referred to the consideration of the executive council; of whom does the executive council consist?—I have only said, I understood it was so referred. The council consist of the chief justice and other persons, whose duty it is, to advise the governor with respect to the administration of the country.

Are the executive council persons holding salaries as such?—I rather think they are but I am not certain.

Do you happen to know whether any attempt to change the tenure of land under that Act has been successful, although your own attempt has failed?—I am sure no other attempt has been made. In suggesting the provision for the voluntary exchange of tenures in 1822, I intended to show an example to the country, as largely interested in landed property, and I did not expect that at first, or until they were convinced of the advantages of a mutation of tenure, any great number of proprietors in Canada would follow my example.

In your view, would it be an advantageous proceeding to change the tenure of land held in the seigneuries which has been in a state of cultivation, as well as of land which has not?—Looking to the state of property and the improvement of the country from a change of tenure, my views at the time were principally directed to the two great cities of Montreal and Quebec, and to the property in the island of Montreal. The Crown or the Church, but now, I believe, the Crown solely, has the right of seigneurage over those two seigneuries, and of course has the power of conceding its rights upon any terms that might be supposed beneficial to the country. The chief obstacle to the improvement of Lower-Canada arises from the objections of British-born subjects to the investment of the large profits that have resulted to them from the trade of the country in real property, and the impediments to the circulation of capital so invested, by the provisions of the feudal tenures; and the heavy fines on every alienation. No house can be sold in Montreal or Quebec, or no farm in the island of Montreal, without paying a heavy fine; and to make the case worse, a doubt has hitherto existed as to the right of the seminary who held the seignory of Montreal to exact these fines; but no purchaser would accept a title unless the fine due by the previous purchaser had been voluntarily paid. The fine is 12*l.* per cent, but frequently modified by compromise. As the population of the island of Montreal consists of about 60,000 persons, and of Quebec of about 25,000, a large proportion of the whole population of Lower-Canada, and as there is a greater mass of capital in these two cities than in all the rest of Canada, it appeared to me a great object to endeavour to release the property from the shackles of the old tenures, so that capital might be invested in it, and be employed in its improvement, instead of being sent out of the country, as it invariably is now, for investment in England. I hoped that the Crown, having the power, would have consulted the obvious interest of the country by encouraging mutations of tenure on easy terms, and by degrees proprietors in other districts would have been convinced, by the increasing prosperity and improvement of the towns and the adjacent lands, of the advantages of a better system, and have been induced to promote a general change. I may add, that the depreciation of property in the towns has been frightful of late years, and I can see nothing in the present state of Canada likely to produce a different state of things, except by the removal of the existing impediments to the application of capital to the improvement of the country. I conceive that if

the tenures upon the island of Montreal were converted into free and common socage, and a registry was provided for the registration of titles and mortgages, that the improvement of that part of Canada, and its advance in wealth and population, would be as rapid as that which has taken place in any other part of America.

Was there any doubt that the Crown had the power to grant those mutations?—There was never any doubt that the Crown might have made an equitable arrangement with the seminary, to have given the Government power to act as they pleased with respect to the property in the seignery of Montreal.

Has any adjustment of this point taken place?—I understand that one has lately taken place.

Can you describe the nature of the claim of the Jesuits?—I understand the seignery of the island of Montreal was first granted to the seminary at Montreal for purposes connected with the Roman Catholic church, and education under its direction. Doubts subsequently arose, during the French Revolution, as to the rights of persons claiming to be successors to the original grantees; and of course if these rights were extinguished, the property would have reverted to the Crown.

When you alluded to a claim on the part of the clergy, did you allude to the Roman Catholic clergy or the Protestant?—The Roman Catholic; and I think it necessary to state, that when I talk of the claims of the Roman Catholic clergy in Canada, I do not believe a more liberal, benevolent, or charitable body of Christian ministers exist in any country, or one whose conduct and habits are more exemplary or praiseworthy; and I am persuaded they will be found at all times disposed to lend themselves, consistently with the interest of their religion and church, to every measure for the improvement and advantage of their country.

Is there any reason to suppose that it is a fear of the loss which the public property might suffer which induces the Government to hesitate in making those mutations?—It cannot be so. As the best answer to that question, however, I would recommend the Committee to desire a return of the revenue which the Crown has derived from all its property in Canada within the last 30 years.

Do you know, as matter of fact, whether any disputes have arisen with respect to titles to property in the island of Montreal, as between the Crown or the clergy, and individuals holding such property?—A few years ago, I think four or five, a person built a mill in the island of Montreal; and as the Committee are aware, among other rights of seigneurage, the *droit de moulture* is conspicuous. The seminary conceiving the erection of such a mill encroached upon their privileges, brought an action against the party building it, either for damages or to procure the removal of the mill. The proprietor defended the suit, and judgment was given against him by the Court of Montreal, before whom the case was tried. The proprietor appealed to the Court of Appeal at Quebec. On hearing the appeal, the French judges present all sustained the judgment of the court below; the English judges objected to it. No decision has yet been had, and the matter is still in abeyance, the proprietor remaining in possession of his mill.

Does the same sort of uncertainty prevail generally with respect to the tenure of property in the seigneuries, or is it that only a particular and isolated case?—I should say that the particular point on which this action turned was, whether the church could sue as a corporation. This, of course, would only affect property similarly situated.

Therefore, in cases in which an individual could sue, such uncertainty would not exist? I hold, that as seigneur myself, I could prevent not only any person building a mill, but any tenant taking his corn to be ground at any other than the seigneurial mill. A principal part of the seigneur's revenue is derived from the *droit de moulture*.

Can you state the proportion of real property in the great towns of Quebec and Montreal which is held by British persons, or by the Crown, as seigneur?—Either the Crown, or the Crown and the Church; hold the whole of Montreal and Quebec as seigneurs; no person has any superior right, except the Crown, in those towns.

Can you state what proportion is held by persons of British birth or origin, as contradistinguished from the French Canadians, as the immediate tenants of the Crown?—I cannot even guess; but I should rather be inclined to think that much the greatest quantity of real property was held by the French Canadians, the English inhabitants having objections to invest their property on such titles.

Can you point out any means by which the difficulties that now impede this change of tenure can be removed?—I was always of opinion that a detailed instruction transmitting the Act of 1822 to the Government of Canada, such instruction being founded upon the legal information of the chief law officers of the Crown in Canada, who were then accidentally in England, directing the Government forthwith to carry the provisions of that Act into execution, would have been sufficient; and I advised at the time of the framing a proclamation in this country to be transmitted to Canada, and there issued for that purpose.

You used the expression "detailed instruction," can you point out what provisions those details should contain?—Such provisions as the competent legal authorities who were then upon the spot might have advised to be sufficient to carry into effect the provisions of an Act which they themselves had framed.

Do you think it would be desirable that the Crown should make the mutations without taking any fine whatever?—On general principles, I think the Crown should make the mutation on such conditions as were most likely to be acceptable to the mass of persons holding property under the old tenure, and likely to encourage them in accepting the mutation.

Although you do not know, in point of fact, any other exact impediment which stands in the way of those mutations, can you, from your knowledge of the subject, imagine any which you think probably have impeded it?—I can conceive no others than I have stated.

What do you suppose to be the value of the Crown's interest in the property so proposed to be changed?—The Crown is entitled to one fifth of the value of all seigneuries disposed of by sale; but the magnitude of the fine is in itself a bar to frequent transfers of property. Upon the seignery which I have in Canada, one fine of about 900l. has been paid within the last forty years. There are also means of evading the fine, and the amount is in fact more nominal than real, as a compromise generally takes place before assize. The seigneur can concede his property, reserving the smallest possible nominal rent, so that the Crown's fine upon any disposal of that small reserved rent would be very trifling; but some general estimate of the whole value of those fines to the Crown in Canada, can be obtained by a return of their amount since the country has been in our possession. The right of the seigneur to a fine of one twelfth on every mutation is much more valuable, because the tenant has no power in any way to evade it. Mutations naturally take place of small tenements either by forced sale for division among families. The seigneur's fine also always increases with the increasing value of the improvements upon the property; so that in point of direct interest the title under which the seigneur holds his lands by the French law is more advantageous than it would be under the change of tenure. The land is let at a perpetual reserved rent; with other rights, such as the *droits de moulture, de retraite*, and fines on mutation; and which, taken together, return him a greater portion of his revenue than the rent; whereas, if he disposed of his land in free and common socage in a new country, he probably would not get much more than the rent he now receives, without the other sources of revenue.

Notwithstanding the value of those advantages, would you as seigneur have been willing to have suffered the mutation of land to have been made on your own property, and to have suffered persons to hold under you in free and common socage, although thereby you would have resigned your right?—Most undoubtedly I would; because it would have led to the introduction of greater capital; and to the improvement of the part of the property, which would have given me great advantages in the disposal of the remainder.

Can you give the Committee any idea of what that land which you have described as having let for 8d. an acre would have sold for in free and common socage?—I should suppose it would have sold from 15s. to a guinea an acre; I have, as I have described to the Committee, a great mass of land held in free and common socage immediately adjoining my seignery. Some difficulties had occurred with respect to the title of this property, which prevented me for many years attempting to settle it. Those difficulties I think, after 20 years application, have been removed by the Government of Quebec, and I am now en-

deavouring to settle this land upon the terms on which I proposed to settle the seignery if I had succeeded in obtaining a mutation of tenure; but what will still more strongly exemplify the advantages that would result to the country from a change of system, and more liberal institutions, is the fact that there is no difficulty in making sales of land, inferior in quality, and much worse situated with respect to means of communication and markets, in the adjoining part of the State of New-York, at at least double the price to that which can be procured in its immediate vicinity in Canada. I have with me a return of the sales of 10,000, part of between 40,000 and 50,000 acres, adjoining those lands in Canada, but fortunately on the other side of the line, averaging 30s. per acre, and the agent advises me this may be the average value of the whole of the remainder.

Was not the original right of the Crown as seigneur to one fifth.—It was.

You are understood to state, that when the Crown proposed to concede its rights as seigneur, it proposed to take five per cent?—It did by the last instruction.

The object being to induce the seigneur to release, on his part, the land from those circumstances of seigneurial tenure, are you of opinion that it would be right for the Crown to grant the seigneur a release at a less rate than five per cent?—I cannot exactly answer that question, further than by the illustration of my own case, that I was willing to pay five per cent; but I doubt very much whether I was not the only seigneur in Canada who would have accepted a mutation on such terms. The regulations, with respect to terms, I believe, were suggested by myself, and I only wished them, as I wish still, that they had formed part of the Act of Parliament, and not been left to the Government at home or in Canada, with whom the instructions have hitherto remained a dead letter.

Are you of opinion that if the Crown were disposed to make easier terms with the intermediate tenant, the tenant would be disposed to make easier terms with his sub-tenants?—I do not think it would make the least difference. The right of the seigneur, as I have already explained to the Committee, is of great value to him, and the value of right of the Crown is, practically speaking, nearly nominal; and if great encouragement is not given by the Crown, except in the cities of Montreal and Quebec, where persons may be desirous to invest capital for profitable employment, very few mutations would take place.

Are not the persons who hold under a seigneur entitled, by the 6th Geo. 4, to compel the seigneur to a mutation of title?—When I first suggested this alteration, it was with a view to the general improvement of the country; and the release of the rights of the Crown to the seigneur would conduce comparatively little to this end, unless the tenant had some power of emancipating himself from the shackles of his tenure. Much greater advantage would result from the general surrender of their feudal rights by the seigneur, than from any emancipation of particular seigneurs by the Crown.

Do you conceive that the great mass of the vassals in the seigneuries are desirous of any change in this respect, or not?—I conceive that a very small portion of the country population, for many years, would take advantage of the change, until they were convinced of the benefit their neighbours derived from being subject to no fines on mutations; and by their own experience of paying repeated fines, from which adjoining property was exempt.

Is not that principle of the French *Coutume de Paris* to discourage mutations in property as much as possible, the very principle that attaches the French population to the present state of law in that country?—That principle, so contrary to all the principles upon which the British Government have proceeded in the government of their other Colonies, has tended to retard the improvement of Lower Canada, while the improvement of other parts of America has been advancing with rapid strides; and although I should be as adverse as any one to deal forcibly with the prejudices and feelings of the Canadians, who certainly are attached to, and imagine themselves interested in, the preservation of their present system, still, as a matter of necessity, time will so deal with them, unless they can accommodate themselves to a gradual amelioration either under our Government or under some other.

Is there any thing in this Act that would do more than make it optional; would not the Canadians, if they like this tenure, be fully at liberty to continue under it?—I have already stated, that in suggesting this alteration originally, I was no party to any thing that could by any possibility be supposed compulsory; and that I should only propose now to deal with the Canadians by showing them the advantages to be derived under a better system, which prevailed among their neighbours.

Can you state whether the tenure upon which land is now held in the townships is liable to any objection?—There have been great doubts with respect to the titles to property held under British grants in Lower Canada, and with respect to the laws affecting them. Until the Canada Tenures Act of 1825, I do not believe any person holding real property in free and common socage in Canada knew very well by what law his property was regulated. Nor could I tell whether the property I held in free and common socage would have descended or been governed by the French civil law, or the law of England. All transactions relating to such property, with very few exceptions, have been conducted upon the principle of their having been governed by English law; but no decisions to my knowledge had taken place in any Court in Canada until the bill of 1825 set this question at rest. Doubts have also been expressed as to the rights and powers of the seigneurs, in leasing and disposing of their property under the French law, which are frequently made the subject of public discussion in times of excitement, but which have never been brought to any judicial decision. Some of the French lawyers state their doubts whether seigneurs who have been in possession ever since the English occupation of Canada, and who have varied and increased their rents according to the circumstances of the times, had any right to do so. They allege this property is held solely in trust for the settlement of it by the poorer class of people, and that an *Ordonnance du Roi*, published above a century ago, but which has never been acted upon in Canada, should now regulate all transactions between the seigneur and his tenant, and that the seigneur has no right to require or receive a higher rent than was then customary. The practice of the country has been entirely at variance with that rule; but in the later disputes that have occurred in Canada, some of my tenants were advised to resist the payment of this rent upon this ground: they did so resist, and my agent was obliged to proceed by law to compel the payment of the rent; but the proceedings were stopped in their progress by the submission of the tenants.

Did the declaratory clause in the Canada Tenures Act affect the rights of any considerable number of Canadians?—I do not see how it could affect their rights, as it never had been ascertained that lands in free and common socage were liable to the provisions of the French civil law; but certainly if they had been so liable, the younger branches of a family, or the mortgagee of a younger son's proportion in his father's property, would have been left by the provisions of that Act without any protection for his rights.

Were there many French Canadians, who by holding lands in the townships, were affected by that declaratory clause?—I should think very few; and I should have no objection, for a very small sum of money, to undertake myself to indemnify all persons who could have any complaint under this clause.

Are the Committee to understand that as the law now stands, lands in the townships could be conveyed fairly and securely according to the English forms of conveyance?—As I understand by the provisions of the Act, landed property in free and common socage would be regulated by the English laws affecting real property, with the exception of a very necessary alteration, that the land would be subject to simple contract debts; and further, that any land, the title of which might be changed from the feudal tenure to the free and common socage, would be governed in like manner; and that would have been a great temptation to me, and would be to all others, to obtain a mutation of tenure.

Under those circumstances could a person borrow money on mortgage on property in the townships?—I should think it would be exceedingly difficult to borrow money on property in the townships, until a court for the registration of titles is established, by which incumbrances upon real property could be ascertained. By the provisions of the French Civil Law every Act passed before a notary (and there are very few Acts relating to money arrangements in Canada that are not passed before a notary) are held to be hypothecary claims affecting the real estate of the parties, and it is impossible at

present law were passed to enforce the registry of all transfers of property in Canada, ought

ought it in your opinion to be confined to the townships, or to such lands as were held in free and common socage, or should it extend to the seigneuries?—There can be no doubt that for the security of the trading part of the community, and to induce capitalists to invest and advance their money on lands, it ought to extend generally to all property; and more particularly as it is impossible to conceive any injury that could result to the owners of property under the feudal tenure by having a record of the sales and the burthens affecting it. I would add, that in the state of New-York there are courts of record in every county, and that having had myself much experience and some trouble in tracing the titles to property in various quarters of that State, I have met with the greatest facilities by having recourse to the registers where the record of every mutation of a property is to be found.

You state that of late years a great depreciation of property has taken place in the towns of Quebec and Montreal?—There has.

What has been the cause of that depreciation?—I think, amongst others causes, the withdrawal of capital from the country, for investment in England, and some feeling of insecurity arising from the existing dissensions in the government, in addition to the obstacles I have already stated to investments in real property.

Do you attribute that to the disputes that have taken place in the country?—Certainly I attribute some part of it to those disputes.

Has not a great loss been sustained by the merchants that continue to reside in Canada?—Of course, great loss has been sustained by all holders of real property in the depreciation of that property; I am not aware of any other loss except the losses that have affected all His Majesty's subjects that have been trading within the last ten years.

Are you acquainted with the conditions on which the Government grants lands in the townships of Lower-Canada?—I am acquainted with the subject, as almost the greatest practical grievance of which the industrious population of Canada have to complain. These grants have been most inconsiderately and wantonly made in large masses to people connected with Government, without imposing upon them, or at least enforcing after they were imposed, adequate conditions for the settlement and cultivation of the lands; or without taxing them for the vast property of which they have got possession, and which lie idle and unimproved, to the great detriment of the country, and to the great nuisance of the inhabitants around.

To what extent has this taken place?—I am afraid in Upper and Lower-Canada it has taken place to so frightful an extent that the possession of a great part of the valuable and improvable land is in the hands of absentees, which might be otherwise now occupied by industrious and active settlers.

Has the land been granted in large masses?—In great masses. I think it would be very right for the Committee to require a return of all the grants that have taken place since General Prescott's time, at least since it has been the fashion for almost every counsellor or officer connected with the Government to get a grant of from 5,000 to 20,000 acres.

Is not the condition of escheating to the Crown all lands not improved, in a constant progress of operation?—I think it is the worst possible process as a remedy for the evil of these large grants; a much more simple remedy would be to follow the example of the State of New-York, in taxing uncultivated lands.

By whom were those grants made?—By the Government there, or by instructions from home.

Has that practice existed for a considerable length of time?—It has existed since land was supposed to be of any value in Canada. It was an easy mode, either of rewarding services, or satisfying jobbers.

Are you not aware that there were terms of settlement imposed in all those grants?—I am quite aware that in some cases, not in all, terms of settlement were imposed; but by some strange accident it happens that they never have been enforced, and the greatest portion of these lands is now in a state of wilderness, the proprietors in few instances applying capital to the improvement of them. Within the last two or three years the attention of the Public and the Government having been called to these abuses, a system of estreats has been resorted to, and it is understood that directions have been sent out to proceed to the forfeiture of all lands on which the duties of settlement have not been performed. The objection to this mode of proceeding is, that the conditions upon which the grants were originally made having been allowed to remain so long in abeyance, they have almost been forgotten by the proprietors; and if a rigorous system of Crown process is to be assisted upon, it will almost be productive of as great and serious a grievance in the country, as the neglect of the provisions for the improvement of the lands has hitherto been.

In what respect would it act as a grievance in the country?—Persons having influence either in the country or at home, (and there are many such who are grantees of this property,) would remonstrate against those proceedings, and according to the prevailing practice in such cases, relief would be given in some instances and none in others, and complaints would necessarily arise, from any apparent partiality, which might even be justified in particular cases. It would be impossible to confide the execution of so wide a discretion, with any hope of its being satisfactorily exercised by the local authorities.

Are many of those grantees who have so neglected to perform the conditions under which they have received the grants of land resident in Canada, or are they principally absentees?—I should think principally absentees; some Governors of the Colony; and many grants have been made as a remuneration for public services by the Government.

Are not those tracts of land, in many instances, in the best situations in the whole Colony?—They consist principally of the nearest lands to the seigneuries which had not been granted under the feudal tenure, and, of course, are in a situation to which access is more easy than to the more remote lands that have been granted to the actual settlers.

Have those grantees neglected the duties of settlement as well as those of cultivation, in making roads through their grants?—The greatest evil of all is that arising from the neglect of making roads. The still greater grievance of grants to the church, where no person is bound to make duties of settlement, remains to be stated; and the country remains impervious and impassable in consequence of the neglect of this very necessary improvement by all parties.

To what extent have any of those grants been made; what mass of land has been granted to any individual?—I should think in some cases to the extent of 20,000 or 30,000 acres.

Does great inconvenience result from the size alone of those grants?—Of course, the inconvenience is greater in proportion to the size.

Has a great number of such grants as those taken place within the last few years?—No; they granted so much of the valuable part of the country that the grants at distant places became of less value, and were less sought after; and I believe the eyes of Government were soon afterwards turned to the evil.

Are you aware whether the clause in the 6th Geo. 4, empowering the Government to escheat, has been put in operation?—I know, as a matter of fact, that I have been threatened with it, on some lands which my father bought, as adjoining his seigneurie, from soldiers, sergeants, and subaltern officers, to whom it was granted in small lots, in remuneration for their services, when they were disbanded at the close of the American war. Some objection was taken to the title of these people, which was removed after an incessant suit at Quebec for 14 or 15 years; and the moment I got a title that could enable me to settle the land, I was threatened with an escheat, which however I have prevented by doing that which I am quite disposed to do, providing for the settlement of the country.

Do you know whether escheats of land have taken place under that Act?—None, that I am aware of.

Can you suggest any mode by which this great evil might be remedied?—The only efficient remedy is by imposing a tax upon unoccupied lands, and by the Crown pro-

ceeding, upon the non-payment of the tax, to bring the lands to sale in execution for the taxes.

Is that the practice in the United-States?—Yes, constantly.

Does any power of imposing such a tax exist except in the Local Assembly of the province?—None, except we should be obliged to follow the precedent which we unfortunately have been driven to, of legislating in this country upon all occasions for the internal government of the Canadas.

Do you see any objection to the power of estreat, provided that notice is given to the parties that the law upon that subject is intended to be enforced?—The objections are innumerable; first, by unsettling titles; then, the difficulty of defining boundaries, and obtaining proof on which to ground your proceedings; and lastly, the expense, and probably vexatious execution of the law.

Do you see any objection to a principle being put into operation which shall make escheat contingent upon the continuation of the property in a state of non-settlement?—I am against placing in the hands of the law officers of the Crown in those colonies the means of legal vexation to any parties, where it can be avoided; and I think it can be avoided by a much more efficient remedy for this evil, which I have suggested.

Has any such remedy been suggested, either in the Council or in the Assembly?—I should think, not in the Council, inasmuch as the Council generally are proprietors of lands; and I do not know that it has in the Assembly.

Is not your own proposition much the same thing; is not it, in fact, an escheat under distress for non-payment of the tax?—I should say, there is this very obvious difference, that the seizure of property could only then take place on the failure of a condition, which is matter of actual fact within the cognizance of the parties; and the public proceeding by estreat can only take place upon the proof that the conditions of settlement have not been attended to, and parties may differ and will differ as to the intent and meaning of the obligation of settlement imposed upon them.

Are you not aware that the Crown has now the power to impose some conditions of settlement, inasmuch as the original conditions not having been satisfied, those lands are actually escheated?—I am not aware of any power that the Crown has of imposing new terms till they have actually estreated the lands, and brought them to sale under execution.

Would not a question of fact arise before you could impose the tax upon the uncultivated lands?—That would depend on the regulations of the law, but proprietors should be obliged to carry in certificates of the actual occupation of the lands into the County Tax Office, to exempt them from taxation.

Are you aware how that machinery works in the United-States?—Without the least difficulty.

Does it often happen that distress is levied upon the lands in the State of New-York, in order to enforce the payment of the tax?—It has happened to myself, that by the neglect of my agent the receiver of the county has actually taken possession of my land, and I know of no difficulty that ever has occurred in the State of New-York with respect either to the levying of the tax, or proceeding to the sale of land upon which the tax has not been paid.

Under what regulations is the tax imposed?—The tax is imposed upon all wild and unsettled lands by an Act of Legislature of the State of New-York; I am not in possession of the detailed regulations under which the tax is levied and collected, but I will endeavour to procure them for the Committee.

Supposing the case of a district of uncultivated land being granted to any individual, is there any time allowed to him for bringing his land into cultivation; does the tax take place forthwith, or is he entitled to hold it any certain number of years before he becomes liable to it?—If such period ever was granted, it has long since elapsed in the State of New-York, where they attend to the internal administration of their affairs with the greatest precision and regularity.

Do you purchase the land subject to the condition of the payment of such a tax?—By a reference to the register of every county you can always find out whether the tax has been paid, or to what period it is in arrear.

As you have stated, that in your opinion a tax upon uncultivated land is a much more efficient mode of bringing unsettled land into cultivation than any other process, what is your opinion of the probable fate of a bill that might be introduced into the Legislature of Lower-Canada for the express purpose of assimilating the law in that province to that of New-York?—After the experience of some years last past I should doubt the fate of any bill introduced by the Government into the Assembly of Lower-Canada, as at present constituted, for any purpose.

Why?—In consequence of the eternal squabbles between the Assembly and the executive power, and their jealousy and distrust of each other.

Independently of those squabbles, have you any reason to think that a bill brought in to effect this object would be liable to objection by individuals who compose the Assembly?—That depends very much upon the individual interest of the members, and whether they are considerable landowners; and with respect to the Legislative Council, the same difficulty might occur.

What would be the individual interests of an inhabitant possessing property in the seigneuries?—It depends upon the extent of unconceded property he possesses.

Is there such a mass of unconceded property in the seigneuries as to be likely to create an interest among the seigneurs, or persons holding land in them, to object to such a tax?—How far it would create such an interest I know not; but there is a great mass of unconceded land in the seigneuries; the seigneurs going in many instances six or eight leagues back from the river, and in very few instances being settled for more than one or two.

If this law of escheat was to be acted on to any extent, would it not make the future titles of land extremely doubtful and difficult, as to knowing where the law of escheat did arise, and where it did not arise?—In my opinion it would involve the whole country, and all the tenures of free and common socage land in endless confusion.

If a tax were to be adopted in the manner you describe in place of the law of escheat, would the same difficulties arise as to future titles?—Certainly not.

With regard to the difficulty which you conceive does not occur under the system of a tax upon wild lands, namely, the doubt whether the settlement duties have been performed, why is that more likely to arise under the system of escheats than under the other system?—It is much more likely. In the first place it is the interest of the crown lawyers in that province to make as much business as they can for themselves, and prosecutions of this description are not always under the control of other authorities.

Is not the point of what is to be considered a sufficient degree of cultivation, to excuse from such a tax as you propose, as difficult to prove as the fulfilment of the conditions of settlement?—Certainly not, at least there never has been any difficulty in the State of New-York, where it has been in practice ever since the independence of the country.

Are not the conditions of settlement very difficult; making a road of a certain width in front, and other conditions?—One person says, I have made a road and it is not kept up, it is grown over again. Another, I have settled such a man upon so many acres of land, who may have sold to another not yet established. Then how are you to prove that he has never been there? And then consider the distance of the townships from Quebec, and the difficulty of communication. The burthen and expense of proof is with the prosecution. How will you deal with the settler upon lands subject to escheat, who has purchased his lot? Is every part, or what part of the original grant subject to your process? And then the specific performance of your conditions might admit of different interpretations.

Would not the conditions in such a case be very various and very difficult to prove?—They would.

Would it not affect the land partially; would it not affect portions that remained uncultivated, leaving what was settled in the hands of the owner?—I think there is no end of the difficulty of the case, Although

Although there may be great difficulty with reference to proving the fact of past settlements, do you mean to state to the Committee, as your opinion, that it is difficult now with respect to new grants for the Government to impose such conditions as will do away with all obscurity as to the fact whether the lands are forfeited or not for non-completion of the condition of settlement?—The question has reference to new land, and not to any land that has been before granted, and I have stated no objection that I am aware of to new grants of land to actual settlers upon them.

Supposing the Crown, to-morrow, to grant 10,000 acres to any individual, are you not of opinion that it would be extremely easy to frame such conditions as would involve no obscurity when the question came to be considered whether he had fulfilled them or not?—The best condition is to grant to no individual 10,000 acres of land; but I do not see how by possibility you can impose such conditions, or that any person would be willing to accept them, inasmuch as if the proprietor of such land, under such a title, wanted to sell a portion of his estate, the purchaser would require to know whether he had performed the condition with respect to the rest of it.

Are you aware that this is the principle upon which certain conditions are imposed with respect to every grant that is now made by the Crown, in order to prevent a recurrence of the mischief complained of?—No grants, to my knowledge, to the extent stated in the previous question have been recently made, or no grants except to persons *bona fide* intending to settle upon them.

Do you consider that there is any objection in principle to the Crown making a grant of 10,000 acres to any individual who will apply sufficient capital to bring it into a state of cultivation?—Certainly not.

Is it likely that any individual would be able to apply a sufficient capital to bring 10,000 acres into cultivation?—I should be very sorry to do it.

If this measure of taxing unoccupied lands is most advantageous for the general settlement of the country, have you any doubt that such an Act would be adopted and passed by the Legislature of Canada?—Such an Act, to a certain extent, has been passed by the Legislature of Upper Canada, and I should conceive that if some conciliatory adjustment of the existing difficulties could take place, there would be little doubt that the Legislature of Canada generally would pass Acts which were obviously for the interest of the country.

Is there any difficulty which would prevent individuals who held those large masses of land from putting them up to sale in portions, and is there any difficulty in making a title, arising from the state of the country?—There is no difficulty in making a title from a clear grant from the Crown, if this new doctrine of estreat does not interfere with it; but so long as the Crown has not proceeded to estreat, I take it for granted any body would take a title subject to the conditions in the original grant. There is the other difficulty to all titles in Canada, the want of a registry, and the danger that the property may be affected, even without the knowledge of the seller, by some Act passed before a notary, to which he may have been a party.

Would it not be one of the best modes of remedying this evil to facilitate sales?—Sales of land in Lower Canada for money are very difficult. Another objection occurs to me to any immediate process of estreat, which is, that until the passing of the Act of 1825 the title to lands previously granted, and the question whether they were effected by the English or the French civil law, had not been settled; so that it was uncertain whether the children of an original grantee took in common, or whether the land fell to the eldest son as heir-at-law.

In point of fact, would you recommend, as the easiest mode of settling those difficulties with regard to the grants of land, that the Legislature of Canada should be induced to adopt some such provision as that which prevails in the United States?—Most assuredly; it would be not only the simplest but the most expedient and beneficial course.

Are you aware of any other course that could be adopted that would have a tendency to subdivide those grants, and to enable the present proprietors to transfer them into other hands upon any tenure, either of lease or freehold, to convey them to persons that would be likely to improve and cultivate them?—I take it that they cannot by law transfer upon any other tenure than an English tenure.

Could any means be adopted that would facilitate the transfer?—I know no difficulty that occurs now to the transfer except any difficulty that may be interposed from the causes I have stated.

Would not persons as willingly take grants of lands from individuals who had received large grants from the Government, as from the Government itself?—Undoubtedly they would, if satisfied with the title.

Are not the Government in the habit of daily granting portions of land to individuals in the unsettled parts of the country?—They are, certainly, in Upper Canada, and, I believe, in Lower Canada.

Do you not consider that the present state of the law in Lower Canada does practically obstruct the settlement of the country?—There can be no doubt that among other bars to the improvement of the country, the present state of the law, as affecting landed property, operates to a considerable extent, as I have already said; but I should say, beyond that, a feeling of restlessness, uncertainty, and insecurity, arising from the evident consequences of a system of mal-administration of the Government for the last 20 years; the disputes that have prevailed, and must continue and increase between the two provinces in their divided state, with respect to the power of regulating the trade, and levying duties on the St. Lawrence, and to the division of revenue; and the perpetual state of excitement and irritation in which the public mind is kept, have lately tended materially to check confidence and enterprise, and the application of capital to the improvement of property.

Do you consider that the executive Government are responsible in any degree for the difficulties that arise as to the division of the Custom duties between the two countries?—Certainly not. The unfortunate division of the provinces, the conflicting claims of their separate legislatures, and the questions before referred to respecting their rights of taxation, and regulating the revenues on the St. Lawrence, are not imputable to Government.

Are you of opinion that the French Canadians feel that according to their view of the interests of the province, the facilitating settlement would so far benefit the province as to make it probable that they would consent to any bill which would have for its natural effect the progressive settlement and improvement of the province by English settlers?—The great object of the French population and legislature is obviously to retain their separate institutions, their laws, their church, and their distinct condition from the people of America; but of course although much may be secured to them by mutual concession, all their objects can only be effected at the expense of the interest of the English population, and by the retardation of all improvement in the country. So far from blaming them for entertaining that separate view, probably if I was similarly situated I might feel disposed to cling to the same hope as long as there was any reasonable probability of being able to maintain it; but feeling that sooner or later they must form part of the great American and English family, any attempt to sacrifice the paramount interests of improvement and civilization of the country to their habits or prejudices, would not only be injurious to the rest of Canada, but hopeless as to its result.

Do you conceive that independently of any acrimonious feeling existing between the House of Assembly in Lower Canada, a great majority of which are French Canadians, and the executive government, they would be disposed to resist the introduction of a Bill for the purpose of taxing waste lands, inasmuch as the result of such a measure could only be to increase the English population of the country?—I am afraid they might be actuated by any motive which in their opinion could retard the settlement of the country by a new population.

Are you of opinion that that feeling has arisen from the manner in which they have been governed?—I am of opinion that it arises in some respect from that, but more from the reason I have stated before, that they wish to maintain their separate caste as long as they may be able.

Can you specify any particular bills that they have passed, or that they have refused to pass, from which you would infer that disposition on the part of the House of Assembly, or is it merely your general impression?—I understood they had refused to pass a bill for the voluntary mutation of tenures, and another for establishing registers; these are the only two

that occur to me at present, but I am certain there are many others; such bills were sent down by the Legislative Council to them, and they refused to pass them.

Was not their indisposition to pass those bills, in a great measure, founded upon their conceiving that the Government of England had interfered with a subject which more properly belonged to themselves and to the local Government of Canada?—The Government in England only interfered after they had refused to pass those bills.

Will you state to the Committee what other causes have, in your opinion, produced the present difficulties in Canada, and obstructed the settlement and general improvement of the province?—I conceive the great cause, as I have already stated, has been a long course of mismanagement, and a constant attempt to reconcile contradictory principles in the administration of affairs in that country. The unfortunate division of the provinces was followed by the establishment of an independent Legislature, placed in the hands of one class of subjects, without providing for any participation in their rights, by the English population, as they increased in numbers and importance. To this Legislature, right or wrong, you gave the most extensive powers and privileges, which have been apparently found in practice so inconvenient, that they have been invaded or resisted as often as any emergency or necessity required it. The rights of the Crown have been fastidiously insisted upon on one side, and inadmissible claims of power and privilege set up on the other. This has been going on nearly since the time of General Prescott's administration, and mutual jealousies and quarrels have increased, with some short intermissions, till the evil has grown to its present formidable size. I think the fair inference must be, that much has taken place to be regretted on both sides. Certainly the Canadians complain, with apparent reason, of some part of the conduct of Government; an English receiver is appointed, insufficient securities being taken in England; the Assembly suggest the regulation of his office, and subsequently, I understand, bills were sent up in the terms of a bill passed in other Colonies for this purpose; they are told this is an encroachment on the prerogative of the Crown, and their bills are rejected. The receiver had previously failed in debt to the Public about 100,000*l.*; and when they say, "as you made the appointment yourselves, took your securities in England, and rejected our advice, it is fair you should pay the defalcation, Government insist upon their laying fresh taxes on their constituents for it. In the same manner they allege they have sent up bills for the regulation of the office of sheriff, that these also were rejected, and two following sheriffs have failed; the one a defaulter of suitors money to the extent of 27,000*l.*; and another for a less amount. These are not theoretical, they are practical evils, and form just ground of complaint. In the midst of such disputes, differences between the provinces arose as to the division of revenue raised at Quebec. Attempts are made to settle them by arbitration. The Assembly at Quebec set up the most inadmissible pretensions, and the matter was referred for decision to this country. I must offer my testimony as to the unwillingness of Government in this instance to resort to Parliamentary interference if it could have been avoided; but when the only alternative left was the payment of the whole civil list of Upper Canada out of the English Exchequer, it became indispensable. The question then ensued what was the best course to pursue to prevent an eternal reference to the House of Commons on the subject of Canadian disputes? A legislative union was suggested, and Government was induced, by the promise of support in different quarters, to adopt that suggestion. It is unnecessary to enter into the history of its failure. It was, and is still, in my opinion, much to be lamented. When the Union Bill was withdrawn, another measure of a much more objectionable nature, the Canada Trade Bill, was introduced and passed in 1822. By this bill all taxes previously existing were enforced for five years, or, I believe, till the repeal of the Act; a tolerably strong measure, and which could not be very agreeable to the feelings of persons having such high notions of their rights as had been displayed by the Assembly at Quebec. As Government had determined on so large an exercise of the authority of Parliament, it is to be regretted their foresight did not carry them one step further, and that they did not take power in the bill to apply the taxes or the payment of the civil lists of the two provinces. The Assembly were then called together, in no good humour, to vote the application of taxes levied not only without their consent, but for purposes at direct variance with their declared votes and opinions. This did not tend to allay former differences; and from that time, (with one exception during the administration of Sir F. Burton, who prevailed upon them to vote the supplies for one year, by the concession of a principle for which they had been long contending, that they should vote annually the salaries of the judges and other civil officers, making them thus dependent on their power) the Assembly has only met to be prorogued or dissolved, with the expressed animadversion of the Governor on their proceedings, and without making any provision for the public service. The Governor was instructed to supply the want of an appropriation bill by his own warrants on the receivers, to whom the taxes are paid under the provisions of the Canada Trade Act, but it would be difficult to find out by what law such instructions are sanctioned. This has been the course of proceeding from 1822 to 1828, and it is much to be deplored Government should have persevered so long in measures which, however much they may plead the excuse of pressing emergency in the first instance, were illegal, and offensive to the rights and feelings of the people. If no remedy was obtainable in Canada, an appeal should have been sooner made to Parliament, and the sore should not have been allowed to fester till the English and the French population have been almost brought into collision, and a wider separation between them in opinion on all matters of internal government and legislation been rather encouraged than checked. Assembly after Assembly have been called together, in which the local authorities have wisely persevered in attempts to carry their measures by a minority at no time exceeding 10, and seldom half that number, in a body of 50 representatives. And the Committee must always recollect the continuance of these dissensions has inflamed trivial differences on immaterial points at first, into serious additional causes of difference and misunderstanding, which it is not easy now to foresee the means of allaying or removing. The increasing English population in Upper Canada have been of course attentive observers of what has been passing below. They have got into communion with the English people in Lower Canada on their claims and complaints, and the whole now act as one body, determined to look after their fair rights and just pretensions to share in the power of regulating the commerce of the St. Lawrence and in the taxation of the country. The Upper Legislature will never be contented while this power is exclusively exercised by the Lower, and this difficulty is only now beginning. They have been on better terms with their executive Government, but the Committee should also be informed of any points of difference that have arisen in the Upper Province. A foolish dispute was persevered in for four or five years about an Alien Bill. It was discovered by decisions in England, that many people who had exercised rights as British subjects in some instances for 30 years, and some of whom had actually sat in the House of Assembly, might be legally deemed aliens. A Bill was brought in to relieve them from disabilities or penalties, and to make adequate and expedient regulations for the future, adapted to the circumstances of a new country. A quarrel took place on the most trivial grounds, I believe about the expression in the reciting part of the Bill, and in this the Government persevered again, almost the unanimous feeling of the Assembly for one or two sessions, till at last Lord Goderich wisely put an end to it by sending out an instruction conceding any thing that was desired, in the most conciliating terms, and which it is impossible to conceive why any government should have delayed for one hour. There is another grievance I understand still existing, an Act of old standing, enabling the administration to send out of the country all persons against whom common information may be lodged of their being disaffected to the Government. The Assembly have naturally passed bills to repeal such an Act, possibly expedient under other circumstances; and the attorney-general has been directed to vote in a minority of one or two, I believe, in fact singly, on more occasions than one, against the sense of the Assembly, and the bills have been constantly rejected in the Council. There is no allegation that the Act has been carried into vexatious execution, or at all, except in one case, that of Mr. Gourlay; but the people say it is an imputation on their loyalty, and it is clearly liable to all the other objections they urge against it. I am afraid you must expect jealousy and opposition in the Assembly while you are so careful to keep up those feeling any insisting on such points. But the great source of difficulty in the Upper Province,

and the foundation of interminable dispute and serious difference, is the state of the church lands, and the idle pretensions of the leading ministers of the established church, and the exclusive claims of that church. As small a proportion of the people of Upper Canada are members of the church of England, as of the population of Ireland. The mischief of providing by enormous grants or reserves of land for the maintenance of an exclusive establishment is beginning to be felt in every direction, and unless they are arrested with a strong hand, and put down by some arrangement conciliatory to the wishes and feelings of the people, there can be no hope of peace or quiet. I should add, the same objections press to the clergy reserves, as they are called in Lower Canada, and the whole subject, as respects both provinces, cannot too soon or too decidedly be dealt with by Parliament. There is another subject that requires the anxious attention of the Committee, the present composition and the constitution of the Legislative Councils in both provinces; and on this head I may observe, it is much more easy to find objections than to provide remedies. The Council of Lower Canada, as at present constituted, contains a large proportion of the superior French proprietors. An objection has been taken to the judges being members, and on general principles that objection is well founded; salaried officers of the Government have been also objected to, as dependant on the executive authority; but then the question is, where are you to find in the present circumstances of the country councillors not liable to some such objections?—I do not believe many additions could be made from the French proprietors qualified by sufficient attainments and independence, and the trading part of the community are prevented, by the causes I have stated, from becoming permanently interested in real property. Otherwise the most intelligent and efficient members might be found among the merchants, and it is a curious and rather instructing fact, as connected with this case, that the French population have never had much share in the trade of the country.

Are there no resident English proprietors?—No English capitalist is induced to vest his property permanently in Lower Canada, although nearly the whole trade, and all the capital employed in it, and profits derived from it, are in the hands of the English inhabitants; and I should say, since the American revolution, there is scarcely an instance of any French Canadian occupying any considerable or permanent station in the commerce of the country. It would be therefore extremely difficult at present to remedy the defects, admitting them to be such, in the constitution and composition of the Councils. That it would be most desirable, if practicable, no person will doubt, who observes how little independence this body has at any time shown of the executive authorities.

Are the majority of them in office?—I think they are.

Sabbati, 17^o. die Maij. 1828.

Edward Ellice, Esquire, again called in; and examined.

Are you at all acquainted with the Courts in which justice is administered in Lower Canada?—I am acquainted a little with them, but it is a long time since I have been in the country.

Are they so arranged as that, in your opinion, the British law can be effectively administered in them; or are they principally adapted to the administration of the French law?—I should think that depends very much upon the qualifications of the judges. I have never heard of any complaint on this subject; and I know some of the judges, now on the bench in Canada, who are respectable and able men, and perfectly qualified in public opinion for the office they fill.

Do you mean qualified to administer the English law as well as the French?—It would be very difficult to say who are entirely qualified to administer the French law. If persons who have been educated, and have practised at the bar in Lower Canada, are not qualified to administer that law, I know not where they are to be found; the principles and practice in France having been essentially altered since the Revolution. The English judges are, I have said, qualified to administer the English law.

Do the judges principally consist of persons who have practised at the bar in Lower Canada?—I believe so, generally, in Lower Canada.

Are there frequent appeals to this country from the decisions in Lower Canada?—There are frequent appeals; and they are encouraged by the uncertainty which prevails with respect to decisions under the French law; there being no settled practice to refer to in Europe on the subject.

Do the inhabitants of the townships complain that the courts are so constituted that the English law, under which the inhabitants of the townships live, is not easily and effectively administered?—I am not aware of the particular complaints of those persons, but I can easily conceive, from the distance and difficulty of communication, great obstacles exist to the administration of the law in the townships.

Is it within your knowledge that a court with very limited jurisdiction has lately been established within the townships, held at the town of Sherbrooke, in which the English law alone is administered?—I have understood so.

Have you any reason to think that an enlargement of the powers of that court, or of any other court within the townships for the administration of English law, would be an improvement?—I am quite satisfied that nothing would tend so much to the settlement and civilization of the country, as the adoption of a simple, cheap and efficient system for the administration of justice.

Do you consider that the establishment of a registry of the titles of estates would be a very great improvement in Lower Canada?—I stated in my former examination that the want of such a registry was one of the main impediments to the improvement of Lower Canada, and I cannot too strongly impress upon the Committee the difficulties now a used in titles of all descriptions by the want of such registry. I believe no person would be advised to make any considerable purchase in Lower Canada, without taking the security of a sheriff's sale, which removes all incumbrances. It is impossible to ascertain what acts may have passed affecting it in various notaries offices; and a sale by the sheriff is a proceeding involving sometimes an expense equal to a large proportion of the estate.

Would it be possible, if a register-office were established, that all the different transactions relating to estates, which have heretofore taken place before notaries, could now become matters of record?—It would be very difficult, unless parties desirous to establish a clear title to their property would take pains for that purpose; and the interest of the notaries, a very influential class among the French Canadians, is opposed to any reform of this description.

Would that opposition probably be greater to a retrospective enactment than it would be even to a prospective one?—I do not conceive that. The notary would only be interested by the reform interfering with new business, or acts passed before him.

Supposing a registration were enacted by law, might it not be possible to operate retrospectively upon property affected by notarial acts, by imposing penal consequences upon any party who effected a mortgage with registration, in a case where prior liens created by themselves, or existing to their knowledge, existed upon that property?—I should think it would be much more easy to provide some regulations, in a bill establishing courts of record, for calling in existing incumbrances. If the party recording a title or a mortgage of property not previously registered, was obliged to give public notice several times in the gazettes, as is done in cases of administration in Chancery, and to affix notices in courts of justice, there could be little hardship in excluding claims after a certain period, and passing the record in favour of the applicant. There could be less difficulty about free and common socage titles on lands, of which a mutation of tenure had taken place, as there the possessor of the property would have in the first instance to establish his title.

Is it consistent with your own knowledge, that many persons who come out with the in-

tent to settle in Lower Canada, have been induced from the difficulties that obstructed them to pass over the boundary and settle in the United States?—There can be no doubt of it. I have had, in particular instances, two or three successions of British and American tenants upon the same land, who, after experience of the French tenure and restrictions have abandoned their improvements, which my agents have re-entered into possession of, and sold to a considerable profit.

Under what circumstances is a forced sale by the sheriff effected?—Judgment under a decree of the courts.

Is it used as a mode of conveyance?—I cannot state that of my own knowledge; but if I intended, under present circumstances, to purchase property in Canada, I should be very desirous it should pass through the sheriff's hands to ensure a title.

Are not the papers full of notices of such sales for that purpose?—As I have said before, I cannot say of my own knowledge that they are for that purpose, but there is a general indisposition to accept of titles which have not undergone the ordeal of legal process.

Would not the easiest way to establish a register be to pass an Act requiring that within a certain period all mortgages now existing should be registered, in default of which they should become null and void?—That was the purport of an answer I have already given; but I should add, the Canada Tenures Act of 1825, deciding the question as to the law affecting free and common socage lands, will give considerable facility to such a measure.

Do you suppose that in the desire which the inhabitants of the townships feel to have the laws of England introduced into Canada, they wish for the English law of primogeniture, and for the English forms of conveyancing, or for the laws of England, as they exist in the United States?—As a matter of opinion I should have no doubt the laws of England, as administered in the United States, were much better adapted to the circumstances of Canada, but I am not aware that any opinion upon that subject has been expressed in the country.

Are not the forms of conveyancing infinitely cheaper and simpler in the State of New York for instance, than they are according to the English system? I think the substitution of the English form of conveyancing would much aggravate the present evil, and it would be difficult to say whether the continuance of the present state of things, or such a remedy, would be the greater infliction. Nothing can be more simple or secure than the system of conveyancing in the State of New York, where the deed is generally written on half a sheet of foolscap paper, and when recorded, with the fiat of the judge or master in chancery, it is immaterial what becomes of the original deed itself. I can furnish to the Committee several conveyances of this description for large tracts of land, and very valuable considerations, that they may judge of the advantages of the American system.

You are aware that in the petition to the House of Commons from the townships, they pray for separate courts for the purpose of administering English law in the townships; is it your opinion that the existing courts might be so modified as to make those separate courts unnecessary?—I believe the present judges have full employment without being sent upon circuits into the townships. Their number must therefore either be increased, or resident judges appointed; and I think the former the more expedient measure. It is not necessary, with an appeal to the superior courts, that these judges should be persons of very superior attainments. They will not, in the present state of the population and property of the country, be called upon to decide cases of difficulty or importance; and a material object in establishing courts of this description is to see that the machinery is as simple as possible, and the process easy, cheap and expeditious, and not clogged with restrictions of any description.

If any change is to be made in the mode of conveyancing in Canada, would it be better to adopt the English mode as practised in this country, or the American mode?—I should say in addition to my former answer, that in all cases where you can assimilate the practice of the law in Canada to that of the State of New York, both with respect to process and property, it would be wise and expedient to do so.

Are you acquainted with the establishments for public Education in Canada?—I am not particularly acquainted with the establishments for education.

Either for the education of the higher orders or the lower?—The only institution I am much acquainted with is the seminary of Montreal, which I have always understood is conducted in a manner highly creditable to the gentlemen who superintend it, and much to the satisfaction of the Canadian community.

Do you know any thing at all of the schools established for the education of the lower orders in the townships?—I know very little upon the subject, except that if one can judge from the result, the American and English population in the townships, with less means and fewer resources, must have better or at least more efficient institutions for this object, seeing they are an exception to the rule which unhappily prevails in other parts of the Lower Province. They are the better educated part of the population.

The Committee have been informed that great inconvenience is felt in the townships from the very imperfect manner in which the roads are laid out, and the extremely imperfect communications they have with the River Saint Lawrence; can you suggest any mode by which what system can be improved?—The greatest inconvenience felt by settlers in a new country is the want of roads and good communications. I should say, the first measure to be taken for the benefit of the settlers in the townships, is to provide effectually for this object. In the State of New York they have recently levied a heavy additional tax on the owners of uncultivated lands, to be applied by the public authorities in making and maintaining roads through them. This example might be advantageously followed; but the means should be applied in the first instance, and the sources from which they are to be repaid to the revenue looked to afterwards. The settlers have a just claim at all events on the public for good roads through the Crown and clergy reserves, and indeed through other lands granted in large masses, where Government have taken no sufficient means to ensure the performance of road duties.

Can you state what mode would be resorted to which could remove the inconvenience experienced in the townships, from the existence of the Crown and Clergy Reserves, as far as roads are concerned?—I should recommend the instant and immediate disposal of all such lands, both of the Crown and the clergy reserves; if they could not be sold, I would give them to settlers who would occupy them, and make the roads.

Would that answer apply to both Upper and Lower Canada?—Yes.

Are you aware that an Act of Parliament passed the House of Commons last year for the purpose of selling those reserves at the rate of 100,000 acres per annum?—If such bill has been passed, it will be found utterly impossible to carry this provision into effect.

Will you explain why you stated in your preceding answer, that you think it desirable to dispose of the whole of them immediately, although you say that the sale of 100,000 acres per annum is not practicable?—One half the clergy reserves in Upper Canada were sold to the Canada Company at a price greatly exceeding, if not nearly double, their value in money; and still the clergy, dissatisfied with the sale, prevailed upon the Colonial Department to put a stop to the arrangement. I am certain it is in vain to expect another such opportunity of disposing of them, or at least the mass of them, on terms satisfactory to the clergy, while land is granted almost for nothing to actual settlers in the country. In my former answer, I said I would give away the lands if I could not sell them.

Upon what grounds do you consider that the clergy in the Canadas will never consent to a sale of those reserves, as you are probably aware that it has been communicated to them that all assistance from this country will cease? If it was full time such communication should be made to them. I strongly recommended it on their first objection to the award of the commissioners, and then predicted an early repentance on their part of the course they had taken. There is no hope of their effecting a sale of 100,000 acres annually, or a quarter of the quantity; and I should much doubt their finding settlers for that quantity if they gave away the land. They do nothing to encourage settlers. They neither make roads, build mills, or lay out one shilling of capital. They desire to reap without sowing.

If then 100,000 acres cannot be sold in a year, in what manner do you recommend that all the reserves should be disposed of immediately?—I think it would be evidently better

that

that some reasonable composition should be made with the church, and that the whole grant of land now in a state of mortmain should be resumed.

Where is the distinction between a composition made with the church, and a sale at the price at which the lands will fetch?—The composition should be very moderate; and the country might not be indisposed to undertake a small general tax to get quit of the nuisance. The free grant of the land to industrious settlers would be a great encouragement. I have understood also, in the late bill, provision has been made for the investment of the money arising from the sale of the church lands in the English funds, for the benefit and security of the clergy. Surely the framers of that Act must have overlooked the additional objection of draining from the small capital of the country any part of it for this invidious purpose.

In the present state of things, with those clergy reserves now all marked out, how would you recommend that the most advantageous disposal of them should be made?—I have already said, that I think the most advantageous disposal of them, if sales were impracticable to the extent stated, would be by granting them gratuitously to industrious persons, who might be inclined to settle, and undertake the road duties upon them.

You have said that a composition should be entered into with the clergy, how could that composition be effected, except by a direct expense from this country?—Beyond the means I have suggested, some might be raised from particular parts of the clergy reserves in the immediate vicinity of old cultivated lands, but they are to small extent. The great masses of clergy reserves are either interspersed with the new settlements, to the great annoyance and injury of the settlers, or in parts of the country where there is no chance of purchasers offering for them, at any price, for the next ten or twenty years.

Are you aware with regard to that sale of 100,000 acres per annum, which was considered as great a sale as could be calculated upon from year to year, that part of the arrangement is that the proceeds of it should be applied to opening roads?—In the first place, I deny the possibility of selling 100,000 acres a year to settlers; but this should not detract from the liberality and good intention of the church in devoting their property to so praiseworthy and charitable purpose. It would certainly be a more beneficial employment of the money for the country, than sending it home for investment in the funds.

Are you aware that the Act of 1791 appropriated one seventh part of the land of those provinces to the maintenance of a Protestant clergy?—I am.

And you are aware that at present it has been a disputed point whether under the term "Protestant clergy," it applies exclusively to the clergy of the Church of England, or also to the clergy of the Church of Scotland?—I am quite aware of the feeling that exists in the country upon that subject, and of the claims of the different sects of Protestant Christians to participate in this fund; but hitherto the Church of England and the Colonial Office have agreed in their construction of the Act for the exclusive benefit of the ministers of that church, and there is a general impression in the minds of the people of the determination to establish the English church as the predominant and exclusively endowed church in that country, to which you can never expect their willing assent.

On what account?—Because the majority of the population are not members of the Established Church, far the greatest proportion being dissenters; and you may run the risk of increasing the evil by any attempt to make a separate and distinct provision for the Church of Scotland, if you do not at the same time provide for the claims of other descriptions of Protestants conceive themselves entitled to, under the Act of 1791.

In what way are the ministers of the Scottish church now supported in Canada?—I believe some small allowances are made by Government, but that no part of such allowances are now derived from the reserved lands for the Protestant church in Canada.

Are you aware what is the amount in money of the whole proceeds that annually arise from the reserves in Canada, as applicable to the English clergy?—I suppose they must be trifling, but they would have been very considerable if the transaction that I have alluded to between the Canada Company and the Crown for the sale of the Reserves, had been carried into effect. I understand part of the allowances made to the Scotch clergy have been paid for out of other Government lands sold to the Canada Company by the Crown, which is not unlikely to excite additional jealousy on the part of other Protestant congregations, as a further application of the public money exclusively to the benefit of the Church of Scotland.

In what way have the ministers of dissenting congregations, other than the Church of Scotland, been provided for in Canada?—I believe by the voluntary support of their communicants.

Are you aware of cases in which there has been a provision made for the Church of England where there has been a predominance of other persuasions?—I have stated it to be so made in Upper Canada, where there is a predominance of other persuasions. My opinion of the predominance of other persuasions is founded upon a resolution of the Assembly, declaring that the established religion of the Church of England was not the religion of the majority of the inhabitants. Upon a division in the Assembly on this resolution, I understand the majority was about 38 to 4 or 5, in favour of it.

Is Upper Canada generally divided into parishes?—I should think not yet, it is scarcely divided into counties.

In what way are the Clergy of the Church of England apportioned to any particular district or any particular portion of the inhabitants?—I do not know how they are apportioned, but the clergy of the Church of England have other advantages. They receive considerable allowances from the Society for the Propagation of the Gospel, the greater portion of whose funds arise from an annual grant of the British Parliament.

Do you know, in point of fact, how the clergy of the Church of England are paid?—The payments they now receive must be either from Government, or from such portions of the insignificant fund hitherto derived from the sale or rent of the clergy reserves, or from allowances from the Society for the Propagation of the Gospel; for I am afraid they would have little chance of provision, in the present state of feeling, from any voluntary payment on the part of the inhabitants.

Are the lands which you describe as clergy reserves held by the clergy in the same way as the church property here is held, or as glebe lands are held; or are they held by the Government, and the proceeds of them applied to the payment of the clergy?—I believe they are held by the Church as a corporation, and that no division or apportionment has as yet taken place. This corporation at present act under the control of the late regulations, and I have heard they rely mainly on the support of the English bishops to protect their exclusive claims against any attempt on the part of Government to alter the nature of the property, or to provide for the claim of other sects to participate in it.

Looking at the provisions of 1791, with respect to the clergy and to the manner in which those lands have been set apart, and to the difficulties which surround the subject, what is in your opinion the best course to be taken?—I think it of very little importance under what title, or by the provisions of what Act of Parliament, these lands have been set apart for the maintenance of an exclusive church in Canada. I am satisfied that all legislation with respect to a conciliatory adjustment of the difficulties existing in that country will be in vain, unless some mode is devised of putting an end to the title of the Church in these lands, and substituting some other provision for them.

Is not a large portion of the land that is held as clergy reserves granted out in small portions over the surface of the country, and would it not be more convenient that those small portions should be exchanged for some large mass elsewhere?—Nothing can be more inconvenient or more injurious to the industrious population than the mode in which these reserves have been laid out. Detached portions of each township intervening between the occupations of actual settlers, who have no means of cutting woods through roads and morasses separating them from their neighbours. They retard more than any other circumstance the cultivation and improvement of the country. I do not think, however, in the present state of feeling in Upper Canada, it would be very expedient to attempt to remedy this defect by setting apart other lands in larger grants as a provision for the clergy.

You have alluded to a contract that was entered into by the Canada Company with Government for the purchase of those lands, and also for portions of the Crown reserves, will you be so good as to describe what the nature of that contract was?—In my opinion it was the most inconvenient contract that could have been made for the parties on both

sides. The object of the Colonial Office was to obtain a considerable sum of money from the sale of land, and by the establishment of the company to encourage the transmission of capital for the improvement of Upper Canada. I am afraid, unless great caution is observed in the appropriation of the fund to be so received, it will become another source of grievance and complaint, and I do not think that objection likely to be diminished by the grant of any part of it as a provision for the ministers of any particular denomination, or for the foundation or endowment of schools or colleges on exclusive principles. The better policy would have been to grant to the company a more moderate quantity of land for a small price or for nothing, on condition of their expending double its assumed value in settling and improving it. By this means one point of contention might have been avoided, and the Government would have had at its free disposal four-fifths of the reserves to grant and settle by other methods, while I am satisfied the Canada Company would have done better by confining its first undertaking within its probable means of management; as it is, I fear great part of the funds hitherto received have been expended in unnecessary expenses attending the execution of the contract.

Can you state what quantity of land was conveyed to the Canada Company?—In the first instance, half the Clergy and all the Crown reserves in the townships which had been laid out and admeasured in Upper Canada, to be paid for or taken up in a series of years.

What number of years was allowed?—Fifteen years.

Is it likely that they would be able to take up the quantity of land they contracted for in that space of time?—In consequence of an alteration in the contract, rendered necessary by the objection of the clergy to the award of the commissioners appointed to value their lands, great difficulties have been experienced by the company in completing their arrangements, and a new negotiation was resorted to, to remove those difficulties.

Do you know what value the commissioners put upon the land?—I think the price awarded by the commissioners, for between 2,000,000 or 3,000,000 of acres under the original contract, belonging to the Crown and the Church, was 3s. 3d. currency an acre, the currency being ten per cent less than sterling, and the Company gave that price for the Crown reserves.

Did any contract take place under that valuation for the church reserves?—The Church, as I have stated before, refused to abide by the valuation after it had been awarded by the commissioners, and their refusal, as I have also stated, led to the greatest difficulty on the part of the company, a difficulty which, with respect to the completion of their contract, they may yet have great trouble in conquering. Government acquiesced in the refusal however, and after much discussion, and a submission to counsel on some technical point, urged by the Church in support of their objection, the directors agreed to release the Government from that part of the contract, and a new grant of a block of land, to the extent of 1,000,000 of acres on the borders of Lake Huron, was substituted for the clergy reserves; Government agreeing that a large proportion of the price to be paid for the new grant should be laid out in making roads, and in other improvements upon the property.

Is any sum of money annually paid by the company to the Crown?—I think two years payment, to the extent of nearly £40,000 has been either paid or directed to be paid by the company on account of this purchase, and the other payments will go on, according to the present agreement, at the rate of from £15,000 to £20,000 a year, until the whole of the purchase, exceeding £350,000 is paid, or such part of it as I have before adverted to, laid out in the improvement of the new grant.

Have the company power to alienate land in fee?—Certainly, they have; but questions are now depending between the Government and the Company, and altogether it is not a very clear case, in my opinion, that the obstacle interposed by the refusal of the clergy to concur in the award of the commissioners may not lead to further and graver difficulties.

Is there any fixed annual payment to be made by the Canada Company?—They must take up land to the extent of £15,000 annually.

Are they bound to continue the payment after they have taken up all the land?—No, when they have paid for it, they have a free title to it.

You are aware that instructions were issued to the commissioners that valued this land, which instructions were approved of both by the Canada Company and the Government?

—I am quite aware that instructions of that description were sent, and more unwise instructions, although they were agreed upon by the Company and the Crown, never were issued to any set of commissioners.

Are you aware that a question arose whether the Commissioners had executed those instructions, and that a reference was made to a professional gentleman upon the subject?

—As there could be no ascertained principle upon which the Commissioners could execute their instructions, their award was of course open to every kind of objection which either party chose to take to it; but I do not think the particular objection taken by the Crown or the Clergy could have been maintained on reference to any two men in Great Britain, of competent knowledge or habits of business in such transactions.

Was not such a case as that, in which from the circumstances no absolutely defined principle could be established, precisely a case in which arbitration might be resorted to, as to the fact whether the fair principle of the instructions issued to the Commissioners had been satisfied?—As I never could understand the principles laid down in the instructions, which directed the Commissioners to value between two and three millions of acres of wild land in a country where in fact it could have no real value for money, no sale of any quantity of land amounting even to 10,000 acres, having, in my recollection, ever previously taken place, I cannot see what limit could have been imposed to the discretion of the Commissioners, or what other rule than the most visionary speculation could have guided their award. Certain I am, they did more than ample justice to both Country and Church.

Although you may be of opinion that nothing could be more absurd than those instructions, were they not approved by the majority of those interested in the formation of the Canada Company?—The commission itself, and the instructions, were both approved of by the majority of the Directors of the Canada Company. It was projected in the first instance by most respectable persons, but who knew as much of Canada as they did of Japan.

You are understood to have stated to the Committee, as your opinion, that this sale of land to the Canada Company, for which ultimately the sum of £350,000 is to be received, had better have been given as a donation to the Company, subject to imposing settlement duties for the general improvement of the Province; are you not aware that one of the avowed objects of that sale was, to relieve the British Parliament from the necessity of voting an annual estimate for the Civil Government of Upper-Canada?—I have not stated that between two and three millions of acres of land had better be given to any company or any body in Upper-Canada; but I stated at the time, and pressed my opinion on both parties, that if half a million of acres had been so given, or sold at a moderate price, without all the expensive and unsatisfactory process of an attempt to value that which in fact was otherwise unsaleable, and the company had been bound to lay out a portion of their capital in the improvement of that half million of acres, the arrangement would have been a very beneficial one for the country. I do not see the necessity which was imposed upon the Government of disposing of this land for the payment of the Civil List of Upper-Canada, nor am I aware that the money has been hitherto so applied; but there could be no occasion to resort to such a source of revenue, supposing it to have been disadvantageous in other respects, inasmuch as the ordinary revenue received on the trade of Canada has been always perfectly adequate, or might have been made perfectly adequate to the discharge of the Civil Lists of both Provinces.

You are understood to state, that by proper management the revenue of Upper-Canada would have been sufficient for the maintenance of her Civil List; will you be so good enough to detail in what manner that could be effected?—It could have been effected either by increasing the duties upon importation at Quebec, upon articles consumed in Upper-Canada, or by giving her a fair portion of the revenue generally collected at Quebec.

Are

Are you not aware that the British Government could not, for the mere and avowed purposes of revenue, have imposed custom duties in Lower-Canada for the sake of increasing the revenue of Upper-Canada, and enabling her to discharge her civil list?—I am aware that the greatest possible objections exist in principle to their doing so; but I am also aware that in point of fact they have got over those objections, and by the Canada Trade Act, have imposed duties to an extent quite equal to the expense of the Civil Government of both Provinces, without consulting either of the Provincial Legislatures. The Canada Trade Act, for this purpose, had been passed three years before the arrangement with the Canada Company.

Are you not aware that this country has no power to regulate the distribution of revenue between Upper and Lower-Canada, except upon the principle of arbitration between the two provinces, and that the result of that arbitration has been to give Upper-Canada a proportion of revenue not adequate for the maintenance of that establishment?—After all, the question resolves itself into what is the fit amount of the expenditure of the Civil Government, and what deficiency it was necessary and advisable to supply, and whether that deficiency has been supplied from this fund; and I should be able to give an opinion upon that subject when I saw the application of the monies hitherto received from the Canada Company. I think, for the satisfaction of the Committee, they had better obtain a return of the amount of money received from the Company, and of the application of it, up to this time.

Can you inform the Committee whether, in the settlements of the townships, the persons belonging to the different denominations of religion have collected in different districts, or are they generally intermingled?—They are scattered all over the country.

Were not the boundaries of Upper and Lower-Canada settled in consequence of the provisions of the Act of 1791?—They were.

In your opinion, has the boundary line between the two provinces been drawn conveniently for the two provinces; or is the division so arranged as to give rise to very conflicting interests and separate feelings between them?—The division altogether was most unfortunate, and has completely verified the predictions of its consequences, made at the time by the agent of Canada, and by all the witnesses examined at the bar of the House. The result, so far, of maintaining distinctions between two classes of subjects, has produced no proof of its policy. As to the particular boundary or division of territory, that is very immaterial, and I do not believe you could satisfy either party in the general questions now under discussion by any alteration in that respect.

In point of fact, has not a very strong collision of feeling, and a sense of difference of interest arisen between the inhabitants of the two provinces?—The greatest possible collision of interest has arisen on the subject of the revenue; and unfortunately there is every reason to apprehend it is only now at its beginning.

Will you be so good as to state the principal grounds of difference that exist between the two provinces?—The principal ground is, the pretension set up by the French Legislature at Quebec to regulate the trade of the St. Lawrence, and to levy all duties upon the exportation or importation of commodities either going from or to every part of Canada, without consulting the Upper-Province on this point of deep and vital importance to its inhabitants. This grievance will of course be more deeply felt as the hitherto rapid settlement of Upper-Canada, encouraged by more liberal institutions, and a better state of law, progressively advances. The French population of the Lower-Province have not increased or improved their condition in any respect in proportion to that of the English population either in Upper or in Lower-Canada, nor is there any reason to believe that their numbers or their interest in the country will in future increase in proportion to the increase that must take place in both colonies in British inhabitants and British capital. As the British interest increases in either province, a community of feeling will necessarily lead to their closer connection together; and I am afraid, if even it was the determination of Parliament to maintain the ascendancy of one class of the population of Lower-Canada, and their exclusive powers over the taxation and commerce of the country, the British inhabitants of both Provinces would, at no distant time, look to some other means of relieving themselves from so intolerable a grievance.

Are you sufficiently acquainted with the course of trade upon the St. Lawrence, to know whether, in point of fact, any obstruction exist in the export of the produce which the inhabitants of Upper-Canada have to dispose of, or whether the inhabitants of Upper-Canada can export their produce as freely as those in the Lower-Province?—At present there is no obstruction. Formerly some regulations were attempted to ascertain the extent of goods transmitted to Upper-Canada, I believe, with a view to arriving at data to assist the commissioners in apportioning the revenue. Some complaint, I have also understood, was made of a tax levied by the Assembly at Quebec, on rafts of timber coming down the Rapids from Upper-Canada, for the purpose of improving the navigation, and that the money so levied was never expended on that object; otherwise the inhabitants have free ingress and egress for all their commodities, subject of course to such regulations and duties as the Lower Legislature think fit in their discretion to impose upon them.

Are any duties imposed upon any description of commodities on being exported from Canada?—Very trifling, if any.

Are the duties which are collected upon goods imported into Quebec or Montreal, and which are imposed and regulated by the Assembly of Lower-Canada, influenced in a certain degree by such Acts as have passed in this country for the purposes of regulating the trade?—I have stated, in a previous part of my examination, that the disputes between the provinces on matters connected with their joint revenue, led to the Canada Trade Act of 1822; and by the provisions of that Act the most valuable part of the constitutional functions of both the Colonial Legislatures are in effect abrogated. That Act passed almost unanimously in Parliament, and received the especial support of those who opposed the union bill.

Considering the respective habits and manners of the inhabitants of Lower and of Upper-Canada, would not any system of import duties be likely to affect the two classes very differently, as to the burden that they would produce upon each?—I should think not; and I am quite sure if the case was otherwise, the better policy would be to avoid all distinctions.

Do you think that it would be best to enact such a system of custom duties as would, with reference to the articles upon which they were imposed, have an equal bearing upon the population of the two provinces?—From the nature of the country it would be impossible to do otherwise, even if it were advisable.

Is their consumption similar, from their habits and wants?—I should think, in some respects, dissimilar. The two great articles upon which the revenue is now raised, are rum and tea. The French Canadians are probably the greater consumers of rum, and the English population, following the habit of their own country, and of their neighbours in America, the greater consumers of tea; but there is a considerable consumption of these commodities by both parties.

Is it not probable that if a large duty were imposed on the tea imported into Upper-Canada, where the English population chiefly reside, it would press much more heavily upon them than upon the Canadians?—A heavy tax upon tea would be both objectionable to the people, and impolitic; but the particular grievance with the people of the Upper-Province would be, that the Assembly at Quebec should tax their tea without their consent, and I suppose it is not intended to adopt a permanent system of taxation by Parliament.

Is it not absolutely necessary that that same rate of duty should be collected upon goods imported into the St. Lawrence, whether for the consumption of the Upper or of the Lower-Province; and if different rates of duty were to be levied in the two provinces, would it not inevitably lead to an intolerable extent of smuggling between the two provinces?—The inevitable result of any attempt to levy different rates of duties at different ports in the St. Lawrence above Quebec, would be smuggling to an extent quite destructive of the revenue, beyond other obvious objections to which such a system must be liable. Of course it is necessary certain rates of duties should be collected on

the whole trade, unless Parliament was disposed most unnecessarily to pay the expenses of the civil government out of the revenue of Great Britain.

Would it be possible to fix upon some spot which should be made a legal landing place for all goods to be transferred to Upper-Canada, and to make an arrangement that should insure the transport of those goods into Upper-Canada, without any portion of them being transferred for consumption into the province of Lower-Canada?—It would be quite impossible, and if the case was otherwise, the restrictions and regulations on the trade of Upper-Canada would be an intolerable nuisance. At present the merchants and storekeepers in the Upper-Province purchase their annual assortments of supplies for their customers in the towns and villages at Montreal. Very few goods are exported from this country direct for Upper-Canada. Montreal is the great mart through which far the larger proportion of the whole trade is and must continue to be conducted.

If those circumstances make it necessary that the same rate of duty should be collected on all goods passing up the St. Lawrence, whether for the Upper-Province or for the Lower, is it possible to devise any system of division and appropriation of the produce of the custom duties collected in the St. Lawrence, between the two provinces, which must not necessarily be fluctuating and imperfect; supposing a perfect proportion were arranged this year between the Upper and Lower-Province, according to the respective consumption of the two provinces, must not that proportion necessarily become imperfect in subsequent years, from the variation that would take place in the population and wealth of the two provinces?—I am of opinion any such system is impracticable, and would only lead to renewed complaints and disputes. We have already some proof of this in the difficulties that have hitherto attended the attempts to devise a satisfactory mode of reference between the two provinces.

Have the goodness to describe those difficulties?—Referees were appointed by the two Governments previously to the Act of 1822, to decide upon the proportion to which Upper-Canada was entitled of the total revenue raised at Quebec. Upon some difference or obstacle arising to an adjustment, the Legislature of Lower-Canada refused to grant the necessary powers to enable the Government to proceed in the arrangement, and the Upper-Province was thrown upon this country for the means of paying her civil list.

If the parties were ever so well inclined to agree to a proportionate division, would not such division in itself necessarily be imperfect?—Certainly it would; and without meaning to state any opinion myself on the point, the fact should not be withheld from the Committee, that a general impression prevails among the English inhabitants engaged in the trade of both provinces, that the representatives returned to the House of Assembly by the mass of uneducated Canadians, are not exactly the persons best qualified to decide on questions connected with the trade, or revenue affecting it; and this impression does not tend to diminish the objections to their exclusive power of legislation on this subject.

If you were called upon to divide the customs duties collected between two provinces, upon what principle would you form such a division?—It is impossible to divine a principle upon which one could make a satisfactory division. If you were able even to arrive at some tolerable estimate of the consumption of particular commodities in the two provinces, that would be no great assistance. There are other consumers, and to a considerable extent, of commodities on which duties are levied at Quebec, and the Lower-Province have no greater claim than the Upper to any addition to the revenue from the general trade of the St. Lawrence. The duties levied on the trade between the colonies and their neighbours form part of the mass.

Whatever proportion is fixed, must it not necessarily vary from time to time?—It must vary with the annual increase of the population, which, under present circumstances, will go on in a much more rapid progress in the Upper-Province.

If one rate of customs duties must be collected in the revenue, and one mass of revenue is collected, and no fair or equitable division is made between the two provinces, does it not necessarily follow that there must be one expenditure?—That I take to be one of the most difficult points of this case. Supposing any idea to be entertained of re-uniting those provinces, I have always thought the more prudent course to adopt, and one which the paramount object of preventing at first any collision in the united Legislature on the here-before separate interests of the parties would justify, would be to fix the present revenue, and apply such part of it, for a certain number of years, as would be necessary to defray the charges of the existing civil lists in both provinces.

How could that object be effected?—By adequate provisions in a bill for uniting the Legislatures, specifying in the schedule to the bill, in minute detail, the different charges to be defrayed, in such manner so that there should be no ground for suspicion that it was intended either to increase the charge or to give the executive authority any discretion in the payments. I think this arrangement might not be objected to, on the ground I have stated, for a limited period of from five to fifteen years. Any surplus of revenue, or monies raised for the improvement of the country, or for the increase of the establishments in proportion to the gradual increase of the population and the wants of the administration, would be still under the control of the Legislature, and at the termination of the limited period the full power of regulating the taxation and expenditure would revert to them. Before that time, it is to be hoped, all separate habits and interests might be nearly lost sight of, and the present collision of feelings and prejudices give way to a general desire to consult only the common good and the prosperity of the country in the united Legislature.

Has the House of Assembly of Upper-Canada ever expressed any wish for a union of the provinces?—I have not heard so, nor do I conceive the fact either way to be of much importance. The people and the Legislature are only desirous to participate in the exercise of the undoubted right of the whole people to raise the revenue and regulate the commerce of the country.

In what way, in the case of the union, would you provide for the more general services, and the rest of the revenue remaining after the disposal of the civil list?—I would leave it at the free disposal of the united Legislature. I am perfectly satisfied, a governor of conciliatory disposition, popular character and good sound sense, acting upon instructions from this country, founded on liberal principles, would have no difficulty in balancing and conciliating the different parties in the Legislature, and procuring from them ample means of improving the institutions, and promoting the general interests of both provinces.

When the union of the two provinces was proposed in Parliament, did not a feeling arise in Lower-Canada extremely hostile to that measure?—An adverse feeling certainly was expressed by the French population in Lower-Canada, but not to a greater degree than was anticipated.

Was not one of the grounds upon which that feeling was founded an apprehension that under the circumstances of the union the provision for the maintenance of the Roman Catholic clergy might be endangered?—There were several ill-advised clauses in the bill. It was suggested by the original proposers of the measure that some clause should be inserted protecting the Catholic church and the rights of the clergy from all encroachment by any act of the new Legislature. This intention was not accomplished by the clause in the Act, which was construed by the clergy as directed hostilely against their establishment. Nothing could have been so contrary to the feeling with which any mention of the church was suggested, and it would be consistent equally with justice and policy to provide distinctly in any measure for uniting the colonies, against all dangers the clergy may apprehend in this respect.

Each of those provinces having now a representative assembly, would it in your opinion be possible or desirable to leave to those assemblies the regulation of such matters connected with each province as might be considered as local and particular, and to assemble a Congress, consisting of certain members of both bodies, to which might be given the charge of such concerns as should be general to the two provinces; among which may be enumerated the collection of the revenue, great institutions for the purpose of defence, and the general application of the revenue, appointing to each of them a fixed civil list?—If it were possible to satisfy the parties by any arrangement more than by the whole measure of a union, I should be inclined to sacrifice a great deal for that object. But a Congress would

in fact be only a union with more complex machinery; and I doubt whether the objection of one individual in Lower Canada to any measure of this description would be removed by it. The same difficulty would occur in apportioning the influence of the two parties in the Congress, as in a Legislature common to both, and you must make some alteration in the constitution of the Assembly of the Lower Province, by the admission of representatives from the townships. The great desideratum is to infuse into the legislative body, under whatever regulations it may be placed, persons of liberal education, who may be able to counteract the influence of narrow habits and old prejudices in retarding the prosperity of the country.

Would not the same objection exist if a legislative union took place; would not the effect necessarily be, upon similar principles, to extend the influence of the French Canadians to Upper Canada?—Certainly not, if you were to unite the two Legislatures, adding to them a fair proportion of representatives from the unrepresented townships in Lower Canada.

Have the Legislatures of the two provinces ever come into collision on any other points except those connected with trade?—They could not come into collision upon other points, but this is one of paramount and vital importance.

Have not there been many Acts passed by the Legislature of Upper Canada to which there have been no similar Acts passed in Lower Canada?—Of course there have been; the state of society is different.

Is the population of the great towns of Montreal and Quebec principally French or English?—Principally French in numbers. But this would alter rapidly, and a great amalgamation of the present distinct classes, and a still greater alteration in property take place, if the tenures were changed; and the Crown has now the uncontrolled power of effecting this object in both towns.

Does the French population also possess the major part of the wealth and respectability in those towns?—Certainly not. The whole trade, and all the capital employed in it, or at least in the branches of trade, is in the hands of the English.

Could any possible change of boundaries between Upper and Lower Canada remove the difficulties at present existing?—I can conceive none.

What would be the effect of including the Island of Montreal in Upper Canada?—I do not think that any new division of the boundaries would improve the condition of Upper Canada, and the separation of Montreal from the Lower Province would produce more dissatisfaction than a more efficient measure.

Would not annexing Montreal to Upper Canada transfer a very large mass of the French population into that province, in which no French interest exists at present?—Certainly; but the character of the population in this most important town will progressively change.

What provision of the Legislature of either province has been made in pursuance of the provisions of the Act of 1791, for the extension of the right of representation and suffrage to the new settlers in either province?—In Upper Canada I think the original number of the Assembly was 16; in Lower Canada, 50. The Assembly of Upper Canada have taken advantage of the power given them by the Act of 1791, to extend the representation in proportion to the new settlements and increase of the inhabitants of that province, and the original number of 16 has been gradually increased to the present number of 43 or 45. The country is divided into counties, and I believe each county is entitled to send a representative when there are 2,000 inhabitants, and a second when the number increases to 4,000, when the representation of the county is complete. This law is still in operation, and of course the number of members of the Upper Assembly will progressively increase with the population. The Assembly of Lower Canada having no disposition to admit representatives from the English townships, have never added one to their number, nor have they acted like the Upper Assembly on the powers in the bill of 1791. The consequence is, the new settlements remain unrepresented, and the whole powers of legislation affecting the mode of revenue of both provinces, and all other interests of the Lower, are confined to the original 50 members returned almost exclusively by the French population. It might be advisable, in considering the means of redressing the complaints of the English population on this head, to refer to the institution of the neighbouring State of Vermont. There, it is considered so essential to provide for the greater wants of new settlers, that a right of representation is given to a much smaller number than by the regulation in force in Upper Canada. Two members, I understand, are given to each new township when 80 taxable inhabitants are resident in it, when the representation of such township is complete, and cannot be increased, notwithstanding any addition to the population. The town of Burlington, I understand, was represented when it only contained eight or nine taxable families. The population has since increased to 5,000, but their share in the representation remains the same as in the first instance, while other representatives are constantly added to the Legislature from new settlements. The situation and condition of these settlements is very analogous to those in the townships of Lower Canada.

Have not the House of Assembly of Lower Canada twice passed a bill to extend the representation precisely on the principles of the State of Vermont?—That may have been, and I believe was the case, but no such law was passed.

Does not the principle on which the State of Vermont gives an advantage to a newly settled country, consist merely in giving the advantage of what is called the fraction to a newly settled country, that is to say, that there must be a certain number of inhabitants in a township before it can have one member; and when that is passed, before they get to the number that entitles them to two members, they give them what is called the fraction?—That rule, I understand, only applies until the number of taxable inhabitants arrives at 80, when the representation of the township is complete. The great advantage the new settler has in this principle of representation is, that the first 80 inhabitants have by their two members as much influence in the Assembly as a population of fifty times the amount in the old settled townships; and this advantage has been given to extend and encourage the cultivation of the country.

Did not the bill brought in by the House of Assembly in Lower Canada, at the same time that it provided for the increase of representation in the townships, founded upon the increase of population, extend that same principle of increase to the seigneuries which are now already represented, whereas in the State of Vermont no increase of the representation took place in the already represented districts when new districts came into the representation?—Upon recollection, I think, the first was so. The bill sent up by the Assembly for the increase of their numbers would have admitted four or five members from the townships, and added about 20 from the seigneuries; in short, only aggravating the evil, under pretence of liberality to the townships.

Can you state any other grounds of objection which have been urged to the union of the two provinces besides those which you have alluded to?—I have heard of no other grounds; but it is quite impossible there should not be a great difference of opinion on a subject affecting in so many ways the particular interests, both of individuals and parties. For instance, persons residing at Quebec, and at York in Upper Canada, may neither approve of the removal of the Legislature to Montreal, supposing that to be the proper place, if a union should be decided upon.

Are you aware what increase of population has taken place among the French Canadians since the year 1791?—A very considerable increase has taken place, but not in proportion to the increase in the English population in both countries.

Are the elections at Montreal and Quebec in the French or English interest?—Every election depends on the French interest; and I doubt very much whether there would be a single English representative returned if there were a new election to-morrow.

Even in the commercial towns?—Even in the commercial towns. The elections also depend in a great measure on the influence of the clergy.

Is the right of suffrage universal in those towns?—I forget what the right of suffrage is. I proposed in the Union Bill that the right of suffrage in counties should be 5*l*. a year, and the right in the towns 10*l*. a year.

Do the Protestants in the seigneuries pay tithes to the Catholic clergy?—They pay no tithes, they contribute in no way to the support of any minister except voluntarily.

Do not the Catholics pay tithes to their pastors?—Catholics are compelled by law to pay tithes. Protestants are exempt from all claims of this description.

Do you conceive it would be possible and desirable to erect either of the great towns into a free port, and the duties should be levied upon the issue of goods from such free port, in proportion as they went out to one province or the other, or would that give a facility to smuggling?—The restriction would be very unfair to other districts of the country, and prejudicial to the general trade, and it would be impossible to prevent smuggling on so great an extent of navigation.

Cannot vessels sailing up the river land at any point?—Certainly. At present all vessels enter at Quebec; but if bound to Montreal, the consignee only gives bond at Quebec, and pays the duty afterwards on discharging at Montreal.

Do you conceive it would be possible to form a representation upon the principle of admitting some of the great towns as independent bodies into a confederation, such as exists in the north of Germany?—I am afraid it is too late to attempt the introduction of new principles of that kind in America. You must either improve the system that exists on the model of our institutions at home, or copy from the simpler forms in practice in the United States. No other method will be congenial to the habits of the English or American inhabitants of Canada.

Would it be easy to circumscribe such a district as should embrace little more than the French population, if you wished to throw them into a separate province, forming a part of a confederation?—I do not see much difficulty in forming a separate establishment for the French, if you deprive them of their exclusive control over the legislation affecting the trade and revenue, and introduce satisfactory reforms to the English inhabitants in the tenures of property and the laws; but all these alterations would produce equal dissatisfaction with any more general arrangement, and do what you will to maintain the present distinctions, the progress of civilization, the increase in power of the inhabitants of the countries watered by the St. Lawrence, and the probable march of events in America, will be eternally counteracting your views, and in the end lead to the necessity of more decided measures. I wish to add, that in any thing that may have fallen from me in the course of these examinations, I have not had the least intention of imputing blame to any persons connected with the executive Government in either province. I believe they have acted under instructions from this country, and that the difficulties they have had to contend with, and the discussions in which they have been involved with the Colonial Legislatures, were the inevitable consequences of a determination to persevere in the system of government I have described to the Committee, and which could scarcely have been avoided while that system remained unreformed and unimproved.

Martis, 20^o. die Maij, 1828.

John Neilson, Esq. called in; and examined.

Where do you usually reside?—My usual residence has been at Quebec; I have resided for the last five or six years six miles from Quebec.

Are you a native of Quebec?—No, I am a native of Scotland.

How many years have you resided in Lower Canada?—Thirty seven years.

Have you ever been, or are you at this time a member of the House of Assembly in Lower Canada?—I have been a member of the House of Assembly of Lower Canada for the county of Quebec for ten years.

Are you now deputed by any portion of the inhabitants of Lower Canada to make any representations to His Majesty's Government in this country?—I am deputed with Mr. Viger and Mr. Cuvillier, of Montreal, on the part of the petitioners who subscribed the petition presented to the House of Commons lately.

Will you state what the grievances are of which the inhabitants of Lower Canada complain, and what it is they seek a remedy for from the Government of this country and from Parliament?—I shall take the liberty of stating the grievances as they are stated by the petitioners themselves: they complain, in the first instance, that the state of the province has been growing worse for several years past in respect to trade and the value of landed property, and the profits of industry. They complain that the expenses of Government are high. They complain that there has been a waste of the public revenue and resources; that the public monies advanced or paid for public purposes are not sufficiently accounted for; that large losses have consequently accrued; that the laws that are conceived by the people to be necessary for the common welfare are rejected by one of the branches of the Legislature, that branch being principally composed of persons who are dependent upon the Executive Government of the province. The laws, of the rejection of which they complain, are mentioned in the petition; they are various annual bills, granting the supplies for the support of the Provincial Government; for affording legal recourse to the subject having claims against the Provincial Government; for regulating certain fees and offices; for enabling the inhabitants of the towns of Quebec and Montreal to manage their local concerns; for extending the facility of proceeding in courts of justice more generally throughout the province than at present; for providing a new gaol for the city of Montreal; for qualifying justices of the peace; for continuing the militia laws; for increasing the representation in the House of Assembly; for the security of the public monies in the hands of the receiver-general of the province; for the independence of the judges; for appointing an agent to reside in England to attend to the affairs of the province: these are all bills that have passed the House of Assembly; most of them several times, I believe all several times, and have been rejected in the Legislative Council.

Have they all been rejected by the Legislative Council, or have they been disallowed by the King?—They have failed in the Legislative Council; there are none that I have mentioned that have been refused by the King.

Are there any of those which have been amended by the Legislative Council?—Yes, there are.

Can you particularize which those are?—A supply bill has been sent down amended; the bill for regulating certain fees and offices, I believe, was amended once; the bills for facilitating the administration of justice have been amended; the bill for continuing the Acts regulating the militia of the province was sent down amended. I am ready to give in, if the Committee wish for it, copies of those bills as latterly sent up to the Council.

[The witness is requested to furnish the Committee with copies of the same.]

Are there no road bills or education bills that have been sent up by the Assembly?—Yes, there are; but they are not mentioned in the petition. They complain that the bills mentioned in the petition, and others, were rejected by the Legislative Council, and they ascribe that rejection to the Executive Government of the province.

Were they rejected with or without discussion?—Many of them were rejected without discussion; many of them were not proceeded upon on account of a rule that the Council imposed upon themselves in 1821 or 1822, not to proceed upon bills of a certain description: for instance, not to proceed upon appropriation bills of a certain description.

Where does that rule appear?—It appears upon the rules of the Legislative Council.

Can you furnish the Committee with a copy of the Standing Orders of the House of Assembly?—I think I can.

The next grievances that the petitioners complain of are the applications of money levied in the province, without appropriations by the Legislature thereof; the next is advances of money to persons who have not sufficiently accounted for the same, dissipation of public money, appointment of persons to be intrusted with public monies without full security given; the diversion of the revenues of the estates of the late Order of Jesuits from the purposes of education of the youth of the province; the non-execution of the conditions

conditions of the grants of the waste lands of the Crown; and the last is attempts made in England to obtain changes of the established constitution in the province by the officers of Government, during the existence of all these abuses. Hitherto I have confined myself to the complaints in the Quebec petition, and the county of Warwick petition; but there are complaints against the Governor-in-Chief in the Montreal petition which are not in the Quebec petition; the Montreal petition was adopted subsequently, and it was not approved of in the county of Warwick and some other parts. In addition to the complaints of the Quebec petition, the Montreal petition adds some which are directed against the Governor; first, with withholding of despatches that ought to have been laid before the Legislature; the dismissal of Messrs. McCord and Mondelot, the stipendiary chairman of the quarter sessions for the district of Montreal; the retaining of Mr. Caldwell as receiver-general after his default was known by the Governor, and continuing Mr. Perceval as collector of the customs after he had taken illegal fees; appointing Mr. Hale as receiver-general without security, and Mr. Young as sheriff without sufficient security, although both their predecessors had been defaulters to a large amount; continued abuse of the representation of the country in the newspapers established by his Excellency; threats of dismissals contained in those papers, dismissals of militia officers, and interference with the elective franchise, and with members of Assembly for the exercise of their freedom of voting in the House; answers to addresses, in which the Assembly is very harshly spoken of; misrepresentations of the Assembly in a speech delivered in 1827. These are all in the Montreal and Three Rivers petition, and are omitted in the Quebec and Warwick petition. I am ready to enter into explanation of any one of those charges, and I am ready to produce proof by public documents of the whole of them, particularly of those in the Quebec and Warwick petition.

There are two or three of those complaints in the Montreal petition, which are public complaints; why are they omitted in the Quebec petition?—The Quebec resolutions and the Montreal resolutions were adopted almost simultaneously; there was no concert between the two places. Each one of course mentioned those articles that they conceived bore the hardest upon them. In Montreal they felt those articles as bearing hard upon them, and in Quebec they did not say a word about them.

Seeing that so many bills have passed the House of Assembly which have been rejected by the Legislative Council, will you state to what circumstances you believe that to be owing?—The petitions ascribe the rejection of those bills more to the composition of the Legislative Council, the dependent situation in which the members are placed relative to the Governor, than to any thing else.

Will you describe the constitution of the Legislative Council?—When I left the province there were resident in it 27 legislative councillors; Jonathan Sewell, Speaker, 900*l.* a year; President of the Executive Council and Court of Appeals, 100*l.*; Chief Justice of the province and the district of Quebec, salary 1,500*l.* besides about 150*l.* for circuits, making altogether 2,650*l.* sterling. The Rev. C. J. Stewart, Lord Bishop of Quebec, salary and allowances as bishop paid by Great Britain, about 3000*l.*; Sir John Johnson, Indian Department, paid by Great Britain, it is merely supposed 1000*l.* a year; I cannot say whether it is correct or not.

What is the Indian Department?—There is a department in Canada called the Indian Department; it is a department that was established during the American war to have the direction of Indian affairs. John Richardson, an executive councillor, 100*l.* a year; Charles St. Ours, half-pay as captain, paid by Great Britain; John Hale, appointed by Lord Dalhousie to act as receiver general, 900*l.* a year; as executive councillor, 100*l.* making together 1,000*l.* a year.

Have all the executive councillors 100*l.* a year in that capacity?—They have. John Caldwell, the late receiver general, is now paying by agreement for holding his estates, 2,000*l.* per annum, which are supposed to be worth much more. That is the only thing that places him in dependence upon the governor. H. W. Ryland, clerk of the Executive Council, salary and allowances, 650*l.*; pension, 300*l.*; Clerk of the Crown in Chancery, no salary is mentioned; fees of office unknown; total known, 950*l.* James Cuthbert is said to be a half-pay captain on the establishment, but I do not know whether he is or not. Charles William Grant, seigneur proprietor, and late of Isle St. Helen, which he has exchanged with the Government. P. D. Debartzch, a landed proprietor, supposed to be worth at present 1,500*l.* per annum. James Irvine, late executive councillor, in the receipt for the last ten years, supposed, upwards of 3000*l.* per annum; as executive councillor, 100*l.* L. De Salaberry, captain, half-pay; and in Indian Department a provincial pension of 200*l.*

Is that for life or during pleasure?—The pension has been stated to be instead of an office by the Legislature, and I should suppose he holds it independently of any one; but I have heard that he is dead since I left the province.

Are the pensions you mentioned before granted by the Executive Government?—The pension to Mr. Ryland was granted by the executive, but that has been voted several times by the Assembly. Mr. De Salaberry is stated to have been replaced by Mr. Taschereau, a judge in the King's Bench at Quebec. William Burns, late the King's auctioneer, a wealthy retired merchant; Thomas Coffin, chairman of the quarter sessions for Three Rivers, 250*l.*; Roderick McKenzie, a retired merchant; L. P. C. Delery, grand voyer of the district of Montreal, salary 150*l.* and fees unknown; Louis Gungy, late sheriff of Three Rivers, promoted to Montreal; office supposed worth per annum 1,800*l.*; Charles De Salaberry, seigneur; James Kerr, judge, King's Bench, Quebec, 900*l.*; Executive Councillor, 100*l.*; Judge Vice Admiralty, 200*l.* besides fees; circuits 150*l.*; making together 1,350*l.* Edward Bowen, judge, King's Bench, Quebec, 950*l.*, and circuits 150*l.*, making 1,050*l.*; Matthew Bell, merchant, lessee of the King's forges; William B. Felton, agent for Crown lands, supposed 500*l.*; Toussaint Pothier, seigneur; John Stewart, late merchant and sole commissioner of the Jesuits estates, and executive councillor, supposed 600*l.*; John Forsyth, merchant. The total amount of the sums received by different members of the Legislative Council from the public is 17,700*l.*

How much of the 17,700*l.* is paid by the province?—I suppose about 5,000*l.* or 6,000*l.* of the 17,000*l.* are paid by Great Britain. Of the 27 members of the Legislative Council, there are 14 who receive payment out of provincial funds, 4 out of British funds, and 9 receiving no pay; 9 of them are natives of Lower Canada; and of the 18 above mentioned who receive pay from the public, 7 are also Executive Councillors.

Are not all the commissions in the colonies during pleasure?—All commissions are during pleasure; all may be suspended by the Governor.

Independently of any motive that you imagine those individuals may have from the salaries they receive, are there not strong grounds of political difference of opinion with respect to those measures existing in the province?—Certainly the people of the province wish for the bills, and the Government does not wish for them.

Is the difference of opinion confined to the Legislative Assembly and the Government, or is there any other portion of the population that differ in opinion as to the wisdom of those measures?—There may be a very small portion.

What portion is it that differs as to the propriety of those measures?—Principally those that are dependent upon the Executive Government.

Have you any thing to add with respect to the constitution of the Legislative Council?—I have some facts to state; I wish to state that the Lord Bishop has been but lately appointed, of course he cannot have been an active member; that seven of the members, of which I have given a list, do not attend at all, or very seldom; Sir John Johnson, Mr. De St. Ours, Mr. Louis De Salaberry and Mr. Burns, on account of ill health or being superannuated; Mr. Cuthbert, Mr. Debartzch and Mr. De Salaberry, have discontinued their attendance.

Why have they discontinued?—I cannot tell; they did not attend at the last session; one of them I believe attended two or three sessions ago; I heard Mr. Debartzch say that it injured him; leaving 20 of those who are the most dependent, by their public situation, to transact the business of the Council. These facts I give as the grounds upon which the people of the country generally, and I myself, believe that those gentlemen are influenced, independently of their consideration of what is fitting or unfitting. In the year 1825 there was a supply bill passed by the Assembly, which passed the Council, only two

dissentients. In the next year a bill, exactly similar, was rejected unanimously by those that were present. In the first instance the Governor approved of the bill, in the second the Governor disapproved of the bill.

Was he a different Governor?—He was. Under these circumstances the people of the country have got an opinion that the gentlemen who usually attend there are influenced by the will of the Governor, and it is my opinion.

Is it not considered by the Assembly, that the Assembly has the right to appropriate the revenue raised under the British Act which is known by the name of the 14th of the late King?—The Assembly has frequently declared upon its journals that it understood that it had the right to appropriate all the monies that were levied within the province.

Are you not aware that the 18th of Geo. 3, which is known by the name of the Declaratory Act, and which Act had reference to such duties as were to be subsequently imposed by the mother country for the regulation of trade, enacted that those duties, though imposed by the mother country, should be appropriated by the local Legislature?—I conceive that in 1778 the mother country declared that monies levied by the Parliament of Great Britain in the colonies, should be appropriated by the legislatures of the colonies; it declared that as a principle for the future government of those colonies.

Are you not aware that there was a distinct reservation in the statute of such monies as were levied by British Acts prior to the 18th?—I am not aware that there was such a distinct reservation; I know that it has been interpreted as being such; but the general understanding has been this, that the legislatures of the colonies have a right to appropriate all monies levied by the Imperial Legislature; and that they consider the only safeguard they have against taxation by the legislature of this country, in which they are not represented.

Are you not aware that in the Act of 31 Geo. 3, commonly called the Quebec Act, there is a distinct reservation of the duties levied prior to the 18th of the late King?—Not according to our understanding of it, and my own understanding of it.

Is it not the fact that the point which has always been contended by the English Government is simply this, that all duties levied since the 18th of Geo. 3, are to be appropriated in whatever manner the legislature of the colonies think proper, but that all duties that were levied under the British Acts prior to the 18th of Geo. 3, were to be appropriated as before by the authority of the Crown?—I believe there was a despatch of Lord Bathurst's which mentioned something of the kind, referring to an opinion of the Attorney and Solicitor General. I never saw the opinion, but I recollect seeing a despatch which stated something as being the opinion of the Attorney and Solicitor General to that effect.

It is not the fact that all the bills sent up by the House of Assembly to the Legislative Council were framed upon the assumption by the Assembly, that all duties imposed by the British Acts prior to the 18th of Geo. 3, were legally under the control of the local Legislature, and not under the control of the British Government?—Previous to the year 1822 there was never a question upon those Acts; it was always understood, both by the Executive Government and by the Assembly, that the whole of the monies were to be appropriated by the Provincial Assembly. In 1822 the distinction began, and since that there has been a quarrel about it; the Executive Government say, that they are not to apply the money to any other purposes excepting the expenses of civil government; but the Assembly say, that it is not to be applied by the Executive in such a way that they are to have no check over it.

Are you not aware that whenever there was no difference of opinion as to the appropriation, in point of fact, the right of the British Crown was not brought into question, and that under those circumstances the appropriation took place generally; but although it did take place, the rights of the Crown were not waived by such circumstance?—The difference of opinion was first as to the annual appropriations. Will the Committee allow me, in answer to this question, to state my view of the differences between the Government and the Assembly, referring to the different bills. My opinion upon the subject is this, that the money arising from the 14th of the King was to be applied exclusively to the support of the Civil Government; but that sum being insufficient for the support of the Civil Government, and the Executive Government coming to the Legislature for an addition, then the Assembly had the right of control over all the expenditure, to see that every item of that expenditure was such as would authorize it to make additions to it.

Then as long as the proceeds of the 14th of the King were sufficient for the maintenance of the Civil Government, you admit that the right was in the Crown, and that the appropriation would legally proceed from the Crown; but when those proceeds are not sufficient, you think that the right of the Crown lapses, and that the Assembly, in consequence of adding to that sum, becomes possessed of a control over the whole revenue?—So far; but that is not the true state of the case. I understand, as an individual, that the Assembly of the province has a right to appropriate and control the whole of the money that is levied in the province.

Notwithstanding the provision of the Act of 1778?—I understand that the Act of 1778 established this principle, that in the colonies whenever taxation was resorted to by the Parliament of the mother country, then the Legislature of the colonies had a right to apply the proceeds for the uses of the province.

What view do you entertain of the powers of the Act of 1774, as affecting the revenue of Lower Canada?—I will state my view of the matter; I differ in some respects from the members of the House generally; but we all agree in this, that we ought to have a control over the expenditure, although we differ as to the grounds upon which we ought to have that control. The Revenue Act of 1774, was passed by the Legislature of this country, at a time when there was no representation of Lower Canada; a representation had been promised them, but circumstances did not permit, in the opinion of the Government of this country, that it should be established then; and as a means of drawing something from the country for the support of its government, it passed the Act of 1774. It is very true that there were duties under the French Government, but those duties, I believe, by the judgment of a British court of justice, have been held to be illegal, and could not be recovered in the colonies. I believe, in the case of Antigua, there was a decision that all the French duties existing in the colonies were illegal from the moment the King's proclamation issued, recognising the people as British subjects and giving them the rights and laws of Englishmen. Of course in Canada nothing was said on the subject, the people of Canada have always been the humblest and the mildest people you have; it was accompanied by an Act giving them their laws and other advantages. The matter however of taxation generally at that time by the mother country was much discussed, and then came this Act of 1778.

Are the Committee to infer from your answer, that the duties being illegal for which those were committed, although they were enacted in that Act of 1774, they were illegally enacted on that account?—No, certainly not; the Legislature of Great Britain had the power of making laws for the colonies in which there was no Legislature, and I conceive they had even the right of taxing them, although it is going further for the colonies than you will go for yourselves, for you will not allow that people ought to be taxed here without representation; but I admit that where there is no representation, there should be some supreme legislative power.

Do you entertain any doubt that the duties were legally imposed by the Act of 1774, and also legally appropriated?—I believe that the Legislature had a right to make the law, and that they had a right to make the appropriation.

Have you any doubt that that law is at this moment binding in Canada?—Yes, I have strong doubts.

What do those doubts arise from?—They arise from the circumstances I was going to detail. While there was no legislative body in the colony, it was a power which seems to me to belong to that of the empire, of regulating the whole affairs of all the dependencies of the empire; but the moment there was constituted a representative body, then that body naturally took the whole control of the revenue of the country; and this declaratory Act of 1778 supported it in that, because it is said that all the duties that were to be levied thereafter by Great Britain were to be appropriated in the Colonial Legislature; in fact, we have held that the appropriation was altered by the Act of 1778 and the Act of 1791, and

and that the appropriation fell of course then to the Assembly, as the natural body that ought to have the control over the expenditure of money raised on its constituents. We have not contended that the Legislature had not the power of passing the Act at that time; but we say that the general principle is this, that all the taxes levied by the Legislature shall be applied by the Legislature of the colonies; and with respect to the Act of 1774, we say that there may be doubts upon the subject, for when the Act of 1791 was passed, it was the general opinion that it repealed the Act of 1774, so far as the appropriations were concerned. In consequence of that, the British Government sent a message through the Governor to the Legislature in 1794, saying that as there were difficulties on the subject, the moment duties were raised similar to those provided by that Act they would apply to Parliament for the repeal of that Act. The consequence was, that in the Colonial Legislature they did grant duties in lieu of the duties under that Act, and a bill was sent home to Government here, which was approved of by the King in Council, enacting those duties. The Act came out, approved by the King in Council, and ought to have been in force; however, it arrived too late. The Governor recommended it afterwards to the Legislature, and they passed it; so that in 1799 it was finally passed, and approved of by the Governor, conformably to the approbation that had already been made by the King in Council. It however happened that there was never any recommendation by the British Government to repeal the Act of 1774, and there it has remained, and we are the unfortunate victims of the quarrel that has ensued in consequence of that.

Are you aware that there is no instance of a Colonial Act repealing a British Act?—We do not pretend any such thing.

The Act of the 31st of the late King contains the following Preamble: "Whereas an Act was passed in the 14th year of the reign of his present Majesty, intituled, 'An Act for making more effectual provision for the Government of the Province of Quebec in North America.' And whereas the said Act is in many respects inapplicable to the present condition and circumstances of the said province: And whereas it is expedient and necessary that further provision should now be made for the good government and prosperity thereof; may it therefore please your most excellent Majesty, that it may be enacted; and be it enacted by the King's most excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, that so much of the said Act as in any manner relates to the appointment of a Council for the affairs of the said province of Quebec, or to the power given by the said Act to the said Council, or to the major part of them, to make ordinances for the peace, welfare, and good government of the said province, with the consent of His Majesty's Governor, Lieutenant-Governor, or Commander-in-Chief for the time being, shall be and the same is hereby repealed." Do you not therefore admit that in the Quebec Act of 31 Geo. 3, part of the Act of the 14 Geo. 3, was distinctly repealed, and the remainder of it distinctly confirmed?—That is not the Act referred to; chapter 88 is the Revenue Act, but the Revenue Act was not mentioned in the Act of 1791. There was a new constitution given to the country, and not a word said about the Act of 1774, and it raised a dispute so early as 1794; and upon that dispute the Government at home, by means of their Governor, told the Legislature that they would repeal the Act if they would grant similar duties to the same amount; they did so, but the Government never recommended to Parliament to repeal the Act; in fact, somebody or other in the colony advised against it at that time.

Does not the repeal of a portion of the Act of 17 Geo. 3, c. 83, without the repeal of any part of the 14 Geo. 3, c. 88, a contemporaneous Act which imposed duties, show that the British House of Commons in 1791, when the Quebec Act was passed, did not intend to concede to the Legislature of Lower Canada a control over the revenue levied by the Act of 14 Geo. 3, c. 88, but on the contrary intended to preserve as law and unrepealed part of the 14 Geo. 3, c. 83, and the whole of the 14 Geo. 3, c. 88?—I am no lawyer; it seems to me that that is a question for a lawyer. As a very humble constitutional lawyer, I should say, that in giving a new constitution to the country it would be necessary to say what is repealed and what is not repealed; the Act of 1774, c. 88, is not mentioned at all in that Act of 1791, and it is probably its omission that gave rise to this early difference of opinion in 1794.

Are the Committee to understand that the duties which were originally levied under the Act of the 14th of the late King, have been since levied by the Colonial Act of the year 1799?—That Act is not in force, because it could not be enforced till His Majesty's ministers recommended to Parliament to repeal the Act of 1774.

But it actually passed the two Houses?—It did, and received the Royal assent; it stands in our statute book as a law, waiting the performance of the condition by the British Government for it to come into force.

That condition being the repeal of the Act of 1774?—Yes.

What was it that prevented the Act recommended in the year 1794 from being passed till the year 1799?—It passed the Assembly in 1795 or 6, and was sent home to be approved of; it was approved of by the King in Council, but it came out too late to be enforced; it came out after the two years had expired. In a subsequent session, the Governor recommended the Act to be renewed. It was renewed and passed, and stands a law in our statute book; but its being enforced depends upon the execution of the engagement on the part of the ministers to repeal the Act of 1774.

Then, at this moment, would the repeal by the British Parliament of the Act of 1774, *ipso facto*, call into operation that Act of the colonial Legislature of the year 1799?—Yes; and it would give the Government the full appropriation of 11,000*l.* a year, without limit by the Legislature of the colony. The contest is now whether there be appropriations which never have obtained the consent of the Legislature of the colony: when once the appropriation has obtained the consent of the Legislature of the colony we have tied up our own hands; but when it has not obtained the consent of the Legislature of the colony we stand upon the broad principle that the people of the colony have a right to make an appropriation of the monies that they pay.

Do you mean to state, therefore, that by the repeal of the Act of 1774, the Crown would have for its own appropriation, unrestricted by the Assembly, the sum of 11,000*l.* a year?—Yes.

Does the House of Assembly also lay claim to the amount of 5,000*l.* a year in lieu of the territorial revenue of the Crown?—The House of Assembly has laid claim to the territorial revenue of the Crown, because it gave 5,000*l.* a year in the year 1794 or 5, after the Governor had told the Legislature that the Crown gave up its territorial revenue to the province.

Does the House of Assembly contend that 5,000*l.* a year is to be appropriated by the House of Assembly?—They would say that if the Crown were not to come forward and ask for more money, it is gone; but if the Government comes forward and asks for more money, they may say that money is misapplied, and it ought to be applied in such a way.

Will you state the progress of the disputes when those principles came practically into effect upon Sir John Sherbrooke, in 1818, calling upon the Legislature to provide for the civil establishment?—I have got already to the year 1799, when this bill was passed, giving a sum in lieu of the Act of 1774. Things went on tolerably well till the year 1809, the expenses were increasing very much, and the Assembly got alarmed, and they had a quarrel with the Governor. It was then said that Great Britain had been paying a great part of the money during all this time: whenever they applied to control the expenditure, they were told Great Britain pays this; what business have you to interfere? they said, well then we would rather take the whole of the expenses upon ourselves; so as to control the whole, for by-and-by it will be saddled upon us. Then they made the famous offer to pay the civil list, and they heard no more about it. The war began in 1812, and they gave all that they had, and more than they had, for the war; they authorized the issuing of paper money in the country; and there was no quarrel about the civil list, or any thing else; but after the war, Sir John Sherbrooke came out; he found every thing in such a state of disorder that he represented it at home, and the Government here told him to get the accounts settled every year in the House of Assembly. Then came the acceptance of the offer of 1810 to pay all the expenses of the Government; they said, we will take all the expenses from you; the expenses in the mean time had augmented from about 40,000*l.* to about 60,000*l.* The Assembly then said, we will pay the whole of the expenses; they then agreed to give the sum

the Governor asked, which was in addition to the revenue that he assumed to be appropriated, and they reserved to themselves the right of examining into all the expenditure the next year.

Was there any bill passed that year, or was a resolution passed by the House of Assembly promising to indemnify the Governor?—Precisely so, an address for money. The next year the Duke of Richmond asked for an addition of 16,000*l.*; that alarmed the Assembly; they had already accepted of an addition of one half from the time they offered to take up the expenses; but when the Duke of Richmond came and asked for 16,000*l.* more; they began to get alarmed; they appointed committees to examine into the expenditure, and to check it, and they did examine and check every item of it, and they began to vote it by items, and they left out all the increased expenses, but offered to pay the expenses as they stood in 1817, and passed a bill and sent it up to the Legislative Council, allowing all those expenses. The Legislative Council threw out that bill, upon the ground that it was not safe to take an annual bill.

Did not the Legislative Council also object on the ground of the vote being made by items?—No; because it was an annual bill. At the same time the Assembly made good its vote of the preceding year, because they conceived themselves bound in honour not to have any quarrel about what had been advanced upon their address, although there were some items of expenditure that they objected to, and the bill passed. Then the Duke of Richmond unfortunately died, and in 1820 there was an irregularity in the Assembly, and there was no estimate, and no vote laid before the Assembly. Sir Peregrine Maitland convened the Assembly before the returns were all made, and the Assembly objected that the Governor ought not to convene the Assembly till the House was complete; because they said, if he might convene it before the time fixed for the returns, he might convene it before half of them were returned. Things remained in that state till news came of the death of the King, and then there was a dissolution. At the close of 1820, Lord Dalhousie came; and he asked, that whatever they had to give should be given permanently: they told him at once that they would not give any thing in addition to what they had already given permanently. Of course, nothing was done; they passed however a bill in some shape or other, which it was said would be less objectionable; it went up to the Legislative Council, and it was refused. It was refused by the Legislative Council upon its being detailed, and not being for the life of the King. The next year Lord Dalhousie asked for a bill for the life of the King; the Assembly sent home a very long address to this country, as reasons for not complying, and the Legislature finally broke up without any bill being passed. Lord Dalhousie asked for a sum of money, which they said they could not grant till they had an answer from this country to their representation. The session finished without any bill being passed, and then came the famous Union project. In the subsequent year there was a bill for a part of the money passed, in 1823. In 1824 the receiver-general failed, and the appropriations already made by the Legislature were not paid, the members got alarmed, and some of them, against which I protested, voted a reduction of one-fourth of the expenditure to meet the empty state of the chest; that of course was not accepted, it was rejected in the Legislative Council. In 1824 Lord Dalhousie came home, and Sir Francis Burton took the Government. In 1825, a Bill was agreed to by all parties, to add an indefinite sum to the indefinite amount of the appropriations already made, to make up the total amount of the whole expenditure; for the Assembly had forgotten the alarm in 1824 about the empty chest, and they were willing to continue the expenses at the same rate. That was accepted by the Legislative Council, with two dissentients, and it was accepted by the Lieutenant-Governor, and the whole country was in a state of joy at the end of our difficulties.

Had not the Assembly reduced the estimate?—The Assembly has still persisted in refusing to recognize some new offices, absentees, and sinecures that were objected to in 1819; it objected to them, and it had finally decided that it would not pay them in 1819; it still refused to recognize them, and one or two were removed, or at least they agreed to give pensions in their stead, but they still voted a sum less than was asked by the Lieutenant-Governor, by about £3,000. At that time the whole country was at peace, there were not two parties existing in the country; unfortunately that bill was misunderstood in this country, at least it was not approved of in this country; it was sanctioned by the King, and it was the law of the land, but, I believe, it was not approved by the gentleman then at the head of the Colonial Department. Then in 1826 the Assembly offered the same bill as Sir Francis Burton and the Council had accepted in 1825; and in 1827 it offered to pass the same bill again. The bill of 1826 is the only one which came back amended. Before that the Council had declared that they would not proceed upon any such bills, but this time they did proceed so far as to send it back amended. Such is the whole history of the dispute about the appropriations bills, and the Act of 1774, so far as I am acquainted with them; and the conclusion of the whole is, that there was no house at all this last year.

You have stated that the bill of 1825 which was accepted by the Legislative Council produced universal satisfaction in Canada?—It did.

In point of fact, was not the effect of that bill in 1825 to do away altogether with charges to the amount of £3,000 per annum, which the Crown, by virtue of the Act 14th Geo. 3, applied to certain purposes of civil government in the Canadas?—I do not know how far it was doing away with them, but certainly the Assembly refused to pay those items.

Then in point of fact, the Assembly by refusing to pay those items did interfere with the power of the Crown in charging the revenue raised under the British Act with those items?—I should conceive that the Assembly did interfere with the power of the Crown in charging it upon the revenues that had been considered as the public revenues of the province, but it did not prevent the Crown from charging them upon other revenues that it derived from the province; it did not prevent the Crown from paying those salaries out of the revenues derived from some Acts of Charles the First or Charles the Second, and other Acts, of the proceeds of which we had never heard a word of. Upper Canada has claimed them, but we never have claimed them. It did not prevent the Crown from paying them out of the revenues of the Jesuits estates, if those revenues belonged to it; it did not prevent the Crown from paying them out of the revenues of the Crown Lands, for the Crown is the greatest proprietor of reserved lands in the province; it did not prevent the Crown from paying them out of any source that is not part of the public revenue of the province.

Although the Crown might have paid those items amounting to £3,000 out of some other revenue, did it not effectually prevent the Crown from paying them out of that revenue out of which they had hitherto been paid, namely, the revenue derived from the Act of 14th Geo. 3?—I believe it is impossible to tell from what revenue they had hitherto been paid, for all the revenues of the Crown were put into the hands of the receiver-general, and they were very much mixed up; I believe the military chest paid some of the expenses, there was a constant intercourse between the civil chest and the military chest, sometimes they were emptied into one another, and sometimes the chest became empty altogether. With respect to the £3,000 the quarrel about that is of a very trifling nature; it amounted merely to this, that the Assembly said they would not vote it, if those very objectionable items were continued as sinecures, but whenever the Government applied to the Legislature to pay them as pensions during the life of the holder they have paid them. In point of fact some of those which they had objected to when they were recommended to be paid as salaries, &c. they paid as pensions during the life of the persons holding them; their objection was this: if we allow these sums to these sinecurists and absentees, they will be saddled upon us for ever; the moment that one dies off, it will be given to somebody else.

When the same bill which was sent up in 1825 was rejected in 1826 and in 1827, were there any reasons assigned for that rejection?—Yes.

What were they?—There were dispatches laid by the Governor before the Legislature after the House of Assembly had voted the money.

Was the only reason assigned for the rejection of that bill, that those £3,000 were not included in the vote?—No; the dispatches however will speak for themselves, as they were laid before the Legislature.

Under the state of obstruction you have described in the appropriation of the revenues of the colony having been voted by Parliament, in what way have the revenues of the colony practically been applied?—The petitioners state that the money has been applied by the authority of the Governor and the Council alone, without any act of the Legislature. The revenue naturally divides itself into two parts; that which we consider to be already appropriated by legislative enactments for the support of the Civil Government, and that which is not so appropriated: we say that nothing is appropriated but what has been appropriated by the Legislature of the colony; the Governor says, and others say, that the revenue of the Act of 1774 of the King is appropriated; the whole of the money has been mixed up together in the hands of the receiver-general, that which is appropriated and that which is not appropriated. There is part of it avowed by both parties not to be appropriated, and the expenses of the Government have been paid by the Governor himself, with the consent of the Executive Council, out of the chest as it stands, without any appropriation; so that now of the money that the Governor has applied there is about £140,000 that is paid without any appropriation at all even alleged by the Governor. It is justified on the part of the Colonial Government as a case of necessity, but necessity will always furnish a law and pretence for every thing.

Do things remain in that state now?—They are worse now, the Legislature is suspended; the Act of 1791 is suspended in the Colony; that Act requires that the Legislature should assemble once in 12 months to look to the affairs of the province, but there is no Legislature assembled, nor likely to be any till after the month of May. A number of the temporary Acts expire on the 1st of May.

Are those Acts under which duties are collected?—No; if they had been, it would have been a different story; but they are Acts of public utility; Acts regulating the inspection of ashes and beef, or some things of that kind. Unless it is pretended that the mere meeting of the Legislature is a calling together of the Legislature for the despatch of business, and that you may get the Legislature to meet and not suffer it to proceed to business for 20 years to come; the Act of Parliament is actually suspended at the present moment, and the money is applied as the Governor and Council please.

Since there has been no vote of the Legislature for the payment of the expenses, from what resources have the Government drawn for their expenses?—From the receiver-general's chest; the whole of the money raised by the Acts of this Legislature and of the Colonial Legislature have been deposited in the hands of a receiver-general named by this country. Many of those Acts are permanent Acts, for the Legislature of Lower-Canada had not the precaution to make the revenue Acts annual as well as the appropriation bills. In other colonies they have made it a rule to make the revenue Acts annual, but we were foolish enough to make the revenue Acts permanent; so that the revenue comes into the chest, although it is not appropriated, and the Executive takes it out of the chest without appropriation.

Would not an action lie against the receiver-general for issuing money without its being properly appropriated?—The receiver-general is an officer of the treasury.

Are all the revenue Acts permanent?—I believe that every revenue Act is permanent.

Has there ever been any proposition in the Assembly to pass an indemnity Act?—Yes, they passed an indemnity in 1823 for the whole of the expenses that had been voted by the Assembly, they passed an Act of indemnity, clearing Sir John Sherbrooke's administration for the excess that he paid beyond the amount of the Act of Appropriation, an excess of six or seven thousand pounds. They passed an Act, clearing the subsequent administrations, and even for the year 1820, when there was no estimate laid before the House; they passed an Act clearing the whole up to 1823.

Was the reason of the Legislative Council not passing those bills, that they professed to indemnify the Government for what the Government did not consider any indemnity to be required?—No; I believe the reason was that the Act was informally expressed; it was an indemnity to His Majesty; it ought to have been an indemnity to those who advised His Majesty to take the money.

Were those bills lost in the Council?—They were all except the bill indemnifying Sir John Sherbrooke.

Did the bill, indemnifying His Majesty, actually pass the House of Assembly?—Yes, for all that they had voted; they never indemnified for what they had not voted.

Do those permanent revenue Acts raise sufficient for the maintenance of the Civil Government?—Yes, more than sufficient; but the expenses of the Civil Government have always grown with the amount of the revenue, because they have never been controlled by the representatives of the people in the colonies.

Are there many sinecures in Lower-Canada?—No; I believe that seven or eight, that were objected to from the commencement, are the whole; there were several others, but they were changed into pensions, but it was insisted that those should be maintained as officers; now the officers are not resident in the colonies, and have no duties attached to their offices.

You stated that the Assembly objected to the items included in the £3,000 because they were afraid they should perpetuate them after the death of the parties holding them; are the Committee to understand, that, as far as your opinion goes, you see no objection to pay those items, provided it was understood that they were to be discontinued after the death of the parties?—As a member of the Legislature, I cannot say what I would do; as a private individual, I would have no objection to allow those people that have, through our negligence, got allowances made to them, to have them continued to them during their life.

Has not the Assembly of Lower-Canada invariably objected to superannuations of all sorts?—Since they claimed a control over the expenditure; but they have never exercised any control over the expenditure, it has been resisted.

What proportion of the general expenditure of Lower-Canada did the Crown revenue bear to that which was raised by local Acts in the province?—There is a great deal of confusion with respect to the words "Crown revenue;" what is commonly called Crown revenue consists of those Acts anterior to 1774, Charles the 2d, and George the 1st, and so on; we have not regular accounts of their proceeds; the other Crown revenue is the 14th of the King, which is called the Crown revenue and the territorial revenue; all those revenues together might amount to between £30,000 and £40,000.

Supposing them to amount to that sum; what is the average amount of the revenue raised by local statutes for the purposes of the Government?—The total net revenue of Lower-Canada latterly has been about £90,000; it has amounted in gross to about £150,000 a year, a large proportion of which goes to the expenses of collection, 12 or 15 per cent perhaps, which we consider is enormous; then one fourth of the net revenue goes to Upper-Canada, exclusive of the territorial; then the rest remains the net revenue for Lower-Canada, of £90,000; of this, I believe, the executive Government claims to appropriate between £30,000 and £40,000, so that there would remain about £50,000 to be appropriated by the Legislature according to the pretensions of the executive Government of the province; that is to cover the whole of the expenses for local improvements, and the annual charitable appropriations, which last amount to about £15,000.

You stated that the Legislature of Lower-Canada having no control over the salaries of the officers of the civil government, their salaries were excessive; will you point out what salaries of officers appointed by the Crown you consider as excessive?—I consider a great many of them as excessive; I should say for instance, that all salaries which are accumulated, five or six upon one person are excessive; with respect to the petitioners I would say, that the general feeling of the country is, that the salaries are too high, relatively to the means of living in the country.

Are the petitions for which you are an agent here, signed exclusively by the French population of Lower-Canada?—No, they are signed generally by the population of Lower-Canada, excepting in the townships, the district of St. Francis, and in the district of Gaspé, for which no petitions were sent.

Have you any idea of the number of English signatures upon these petitions?—Yes, in consequence of some things that had been said, we took the trouble to count; the whole number as stated to me by the secretary of the Montreal committee, is above 87,000, and two gentlemen who live in Montreal counted the Montreal petition, at least that part of the petition that contains 40,000 signatures, and they found that there were 2,676 English names in the 40,000, about one sixteenth of the whole.

Are those chiefly Catholics?—They are both Catholics and Protestants. I do not know the proportion of them; I counted the Quebec petition just in the manner in which it unrolls, 1,171 names. In that petition they took care to state those that were proprietors, and those that were not proprietors; they generally are stated to be proprietors; and the fact of the petition being known and approved of by the parties, is certified by two witnesses who were present at the time, because many of them unfortunately cannot write their names. Of the 1,171 names that I counted, I began first with 200 in the town of Quebec and the adjacent country, there were of those actual signatures 48, the total of English names 19 out of the 200; of the English names with crosses there were four: 64 of St. Nicholas on the south shore, five signatures; no English names at all. 200 of St. Henry below Quebec, 16 signatures; no English names. 200 of ditto 13 signatures; five English names, four crosses. 187 of Cape Saint Ignace, 45 miles below Quebec, 10 signatures; no English names. 200 of Rivière Ouelle, 60 miles below Quebec, 35 signatures; three English names. 120 at Quebec, 81 signatures; 34 English names, and six with crosses. So that that makes of the 1,171, 200 signatures, 61 of them English names, and 14 English names with crosses, which makes one-fifth of the whole actual signatures, one-nineteenth of the whole English names.

Was the petition sent at all into the townships?—Not at all; because there was not sufficient time; there was no idea of sending any person to England till after the prorogation of the House, and it was desired that somebody should come home before the meeting of Parliament.

Do you believe that those petitions would have obtained many signatures in the townships if they had been sent there?—I should conceive that they would obtain signatures in the townships.

Sabbati, 24^o. die Maij. 1828.

John Neilson, Esquire, again called in; and examined.

Have you brought with you any of the papers referred to in your former evidence?—I have brought copies of the bills that were referred to.—[*The witness delivered in the same.*]

Generally, are those bills which passed the House of Assembly, and were rejected in the Legislative Council?—They are. I stated that some of the bills had been sent back, which was not perfectly correct. I consulted the journals of the Legislative Council, and from those journals I took a memorandum of the fate of the different bills, which I have here.—[*The witness delivered in the same.*]

You stated in your former examination that the two legislative bodies had each of them enacted certain standing orders, by which it was determined that they should not pass certain bills that came from the one body to the other; have you got those standing orders?—I have.—[*The witness delivered in the same.*]

Have the Assembly hitherto rejected every proposal which has been made for the purpose of arranging a civil list, or a settled system of payment for any number of officers connected with the Government, and the executive?—There never has been any such proposal made for any certain number of officers belonging to the executive.

What proposals have been made?—The first proposal was, that all money that the Assembly should vote should be voted permanently for the support of the Government. The next was, that it should be during the life of the King; and latterly it has been pretended, on the part of the executive, that certain officers of the Civil government were provided for already out of the monies that are appropriated generally for the support of the Civil Government, and the administration of justice; so that there has been no direct proposal to the Assembly to provide for such and such officers, but this general proposition, to give whatever they meant to give permanently.

Has there been any proposal that a certain sum of money should be given out, of which certain specified officers should be provided for?—No; there has been a proposal that certain officers, being already provided for, the Assembly should provide for the remainder; that has been the nature of the proposal that has been latterly before the Assembly.

When you say that certain officers are already provided for, have the goodness to state what officers were included in that, and out of what fund they were stated to be provided for?—There has been some variation in the lists laid before the House, of the officers alleged to be provided for out of the monies of the 14th of the late King, and the appropriation of the 35th of the late King by the Provincial Legislature; however, they will be found by reference to the lists laid before the Assembly, and in their journals.

Can you enumerate them?—I cannot certainly, but I can give a general idea of them.

Can you state the annual amount of the revenues arising under what you call the Act of 1774, which were commuted for the original monies due to the French Crown; does it exceed 5,000*l.* a year?—The annual monies under the 14th of the late King have varied very much, from 3,000*l.* to 20,000*l.*; they were about 10,000*l.* when a late Act of Parliament was passed, which repealed the Act allowing certain drawbacks upon exportations from Canada to the West Indies; since that time the proceeds from the 14th of the late King have nearly doubled; they have amounted to 19,000*l.* or 20,000*l.*; I mention the gross, without deducting the expenses of collection.

Will you describe what the other portion of appropriated revenue is, to which you have alluded, arising under the 35th of the late King?—5,000*l.* voted by the Legislature as an aid for the support of the Civil Government and the administration of justice.

Is that voted permanently?—It is. In what way is that appropriated in detail?—There is no detail of it in the Act; it is a general appropriation in aid for the support of the Civil Government and the administration of justice.

Have the Government proposed to make any fixed particular appropriation of that?—No, the claim has been, that they could dispose of it as they thought proper.

Does the Legislative Assembly deny that claim?—They deny that claim, in so far as Government asks for other monies from the Assembly, they say then we must take care that the whole is properly applied, because you may turn this to any use that you think proper, that is not even for the support of the Civil Government and the administration of justice, and still come upon us for the remainder.

Has it ever occurred to your own mind that the mode could be chalked out in which the money might be appropriated to the maintenance of the different officers connected with the Government, so as not to let them depend actually upon an annual vote, but to make some arrangement similar in principle to a civil list?—I am very willing to answer that, excepting of course that I cannot engage myself as a member of the Assembly; I will state what the Assembly has done, and you may judge from that what it would be willing to do. The Assembly has already granted a salary to the Lieutenant Governor during his residence. It has already offered by bill to provide for the judges during good behaviour. The great difficulty, as it seems to me, hitherto, in respect of an arrangement, has been that its rights, or at least what the Assembly conceive to be its rights, were denied. I do not think that the Assembly is so very difficult about coming to an arrangement, but it stands very strictly upon its rights to control the whole of the monies levied within the colony; if that were not denied, I should suppose it would not be a difficult matter.

matter to make an arrangement that would be satisfactory to all parties, but they conceive that the only check they have upon any thing that may be injurious to the interests of the colony is the control that they have over the monies levied within the colony; if you deny them that, you deny them all share or control in the government of the country.

You are understood to say they do not go so far as to hold that it is desirable to keep all persons connected with the executive department of the government dependent for their salaries upon an annual vote?—I cannot say as to that; there are some that do entertain that notion, and very naturally, because that has been the practice in other colonies. I believe that in Nova Scotia, where things go on very well, they have made all the revenue depend upon annual vote of the Legislature, so that not only the appropriation of the money, but the very collecting of the money is dependent upon an annual vote of the Legislature; there the Government and the Assembly go on very well in concert; in the old colonies they kept the whole of the revenues subject to their vote annually; it may appear extraordinary, but considering the circumstances of the colonies, it is not so very extraordinary. The governors sent out from this country are far away from home; they have great powers, much greater than the executive has here; they have the whole military power at their disposal; they have the nomination of every body, almost down to the parish officers, during pleasure; and if any thing is wrong, there is no remedy to be expected in the colony, except from the power of the Assembly having a check upon the Governor, or by coming to this country; now coming to this country is rather a difficult matter. When the Government has a veto upon any thing being contributed on the part of the Public to support the expenses of coming here to ask for justice, it must be done, as it has been done in this instance, by a kind of miserable subscription; therefore the Assemblies have been extremely jealous of the power over the monies levied within the colonies.

In your opinion, could any arrangement be made of the sort alluded to in the question?—I am confident, judging from what has been done, that some officers might be provided for; and I am confident that the administration of justice would be permanently provided for.

Is there much difference of opinion with regard to the amount of the salaries, as well as with regard to the offices to be provided for?—The salaries, in general, are considered as high; in fact, they are high; it is needless to conceal things, or to shut our eyes. People in those countries begin to look round them, and see what is going on in other parts of the world, and particularly in the adjoining country; they see that there governments are well administered, and cheaply administered; and naturally, as they pay for the administration of the government, they expect that it will be as well administered, and as cheaply administered, as in the adjoining countries. In the State of New York, for instance, they have three times our population, and four or five times our resources, and they pay not more than we do for the support of the Civil Government. In Lower Canada people shut their eyes to all these things, but in Upper Canada they have their eyes wide open, and they will open their eyes in Lower Canada; so that, generally speaking, I should say it is extremely dangerous to increase the expenses of Civil Government in the North American colonies greatly beyond the expenses of Civil Government in the adjoining States.

Is an objection entertained with regard to the amount of those salaries, not only from a comparison of what takes place in the United States, but with reference to the incomes generally enjoyed by persons living in the country?—Certainly it is; because the men holding salaries under the Civil Government are higher paid than the wealthiest proprietors of land, or the persons engaged in the best pursuits of industry; they are becoming, in fact, by that means the lords of the country. The men that have the greatest incomes will always be the lords of a country, and they have greater incomes than the people who have landed property, or who are following the most profitable branches of business.

What is the average income of the richest landed proprietors?—I should suppose the richest landed proprietor has not more than 1,500*l.* a year; and gentlemen at the head of their profession think they are gaining very handsomely if they can get 1,500*l.* a year, and that is a gain that will not last more perhaps than eight or ten years.

Has it been proposed to include in the list of those to be permanently provided for, any individuals to whom objection has been taken?—There are some new offices that have been constantly objected to by the House of Assembly; there is one for the audit of public accounts that has been objected to, because the government would not consent to any law for regulating that office. They wished the Assembly to give the expense of about 1,800*l.* a year for an office for auditing public accounts, when there was no law for regulating such an office; in fact, the audit of public accounts is no audit at all, it is only the audit of the persons that receive the money.

Can you mention any other office to which objection was taken?—Generally they have objected to all new offices created without their consent since 1819.

Have many offices been created since 1819?—There have been some that have had salaries added to them that had no salaries before.

Has the civil list increased in any great proportion since 1819?—No, it has been increased something; but it was proposed in 1819 to increase it at once 16,000*l.*, and it was that which occasioned the alarm among the members of the Assembly.

Upon what sum was that increase proposed?—It amounted to between 60,000*l.* and 70,000*l.* before.

Do you think it a desirable arrangement that the salaries of the judges should be voted to them at pleasure?—I do not think it is, they are voted annually in the United States; but I think it is unnecessary, because their constitution declares that their salaries shall neither be increased nor diminished during the time they hold their office. In the State of New York they vote them every year, and the constitution does not declare that they shall not be increased or diminished, for they actually have diminished them; but I think they should be independent both of the Crown and of the People.

Are the Committee to understand that you are of opinion that if the principle in dispute, with respect to the appropriation of those revenues, were satisfactorily arranged, the Assembly would be willing to vote the civil list upon the sort of terms you describe?—It is impossible for me to answer for the Assembly; I have been ten years in the House of Assembly; I have almost as frequently been in the minority as in the majority; but I should conceive that generally there would not be any very strong objection to something like an allowance during the Governor's residence for the salary of the Governor, and I am sure they would all agree in making the judges independent of the Crown and of the people.

Would they, in your opinion, be willing to make such an arrangement with regard to other officers besides the Governor and the judges?—I do not know what other officer might be proposed, I am sure it would give rise to a great deal of discussion.

Was there not a distinction taken between the different classes of officers in the province?—There was; it was this, that one class were local, and another belonged to the Imperial Government; it was a distinction to set the colony and the mother country at variance, and to set the officers that pretended to be connected with the mother country at variance with those connected with the colony.

Was it a distinction attempted to be drawn by the Government between those that were considered to be more immediately connected with the Civil Government and the administration of justice, who were thereby provided for, and those who not being so provided for, remained to be provided for by the vote of the Assembly?—Yes, it was; but there was a distinction that selected all those that were said to be imperial or permanent from others that were said to be provincial.

Was not the origin of that distinction being drawn, the inadequacy of the funds to provide for the whole?—Of course; if they had had sufficient funds to meet the whole, I do not think they would have troubled us at all with that distinction.

Do not the inhabitants of Lower Canada, who are the descendants of the original settlers, very much prefer the tenure upon which the lands are held in the seigneuries, to that of free and common socage?—There has been a great deal of talk on that subject; in truth they do not care much about the tenure, one way or the other; their great object is to get

Have they no choice between the two tenures?—I speak of the peasantry that settle upon the lands, and do the work and make the country valuable. A great noise about the tenures has arisen from an attempt to change the laws of the country, at the same time that there was an attempt to change the tenures. Now the laws which regulate a man's property, which regulates the inheritance of his children and all that, are always dear to every people; they must be very bad laws indeed if people do not get attached to those laws under which they have lived for a great length of time, and under which they have enjoyed the security of their property. The moment there was a talk about changing the laws, that moment there was an alarm excited throughout the country: it would be the same thing if you talked of changing the laws that regulate property in England or Scotland.

Do you allude to the Act called the Canada Tenures Act?—Yes.

Has that created any alarm?—It created alarm in so far as it was conceived to be the commencement of a system to change the laws that regulate property, and which have regulated property since the first establishment of the colony.

Was it not known that it was only an Act leaving it optional with persons either to take advantage of its power, or not, as they pleased?—Yes; but in the first place it subjected all the and in free and common socage to the laws of England, which never had been considered to be the case, because the courts of justice had uniformly acted upon the principle that the laws of Canada extended throughout the whole surface of Canada, and that those lands were under the laws of Canada.

Did not the Act that restored the civil law of France limit it to the seigneuries, and expressly prevent its power from extending over lands granted in free and common socage? There is a clause to that effect in the Act of 1774, but that clause seemed very much to want explanation. In point of fact, it was understood that the laws of Canada extended over the surface of Canada; and the courts acted upon that understanding.

What laws of Canada do you allude to?—The laws of Canada that were restored by the Act of 1774.

Did any opinion exist that the French civil was in operation in Canada during the years that elapsed between the Conquest and 1774?—I do not know. From the time of 1774 down to the passing of the Act called the Canada Tenures Act, in the sixth of the King, it was understood that the laws of Canada extended to the whole country, and the laws were executed upon that understanding, and the whole proceedings were had in the courts of justice; I cannot say positively, but other gentlemen will be able to say with greater certainty, if there were decisions to that effect in the courts of Canada.

Would not such a practice have been in defiance of, and wholly inconsistent with, the provisions of the Act of 1774?—I know there is a provision to that effect, but I cannot say that the courts of Canada were acting in defiance of the Act of Parliament.

Can you state, of your own knowledge, that there ever was a decision of the courts of Canada to that effect in a disputed case?—No, I cannot say that; not being a lawyer; I have only a general understanding of the thing as it exists in the country; and the general understanding was, that all those lands were regulated by the laws of Canada.

Does that understanding prevail now?—There is no understanding at all now, for no one knows what law regulates them, no one understands the mode of conveying according to the law of England, except one or two; and when they, as hitherto, wish to pass a deed that they used to pay 7*s.* 6*d.* for, they are asked five guineas, and that may be more than the lot of land is worth.

Does that apply to all the land that is held in free and common socage?—Yes; it is declared that from the year 1774 down to the present time the laws of England regulate the whole property in those townships; now every man has divided that property according to the laws of Canada. I myself trusted persons upon the faith of their being possessors of land in that country under the laws of Canada; but it appears now, that according to the English law it was the eldest son that had it all, and they had nothing, being younger sons, and I have no security for my money.

Did you enter into that contract under the idea that the same laws that regulated the decisions with respect to land in the seigneuries, prevailed in the townships?—It was generally so understood; I had no doubt about it till lately.

When did the doubt first arise?—I have heard doubts expressed a great many years ago, but it was considered as a thing upon which there was no longer any doubt from the proceedings of the courts, and consequently people set it down as a matter no longer in contest.

Do you mean to say that in the courts to which you allude the decisions have always ruled till lately, that the law of Canada prevailed in the distribution of land within the townships?—I have not said that there was a decision in the case; but the general understanding amongst the people in Quebec, where I have resided for the last 37 years, was, that those lands were governed by the laws of Canada.

What is it that has occasioned any doubt as to the practice in that respect?—The passing of the Canada Tenures Act in this country, which declares that those lands have always been regulated by the laws of England, and in fact that has a retro-active effect from the very commencement; men that thought themselves the owners of land in that country are no longer the owners of it, and it would be difficult to tell who are the owners of it.

By declaring it to be the law, does it do more than repeat and re-enforce the provisions of the Act of 1774?—I understand that a declaratory law says what has been always the law, and certainly the clause in the Act of 1774 gives a colouring to this, being declared to be the law; but it is in opposition to what was generally understood.

Have you ever heard any other construction put upon the provision of that Act, than that the laws of England should be in force in lands granted in free and common socage? Taken with the clause of the Constitutional Act, which speaks of the granting of land in Canada, (for it will be observed there were no grants of land in free and common socage made in Canada, till after the passing of the Constitutional Act,) that clause seems to imply that the lands in Lower Canada are to be continued to be granted in seignury; and that the lands in Upper Canada are to be granted in free and common socage. It however does say, that if any person requires it, land in Lower Canada may be granted in free and common socage; but the Act of 1791 seems to understand that the seignorial tenure should prevail in Lower Canada, but that in Upper Canada it should be the free and common socage tenure.

What was the practice between 1774 and 1791?—Between 1774 and 1791 there were seignorial grants; in fact it appeared at the time that it was the intention of the British Government to reserve, in some measure, Lower Canada, for the Canadians, and Upper Canada for the British settlers.

Will you read the clause in the Act of 1774?—“Provided always, That nothing in this Act contained shall extend or be construed to extend to any lands that have been granted by His Majesty, or shall hereafter be granted, by His Majesty, his heirs and successors, to be holden in free and common socage.” The Committee will recollect that this Act met with extreme opposition in this country, and the outcry was, that they were establishing French laws; in fact this Act was made one of the articles of complaint in the declaration of independence in the United States of America. Those who were opposed to the Act at that time were very violent indeed; and probably they got that clause introduced, which restricted the operation of the Act to the old grants. It all depended, however, upon the act of the Government whether there should be any thing of this kind in Lower Canada; if the Government chose to grant land in that way, then this Act might apply, but if the Government did not choose to make such grants, it could not apply, because there were no lands granted in free and common socage.

Has the King ever granted any land in seignury?—He has.

Upon that land is there any doubt that the French law prevails?—No doubt; there is Mount Murray Seignury, below Quebec, which has been granted by the King.

At what date was that granted?—I do not know whether it was subsequent to that Act, I believe that St. Armand was granted subsequent to this Act; but I know there were no grants in free and common socage of waste lands till after the passing of this Act; this

matter to make an arrangement that would be satisfactory to all parties, but they conceive that the only check they have upon any thing that may be injurious to the interests of the colony is the control that they have over the monies levied within the colony; if you deny them that, you deny them all share or control in the government of the country.

You are understood to say they do not go so far as to hold that it is desirable to keep all persons connected with the executive department of the government dependent for their salaries upon an annual vote?—I cannot say as to that; there are some that do entertain that notion, and very naturally, because that has been the practice in other colonies. I believe that in Nova Scotia, where things go on very well, they have made all the revenue depend upon annual vote of the Legislature, so that not only the appropriation of the money, but the very collecting of the money is dependent upon an annual vote of the Legislature; there the Government and the Assembly go on very well in concert; in the old colonies they kept the whole of the revenues subject to their vote annually; it may appear extraordinary, but considering the circumstances of the colonies, it is not so very extraordinary. The governors sent out from this country are far away from home; they have great powers, much greater than the executive has here; they have the whole military power at their disposal; they have the nomination of every body, almost down to the parish officers, during pleasure; and if any thing is wrong, there is no remedy to be expected in the colony, except from the power of the Assembly having a check upon the Governor, or by coming to this country; now coming to this country is rather a difficult matter. When the Government has a veto upon any thing being contributed on the part of the Public to support the expenses of coming here to ask for justice, it must be done, as it has been done in this instance, by a kind of miserable subscription; therefore the Assemblies have been extremely jealous of the power over the monies levied within the colonies.

In your opinion, could any arrangement be made of the sort alluded to in the question?—I am confident, judging from what has been done, that some officers might be provided for; and I am confident that the administration of justice would be permanently provided for.

Is there much difference of opinion with regard to the amount of the salaries, as well as with regard to the offices to be provided for?—The salaries, in general, are considered as high; in fact, they are high; it is needless to conceal things, or to shut our eyes. People in those countries begin to look round them, and see what is going on in other parts of the world, and particularly in the adjoining country; they see that there governments are well administered, and cheaply administered; and naturally, as they pay for the administration of the government, they expect that it will be as well administered, and as cheaply administered, as in the adjoining countries. In the State of New York, for instance, they have three times our population, and four or five times our resources, and they pay not more than we do for the support of the Civil Government. In Lower Canada people shut their eyes to all these things, but in Upper Canada they have their eyes wide open, and they will open their eyes in Lower Canada; so that, generally speaking, I should say it is extremely dangerous to increase the expenses of Civil Government in the North American colonies greatly beyond the expenses of Civil Government in the adjoining States.

Is an objection entertained with regard to the amount of those salaries, not only from a comparison of what takes place in the United States, but with reference to the incomes generally enjoyed by persons living in the country?—Certainly it is; because the men holding salaries under the Civil Government are higher paid than the wealthiest proprietors of land, or the persons engaged in the best pursuits of industry; they are becoming, in fact, by that means the lords of the country. The men that have the greatest incomes will always be the lords of a country, and they have greater incomes than the people who have landed property, or who are following the most profitable branches of business.

What is the average income of the richest landed proprietors?—I should suppose the richest landed proprietor has not more than 1,500*l.* a year; and gentlemen at the head of their profession think they are gaining very handsomely if they can get 1,500*l.* a year, and that is a gain that will not last more perhaps than eight or ten years.

Has it been proposed to include in the list of those to be permanently provided for, any individuals to whom objection has been taken?—There are some new offices, that have been constantly objected to by the House of Assembly; there is one for the audit of public accounts that has been objected to, because the government would not consent to any law for regulating that office. They wished the Assembly to give the expense of about 1,800*l.* a year for an office for auditing public accounts, when there was no law for regulating such an office; in fact, the audit of public accounts is no audit at all, it is only the audit of the persons that receive the money.

Can you mention any other office to which objection was taken?—Generally they have objected to all new offices created without their consent since 1819.

Have many offices been created since 1819?—There have been some that have had salaries added to them that had no salaries before.

Has the civil list increased in any great proportion since 1819?—No, it has been increased something; but it was proposed in 1819 to increase it at once 16,000*l.*, and it was that which occasioned the alarm among the members of the Assembly.

Upon what sum was that increase proposed?—It amounted to between 60,000*l.* and 70,000*l.* before.

Do you think it a desirable arrangement that the salaries of the judges should be voted to them at pleasure?—I do not think it is, they are voted annually in the United States; but I think it is unnecessary, because their constitution declares that their salaries shall neither be increased nor diminished during the time they hold their office. In the State of New York they vote them every year, and the constitution does not declare that they shall not be increased or diminished, for they actually have diminished them; but I think they should be independent both of the Crown and of the People.

Are the Committee to understand that you are of opinion that if the principle in dispute, with respect to the appropriation of those revenues, were satisfactorily arranged, the Assembly would be willing to vote the civil list upon the sort of terms you describe?—It is impossible for me to answer for the Assembly; I have been ten years in the House of Assembly; I have almost as frequently been in the minority as in the majority; but I should conceive that generally there would not be any very strong objection to something like an allowance during the Governor's residence for the salary of the Governor, and I am sure they would all agree in making the judges independent of the Crown and of the people.

Would they, in your opinion, be willing to make such an arrangement with regard to other officers besides the Governor and the judges?—I do not know what other officer might be proposed, I am sure it would give rise to a great deal of discussion.

Was there not a distinction taken between the different classes of officers in the province?—There was; it was this, that one class were local, and another belonged to the Imperial Government; it was a distinction to set the colony and the mother country at variance, and to set the officers that pretended to be connected with the mother country at variance with those connected with the colony.

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Was not the origin of that distinction being drawn, the inadequacy of the funds to provide for the whole?—Of course; if they had had sufficient funds to meet the whole, I do not think they would have troubled us at all with that distinction.

Do not the inhabitants of Lower Canada, who are the descendants of the original settlers, very much prefer the tenure upon which the lands are held in the seigneuries, to that of free and common socage?—There has been a great deal of talk on that subject; in truth they do not care much about the tenure, one way or the other; their great object is to get land cheap, and to get it easily, without much expense, and you will find that they will never be mistaken in that head; whatever is the cheapest and easiest will be that which they like the best.

Have they no choice between the two tenures?—I speak of the peasantry that settle upon the lands, and do the work and make the country valuable. A great noise about the tenures has arisen from an attempt to change the laws of the country, at the same time that there was an attempt to change the tenures. Now the laws which regulate a man's property, which regulates the inheritance of his children and all that, are always dear to every people; they must be very bad laws indeed if people do not get attached to those laws under which they have lived for a great length of time, and under which they have enjoyed the security of their property. The moment there was a talk about changing the laws, that moment there was an alarm excited throughout the country; it would be the same thing if you talked of changing the laws that regulate property in England or Scotland.

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Can you state, of your own knowledge, that there ever was a decision of the courts of Canada to that effect in a disputed case?—No, I cannot say that; not being a lawyer; I have only a general understanding of the thing as it exists in the country; and the general understanding was, that all those lands were regulated by the laws of Canada.

Does that understanding prevail now?—There is no understanding at all now, for no one knows what law regulates them, no one understands the mode of conveying according to the law of England, except one or two; and when they, as hitherto, wish to pass a deed that they used to pay 7*s.* 6*d.* for, they are asked five guineas, and that may be more than the lot of land is worth.

Does that apply to all the land that is held in free and common socage?—Yes; it is declared that from the year 1774 down to the present time the laws of England regulate the whole property in those townships; now every man has divided that property according to the laws of Canada. I myself trusted persons upon the faith of their being possessors of land in that country under the laws of Canada; but it appears now, that according to the English law it was the eldest son that had it all, and they had nothing, being younger sons, and I have no security for my money.

Did you enter into that contract under the idea that the same laws that regulated the decisions with respect to land in the seigneuries, prevailed in the townships?—It was generally so understood; I had no doubt about it till lately.

When did the doubt first arise?—I have heard doubts expressed a great many years ago, but it was considered as a thing upon which there was no longer any doubt from the proceedings of the courts, and consequently people set it down as a matter no longer in contest.

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What is it that has occasioned any doubt as to the practice in that respect?—The passing of the Canada Tenures Act in this country, which declares that those lands have always been regulated by the laws of England, and in fact that has a retro-active effect from the very commencement; men that thought themselves the owners of land in that country are no longer the owners of it, and it would be difficult to tell who are the owners of it.

By declaring it to be the law, does it do more than repeat and re-enforce the provisions of the Act of 1774?—I understand that a declaratory law says what has been always the law, and certainly the clause in the Act of 1774 gives a colouring to this, being declared to be the law; but it is in opposition to what was generally understood.

Have you ever heard any other construction put upon the provision of that Act, than that the laws of England should be in force in lands granted in free and common socage? Taken with the clause of the Constitutional Act, which speaks of the granting of land in Canada, (for it will be observed there were no grants of land in free and common socage made in Canada, till after the passing of the Constitutional Act,) that clause seems to imply that the lands in Lower Canada are to be continued to be granted in seignury, and that the lands in Upper Canada are to be granted in free and common socage. It however does say, that if any person requires it, land in Lower Canada may be granted in free and common socage; but the Act of 1791 seems to understand that the seignorial tenure should prevail in Lower Canada, but that in Upper Canada it should be the free and common socage tenure.

What was the practice between 1774 and 1791?—Between 1774 and 1791 there were seignorial grants; in fact it appeared at the time that it was the intention of the British Government to reserve, in some measure, Lower Canada, for the Canadians, and Upper Canada for the British settlers.

Will you read the clause in the Act of 1774?—"Provided always, That nothing in this Act contained shall extend or be construed to extend to any lands that have been granted by His Majesty, or shall hereafter be granted by His Majesty, his heirs and successors, to be holden in free and common socage." The Committee will recollect that this Act met with extreme opposition in this country, and the outcry was, that they were establishing French laws; in fact this Act was made one of the articles of complaint in the declaration of independence in the United States of America. Those who were opposed to the Act at that time were very violent indeed, and probably they got that clause introduced, which restricted the operation of the Act to the old grants. It all depended, however, upon the act of the Government whether there should be any thing of this kind in Lower Canada; if the Government chose to grant land in that way, then this Act might apply, but if the Government did not choose to make such grants, it could not apply, because there were no lands granted in free and common socage.

Has the King ever granted any land in seignury?—He has.

Upon that land is there any doubt that the French law prevails?—No doubt; there is Mount Murray Seignury, below Quebec, which has been granted by the King.

At what date was that granted?—I do not know whether it was subsequent to that Act, I believe that St. Armand was granted subsequent to this Act; but I know there were no grants in free and common socage of waste lands till after the passing of this Act; this was in 1791, and the first grants were in 1796.

Will you read the clause in the Act of 1791?—This is the 43d clause of the Act;—"And be

be it further Enacted, by the authority aforesaid, That all lands which shall be hereafter granted within the said Province of Upper Canada shall be granted in free and common socage in like manner as lands are now holden in free and common socage in that part of Great Britain called England: (here is a positive enactment, that all lands granted in that province shall be granted in free and common socage,)—“and that in every case where lands shall be hereafter granted within the said Province of Lower Canada, and where the grantee thereof shall desire the same to be granted in free and common socage, the same shall be so granted,” (that is only where the persons desire it,) “but subject nevertheless to such alterations with respect to the nature and consequences of such tenure of free and common socage as may be established by any law or laws which may be made by His Majesty, his heirs or successors, by and with the advice and consent of the Legislative Council and Assembly of the Province.” It seems to me, that by that clause, and in fact by the declarations of ministers themselves, it was intended to reserve the lands in Lower Canada for the increase of the population of Lower Canada, while the Upper Province was destined for the loyalists from the United States and emigrants from this country.

Do you found that opinion upon the clause you have just read?—Yes.

Will you point out what part of that clause leads you to that conclusion?—Because it positively enjoins that all grants shall be in free and common socage in Upper Canada, and it says that lands may be granted in free and common socage in Lower Canada, if the parties ask for it; that is leaving it to be understood that the old tenure is to be continued in Lower Canada.

The question is not whether it was the intention of the Legislature to permit the granting of land in Lower Canada upon the tenure of seignery, but whether it was the intention of the Legislature that the French law should extend to the lands granted in free and common socage. What is there in the clause of the Act 1791 that would lead you to construe the clause in the Act of 1774, otherwise than that the English law was to prevail in lands granted in free and common socage?—It seems to me, that where lands were granted in free and common socage, under the Act of 1774 the English laws were to extend to them; but it seems to me, by the Act of 1791, that the old tenure was to be preserved in Lower Canada. In fact it has been understood that the laws of Canada prevailed all over the surface of the country.

The Act of 1791 permits that land should be granted in the province of Lower Canada upon free and common socage to those who desire that it should be so granted. What is there in that Act which would lead you to suppose that lands granted under that permission, in free and common socage, are not subject to the operation of the Act of 1774?—It seems to me that they would come under the operation of the Act of 1774, but the difficulty seems to arise from no grants having been made till after the Act of 1791, which seemed to imply that the old tenure was to continue in Lower Canada.

Practically in the townships have persons inherited property according to the English law, or according to the French law?—They have inherited property, I suspect, according to the laws of the United States. There has been little law or government there. Those settlements were made less as part of Canada, than as part of the United States.

Do you mean to apply that to the township of Godmanchester?—Those grants were made since that time, but I speak of the great mass of the population of those countries which are near Lake Memphramagog.

Practically, in the townships near the St. Lawrence, have persons inherited according to the English law or according to the Canadian law?—I cannot say.

But in those parts which have been settled upon the American frontier, they have inherited according to the American law?—I suspect so, that is to say, they have divided amongst themselves, according to the American law. People in spite of all laws will follow their old customs and usages; it requires ages for people to alter their customs; those people coming in from the United States, will dispose of their property as they did in the United States; now the United States have done away with that part of the laws of England which gives the real property to the eldest son, and they make an equal division amongst the children.

Is not an individual in the United States at liberty to leave his property by will to whom he pleases?—Yes, and so it is in Canada; and in making marriages we make such arrangements as we please; but if we make no arrangement or no will, then the law of the country prevails. In Upper Canada they have passed a bill to introduce a law there similar to what we have in Lower Canada.

Can land held in seignery be disposed of by will?—Certainly; there is an Act of the Legislature for that purpose.

What is the practice that prevails in the seigneries in that respect; do persons divide their lands generally by will?—It is generally done by a donation; the great body of the population in Lower Canada are agriculturists; the way that they manage it is this; they take one of the boys, mostly the youngest one, and he remains with the father, and does the work upon the land, while the others go out and take up new land; before he dies, he makes what they call a donation or gift of all his land to his son who lives with him, and does the work of the land when he is no longer able to do it himself; that one becomes the proprietor of the father's land, all the others have spread themselves and taken up new lands, and he gets that gift under an obligation to pay certain sums to his brothers and sisters; the brothers with that money improve their new lands; the sisters take husbands; in fact it is their marriage portion.

You have said that the English mode of conveyancing, which has been adopted in the townships, is very expensive; are you acquainted with the mode of conveying land which is resorted to in the United States?—I believe, both in the United States and in Canada, it is done very cheaply.

[A Deed was shown to the Witness.]

Have you ever before seen a document similar to that which you hold in your hand?—Never; I never had any property in that country.

Describe what it purports to be?—It is a grant of land by the State of New York to an individual. The grants by our Government to individuals are not much more complicated than this. This is very much like one of our grants, except that our law officers choose to put in a great many more words.

Have the goodness to look at that document (another deed being shown to the witness), what does that purport to be?—It appears to be a conveyance of land from one individual to another in the State of New York.

What do you believe the expense of such a conveyance would be?—I do not suppose the expense of this could be more than about four dollars.

Can you form any judgment what it would cost under the English form to make a conveyance for similar purposes?—I cannot speak to that, but I believe there are very few that are able to make out a good title in the English form in Canada; those that I have heard speak on the subject, have said that they could not get any done at less than five guineas; now I believe many would be very glad to get five guineas for certain lots of land.

In fact, is the conveyance of land in Canada a matter of great expense?—I could convey my estates in the seigneries for 7s. 6d.

Is there any difference between the expense of a grant of land in seignery and in free and common socage?—The titles of the seigneries in Lower Canada are not larger than a small scrap of paper.

How is it in the townships?—There is a long roll of parchment, but that is at the taste of the law officer more than any thing else.

Is it difficult to trace a title in the seigneries?—No, it is not difficult. The notary keeps a minute, and when the notary dies, the minute is taken and deposited in the records of the King's Bench, where they are all put away in vaults, and there is a repertoire of the whole, so that you can by going there find out a deed made by any notary. The notary is obliged by law to keep all his minutes in a certain order, and when he dies, the King takes possession of the whole of his records, and they are deposited in the office of the prothonotary of the King's Bench for the district in which the notary officiated.

Has it not been frequently proposed to establish an office for the registry of deeds?—There have been frequent proposals.

Have they been successful?—Not any of them.

Will you state what steps have been taken to carry them into effect; have bills to that effect been brought into the House of Assembly?—There has been only one bill brought into the House of Assembly, which was lost by a majority of four or five.

Will you state what are the grounds of objection to the establishment of a register?—There are a great many grounds of objection; different persons had different reasons for voting on the subject. I, in the first instance, voted in favour of the measure, and afterwards I voted against it; that is to say, I voted for the introduction of the measure, and when I came to examine into the details I found that the thing was not practicable. The only motive that I had was to prevent fraud, and I found that the bill as proposed would occasion more fraud than it would prevent, and therefore I thought it was better to remain as we were. The truth is, that almost every head of a family in that province is a proprietor of land, and they, unfortunately, are not educated, at least many of the proprietors of land have been deprived of the means of education; they cannot do their own business; they could not comply with the formalities required by the Register Act; they would be obliged to employ law agents and persons of that description, whom we find, by experience, are not always safe, particularly such as the great body of the people are obliged sometimes to employ; they are of an inferior description, and make trick them in all kinds of ways. Now, by that law there is not one man that would be obliged, at one time or other, to come into those register offices, and, in fact, to put himself into the hands of a law agent to do the business for him, and there is not one of them hard that would be safe. Under those circumstances they would lose their privileges; wives would lose their privileges; children would lose their privileges; persons who have advanced money would lose their privileges; and there would be probably fraudulent entries made in the book of registers which gives the privilege; so that, in reality, a great many of the poor people would be deprived of their only means of support, which is the land upon which they work.

Would it not be possible, under the present state of things, for a person to borrow money and to go before a notary, giving what would be, to all appearance, a security on land for that money, and that, nevertheless, other conveyances might have been made of that land, or other money might have been borrowed upon it; so that, in point of fact, that which would be an apparent security would be no security?—No doubt.

Would not a registry prevent the possibility of that taking place?—It would have a tendency to prevent the possibility of that taking place.

Does the difficulty of establishing a registry arise from the nature of the tenures and the mode of distributing the land held in the seigneries?—Not at all; it arises from the people not being able to read and write, and the dispersed state of the country.

Is it your opinion that if the people were better educated such a register would be beneficial?—There is no doubt that a register office might be established for Quebec and Montreal with a tolerable degree of safety, diminishing the risk of those frauds being committed that are committed now. I ought, however, to have stated, with respect to those frauds that are committed, that the reason why they are committed frequently is, that the law which punished for this kind of fraud has been suffered to become extinct. The French law was very severe against those persons who mortgaged property that was already mortgaged before without declaring it; it was considered as one of the penal laws; but in consequence of the introduction of the English criminal law there was no statute which sufficiently provided for that kind of crime. The crime was one peculiar to the French system of laws, and it was provided for by the French criminal code, but it was not sufficiently provided for in the English criminal code.

Has any remedy ever been proposed in the House of Assembly?—Yes, it has been proposed in the House of Assembly to renew that punishment, so that the persons that committed that fraud might be subject to pillory and imprisonment in that country, as well as they were in France.

Is it difficult to borrow money in Canada in consequence of that mode of transmission of property?—No, but on that subject there are a great many errors; there has been a talk of much greater fraud than there really was; from a circumstance unavoidable in a new country, people have been supposed to be dishonest when they were no such thing. Thirteen years ago, land in Canada was worth double what it is to-day; at that time it was quite fair in a man who had land worth 2,000L. to take 2,000L. upon that land; but now, that land is diminished so as to be worth only 1,000L., he has taken 1,000L. more than the land is worth, and he appears to have been committing a kind of fraud, but there was no fraud in reality; but the moment a man has lent money in that way and loses it, he finds it convenient to accuse the person of being guilty of fraud and deception when it is not the case; it is owing to the great variation in the value of landed property in that country. This Parliament may make the value of all lands in Canada increase or diminish by one half, by one single Act. If you, for instance, admit our corn at a certain duty in this country, it will immediately increase the value of land in Canada; if you reject it, it will diminish the value of land in Canada; and you may in fact, by one single clause in a Corn Bill, increase or diminish the value of land in Canada by probably one half; under these circumstances, it is not surprising that people should occasionally lose money that is lent upon landed property, and every man that loses money raises an outcry about it.

Is there any difficulty in borrowing money upon land in Canada?—There is, because there are few who have any money to lend.

Is it not the habit of persons who have accumulated fortunes in Canada to transmit them to England, rather than to lay them out in that country?—It is so; gentlemen who have gone to Canada, and have not married there when they have made money, naturally incline to come here and spend it amongst their old acquaintances and relations and friends; they have nobody to bind them to that country, here they come and bring their property; those of course, who, like myself, marry in that country, and get property there, remain, and keep their property in the country.

Do you think that there exists, on the part of persons of English origin who have made money in Canada, any dislike to the tenure of land there, or the state of property, and the laws respecting property there, which deters them from employing their capital in the improvement of that country?—It did not deter me; with respect to others a great deal depends upon prejudice, and a great deal upon ignorance. People, going out to Canada, frequently think they ought not to inquire into any thing, but that every thing ought to be just as they wish; that the laws of the country should be made exactly to suit them the moment they arrive there; and, because that is not the case, they are dissatisfied, and they go away.

Are persons who settle in the townships, holding land upon the English tenure of free and common socage, exposed to any other difficulties than those which arise in the administration of the courts of law?—I do not think that those people complain of any thing, except that they are far out of the way; because, unfortunately, the grants were made to them in a remote part, in preference to the grants being made nearer the St. Lawrence. But their great object has been to obtain a representation in the Assembly of the Province; and they have met in their usual way on Stanstead Plain, and have declared that they were satisfied with the bill that was passed by the Assembly, and they have petitioned the Assembly and the Council to pass that bill; they say, that in the event of that bill passing, they think they can get a remedy for all their grievances; that the first thing they want is to get a representation in the Assembly of the Province; and the Assembly of the Province is willing to join them in redressing their grievances; but any person that by chance happens to have any connection with the townships, goes and speaks as if he was deputed by the townships. We have had twenty different stories told us in that way; but the moment they have representatives of their own to speak for them, every body will believe them, and there is no doubt they will get a remedy for every thing they complain of. There is one thing that it is desired to give them, which they have in the United States, and that is the power of regulating their own little local concerns, which I conceive, contributes very much to the prosperity of the United States; every district of country regulates matters of common convenience, such as roads and bridges. What can

can be done by an individual is done, but what cannot be done by an individual is done by a common effort of the whole community, as determined by the majority; whereas in the townships they can get nothing done without delays and expenses.

Describe the difference between the state of things in that respect in Canada and in the United States?—In Canada we have been plagued with an old French system of government; that is to say a government in which the people have no concern whatsoever, every thing must proceed from the city of Quebec and the city of Montreal, and persons must come to the city of Quebec and the city of Montreal to do every thing, instead of being able to do for themselves in their own localities. In the United States they have the English system, by which every locality has certain powers of regulating its own concerns, by which means they regulate them cheaper and better; whereas with us a man must make a journey to Quebec, he must go to a great expense, he must bow to this man and bow to that man, and rap at this door and at that door, and spend days and weeks to effect a little improvement of a road, or something of that kind, of common convenience to a district, whereas all that is done in the United States without going out of his own small district.

Is the arrangement with respect to roads, by which the Committee understand that they are placed under the grand voyer, not popular with the inhabitants of the seigneuries?—The system is a very good one; but in respect to that office, as in respect to many others, they have burdened it with fees, which disgust the people. You cannot get the grand voyer to operate without paying heavy fees, which the person that asks for the alteration must pay in the first instance. Perhaps if it is right, after the thing being argued in a court of justice, he may be reimbursed by the others, but in the mean time he must pay those fees to the grand voyer; that prevents their commencing improvements in roads or any thing of that kind; but the system of every man being bound to do the work upon his own land, as it exists in that country, is a very good one.

Does it secure that the roads shall be laid out in a proper place?—The system is this: the grand voyer ought to assemble the inhabitants, and take their advice as to where the road is to be laid out; and he ought to be guided by their advice, unless there is something very unreasonable in it; but the grand voyers perhaps, like other men, occasionally proceed carelessly and irregularly, and there are some discontents upon that subject; perhaps it may be thought that a grand voyer favours this individual or that individual, but it is often thought so when it is not the case.

In what manner is the grand voyer paid?—He has a salary from Government, and he has got fees allowed him in some way or other.

How is he appointed?—He is appointed by the Governor. Is he appointed permanently, and for what extent of district?—He is appointed during pleasure; there is one for the district of Quebec, one for the district of Three Rivers, and one for Montreal; and each of them may appoint deputies in different parts of the country, with the approbation of the Governor.

Is the grand voyer constantly resident within the district entrusted to him?—I believe so.

Upon any application made for a new road, is it necessary for him to transmit the application to the Government?—No, he acts upon his own discretion, subject to ratification in the quarter sessions of the district.

Supposing it was desirable to adopt a system with respect to roads in Lower Canada similar to that which you say works so well in the United States, in what way could it be carried into effect?—Of course by an Act of the local Legislature. The whole system, as I said before, is hitherto a French system of government; it leaves nothing to be done by the people. It would be necessary to organize the counties, and to give the proprietors certain powers of interference in their own affairs.

Are the counties sub-divided?—There has been no alteration in the division of counties since the year 1792.

What sub-division exists at present?—The old settled part of the country is divided into parishes, and the newer settled is divided into townships and counties; but the division has been made merely with a view to representation; there is no organization of counties, there are no quarter sessions and no courts of justice; every body is obliged to come to Quebec, Montreal and Three Rivers.

Are there any magistrates appointed for the counties?—There are. Would it be desirable, in your view, to establish quarter sessions?—Yes, provided magistrates are qualified; but they refuse to qualify magistrates. If they put in persons who have no property and weight in the country, it will only create confusion.

Who refuse to qualify magistrates?—The Legislative Council.

Has there been any attempt to establish a system of local organization?—There have been partial attempts in the Judicature Bill: they have sub-divided the country for the purposes of justice.

If any such attempts were made with a view to improving the country by making new roads, would they be resisted upon the part of the Assembly?—Certainly not. No change that will be for the general good of the people will be resisted by the Assembly, for the Assembly are the true representatives of the people; they must do what will be for the good of the people; if they do not, they had better go home and mind their own business.

Do you suppose that in case a system of local organization were established in the townships it would be likely to make its way, in the course of time, into the seigneuries, from a conviction of its advantages?—The people themselves in Lower Canada have been desirous of having a voice in the management of their local concerns.

Is it your belief, from your knowledge of the people of French extraction in Lower Canada, that from seeing such a system established in their immediate neighbourhood they would be likely, in course of time, to conform themselves to it, and to wish to adopt it?—Upon the whole many of us have been rather afraid than otherwise that they would conform too fast to what they saw in their immediate neighbourhood, but I conceive there might be a great many improvements introduced amongst them with their own consent, without making them exactly such as in their neighbourhood, for it is not altogether what we could wish.

What is the proportion as to numbers between the French and English members in the Legislative Assembly?—The proportion of what are called English has been diminishing within the last five or six years rather rapidly: there are only two natives of this country in the House of Assembly.

The question refers to the descendants of English parents, as distinguished from French Canadians?—There are many of good English names that cannot speak a word of English, and many of French names that cannot speak a word of French; in fact the language of the majority always carries it for a certain time, then it is acted upon by the language of the majority that may be farther off, but in the immediate vicinity it is always at first the language of the majority that carries it.

Is that language the French language?—That is the language of nine-tenths of the people.

What is the proportion of persons returned by constituents of English extraction?—It is impossible to tell that; for those of English extraction are mixed throughout with those of French extraction. It would be as difficult to tell in this country which are of Scotch extraction, or which are of Norman extraction; but when English people have settled in a district inhabited by French Canadians, of course they cannot return any, because they are the minority. It is always the majority that returns.

Are there not a certain number of the members of the House of Assembly you consider the representatives of the English settlers?—I consider that we have all the same interest in that country, but we do draw lines; sometimes it is said this man is a Scotchman, sometimes he is a Yaukey, sometimes he is a Foreigner, sometimes he is a Protestant, and sometimes he is a Catholic; but these are all nonsensical lines which have no real existence; we have all the same rights and the same interests in that colony; although our prejudices are different sometimes.

Are the interests and feelings of the people that live in the townships equally regarded in the Assembly with the interests and feelings of those that live within the seigneuries?—I cannot say as to that, for we have not been able to judge of their interest and feelings, they having had no representative entirely of their own choice.

You are a member of the House of Assembly?—I am.

What place do you sit for?—For the county of Quebec.

What are your constituents principally?—The majority of them are what they call of French extraction.

Have you sat for the county of Quebec ever since you have been in the Legislature?—I have.

What proportion do the Protestants bear to the Catholics in the Legislative Assembly?—The Catholics have about seven-eighths, but they have not quite so many members as their population might entitle them to.

Then in fact the inhabitants of the townships, if they had an object distinct and separate from the inhabitants of the seigneuries, have no means of making themselves heard, or at least have no means of prevailing in obtaining that object in the Assembly?—Not till they have representatives in the Assembly; I conceive they have no fair chance, because every body that is connected with the townships tells a different story on the subject, and they are very much suspected of having private views in the matter.

Has there been any attempt made in the Assembly to give them a representation?—We have passed a bill four or five times, but it was always rejected in the Council.

In what mode was it proposed to extend the representation in the Assembly by those bills?—The first attempt was made in the year 1823, when I was in this country; Mr. Davidson was then chairman of the Committee, and I have seen the report that he made on the subject; he consulted the surveyor-general for a statement of the population, because we had not been able to get a census; we had been endeavouring to get a census for four or five years, and the Legislative Council refused the bill; the surveyor-general, however, stated the population as nearly as he could, of the different divisions, and the representation was apportioned upon that statement throughout the whole province; the bill was brought in and sent up to the Council; they proceeded some length upon it, and made some amendments of it, but it never came back to the Assembly. The next year, in 1824, they passed a bill providing for a census of the population generally, and the Assembly sent upon another bill, which failed in the Council.

What number of members did they propose to add?—The bill of 1823 proposed to make the number 68; that is to say, to add 18; and I think the last bill that was sent up, which was in 1826, proposed about 80.

Was not the principle on which it was proposed to divide them, rested upon the number of the people, and the addition that had taken place in the proportion of English in the population since the first distribution in the year 1792?—The division was made upon the principle of giving to a certain number of qualified electors throughout the province a representative; I think that 7,000 and odd was to be the number that was to entitle to two representatives; but there is a long report on the subject in the journal of the House of Assembly; it was proportioned equally throughout the province; in the new settlements, in the seigneuries, and in the townships they were all treated alike; for 36 years ago the settlements were very little extended any where, since that time they have extended in all directions, both seigneurial settlements and township settlements.

What fresh sub-divisions were made of the people for the purpose of enabling them to exercise this new right of election?—I cannot say; there were a great many extensive counties divided into two. I succeeded Mr. Davidson as chairman of the committee that brought in the bill, and I recollect that I portioned off the whole of the townships separate from the seigneuries, so that there might be no interference in the election; that the representatives of the township should be independent of the people in the seigneuries, seeing that when they are brought into contact they may destroy the votes of each other in some respects; so that according to that bill the townships would have had about five representatives in the Assembly who would be entirely their own choice, which would be sufficient to have their interests well understood; for if the representative of a county says this is wanted for my county, every body gives credit to him.

Did the bill contain any such provisions as would adapt the representation to the population as it continued to increase, and to the surface of the country as it gradually became cultivated?—It was intended at that time to get a census bill every 10 years, and to apportion the representation upon the census; that is the constant practice now in the neighbouring countries; and I believe it is a very safe practice; it prevents every thing that is unfair.

What is the rule laid down in the United States of America, particularly in the district of Vermont, with respect to the increase of representatives who are to sit in the Assembly of the State?—The universal principle throughout the United States of America is, that representation and population should go hand in hand; that they should be proportioned to each other. In Vermont I have seen the constitution of 1793, which says that the representation shall be apportioned as equally as possible. There were very few settlers at that time, and I think that they allowed two representatives for a town, provided it contained 85 qualified electors; and if it had not 85 qualified electors, it was nevertheless to have one representative.

What is the qualification of an elector?—In the first place being a militiaman, in the next place paying taxes to a certain amount; I believe in the State of New-York they have lately made an alteration: they made an contribution in the shape of direct taxes sufficient.

Is there not a combined principle in Vermont which has reference both to the extent of land and to the population?—Not to my knowledge; I never saw any thing later in Vermont than the constitution of 1793.

What provision is made in Upper-Canada for increasing the number of representatives in the Assembly?—In Upper-Canada I know that they have a provision made by the local Legislature for increasing the representation; but I cannot speak as to the details.

What in your opinion would be the objection to establishing a system in Lower-Canada similar to that which has been described, recognizing a combined principle, rather than one that is to be dependent upon population solely?—I think it would be very unsafe and very unsatisfactory to the people at large. I do not think that the township people, or any other portion of the people of Lower-Canada would like to see a departure from the general principle, that the number of representatives ought to be proportioned to the number of qualified electors.

On what ground would it be unsafe?—I think it is unsafe to deviate in a matter of that kind, so greatly from the privileges which the people enjoy in the adjoining states; the people in Canada think they are entitled to privileges nearly corresponding with those which exist on the other side of the line, and I do not think it safe for this Government to deviate too much with respect to popular privileges, from what exists in the United States of America.

If you were to be convinced that the practice which has been described exists in the neighbouring country, should you think that there is any ground of danger in adopting it in Lower-Canada?—It is not very likely that I should be convinced on that subject; there may be something that I am not aware of, but I am almost certain that there is nothing that authorizes a departure from the principle laid down in all the American constitutions I have seen; but even if it were so, I do not think it is fair; I think it is essential that justice should exist every where; I think it is the foundation of all Government and all security.

Do you then mean, that numbers should form the sole basis of legislation?—No; it should be the number of qualified electors.

What qualification would you propose?—The qualification is a qualification that has been established by Act of Parliament, it is territorial in the counties; and proprietors of houses in the towns, or paying a certain rent.

You say that in Vermont, when there are 85 qualified electors in a town, that town is entitled to have two representatives; but does the number of representatives increase afterwards in a rapid proportion, when the number of qualified electors increases?—I have seen nothing of the constitution of Vermont except the constitution of 1793, which says, that when there are 85 qualified electors in a town, that town may send two representatives, and that all towns that have not got that number, may send one; that is to say, any town that has inhabitants may send one, but towns that had a number exceeding

exceeding 85 might send two; now a representation of that kind is a most monstrous representation, for I have seen a house of 600 or 700 members all sitting together, constantly doing business. Every parish, in fact, sends two representatives, and they do send in some instances, I believe, as many as they choose to pay.

Does the number of representatives increase in proportion to the number of qualified individuals?—No.

Then the number of electors is not in proportion to the population?—They make out censuses every ten years, and upon those censuses it is that they apportion the representatives, so that every place may be equally represented.

Then it appears that a town containing 500 or 5,000 qualified electors, has the same representation as a town containing 85 qualified electors?—That is the constitution of 1793; but the constitution of 1793 establishes this principle, that it shall be as equal as possible amongst the qualified electors, and they regulate it by special Acts from time to time.

You are not aware of any change having taken place since that time?—No.

Then according to the system of 1793, there is no proportion established between the number of electors and the number of elected?—Perhaps the best way will be to refer to the clause, and then every gentleman will be able to put the construction upon it that is most correct.

Are gentlemen resident in Canada found to be generally averse to be members of the Assembly, or is it an object of competition amongst them?—There was a great deal of competition at the last election.

Were there many contests?—Universally, almost.

Do you know the system of representation in Upper-Canada?—I know there has been an augmentation of the representation there.

The principle of the representation there is that every county now formed or organized, or which may hereafter be formed or organized, the population of which shall amount to 1,000 souls, shall be represented by one member, and that when it shall amount to 4,000 souls, it shall be represented by two members; and that every town in which quarter sessions shall be held, and in which there shall be 1,000 souls, shall be represented by one member; would you think that a fair system?—We do not claim so much as that; we would have thought that that would have given us too numerous a representation. Their representation is nearly double ours upon the present system.

Do you think that would be a fair basis of representation, not as to the numbers but as to the principle?—I do not see any thing very objectionable in that; but I will read an extract from the petition of the townships, by which they declare themselves satisfied with this bill; this petition was presented in 1825 to the Legislative Council and to the Assembly of Lower-Canada; they say, "That the petitioners learn with most heartfelt satisfaction that a bill was introduced into the House at their last session, and which passed the same, providing for dividing the province anew into counties, for the more equal representation of the same in the Provincial Parliament, and for other purposes, and that they deeply lament that the same did not pass and become a law; that is to measures of a similar nature, especially as it regards the eastern townships, that they look forward as the most effectual remedy for the many difficulties under which they have long laboured as a people, and of preventing in a good measure the evils which a continuance of the present state of things would threaten them with for the time to come." That is the most numerous signed petition that ever I saw come in from the townships; since that time the same bill has been sent up twice to the Legislative Council, and in that bill they struck out every thing that regards the augmentation of the representation.

Upon what grounds do you understand that it was rejected?—I understand that they think that the House of Assembly is sufficiently numerous, but it is impossible to tell; we were seven years without obtaining an Act authorizing a census.

Do you know whether there were divisions in the Legislative Council upon the amendments, or whether they passed unanimously?—I cannot say; but the journal of the Legislative Council of 1827 will show the proceedings. The bill was sent up in 1824, in 1825, in 1826 and in 1827; there was an instruction in the year 1825 to leave out the clause relating to an augmentation of the representation; in 1826 there were no further proceedings on the subject; in 1827 this bill was introduced, and ordered to be printed.

Do you know what is the system which is pursued with regard to the qualification of members for Congress, as to apportioning the number of representatives which each State is to send?—Yes; the population is the principle upon which they go; it is to be settled every ten years upon a census.

Is it not wholly dependant on population, without any reference to the number to which the Congress may ultimately come?—I believe it is not at all settled to what number they may ultimately come; but they will of course confine it to a number that is fit for doing business.

Is it not the fact, that the number of representatives sent from a State to Congress increases according to the increase of the population?—The constitution of 1793 says, that the representation of the States shall be regulated according to their population, and I understand that it is fixed upon a census every ten years.

Have not wishes been expressed on the part of the townships that roads should be made from the townships through the seigneuries down to the river, in order to give them access to that part of the province which is the most populous and the most wealthy, and to give them access also to the river for the purpose of taking their produce to market?—Yes.

What has taken place in consequence of those representations?—There have been large grants of money from time to time made for the purpose, which have been spent under the direction of the Executive Government, and concerning which the people of the townships almost universally say that no good has been done with it.

What sums of money have been granted, and when?—I do not know exactly, although the people of Lower-Canada do make roads upon their own land, and are bound by law to do so, I think there must have been spent since the last war nearly £100,000 for roads, of the provincial money.

In what way has that money been raised?—It has been taken out of the unappropriated monies at the disposal of the Legislature.

How has it been applied?—The Governor appoints Commissioners, and the Commissioners proceed to apply the money; the people complain very much on the subject throughout the country; they say that the Commissioners have endeavoured to make roads for their own advantage, and that they have made roads where they could be of no use, and that the consequence is, that the people derive no benefit from them.

What interest could the Commissioners have in the matter?—They have large tracts of land, and every one likes to have a road through his own land.

Who have been appointed Commissioners?—That will appear by the journals of the Assembly.

By whom are they appointed?—By the Governor.

Are they appointed permanently, or is a set of Commissioners appointed to carry a particular road into effect?—They are appointed for a particular county, or for a particular district; I think that Mr. Felton, M. Heriot and Mr. Badeaux are for the Three Rivers.

Will you describe any one road which has been made with the public money?—I cannot mention any one road, for the people all say that there is none existing, the money is spent, and the road has grown up; there was a road called Craig's Road, upon which a great deal of money was spent; there was a road called Labaye Road, upon which a great deal of money was spent; and there was a road from Sorel to the townships, upon which a great deal of money was spent.

Does the making a road in Canada mean more than cutting an open way through the wood, and removing the timber and obstructions?—Yes, it is necessary to do more than that; the first opening, however, is mere by that. The first is sufficient for a sledge to pass in winter; the next is sufficient for a horse to pass in summer; the next is sufficient for a cart to pass in summer; and the next is sufficient for the common conveyance to

market of a market cart, and then they think they have got a great way in improving the roads.

To what circumstances do you attribute that the roads you describe as having been constructed grew up again?—The roads were made out of all reason; it was attempted to make roads through an immense wilderness, where there was nobody settled; through the crown and clergy reserves, where there was nobody to look after it. Attempting such a road as that was a waste of money. No road can be kept in repair unless there are inhabitants along the road, and there is travelling by the road.

Has not one of the great objects of the Government of the United States been to extend great lines of roads; and has not it been found that the extension of those lines of road uniformly brought population upon the line?—I cannot say as to that; they are doing a great deal as to roads in that country; they are making military roads, and other roads; and I have no doubt that where good roads are made, it is easier to settle along those roads than when they are miserable roads, such as are made in Canada.

Roads having been made, such as you have described them, to what do you ascribe that they have not had the effect of producing settlements upon the line?—In the first place, you cannot find who are the proprietors of the land, for they have been granted 20 or 30 years ago to persons, some of whom are living in England, or in Scotland; and you cannot sit down alongside a crown reserve, or a clergy reserve, because you have nobody to assist you; the wild beasts will come in from the crown reserve, or the clergy reserve, and eat up all your crop. It is as much as a man can do in those countries, in the first, second and third year, to derive subsistence from his labour, without doing the labour of his next neighbours; and then it is to be considered that the march of population, as the Americans say, is to the west, where the climate is milder; Lower Canada is the hardest climate of all the North American provinces. The people like, if they can, to take advantage of a long river, like the River St. Lawrence, to go into a milder climate.

Has not the increase of population been very rapid in Lower Canada, in the townships along the American borders?—I think it was about 1798 that they began to settle; and I believe that now, in that quarter, there may be about 24,000 souls.

Of what origin?—They are people that come in from the United States, native Americans. The first grants were made in 1796; and the people principally came in from the United States in the beginning of 1798, and on till 1812, when the war began; and since the war, I believe, the settlements have been going on increasing.

What is the inducement to settle on the borders of the United States, in preference to settling on the part of the Canadas near the townships?—The object of the Americans was to get good land, and cheap; and the nearer their own country, the easier it was to get to those lands.

Did they get them cheaper in Canada than in the United States?—Of course they did.

To what do you attribute that?—I attribute it to a great many causes; one is, that the Americans are better managers than we are.

In what respect are they better managers?—They generally manage their concerns extremely well for their own profit and for their own advancement; they have excellent regulations amongst themselves for the common advantage in settling lands, and making them valuable when they are settled; we are not so well regulated in that respect.

Do you attribute it to a better system of government?—I think their system of local government is much better than ours. There is another circumstance; some of the people that come in from the United States to Canada are runaways, persons that have got into debt in the United States; they come into Canada, and settle in Canada, because they are out of the reach of their creditors; those are not the best people for advancing a settlement.

To what do you attribute the difference in the value of land between the United States and Canada?—I should say that their local affairs are better managed than ours. I know that in Derby, when I was there in 1811, the lands on the other side of the line were worth eight dollars an acre, and on our side they were not worth two.

Have the inhabitants of the townships ever petitioned the Legislative Assembly for any purposes?—Yes.

For what?—They have petitioned for register offices; they have petitioned for courts of justices; they have had a court of justice; they have been set off into a new district.

Was that as much as they petitioned for?—I do not know that it was; they probably wanted courts upon a more extensive plan. This is a limited jurisdiction; but the townships were set off by the Act of 1823 into a new district, and an English judge appointed for them alone, and a gaol built, and some things of that kind done; however, there has been a great deal of difficulty upon that subject. They had an Act for collecting small debts, and making justices of the peace courts, and things of that kind; but I rather suspect they would like to have courts upon a more extensive plan; they are dissatisfied with the courts that they have.

Have their petitions been generally attended to?—They have, but latterly I should say that the whole of the legislative business of Lower Canada has been very much neglected; the differences between the executive Government and the Assembly, and the objections on the part of the Legislative Council to proceed upon bills sent up by the Assembly, have prevented the legislative business from going on with that activity with which it ought to go on.

With respect to roads you mentioned that 100,000*l.* had been voted for making them in different parts of the country since the war; do you mean since 1815?—In 1815 they began to make appropriations; in 1815 there was a grant of 15,000*l.*, and there was another large grant of 55,000*l.* in 1817, and they have gone on gradually ever since.

Has any one good road been made with that money?—Very little, I believe.

Were those sums granted upon the application of the executive Government, or did they arise from a motion in the House?—Some of them were upon petitions, some, I believe, from motions in the House; but there has been no grant of public money made without an approbation on the part of the executive Government.

Were they appropriated to make particular roads?—They were appropriated to particular counties.

Has there been any report of the manner in which the money was expended?—There have been reports made, but there is at this moment great disorder in the whole concern; there is to the amount of 150,000*l.* of monies advanced that have not been settled.

Have the commissioners salaries?—No.

Are they gentlemen of the counties?—Some of them reside in the counties, some in the towns, some of them reside in Quebec, and some in Montreal; but the thing has been badly managed altogether, and there is no regularity.

Have not the House of Assembly sometimes refused to pass bills that have been sent to them?—I do not know any road bill that they have refused.

Do you not recollect instances of road bills that have been introduced into the House of Assembly which the House of Assembly have not passed?—Yes, I recollect one about the crown and clergy reserves.

Do you recollect why it was not passed?—I cannot say, it was referred to a committee, and there was a report upon it.

Do you think there exists in the House of Assembly any disposition to discourage settlements in the townships?—I do not believe it.

If it has been said that the House of Assembly refuses to pass road bills in order to discourage settlements in the townships, you do not believe that to be a correct representation?—I do not.

Do you think there exists on the part of the inhabitants of Lower Canada of French extraction, an indisposition to see the English settlers occupy land in the rear of the seigneuries, and cultivate it?—I do not think there is; it is very natural, however, that the farmers should wish to see lands at the back of them to settle their children upon, but I do not think there is any indisposition to the settlement of the country by the people of Europe; the general notion among the people is that America is large enough for every body.

Is there a strong idea in Lower Canada that Lower Canada was intended to be reserved by the Act of 1791 for the French Canadians?—I have heard that idea expressed.

Do you think it prevails generally?—I do not think it does generally; but I am convinced that many of the French Canadians think it hard that they should not get land with the same facility as other people.

What objection is put in the way to granting lands to the descendants of the French Canadians?—In the first place, they like to have every thing in the old way; they have applied for land *en fief*, and they have been refused.

Do they object to take land upon the tenure of free and common socage?—They do not object to take lands upon the tenure of free and common socage; but they cannot get them; the lands there are granted out to a great extent back, 20 or 30 or 40 miles, if they find out who is the owner of a piece of land near them, they apply to him directly, and he asks them an extravagant price for it, a price that they cannot pay.

To whom are those lands granted?—From the year 1790 down to a late period, there was a practice of granting an immense tract of land, called a township, to a leader, that leader gave a number of names which were put in the patent, and he managed beforehand to get deeds of conveyance from them, so that he became possessor of the whole; but in some instances those names became actually the patentees, they never thought of settling the land; he used to give them 5s. to get their names, and in many instances they stood as the proprietors. At the present day they are not to be found, or they are persons that have come to England or Scotland, and you cannot tell who is the proprietor of the land; but if you do find the proprietor of the land at the back of the seigneuries, where the people want to settle, he asks an extravagant price for it.

Would you propose to interfere with the rights of those proprietors?—All those lands were granted by the King on condition that they should settle on them, they have not performed that condition. It was proposed in the House of Assembly to pass a bill that should authorize the King's Government to proceed to escheat such lands as might be in the immediate vicinity of actual settlements; but it fell through, and there was an Act passed here in the year 1825, which is of the same character, but it gives the Government the power to escheat all over the country, perhaps 100 miles from any settlement. Now it is a hard thing to talk of escheating a man's land when he is out of the reach of all settlement, after he has been put to the expenses of fees for the patent, and other expenses. Undoubtedly when the settlement comes alongside of him, it is proper that he should perform his duty of settlement, and if he did not, that he should be deprived of it; but it is thought that that power might be used to take away land from people on speculation, and that has excited alarm.

How would you propose to deal with those lands?—To pass an Act of the Legislature, that whenever there are settlements in a township, the settlers upon the adjoining lands should have the lands escheated, unless they performed the duties of settlement.

Then you would propose to enforce the Act of 1825?—Under that limitation, that it should not extend to any other lands but those within the limits of a settlement.

You said just now that the price asked for that land is exorbitant, and before that you said that lands were cheaper in Canada than in the United States?—So they are, much cheaper than in the United States; there has been so much land thrown in the market in Canada, that unless it is in the immediate vicinity of a settlement it will not sell for more than 3s., 7d., 1s., and 1s., 3d. an acre; but sometimes in the vicinity of a settlement it will bring a higher price. The moment you go and settle alongside the land of one of those occupiers, you increase the value of his land, and from that moment if you purpose to buy his land he asks an exorbitant price for it; he will not settle it, because he finds that he can get a price for his land by the labour of others.

You have said that it was very much wished on the part of many persons in Lower Canada, that an agent should be appointed in this country, and that the power to appoint such an agent had been refused; for what purposes did you wish an agent to be appointed?—Generally to attend to the interests of the colony in this country, particularly in matters that are before Parliament. The Parliament has reserved to itself the right of regulating our trade, and in fact, it is the supreme Legislature of the Empire; and we have found by experience, that latterly it has occasionally made laws that affect us; now we think, that as we have no representation here, it would be conducive to the welfare of the colony, and probably to a better understanding of what is done here, if there were a person resident here that might attend to those matters. It may happen that there are abuses in the colony, concerning which it may be necessary to apprise the Government here; now if there are abuses it would be better that there should be some person authorized by the colony, and recognized by the Government, to make representations to the Government, so that the matter may be quietly examined into and adjusted, any abuses of Government there may be put an end to by instructions to governors. An agent would be able to make the colony understood to the Government of this country in some measure, and the Government of this country better understood to the colony, besides attending to the business before Parliament.

Do you know who appointed agents to the United States in this country while they were still dependent upon this country?—I believe the Legislature of the colony. I think that generally the colonies that had agents have had them appointed by an Act of the Legislature of the colony, and they have agreed amongst themselves as to the person that should be that agent. I believe that Nova Scotia has had agents, New Brunswick has an agent, Jamaica has an agent; we have applied since 1807 for an agent, and certainly in there had been an agent, it would have prevented a great deal of alarm and ill feeling in the country.

Has Nova Scotia now an agent of that description?—I do not know that it has now; I know that New Brunswick has an agent now.

How do you propose that the agent should be appointed?—By an Act of the Legislature.

With the consent of the Governor?—No Act can pass without the consent of the Governor. The last time it was proposed to have a conference with the Legislative Council on the subject, but they maintained that there ought to be no agent, that the Governor is the agent for the province. That may be so, but it is very difficult in matters, particularly where there are complaints against the Governor, that he should be the agent.

Who would instruct that agent if you had one?—The usual method has been that there should be a committee named by the Council, and one by the Assembly, and that they should send him instructions; or if they did not agree upon the person that shall be the agent, they name two. The only object is, that the branches of the Legislature of the colonies may be heard in this country. It may be irregular in some respects, but there has been a necessity found for something of that kind. I rather think that agents have done more good than harm upon the whole.

With regard to the Canada Tenures Act, which contains a power for changing the tenure of land at the option of the holder of the land in the seigneuries, is that objected to now in Lower Canada, and are the provisions of that Act matters of complaint?—It has had no execution; the people have viewed it with some degree of alarm, because they conceived it as the commencement of an attempt to destroy the laws of the country under which they hold their property, and particularly that part of it which declares that whenever a commutation is made the property shall be under the laws of England. Now that my property should be under the laws of Canada, and that my next door neighbour's property should be under the laws of England, seems to me to be impracticable. The people imagined that it was the commencement of a plan for destroying the laws to which they have been accustomed, and in consequence it excited some alarm, and the people were indisposed against it.

Do you know what has taken place at New Orleans since it was made a part of United States?—There can be no difficulty there, because the majority of the people appoint the Legislature and the Governor; the majority of the people make the laws, and they must always be satisfied, because whatever is done is done by consent of the people themselves.

Has not the French law been adopted there?—I believe they have adopted a code very much like the *Code Civile*; and if there were a code drawn up, there would be no objection

to the laws in Lower Canada, for the objections arise more from ignorance than any thing else. People will not inform themselves of what the law is, and then they find that they have committed blunders through their ignorance of the law.

What are the peculiarities in the state of Lower Canada which have occasioned it to remain so much behind the rest of the Continent in point of information?—The country is very much extended, it is difficult for people to establish schools themselves; they had no authority till lately even to hold property for schools, and under difficulties of that kind it is natural to suppose that education would not spread so rapidly as in the United States, where from the commencement there has been a regular provision made for schools on pretty much the same plan as in Scotland. In Lower Canada we have had nothing in favour of schools except the Act of 1801, which has done more harm than good with respect to the general advancement of education, for it alarmed the people with regard to their religion. The schools were under the control of persons that they considered adverse to their religion, and it was thought that it was attempted to get the whole of the children to school in order to convert them, or pervert them, as they called it, and it excited a great deal of alarm.

I deliver in a copy of the Resolutions of the Legislative Council of the 6th of March 1821.

[The witness delivered in the same, which was read as follows:]

"Resolved, That it is the undoubted constitutional right of the Legislative Council to have a voice in all Bills of Aid or Supply, or Money, of any kind levied upon the People of this Province by the Legislature thereof; and in all Bills for Appropriation of the same, whatsoever the purpose may be:

"Resolved, That the said right extends to the approval or rejection of all Bills of Aid or Supply, or Monies aforesaid, and of all Bills of Appropriation for the whole or any part of such Aid or Supply, or such Monies, and that no legal appropriation can be made without the concurrence of the three branches of the Legislature:

"Resolved, That the Legislative Council will not proceed upon any Bill of Aid or Supply which shall not within the knowledge of this House have applied for by the King's Representative in this Province:

"Resolved, That the Legislative Council will not proceed upon any Bill appropriating Public Money, that shall not within the knowledge of this House have been recommended by the King's Representative:

"Resolved, That the Legislative Council will not proceed upon any Bill of Appropriation for Money, issued in consequence of an Address of the Assembly to the King's Representative, (Addresses of the Assembly for the expenses of that House excepted (unless upon some extraordinary emergency unforeseen at the commencement of a Session, and which unforeseen emergency will not allow of time for passing a Bill of Appropriation for the same in the session when the Address shall have been voted):

"Resolved, That the Legislative Council will not proceed upon any appropriation of public Money for any Salary or Pension hereafter to be created, or any augmentation thereof, unless the quantum of such Salary, Pension, or Augmentation shall have been recommended by the King's Representative.

"Resolved, That the Legislative Council will not proceed upon any Bill of Appropriation for the Civil List, which shall contain specifications therein by chapters or items, nor unless the same shall be granted during the life of His Majesty the King:

"Resolved, That nothing contained in these Resolutions shall be construed to prevent or infringe upon freedom of debate and decision in this House upon the merits of any matter which shall be recommended by His Majesty's Representative, or upon any Bill relating to Public Money, upon which this House, according to the spirit of these Resolutions, can proceed."

Mr. Neilson.—I also deliver in a copy of the Resolutions of the House of Assembly of the 15th March 1821, which were founded upon the Resolutions of the Council that have just been read.

[The witness delivered in the same, which was read, as follows:]

"Resolved, That this House has never done nor claimed any thing contrary to what is stated in the said Resolutions of the Honourable the Legislative Council:

"Resolved, That the Honourable the Legislative Council cannot constitutionally prescribe or dictate to this House the manner or form of proceeding on Bills of Aid or Supply, nor upon any matter or thing whatsoever, and that every attempt of the Legislative Council for that purpose is a breach of the rights and privileges of this House: That the right of originating Bills of Aid or Supply belongs solely and exclusively to this House: That the right of originating Bills of Appropriation of Public Money belongs solely and exclusively to this House: That this House are astonished that the Honourable the Legislative Council have passed Resolutions and adopted rules which affect the constitutional rights and privileges of this House, without having heard the reasons to the contrary which might have been given on the part of this House: That the said Resolutions have been adopted by the Honourable the Legislative Council without any difficulty or dispute having arisen between the said Legislative Council and this House respecting the matters therein set forth, and that the said Resolutions, adopted gratuitously and unnecessarily by the said Legislative Council, are of a nature to retard the re-establishment of that harmony and that good understanding between the two Houses which it is desirable should prevail for the good government, peace, and welfare of the people of this Province: That all Resolutions by which one branch of the Legislature lay down for themselves beforehand, and in a general manner, a rule not to proceed on Bills of a certain form or description, which may be offered to them by another branch, is contrary to parliamentary laws and usages, to the Constitutional Act, and to the liberties, rights and privileges of the other branches of the Legislature, and even of that branch which adopts such resolutions: That by constant parliamentary usage, recognized by several Acts of the Parliament of the United Kingdom and the Legislature of this Province, the Commons of the United Kingdom and the Assembly of this Province have frequently voted by address advances of money, when the exigencies of the state and country have rendered it necessary; and that this practice, far from being disadvantageous, has been of very great assistance to Government, as the converse would produce incalculable inconvenience and fatal consequences to His Majesty's Government: That it is the duty of this House towards His Majesty and his People of this Province to take into consideration all Salaries, Pensions and Augmentations thereof, and to provide for them with liberality and justice, although the quantum be not mentioned in the recommendation made to this House by the King's Representative: That the Honourable the Legislative Council cannot, directly or indirectly, abridge or prolong the time fixed by Bills of this House for the collection of any sum of Money, nor change the mode established by Bill of this House either for the collection or application of the public Money."

Martis, 3^o. die Junii, 1828.

Mr. Simon M'Gillivray, called in; and Examined.

ARE you acquainted with the British Provinces in North America?—I am, having frequently visited them.

In what capacity have you visited them?—As a merchant and connected with the North West Company, whose trade extended very far into the interior, and the necessary attention to which, I had occasion to travel through a considerable part of the country repeatedly.

Is your acquaintance principally with Upper Canada, or with Lower Canada?—About equal in both; my connections are chiefly in Lower Canada; but I have travelled so frequently through Upper Canada, that my personal acquaintance is about equal in both.

For what length of time have you been acquainted with those provinces?—I have been acquainted with Lower Canada since 1802; with Upper Canada since the war; since 1815.

Are you a proprietor of lands in either province?—I am not, individually. I believe I may be proprietor of some wild land that I inherit from some relations there; but I never saw it.

Is there any thing in the state of the laws in Lower Canada which, in your opinion, discourages British subjects from becoming possessed of land in that province?—Undoubtedly there is much; the state of the tenures, the fines upon mutations of property, and the general dislike which I have found to prevail to living under the French institutions and laws.

Do you find that dislike confined to the English population, or is it common to the French?—Certainly not; the French are anxious to preserve their peculiar institutions with as little alteration as possible.

Is not the French population much more numerous than the English?—It is. The French and English population are very little mixed; and even where they reside together, as in towns, they do not associate, but form, as it were distinct castes. In the seigneurial part of Canada, along the banks of the St. Lawrence, the French population is pretty much unmixed. There is a mixture of English population in some of the towns; and in what are called the eastern townships, (a considerable extent of territory lying between the seigneuries and the boundaries of the province,) the population is partly of English and partly of American descent, but generally called English, as distinguished from French.

Is the objection to the state of the law confined to the inhabitants of the townships?—It is confined to the commercial population of the towns, and the English inhabitants of the townships.

You say that the fines upon the mutations of property are one of the reasons why English people are indisposed to possess it; can you state the amount of those fines?—The amount of the fines is, I believe, one twelfth upon each transfer; and its injurious effect upon property which is improved is manifest at once; because if a man purchases a piece of ground, a mere garden, for 200*l.* or 300*l.* and builds a house worth 10,000*l.* upon it, he pays the fine upon the additional value.

Does the one twelfth go to the seigneur?—It does.

Is it paid equally, whether the property is transferred upon the death of the possessor or transferred by sale?—It depends upon whom it is inherited by. If it is inherited by the children I believe it does not pay the fine of mutation; I believe it is only in case of sale that the full fine is charged.

Is the commerce of Canada carried on chiefly by English people?—By the people of English and Scotch, and what the Canadians consider *foreign*, descent, speaking of English as including all others who are not Canadians.

To what circumstance do you attribute the Canadians not engaging in commerce?—It can only be matter of opinion. There are some of them that are engaged in the inferior branches of commerce; they keep shops, and are engaged in small country half taverns half shops, but generally they are not a commercial people, and of those who have engaged in commerce few have ever obtained any distinction, or amassed much property by means thereof.

Did they not while the fur trade took the direction of the St. Lawrence, engage very actively in that branch?—As clerks, servants, and *voyageurs* or canoe men, they did; I can speak to that from my own knowledge. The fur trade to the northern country was, from the year 1784 or 1785 to the year 1821, carried on wholly by an association called the North West Company, and although the partners of that company were always chosen by a regular system of promotion of meritorious clerks, I believe only four Canadians ever came to be partners of the company, and one of them through a circumstance of family connection. I have no objection to state *the fact*, but it is not of any moment, and it might offend the party; but the inferior servants were almost wholly Canadians.

Do the persons whom you describe as engaged in commercial pursuits in Lower Canada invest their money in Lower Canada, or are they in the habit of remitting it home?—They are very much in the habit of remitting it home; and I am persuaded that that practice has tended to prevent the advancement of the colony and its improvement, in the same manner that the adjoining states are improved.

Are you sufficiently acquainted with Upper Canada to be able to say whether the same habit prevails there; that is to say, whether persons making money in commercial pursuits remit their money home or invest it there?—I know scarcely any instance of any persons having acquired money in the Upper Province having left it. They become generally large holders of land. There are several persons that I know now who have been long talking of leaving the province, but they still remain there.

You mean persons that are engaged in commercial pursuits?—They have been persons engaged in commercial pursuits, proprietors of mills, and dealers in produce generally; because the commerce of the country is limited to the produce of the land, and to importation of manufactures and colonial produce for consumption.

Are the Committee to infer from that, that the tenure of land, and the management of property in Upper Canada, is upon a footing more acceptable to persons of British origin than it is in Lower Canada?—Undoubtedly; and I may state further in favour of that opinion, that although at a greater distance from a market, and a much greater distance from a navigation, and under various disadvantageous circumstances, arising from its remoteness, land in Upper Canada, is of considerably more value than land of equal fertility in Lower Canada.

Does the superiority of the climate in Upper Canada tend materially to produce that additional value?—In part, certainly.

To what do you attribute the other part?—To the superior eligibility of land held under the institutions of Upper Canada over land under the institutions of Lower Canada; in corroboration of which I would add, that where there is not much difference of climate, where the land is merely divided by an imaginary line separating the province of Lower Canada from the States of New York and Vermont, the land in the townships on the Canadian side of the line is in many places scarcely saleable at 1*s.* an acre, and on the other side of the line it is sold at 10*s.* 12*s.* and 15*s.*

When you say that the inhabitants of the English townships, and the English inhabitants of the towns in Lower Canada, are desirous of English law in preference to the French law, do you mean that they wish for the English law of primogeniture, and the English forms of conveyancing, or that they wish for the English law as it is established in the United States?—I should think that those who are not lawyers do not exactly enter into the difficulties relating to the English form of conveyancing, and the other difficulties of the English law.

Are the Committee to understand that they wish for the English law as it is practised in the States of Vermont and New York?—Yes, it is only in that way that they have a knowledge of it. I should say, that in speaking of English law, they may be considered to mean, and merely to wish for an exemption from the disadvantages they feel under the French law.

Does the system of French law which prevails in Montreal and Quebec materially affect or impede the commercial pursuits in Lower Canada?—It creates very considerable difficulties in many respects. The want of a bankrupt law, and of any provision for arranging insolvent estates, causes considerable difficulty in recovering commercial debts; and the system whereby every contract entered into before a notary is held to be a real security upon the whole of a man's estate, makes it difficult to know when a debt is secured or not; because an instrument in the possession of an obscure notary, or among the papers of a deceased notary, may be produced, of any date, almost forgotten by the grantor of it, and unless formally cancelled, it amounts to a mortgage over the whole of his property.

Does that prevent the practice of lending money upon mortgage?—It does undoubtedly; because it is impossible to know when you can safely lend money; and also it

throws so much doubt upon titles, that it has made the system almost universal there of transferring property under a sheriff's sale, which, after a certain time, sets aside all alleged hypothecary security; and, in fact, sheriff's sales are so general, that if you take up a Canada newspaper, particularly the Quebec Gazette, you generally see half of it occupied with sheriff's sales.

Are persons engaged in commerce in Lower Canada at all impeded in their commercial pursuits, by the laws which exist with reference to personal property?—I am not aware that they are impeded in buying and selling; as to the disputes between merchants, the case certainly is attended with difficulty, because the establishment of a system of trial by jury would be preferred by Englishmen to the manner in which questions are decided there.

With reference to the laws themselves, is there any thing in them that is productive of inconvenience, or of which merchants have reason to complain?—I believe there are a number of regulations still enforced as part of the " *Coutume de Paris*," that are inapplicable to modern times, but I am unable to speak to them.

Are you acquainted with the district of Lower Canada known by the name of the Townships?—I have never been there; in fact they are inaccessible to travellers, and can only be visited in summer on foot or on horseback, and in the winter when the snow roads are good, there being no roads between them and the bank of the river.

Are you at all acquainted with the transport of goods between the Lower Province and the Upper?—Yes.

Are the merchants who import goods for Upper Canada exposed to any difficulty, or to any unfair taxation in the transport of goods through the Lower Province into the Upper?—I believe the merchants are not exposed to any difficulty, because where they have to pay a duty upon importation it signifies nothing to the payer *where* he pays it. The province of Upper Canada has complained of being deprived of a part of the duties, and disputes have arisen between the provinces as to the distribution of the duties so collected.

Where are the duties now taken?—At Quebec, I believe, entirely; I am not sure whether part of them are not now taken at Montreal; the old system was that they were taken wholly at Quebec, but that was complained of at Montreal.

Is the consumption of foreign goods by the two provinces similar, or does the difference of the origin and manners of the inhabitants create much difference in their consumption?—I should think that the articles that pay most duties are liquors, wine and spirits. I should think there is more wine consumed in Lower Canada than in Upper Canada; probably they distill grain and consume less of the imported spirits than the people who are nearer the market; such at least was the opinion of the commissioners who met to determine the distribution of the duties between the provinces.

Then in the arrangement of the duties, do the taxes bear rather more heavily upon the Lower Canadians than upon the Upper, according to the relative proportions of the population?—So far as liquors go, I should say so; in regard to other commodities, I should think that from the habits and the superior comforts of living of several of the people of Upper Canada, the reverse is the case; so that very probably the distribution of the commissioners was a fair one, when they took population as the criterion for the distribution of the duties on importation.

In the imposition of taxes, which is altogether in the hands of the Lower Canadians, is there any ground of suspicion that an unfair use has been made of their power in that respect; that they have imposed taxes which they thought were more likely to fall upon the Upper Canadians than upon themselves?—I am not aware that there is any such impression:—I have no such impression.

Are there any taxes upon the transport of goods from the interior?—There are no duties of any importance; some goods are received from the United States, upon which there is a heavy duty charged.

Do you mean goods transported from the territories of the United States at the south of the province?—Yes, the duties appear to have been intended to act as a prohibition, and they have so far operated as to be a prohibition of export by that channel, which was one great cause of promoting the canal which has been constructed in the State of New York.

Do any of those export duties bear upon the produce of Upper Canada?—I am not aware that they do upon the produce of Upper Canada.

Are you at all acquainted with the mode in which lands are granted by the Government in Lower Canada?—The grants made since the conquest have been made in townships, laid out in a similar manner to what they are in Upper Canada; the townships are generally about 10 miles square, which are divided into lots of 200 acres, and a certain number of those lots reserved for the Crown and the clergy, generally one-seventh for the Crown and one-seventh for the clergy.

Do you know whether the size of the grants, or the mode in which they have been distributed, has had a tendency to retard their cultivation?—Undoubtedly; making large grants in the townships nearest to the seigneuries must have tended to prevent cultivation; but the seigneuries themselves are not yet entirely cultivated to the boundary of the townships; it is only the front piece of land immediately bordering upon the river; that is very thickly peopled, so thick, that from a distance the houses along the road look like a continued village; but if you go back three or four miles, the country is very partially cleared.

Then beyond that again, and towards the American boundary, is there not a district called the Townships?—Yes, the seigneuries extend, I believe, generally about 12 or 15 miles from the river side, and the whole country from thence to the boundary line of the province is laid out in townships, of which, I believe, surveys were made, and I know the provincial government is by no means satisfied of their accuracy.

Can you state generally any measures or any course that could be pursued by which it would be likely that the land you now describe as lying waste between the seigneuries and the American border could be brought into cultivation?—I know no plan that would be likely to be so effectual as that of taxing the land for the purpose of making roads, or to make roads, and to make the proprietor pay for them; and if absentees or others did not pay, to sell part of the land, to pay the assessments.

What are the difficulties that now impede the making of roads?—The difficulty is the state of the property; in the first place, a great deal of property, granted being held by absentees; then the crown and clergy reserves are an impediment to the making of roads, or any communication through the country; there are no means of defraying the expense. People whom I have seen from the townships complain much of the difficulty of getting roads made, because there is nobody that will co-operate with them in paying for opening roads through the adjoining lands which do not belong to them.

Are you at all acquainted with the system which is now pursued for laying out roads?—I believe the grand voyer's superintendance is chiefly confined to roads in the seigneuries.

Is the land that is set apart for the clergy reserves so located as to produce great inconvenience to the settlers?—It is, undoubtedly; because laying out every seventh lot for that purpose, and another seventh for crown reserves, and supposing the intermediate lots adjoining the river or the road to be occupied and partially cleared, yet the man that has to get to the lot beyond the reserves cannot reach his farm or carry his produce out of it without going to the expense of opening a road through the reserve, and that he cannot afford; so that the reserves generally are an impediment to settlement.

Is that in itself a sufficient reason to account for the land between the townships and the seigneuries remaining unsettled?—It is only one cause, and it contributes with other causes; because, whether the land be a clergy reserve or a crown reserve, or land granted to a non-resident proprietor, the effect is the same.

Do you think the absentees have been deterred from cultivating their land by the clergy and crown reserves?—It has increased their difficulty.

Are you acquainted with the measures that have been had recourse to in order to compel the absentees to fulfil the conditions of their grants by cultivating the land?—In Upper Canada I know that some legislative measures have been adopted for the purpose of making improvements, and of taxing the lands of absentees to contribute to those improvements.

Are not the clergy reserves claimed by different religious sects in that country?—I think that dispute has arisen in this way. About four years ago Government made a contract with an association of merchants, of which I was one, for disposing of a certain portion of the clergy reserves, and the whole of the crown reserves of Upper Canada to that company, for the purpose of sale and settlement, and it was after that negotiation had made some progress, that I heard, for the first time, of a corporation, called the Clergy Corporation, which had acquired a title to all those clergy reserves. That Clergy Corporation made strong remonstrances against the transaction which Government had entered into with the Canada Company, and represented the value of those clergy reserves to be considerably more than they were considered by other persons to be, and subsequently other denominations, the Presbyterians particularly, and various parties in the House of Assembly in Upper Canada, have claimed a share in the distribution of the produce of the clergy reserves. The established church claim the whole right as the Protestant Church, for whose support the reserves were originally designed. Others claim a participation in it, as being generally appropriated for the support of a Protestant Church, without any exclusive reference to the Church of England.

Are the Committee to understand that this state of things arising from those different claims having been so long made, and it being uncertain to whom those clergy reserves really belong, has produced a great deal of discord and irritation in the province?—I should say not a great deal; it has very recently produced some discussion and contention in the newspapers; but it is a question of very recent occurrence; it is a question that had scarcely begun to excite public irritation when I was last in the province, in 1825.

Are you not aware that the Legislature of Upper Canada has repeatedly come to votes upon that question?—Yes, recently they have.

Have you any general notion of the numbers of the different sects in the colony?—I have not, and in fact it is rather a difficult point to ascertain; I have endeavoured to collect some specific information, and I have not been able to do it.

Would you state generally that the Church of England were in a great minority or not, in the province of Upper Canada?—If numbered against all others, I should say decidedly they were.

Was there not a resolution to that effect passed in the House of Assembly, and carried by a majority of at least 24, the minority amounting to only three?—So I have understood.

You are a member of the Canada Company?—I am.

What was the nature of the contract made between the Government and the company with respect to the lands that that company was to hold?—The contract was made for the purpose of purchasing from the Crown the whole of the crown reserves which had not then been granted (they have since been found to amount to about 1,400,000 acres,) and one half of the clergy reserves which had not been granted or leased previously to the 1st of March 1824 they amounted to about 840,000 acres, therefore it was a purchase by the company from the Crown of about two and a quarter of millions of acres at such price as should be awarded by commissioners, and to be payable to Government in instalments in 15 years.

Were the commissioners to award the price equally for the crown reserves and for the clergy reserves?—They were to award generally the price between the Government and the purchasers of all the land.

Has any price been fixed upon the crown reserves?—Yes; a price was fixed by the report of the commissioners on both the crown and clergy reserves, but the best evidence upon that subject would be the Report itself, which is in the Colonial Office.

What payments have been made by the Canada Company to the Government?—I believe, including a payment which may be considered as made because it has been ordered to be made, and it will be made within the present month, the amount is 35,000*l*.

Is there any part of it an annual rent or fine?—No; it is the price for the purchase of so much land paid in annual instalments; the sum paid consists of the two first years instalments.

Are the instalments fixed in annual payments of 15,000*l*?—They are fixed at the annual instalment of 20,000*l*. the first year, and 15,000*l*. the next year, and going on so as to make up the whole sum in 16 years.

What is the obligation of the company as to taking up the lands?—They are under the obligation of taking up a certain portion of the land annually, or paying a fine to Government in lieu of settlement duties; they are compelled either to occupy a certain portion of the land every year, or to pay a penalty in case of failing to do so.

How many years have they existed?—They got the charter in September 1826; I should state upon that subject, that the proceedings of the Company have been very much delayed by the dispute which arose from the representations of the Clergy Corporation. A delay ensued in granting the charter and in enabling the company to proceed with their operations, and in the mean time what was called the commercial or financial panic arose in England, which depreciated the value of all speculations of this description, and has been particularly injurious to the interests of the stockholders of the Canada Company.

What portion of the land is the company actually in possession of?—We have only taken actual possession of that which we have placed occupants upon.

Upon what terms have you placed occupants upon it?—On the terms of sale to those persons. We have contracted with a man that he is to pay so much, and we put him into possession of the land, giving him a title after he has paid a certain proportion of the price agreed on.

Is the land all in one mass?—No; the crown reserves are in detached lots.

In the improvement and cultivation of the land which you have obtained from the Crown, are you much impeded by the circumstances and position of the remaining clergy reserves?—We have not been, and I should think that we are under present arrangements not likely to be, because I understand that under the authority of an Act passed two years ago, Government has appointed a gentleman to sell the clergy reserves; and if they are to be for sale in the market, they will be no impediment to the cultivation of the province. We have complained of the measure of selling and of giving away those lands in opposition to us, as sellers of those we have purchased, but that is a commercial matter, affecting the interests of us, the company; and as to the general interest of the province, I should suppose that the measure the Government has adopted of putting the clergy reserves up to sale, will prevent their being so much an impediment to cultivation as they have hitherto been. I should also state, that in many former instances when the clergy reserves have acquired sufficient value from the settlements in the neighbourhood to bear the payment of any rent, they have been leased, and have so ceased to be an impediment to improvement.

What is the Clergy Corporation?—It is a corporation that was framed in Canada, and confirmed by royal authority in England.

Of whom does it consist?—Of the Bishop of Quebec, and of certain persons named in Canada; chiefly, I believe, clergymen.

Is the administration of the clergy lands vested in this corporation?—I believe it is.

Is Upper Canada supplied with foreign produce through the United States, or from Lower Canada?—Chiefly from Lower Canada; until within a few years both Canadas were supplied with the produce of China and of India very much through the United States; but in consequence of a measure adopted by the East India Company, of sending teas direct to Quebec, which are not subject to the heavy English duties, I believe the balance of imports is rather the other way now, and that some find their way from Canada to the United States.

Is there much smuggling from the United States into Upper Canada, or vice versa?—I should think not; the duties in Upper Canada are not sufficiently large to make smuggling an object of any importance; but there is a considerable war of custom-houses on both sides of the lake, chiefly arising from the restrictions imposed on American vessels in their own ports; if a vessel touches on the English side of the lake she is considered to have come from a foreign port, and is subject to a heavy tonnage duty.

Is much of the produce of Upper Canada transported through the American canals?—No.

How is it that it is an object to the inhabitants of the southern shore of the lakes, who are American citizens, to transport their produce through their canals, if it is not so to the inhabitants of Upper Canada?—Because their produce is subject to considerable duty on being sent through Lower Canada. If the navigation of the St. Lawrence had been thrown open for the produce of the south side of the lakes, I think that those canals never would have been constructed; and that it was to avoid our transit duties and import duties in Lower Canada that the people of New York were induced to attempt works of such magnitude and difficulty.

If those duties were taken off now, would it restore the trade?—I should think not, because the canals are constructed, and the great advantage of the harbour of New York, the capital accumulated in that city, the enterprise of its merchants, the proximity of its harbour to the West Indies, as well as its being open all the year round, whereas the St. Lawrence is closed half the year; I think these circumstances would counterbalance the advantages on the other side, yet still of bulky articles a considerable quantity would come to the St. Lawrence.

What is the object of the transit duties; were they imposed to prevent American commodities being brought to England or the British colonies?—I should think that was the object. The Canadians claimed particular advantages in exporting their produce to England and to our colonies, either free of duty or at a reduced rate of duties; and in order to prevent the American produce sharing in those advantages, those duties were levied, partly with a view to secure to the actual settlers of Canada the advantages given to them in the exportation of their produce to England and to our colonies.

Would not this system of transit duties entirely prevent the produce of the American states finding its way along the St. Lawrence when the Rideau Canal is constructed?—The Rideau Canal, I should think, will never bring down much produce; it is an important improvement in the country with a view to its military defence, but whilst the St. Lawrence is open, and whilst considerable craft can come down the St. Lawrence without impediment, I should think that many of them will never come down through the Rideau Canal. Boats may go up the Rideau Canal, but I should think the waters of the St. Lawrence will always be the channel in coming down.

Will much of the produce of the American territory on the south of Lake Erie pass through the Welland Canal?—I think a great deal will.

With a view to find an ultimate outlet by the American canals?—Either by the St. Lawrence or the American canals. According to a calculation I have seen, I believe it might be of advantage for the sloops and schooners which navigate Lake Erie, to pass through the Welland Canal, if they are permitted to pass without any transit duty, to carry their cargoes either to the mouth of the Oswego River, or to go down the St. Lawrence to Prescott.

Will not the principle, on which the transit duties are established apply at all to the Welland Canal?—I am not certain about that; I hope if they do apply that an alteration may be made.

Have those transit duties, on the whole, been injurious to the colony?—They were meant to be beneficial to the colony, by encouraging the increase of its cultivation, but I believe they have actually been injurious to it.

Then they have not had the effect of increasing the cultivation of the colony?—Whether they may have increased it in any material degree I do not know; I believe the injury has been greater than the benefit.

Would the union of the two provinces materially facilitate the commerce of either province?—Of Upper Canada it would.

In what way?—By giving them a control of the direct port of entry and communication with the rest of the world, which at present they are obliged to have through the jurisdiction of Lower Canada.

Do the Lower Canadians exercise that jurisdiction in such a way as to impede the commerce of the Upper Canadians?—The power of the Legislature of Lower Canada has been exercised so as to be an impediment to commerce generally, particularly to that of Upper Canada, because it was that which was most exposed to it.

In what manner have they imposed that impediment?—I can speak of general results much more than of details, and I am not prepared to enter into explanations upon that subject.

What sort of goods have you been in the habit of importing into Upper Canada?—Into Upper Canada I never imported much; the goods I was chiefly in the habit of importing from England to Lower Canada were British manufactures of various kinds fit for the Indian trade. I never was engaged in any local trade in the colonies; I was engaged in the Indian and fur trade as a director of the North West Company. Our imports from England consisted of manufactures, arms, ammunition and clothing for the supply of the Indian trade, and we purchased in America provisions and tobacco and rum, and those articles were sent up through Upper Canada in their way to the Indian territories in the north west; that was the trade I was chiefly engaged in, and that trade having met with no impediment from any legislative restrictions, I am therefore the less prepared to answer the last question.

Did they pass from province to province duty free?—Yes; having paid the duties upon the importation into either province, they passed free to the other, and there was no drawback.

Do you know any instance in which different regulations of trade, affecting the same commodities, have prevailed within the two provinces at the same time?—I am not sufficiently aware of the details of the local trade to answer that question.

Are not the complaints of the Upper Canadians of this sort, that the duties levied in the Lower Province are applied to the local purposes of the Lower Province, and not applied to the purposes of the Upper Province?—As far as I understand it, that is the chief complaint; and it is more a complaint of the distribution of the duties than any inequality or unfairness in levying them.

Can you state generally what is the nature of the arrangement by which is determined the share of the duties to which Upper Canada is entitled?—I believe I can, because I had a good deal of conversation with a gentleman that was sent so decide the last arbitration. Mr. Chipman, of New Brunswick, showed me his papers. He had been sent to settle the difference of opinion between Mr. Richardson and Mr. Baby, the commissioners appointed for Lower and Upper Canada, who, differing in opinion, Mr. Chipman was appointed by Government to decide between them. I happened to be at Montreal at the time they met, and after the decision had been given, Mr. Chipman showed me his papers, and the principle upon which he decided was, that the population of the two provinces was the fair standard of distribution.

Do you believe that that principle has given satisfaction to the two provinces?—I believe they both complained of it; and yet I could not imagine a more equitable mode of deciding the question.

Does not Lower Canada consider that it leads to a serious diminution of her power?—Lower Canada claimed originally the whole of the duties, and considered the claim of Upper Canada to any participation whatever to be unjust.

Is the principle of the relative number of the population agreed upon now for ever, as that by which the distribution is to be regulated?—No; it was only given as an award in one instance; and I believe it is for four years.

Has there been any other adoption of that principle?—This is the latest instance of it.

Has it been pursued in any former award?—I do not know what the former principle was.

Is not the criterion which was adopted, the relative proportion of the population of the two provinces, objected to as improper, with reference to the consumption of dutiable articles in the two provinces?—It has been objected to upon that ground, as well as upon several others.

Do you not believe, that even in that instance, the portion awarded to Upper Canada was objected to in Lower Canada, as being too great with reference to their consumption?—It was so objected to.

Do you think it probable that the two provinces will be content with this mode of adjusting their difficulties with respect to the duties, as a permanent arrangement?—I should think the province of Upper Canada will never be content without a port of entry for its foreign commerce.

At the same time you cannot suggest any mode in which the difficulties could be better adjusted?—As a principle of distribution of duties between two independent Legislatures, I cannot.

Do you not consider that all difficulties would disappear under a union of the colonies?—I do not know that; many difficulties would disappear, those with respect to the distribution of the duties would certainly disappear, but many difficulties would be created.

In what respects would it create difficulties?—Difficulties would be created by the temper it would excite in the French party, who would think it was intended to extinguish and destroy the peculiar line of separation which they wish to keep up between themselves and their fellow subjects of English descent, in their own or in the adjoining colony; and in case of a union, I would apprehend so much difficulty from this particular spirit of dissatisfaction, this turning of the two parties loose in the same Legislature to try which should get the upper hand, that I should think the union a dangerous measure, without some provision for a certain number of years to regulate both the revenue and the appropriation, which in Lower Canada have been the chief sources of discord; so as to allow the parties to mix a little together before they should come into direct collision on those points which have agitated them for some years past.

Would not a union excite the greatest alarm in the minds of the French population of Lower Canada?—Undoubtedly it would, a temporary alarm; I think it would be only temporary, and it is to give time for that alarm to subside, that I consider it ought to be accompanied with the other measure I have mentioned.

Do you mean any sort of guarantee for the maintenance of their laws and church, and institutions of different kinds?—For their property and their church I presume that no guarantee would be required, because there would be no change contemplated; but as to their laws, I should think that if their laws are held to be oppressive upon their fellow subjects, any guarantee for the continuance of those oppressive laws would not be expected; and what I mean, is a legislative enactment in England to regulate the amount and the appropriation of the import duties to be levied in Canada for at least 10 years; in which time such a change of men and of feelings would take place as probably to prevent any recurrence of the recent grounds of discussion, as well as to reconcile all parties to their situation under the provisions of the union.

Would the Upper Canadians object to admitting the influence of the Lower Canadians in their province, which would be a necessary consequence of the union?—With respect to any united feeling of the Upper Canadians upon the subject, I can scarcely speak to that; but there are many interests in Upper and in Lower Canada opposed to the union. In the first place proprietors of land and of houses in the two present seats of Government, whether it be at Quebec or at York in Upper Canada, would expect that ultimately some central situation would be selected as the place of meeting of the general Legislature; and those that hold property in the vicinity of places at present benefited by the assembling of the respective Legislatures would be opposed to a union as being injurious to their own interest; those also that have great influence in the local Governments, perhaps connections of the Council in either province, who could not follow the Government if removed from its present seat, would dislike the measure as interfering with a system which has been beneficial to themselves.

Speaking generally, are the Upper Canadians favourably disposed to the union of the two provinces?—They decidedly are, in general.

They do not apprehend any injurious influence by the united Legislature, with regard to their property and institutions?—They do not apprehend that any alteration could be made with regard to property; they would look rather to the spreading of their institutions in the sister province.

Do you not consider that the two provinces have the same interest in many respects?—I should say in all respects except from the prejudice and ignorance of a portion of the population.

Have they not the same interest, especially with regard to improvements in the navigation and means of land communication, and trade regulations in general, inasmuch as they produce similar commodities for exportation, and require similar supplies from without? I should think they are alike in all those respects.

Do you know the distance from the extreme eastern point of the district of Gaspé to the upper end of Lake Erie?—It is, to the best of my knowledge, about 1,500 miles.

Would any inconvenience result from mere distance alone in conducting the affairs of an executive government in so large a district?—In America generally the rivers are the great roads of the country, and every thing centres so much from the river, that a distance of 200 or 300 miles along a river is of less importance than one-tenth of the distance inland from the river. The distance to Gaspé is greater than it is necessary to take into consideration, because there is scarcely any population, or any space for future population below Kamouraska, which is about 100 miles from Quebec, and to which the distance from the upper end of Lake Erie may be estimated about 1,000.

Supposing that as time advances the country becomes more fully peopled in the interior, would it be possible, in your opinion, to conduct the Government with a single Legislature and one executive department over so vast a space as would then be occupied?—Judging from the neighbouring states, I should see no difficulty in it.

Have not the neighbouring states subordinate legislatures?—They have, confined to local and municipal purposes.

Have you ever considered whether it would be possible to adopt any thing of the kind, with reference to the two provinces of Canada, leaving the local affairs to be regulated by the local Legislatures, and having something in the nature of a Congress?—There has been a suggestion of a general Congress of all the North American provinces, it would be attended with considerable difficulty.

Without applying the answer to the provinces of New Brunswick and Nova Scotia, can you say what would be its effect with reference to the provinces of Upper and Lower Canada?—I think it would be attended with all the difficulties of a legislative union, and would be unproductive of some of its advantages.

Would it not enable the Lower Canadians to preserve those interests which they think in danger, in connection with their church and their French law, and might not the power of such united assembly be applied only to those matters which related to the two provinces in common, such as their mutual defence, and the taxation, and appropriation of the revenue for public and general objects?—It might certainly; it would be rather a cumbrous machinery, but it might be established.

Would that obviate any of the evils that are apprehended from the union?—To a certain extent it would; but then I do not know how far it would relieve the English population of Lower Canada from the prevalence of those French laws of which they complain.

Might not a system of representation be adopted with reference to the English population of Lower Canada, by which the Assembly of Lower Canada might be remodelled, so as to apply both to the townships and to the seigneuries, by changing the right of representation?—The right of representation might be altered by a different distribution of the territory as to counties, but so long as the French Legislature possessed the control of the navigation of the Saint Lawrence, which they still would, I think the difficulties would still remain.

The question supposed that all the regulation of that line of water communication which ought to be common to both provinces should be regulated only by the combined Assembly?—That might remove the difficulty as to the general regulations of commercial improvement.

Would it be possible to adopt a double system of duties on the Saint Lawrence, that is to say, one for the Lower Province and another for the Upper Province, without giving rise to smuggling?—I think it would give rise to difficulties of various descriptions; it would be very difficult to carry into effect; and if the duty was sufficient to make smuggling an object, it would be unlimited.

Supposing that the duties to be collected on the Saint Lawrence are to be uniform, and that they are to be distributed according to some mode between the two provinces, would there not necessarily be an unfairness in the distribution?—There must be some supreme authority to regulate the distribution, and to judge what the general benefit would require to be most advantageously expended in one part and in another. A general representation of the people would probably be the best means of ascertaining that point.

Has the Legislative Assembly of Upper Canada been increased in number since the Act of 1791?—Yes, they have been increased about threefold.

Do you know according to what rule they have been increased?—I do not exactly, but I believe when a new county is laid out, as soon as it attains a certain population it is entitled to send one member, and when it gets so many more it is entitled to send two.

In your opinion, is the system of representation which is founded upon the joint principle of population and territory, better adapted to a state in the condition of the Canadas, than one which has reference to population only?—I should think, decidedly, the best principle is combining population and territory.

That is to say, to parcel out a certain portion of land, and when its inhabitants amount to such a number, to give it a representative, and not to increase its representatives as the population increases?—This country is comparatively in its infancy. Looking to what its population may be, I would say that a certain extent of territory, possessing a certain number of inhabitants, much less than its neighbouring territory of equal extent, should still have an equal weight in the representation.

Are there any complaints in Upper Canada upon the subject of the representation?—I believe not.

Are there any complaints in Upper Canada with respect to the constitution of the Legislative Council?—Those who are opposed to the measures of Government complain of the Legislative Council, who generally have sided with the Governor when there has been any question in difference between them, but I have not heard of any complaint of the composition of the council; where there are parties, however, there will always be complaints.

How is the Legislative Council composed?—Of persons recommended by the Governor, and appointed by the King's mandamus.

Are they appointed for life?—They are.

Are they most of them persons holding offices under the Government?—Many of them are.

Are not a great majority of the persons composing the Legislative Council persons holding offices during the pleasure of Government?—I do not know that the majority are, but I believe that many of them are.

Is there a very marked distinctness of feeling, and a consciousness of conflicting interests between the inhabitants of Upper and Lower Canada?—The general mass of inhabitants have not much communication with each other; I can only judge of their feelings by the opinions of their leading representatives in the House of Assembly. The people of Upper Canada are of a more active and migratory race, and they sometimes visit Lower Canada; but the Lower Canadians seldom leave their own country.

Is it not generally understood that jealousies and animosities have prevailed more between the two provinces?—They have prevailed more between the English and French population in Lower Canada than between the two provinces.

With regard to the distribution of the duties, have not jealousies prevailed between the Legislative Assemblies of the two provinces?—There have, certainly.

Do you know any instance in which important improvements, with respect to navigation and roads between the two provinces, have been neglected from the want of concurrence in the two Legislatures?—I do not know the particulars of the manner in which they have been neglected, but that they have been neglected is obvious to every man who travels through the country.

Do you not believe that neglect to have proceeded from the want of concurrence on the part of the colonial Legislatures?—I do.

Do you understand that the transit duties are now applied to wheat from the north-western States passing through Canada?—Yes, on wheat from the United States, if imported.

Is not the importing merchant allowed to bond for export?—I am not aware that he is.

Has not a regulation been made to that effect within two years?—I believe that by that regulation certain ports in the colony are made free ports, and the system of bonding for exportation has been established, but that would not apply to the transit duties through Canada. If Canada was surrounded by the sea so that goods could be imported at the same port from which they might be exported, it would apply; but I am not aware that American produce could be received from Lake Ontario at Kingston, or Prescott, or Coteau au Lac, and be sent to the mouth of the St. Lawrence, and thence shipped.

Could not it be bonded at Montreal and Quebec?—How is it to get there? it could only get there by the route referred to in the last answer.

Do you not believe that the inhabitants of Upper Canada consider, that with regard to their commercial position they have an advantage over the inhabitants of the United States?—I believe the more intelligent among them would be inclined however to give up some of those restrictions upon commerce which have been imposed by the British Parliament.

The question refers to local position; do you not believe that under all the circumstances of the United States and of Canada, they consider that they are better situated for commerce than the inhabitants of the United States?—I should think not.

Do they not consider that the St. Lawrence is a better navigation for the purpose of intercourse with Europe than the Erie Canal affords?—For their own particular position it is the best access they have, and yet it happens that New-York is as good a market as any that is open to them. I am not aware that they think they have any particular advantages over the people in the neighbouring country, except that they pay less taxes; they pay no taxes in fact, unless for purposes of local improvement, and the duties on importation from the United Kingdom are very moderate, so that they have the advantage of having all articles of import, unless from the United States, at a small duty.

Do you not consider that the St. Lawrence is a better exit from the lakes to the sea than any that can be afforded through the medium of New-York?—Most undoubtedly; but that has been subject to legislative restrictions which have partly destroyed its value.

Will not the facility afforded by the St. Lawrence be greatly increased by the application of steam?—It has been, and it will be still further.

Will not the canals that are now forming render it a much superior ship communication to any that can be afforded through the United States?—There is no ship communication by canals through the United States, and the Welland Canal is the only ship canal in Canada.

Are you not aware that in the Erie Canal of New-York there is but four feet and a half of water?—I am.

Do you know the size of the shipping that will pass through the canals that are intended to connect the lakes in Canada?—On the Rideau Canal and the La Chine Canal I believe the dimensions of the locks are adapted for vessels drawing about five feet water, and I think 100 feet length, and 20 feet beam, and that the dimensions are similar in the Grenville Canal at the Rapids of the Ottawa.

Do not you know that there is an order to enlarge those locks?—I do not know that there is an order to enlarge them; and to enlarge those of the La Chine Canal, which are already built, would be to rebuild them.

Do not you consider that any communication by shipping will always have a great advantage over a communication by boats?—Undoubtedly.

Do not you consider that this will afford very increased advantages for the export of the produce of the borders of the lakes?—I think not, because I think the St. Lawrence will always preserve its advantage over the line of canal from Lake Ontario to the Ottawa. I think for the purposes of export, the river will always be the channel of navigation.

Do not you consider that all those advantages furnish a motive to the inhabitants of the British colonies with reference to the question of fidelity and attachment to the English connection?—I have been accustomed to consider that the population of our colonies ne-

verentertained any question upon the subject; they were attached to their country and their property, and they never entertained a doubt of the comparative advantages which themselves or their neighbours might possess.

Do not you consider that the sources of dissatisfaction among the colonies generally arise from regulations with regard to commerce and communication, and that all the objections of that kind may be easily got over by Great Britain?—There have been many causes of objection which I think might have been got over by being better understood and more attended to than they have been; some slight causes of complaint have been allowed to aggravate the feelings of persons there, when perhaps a little timely attention might have removed them.

But you consider that for all important purposes the people of Upper Canada are firmly attached to the British connection?—I believe so; I believe they have very few tangible grievances to complain of. I have heard several causes of grievance; one cause is the clergy reserves. The clergy reserves take away no man's property, they form an impediment to improvement, but that will be removed by disposing of them. There are some measures that have been carried by Government which have excited dissatisfaction; one is the Act enabling two magistrates to send any person that they consider seditious out of the country. I believe the only individual that was ever sent out of the country was Mr. Robert Gourlay; this is rather a hypothetical grievance than a real one.

Although you consider it a hypothetical grievance that a man may be sent out of Upper Canada at the discretion of the Governor, do you conceive that the majority of the population of that province do consider that as a hypothetical grievance or as a real grievance? It has been the subject of great dissatisfaction in the province, and because it has been a subject of dissatisfaction I think it an impolitic thing to persist in preventing its abolition.

You say that the clergy reserves take away no man's property; do you think they do not diminish the value of property in that country?—They have diminished the value of property situated beyond them, but the difficulty will be removed by disposing of them.

Have they not produced a great deal of irritation in the province?—The distribution of them has produced irritation between the parties claiming a participation in their produce, and their existence in that state in which they have hitherto remained has prevented improvement; but I would distinguish this from actual personal grievance or oppression operating upon an individual.

Is the mode in which the construction of roads is provided for in Upper Canada liable to any objection?—I am not aware that it is; it is, to the best of my knowledge, by levying local rates upon the proprietors of land.

In what manner is the line of each road determined?—I do not exactly know; I believe it is by certain commissioners, appointed by Government. Some complaints I know have existed both in Lower and Upper Canada, from the circumstance of those persons who had the laying out of the lines of new road having expended most of the money upon parts of the road that tended to improve their own property.

Do you not consider upon that point, that great advantage would be derived from the employment of government engineers in laying out those main lines of communication with a view to the general benefit of the country?—Undoubtedly I do so consider.

Would it not be better to adopt the system of management pursued in the United States, and that each district should elect its own surveyors?—Yes, that might be a good plan in some respects, but there might be some districts in which particular parts of a road might be more expensive than others, and therefore perhaps, in that view, a general system might be beneficial for the whole country together.

Jovis, 5^o. die Junii, 1828.

John Neilson, Esq. again called in; and examined.

HAVE you any explanations that you wish to offer with reference to any part of the evidence you have already given?—I wish to submit a statement of the composition of the Executive Council, which I consider as unavoidably connected with the composition of the Legislative Council. This is the list of the Executive Council for 1827: Jonathan Sewell, speaker of the Legislative Council, chief Justice of the province and of the district of Quebec; and president of the Court of Appeals; the Rev. C. J. Stewart, lord bishop of Quebec; John Richardson, merchant; James Kerr, judge, K. B. Quebec, and of the Court of Vice-Admiralty; M. H. Perceval, collector of the Customs; William Smith, clerk of the Legislative Council; John Hale, acting receiver-general; C. E. C. Delery, assistant clerk of the Legislative Council; John Stewart, sole commissioner of the Jesuits' estates; A. W. Cochran, Governor's secretary, law clerk of the Legislative Council, clerk of the Prerogative Court, and auditor of Land Patents; James Stuart, attorney-general. Out of these seven of them are legislative counsellors. Three of them are clerks of the Legislative Council, and one is attorney general. Of the whole number there is one that is a native of Lower Canada.

What are the rest?—They are from different parts of the King's dominions; the greatest proportion of them are natives of other colonies, and of the late colonies. This is the sole body in the country which has any check over the expenditure. They are delegated by the Treasury to exercise the powers of the Treasury, and they report to the Treasury, and upon their reports the governors are finally discharged; they in fact audit the accounts.

Do you consider that to be a sufficient check?—No, it is no check at all.

What would you propose to substitute?—The matter ought to be regulated by a law. There have been bills introduced into the House of Assembly for the purpose of regulating that.

Are they dismissable at pleasure?—The whole of them are dismissable at pleasure.

Does the Executive Council exercise any responsible authority?—No, it has been held here that they are not responsible.

Have they, in fact, any authority recognized by the constitution?—No further than that there was an instruction from home which required all laws raising money in the colonies to contain a clause providing that the money should be accounted for to His Majesty through the Lords of the Treasury, they may be considered as acting for the Lords of the Treasury under those laws.

Are they, in point of fact, recognized in any other way than as a council, which the Governor may or may not consult, according to his pleasure?—They certainly are the only efficient executive body in the Government; I do not know in what way the Home Government recognizes them; I do not know that they are recognized by any law of the colony, further than as I have stated.

Is the Governor obliged to consult them, or to follow their advice when given?—I apprehend not.

When were they first appointed?—Immediately after the conquest of the colony; they are, in fact, a substitute for the King's Privy Council here.

Are their functions in any way defined?—Not by any law that I am aware of; of course they act under the King's instructions.

Have they salaries?—They have 100*l*. each, as executive counsellors; but they all hold other situations, as I have mentioned.

How does it appear that they act at all; are their names signed to any public documents?—All warrants for the payment of money are countersigned by their clerk.

Have any of them seats in the Assembly?—Not at present; there were some of them formerly that had; but now there are none.

There is no law against it, is there?—No.

Have they offered themselves to the people for election?—I apprehend that latterly they would not have been received. Occasionally members of the House of Assembly have been made executive counsellors; but I recollect very few instances of executive counsel-

lors having offered themselves at the elections; there instances, I believe; that of the late Mr. Young was one of them; and Mr. Richardson used to be elected formerly.

Is it an office, the appointment to which would vacate a seat in the House of Assembly? No. There has been an attempt to establish the same law as exists here in respect to vacating seats; but the bill has been refused by the Council, so that of course it would not vacate the seat, their being members of the Council.

Did that bill pass the House of Assembly?—It did.

Have you got a copy of that bill?—I will produce one to the Committee.

Is there any individual who holds a high executive office who has also a seat in the Assembly?—There have always been some executive officers in the House; that have been managing the business on the part of the Government.

Are there any now?—Yes, there is the auditor of public accounts, Mr. T. A. Young; the House is not in existence at present. The principal conductor on the part of Government last session was the deputy adjutant-general of Militia, Mr. Taschereau, Mr. Ogden the solicitor-general, and Mr. Christie, the chairman of the quarter sessions at Quebec.

Who is the person who is the principal manager of the finance of the country; is there any office that at all answers to the chancellor of the exchequer here?—No, it has generally been considered with us that there was one person that was leading for the Government in the House, and this leading man was the deputy adjutant-general of militia, and latterly, police magistrate, now a judge of the King's Bench for district of Quebec.

Has it been considered that it was objectionable that the officers belonging to the Government should initiate any measure in the House of Assembly?—Not at all; the fact is, that they have always initiated measures connected with the Government; but the members generally do not think themselves bound to take charge of the measures of the Government, unless those measures be agreeable to them.

There is no objection made to a member of the Government initiating a measure?—Surely not; it is managed by message with us, and the member that takes up the message is usually considered as the gentleman authorized on the part of the Government to conduct it through the House.

Have you any other explanation to make with regard to your former evidence?—On a former occasion, I stated that the objection to the Bill sent up in 1819 by the House of Assembly was, that it was annual; and on consulting the journals, I find that the objection was, that it was by items, and also that it was annual; I stated also, that the permanent revenue was sufficient for the expenses of the Government. By permanent revenue, I understand the whole of the revenue that is permanent, not that which is appropriated for our colonial expenses; but on consulting I find that it has been diminishing of late.

To what cause do you attribute that diminution?—The revenue principally depends on the consumption on the part of the inhabitants of goods imported, that consumption is diminishing in consequence of the diminution of the means of the country to purchase the goods.

Is there any diminution of the means of the country to purchase goods?—Very material.

To what do you attribute that?—I stated before, that there had been a general depression in the value of landed property throughout the country during the last 12 or 15 years; the value of landed property there depends entirely upon the price that can be obtained for the produce of that land; the price of all kinds of produce has materially diminished; and consequently the value of property has diminished; and the means of the people to purchase manufactured articles have diminished.

Has not the increase of the number of consumers been more than sufficient to counteract any decrease?—It has been so.

Is not the price of articles of raw produce higher generally in Canada than it is in the United States?—No, it has not been so latterly; previous to the war, and during the last war, it was considerably higher; but since 1817 there has been a decrease, and now I believe it is lower than it is in the United States. The price of wheat at Albany is about 5*s*. a bushel, and we cannot get that price for it in Lower Canada. I wish to state, with respect to the bill to indemnify His Majesty, which I mentioned, it was a mere clerical error those words being used. I stated that only one registry bill had been brought into the House of Assembly, that might leave it to be understood that I did not think of the one that was introduced from the Council. There was only one brought in by the House of Assembly, but there was one sent down from the Council, which was referred to a committee; it was within a fortnight of the close of the session when it was brought down, and there was no report upon the subject. At the time of my former examination I did not recollect the fate of the road bill, which I stated was sent down from the Council. It was sent down near the close of the session. It was conducted by the gentlemen who usually conducted the government business in the House, and referred to a committee; and he actually made a report that it was too late for the then session.

Is that the only road bill that was thrown out in the lower House?—That is the only road bill that I have any knowledge of, that has been said to have been thrown out; but it was not thrown out, it was too late in the session.

In what year was that?—I think it was in the year 1824. In speaking of the townships, and of the security that they would have under the representation bill that passed the Assembly, I ought to have stated one fact, which is material; that that or no other bill could give the townships a sufficient share in the representation, unless doubts similar to those which have been started in Upper Canada, in respect of the right of those people to vote, should be removed; and the removal of those doubts can only be effected by the Legislature of this country.

Do you allude to the Alien Bill?—Yes, there ought to be a bill passed in favour of those people similar to that which was passed for Upper Canada; otherwise they would not have a fair representation under any circumstances; the moment they came to vote their votes would be questioned, and they would be deprived of their right of voting; in fact they would not be represented. They have elected one member generally heretofore; the member for Bedford has been solely of their election, because they formed a majority of that county; but latterly they have elected a Canadian gentleman, Colonel de Rouville. In my former examination I was asked what was the number of English members now in the House; I could not state with any certainty without referring to a list. I have since referred to a list, and I find that those that are called English members in the House at present amount to eight; there were eleven in the preceding House, but three of them lost their elections; four out of the eight are natives of Lower Canada; two of Scotland, one of Upper Canada, and one of Nova Scotia; four of them are opposed to the Colonial Administration, and four of them are in its favour. With regard to the arrangement of the civil list, respecting which there was a question put to me, the statements I made on that subject of course can only be expected to be realized, provided the complaints which are brought forward on the part of the Assembly and the people were removed, or in a probable train of being removed; for one of the great objections is, that a permanent supply would only ensure permanent grievances; it would be necessary then that the grievances should be removed at the time that a permanent supply was granted.

In point of fact, since the year 1819, with the exception of the years 1823 and 1825, has not the Governor paid such deficiencies as he thought proper, out of monies which he acknowledged to be at the disposal of the Colonial Legislature?—Yes.

To what amount?—I cannot say the exact amount. I apprehend that one of the gentlemen that came with me will be more particular upon that subject, but I understand it to about 140,000*l*.

Has that left any thing considerable, or any thing at all, for local improvements, education, and the other wants of the country?—I think there would have been a surplus if the receiver-general's money had not been lost; since that time I apprehend that nearly the whole has been expended in one way or another. I know that 30,000*l*. which was authorized to be borrowed to complete the La Chine Canal, has not been repaid, and we have no correct statement of the chest. We never got the receiver-general's accounts till the time that he failed; and we cannot say what is the true state of the cash in the chest; besides there are payments out of the chest for purposes that we do not consider as connected with the province.

province at all; for instance, clergy payments, the monies paid from the military chest into the civil chest. The money is paid out of the military chest into the civil chest, and then it is paid out of the civil chest to the clergy.

When Mr. Caldwell's accounts were delivered in were they audited up to the last moment?—No, we could trace no acquittal from the Treasury subsequently to 1814: there had been some balances stated up to 1819, but no acquittal. He failed in 1823, and the accounts were before us in 1824. There was a message from the Governor on the subject, by which it appeared that there had been no regularity; the warrants had not even been regularly issued to authorize payments.

What sum of money had been advanced without legal warrants?—I do not know what may be considered as legal warrants; I conceive that, according to the 14th of the King, there ought to be warrants from the Treasury here. The other warrants considered to be legal, are warrants signed by the Governor, and countersigned by the clerk of the Council; but, independently of all those payments, there have been advances upon what are called letters of credit. At the time the receiver-general failed there was to the amount of 116,000*l.* of them; and since that time they have introduced a new mode, which we consider worse still than the former, that is what they call 'accountable warrants.' In truth, the receiver-general is discharged against the Treasury, and the receiver-general runs less risk than he did before; that is the result of it. But the money of the province goes out without any sufficient accountability, or without the expenses having been supported by vouchers, and undergoing even the examination of the Council.

Did not the House of Assembly, in the year 1823, pass a resolution, declaring Lord Dalhousie responsible for that money so raised?—They have passed a great many resolutions; I believe they never did declare Lord Dalhousie personally responsible, but they declared that they would hold responsible every person concerned in issuing the money of the province without the authority of law.

Did not they, at the same time, pass certain resolutions that Lord Dalhousie had so expended the money?—Yes, the resolutions which I gave in the other day, I believe, are to that effect; the resolutions in 1824.

On what authority is it stated, in the petition presented to the House of Commons, that Mr. Caldwell was maintained in the exercise of his functions, as receiver-general, long after his malversation was publicly known and acknowledged?—That is in the Montreal petition. The fact is, that he was so retained during some time.

How do you know the fact?—It is upon the journals of the Assembly; when the receiver-general failed, his accounts were laid before the House of Assembly, and there was a committee appointed, and an examination into the whole matter. There came out a number of documents, some of which established the fact that his deficiency was known for a considerable time before he was suspended; in truth I believe it did not extend to a greater time than was necessary to send a person to England, and come back again; there was a person deputed by Lord Dalhousie and the receiver-general, namely, the receiver-general's brother-in-law, Mr. Davidson.

Did the province sustain any additional loss by his continuing during that time?—It is probable there would be some loss, because there would be some revenue coming in, and it was a dangerous thing that the revenue should be coming into the hands of a person who must have been so hard pressed as Mr. Caldwell was at that time.

Was the office practically given into the charge of any other person?—Yes; it was, subsequently, in August; but the Journals of the House of Assembly of 1824 will show the whole of the facts.

What steps were taken to secure the public from additional loss as soon as the malversation and insolvency of Mr. Caldwell were known?—There were no steps that I know of that were taken; I happened to be in this country at that time, and I speak merely from the knowledge I have of the proceedings in 1824; I believe that shortly after the prorogation of the Legislature in 1823; it was found that there was not money in the chest to meet the appropriations of the Legislature, then there was a long correspondence between Mr. Caldwell and the Governor, and I believe then it was determined to send somebody home; this must have been in April, and I think that in the month of July or August following there were two persons appointed to manage the business *pro tempore*.

Are you not aware that Mr. Caldwell pleaded as in some degree a justification for that defalcation, that the Assembly refused him any salary, and that he was compelled therefore to make use of this money as a remuneration for his services?—No, I believe he did not complain in that way; but I know for certain that he applied in 1814 for an increased salary.

Was that granted to him?—No.

Was it not understood that he was to make use of that money?—No, surely not; if it had been so understood the whole province would have been in an uproar, and I myself would never have applied to him for bills of exchange, for I would never have trusted him if I had known that he would use a sixpence of the public money without authority.

What was his salary?—His salary was fixed by the Government here at a yearly sum, I think, soon after the passing of the 14th of the King, 400*l.* and 100*l.* for a clerk; but there was a recommendation of Sir George Prevost to allow him a salary; they could not proceed at all without a recommendation from the Governor, and the moment they had that recommendation they intended that there should be something done to regulate the chest; the matter was not finished that session, and the next session there was no recommendation, and it never came before the Assembly again; there had been occasional rumours: there was a bill introduced in 1815, and probably those rumours were in some measure founded upon the circumstance of an application for an increased salary.

Does the receiver-general keep the money in his own hands, or does he deposit it in any bank?—The whole of the monies received for the King in Lower Canada, whether by British statutes or by provincial statutes, have been put into the hands of the receiver-general, and he has kept them all in his own house; I speak now of Mr. Caldwell; since that time, I believe that Colonel Hale has got a vault made to keep the monies in.

Is the money absolutely and entirely in his custody?—It was, in the time of Colonel Caldwell.

Can you state what would be the largest amount that in the ordinary course of the finances of the country would be in his hands?—The revenue comes in very irregularly; it comes in in the May and October quarters I think; that part upon which some credit is allowed upon giving bond, is paid, a great part, in the May quarter, and the other part comes in principally in October. Now the warrants for payments used to be issued on the 1st of May and the 1st of November, so that it naturally would take the money out of the receiver's hands very rapidly when the funds are low. Since the failure of the receiver-general, I suppose there never could be a great sum in his hands, perhaps 20,000*l.* 30,000*l.* or 40,000*l.*

What was the actual loss incurred by the insolvency of Mr. Caldwell?—The actual deficiency of cash was 96,000*l.* sterling; but besides that, there was 116,000*l.* of money advanced upon letters of credit, for which Mr. Caldwell was not discharged. The receiver-general was responsible for about 216,000*l.* till such time as he was discharged of that 116,000*l.* He is not discharged of that, I apprehend, even now, because the account of the advances are never settled, so that in reality there would stand 216,000*l.* against him at the Treasury, although the real deficit was only 96,000*l.*

When Mr. Hale was appointed his successor, were sufficient securities required from him?—None at all; the appointment was considered as temporary, I believe, but the matter of securities has been entirely neglected in Lower Canada.

Had any security been required of Mr. Caldwell?—Security had been given in this country; but it was provided that he should give security in the colony also, but that security was never taken.

Has the security in this country been obliged to pay any money?—I think not; I have heard that there were some arrangements made with the Colonial Government, by which he kept his estates, and allowed 2,000*l.* to the Government. There is still a litigation in the courts in Canada between the Crown and Mr. Caldwell.

Was it ever known who his sureties were in this country?—Yes, in the Journal of the House of Assembly their names are stated.

Have any proceedings been taken against those persons?—Not that I know of.

By whom are the accounts of the receiver-general audited?—In the first instance, by the executive council of the province, then they are given to the Governor, who transmits them to the Treasury; and we could trace no acquittal subsequent to 1814; so that in reality the Governor, the council of the province and the receiver-general had been managing the whole of the revenue of the province without any actual control.

Are the accounts required to be audited periodically?—Yes, by the King's instructions to the Governor they ought to be audited in the colony every six months, and transmitted to the Treasury here.

Is the Governor to require the accounts to be audited once in six months?—Yes, the instructions have been very precise on the subject that the Governor should attend to the proper expenditure of the public monies and account, and the receiver-general by his commission is required to give in a statement.

By whom is the receiver-general appointed?—Appointed by the King, not as acting in the colony, but as acting here, by the Lords of the Treasury in fact.

In what way do you think that the office of treasurer would be rendered most secure and the duties of it best performed?—The office ought to be regulated by law, so that no disbursements ought to be made unless it be in a certain form, and regular accounts of the receipts and payments with the vouchers ought to be laid before the Legislature every year, so that the Legislature and the Public may see the true state of its affairs.

What measures have been adopted to prevent a recurrence of the inconvenience suffered by the Public in consequence of the insolvency of the receiver-general?—The Assembly passed a bill on the subject, which it sent to the Council, but the Council rejected the bill; nothing has ever been communicated to the Assembly since the failure of Mr. Caldwell, but I have understood, in private conversation, that instructions have come out providing a remedy. I never saw them, nor do I know the nature of them further than that there was some kind of precaution to be taken that the money could not go out in the same way as it had gone out in Mr. Caldwell's time; but so long as the colony, which furnishes the money, has no check, there will always be mischief; there might be a dozen keys and a dozen locks, and yet they might all agree; it is only those that pay the money that are an efficient check.

In what way do you think that that check ought to be exercised?—There ought to be a law regulating the receipts and disbursements of the receiver-general's office, and the account ought to be regularly laid before the Legislature every year, so that they may see the true state of the case. At present the accounts laid before the Legislature are made up from the receiver-general's statements; but they are not the receiver-general's statements. There are accounts framed in the Executive Council Office, which are laid before the Legislature; but they are not the real accounts of the chest; those are what we want to see.

How do they differ from the accounts of the chest?—We cannot tell, because we have no regular account of the chest; such an account as they please of the state of our affairs they send to us.

You have an account purporting to be a general account; but you cannot tell whether it is a true one?—We cannot tell whether it is a true one, because we do not see the account of the officer that makes the payments.

How do you propose to remedy that by law?—There was one law passed, which is similar to that of Jamaica.

Is not there an account given in, signed by some responsible officer?—It is signed by somebody; but there is no responsibility.

Who is it signed by?—It is signed sometimes by the inspector-general of accounts, and sometimes by the auditor-general of accounts; they are merely preparatory accounts to the Executive Council, and the Executive Council is not responsible.

Then you have their authority for saying that the account is correct?—We have their authority, certainly.

By whom is the account transmitted to the Assembly?—It is transmitted by a message from the Governor, saying that he lays that account before the Assembly.

Has not the colony to complain of the default of other receivers of public money besides the receiver-general?—The province has to complain, and does complain severely, on the subject. The sheriff of Quebec, appointed in 1817, failed about the same time that the receiver-general failed; and there was a deficiency of monies deposited in his hands by judgments of the courts of justice, to the amount of about 27,000*l.* That money was the money of poor people of every description, that had had the misfortune to go into the courts, widows and orphans; and they have still to look for a remedy. When I came away, the sheriff that had been named jointly with the person that succeeded Mr. de Gaspé had stopped payment likewise; but I am glad to find that there has been a decision in the court that the other sheriff is bound with him, so that the Public will not be so much losers as was expected. On the sheriff coming to England there was another appointed jointly with him during his absence, and the parties who have not got their money have sued the other sheriff, and it has been considered that they were liable jointly, and I believe there has been judgment to that effect; but then that will go into the Court of Appeals, probably the Executive Council; and there is another risk.

How are the sheriffs appointed?—By the Governor.

Are they annual officers or permanent?—They are during pleasure.

Do they not complain that since the default of officers in that situation others have been appointed without requiring sufficient security?—They do; I know of no security that was required of Mr. Sewell, who is the present sheriff, nor do I know of any security that was required of the other; there has been a good deal of complaint on the subject.

What funds are those which are in the sheriffs' hands?—People go into the courts of justice to recover money that is due to them, there is judgment given, the sheriff executes that judgment, levies the money, and the money remains in his hands till it can be distributed by judgment of the court, to each person what belongs to him. It of course remains in his hands till the final judgment and distribution, which is frequently delayed for a considerable time; and it is out of those monies that the defalcation took place.

Are sheriffs' sales very common?—They have been very common.

What is the cause of their being so common?—They have become very common since the close of the last war, because the country became poor; real property particularly diminished in value; those that had claims upon it insisted upon payment, and sued, and then it was seized by the sheriff and sold.

Has that been resorted to as the securest mode of conveyance in consequence of the defect of the law?—It has in several instances; the Legislature passed a bill providing for voluntary sheriff's sales. That is a proceeding something like a *décret* under the French law; the parties come into court and say that they wish to have the benefit of a *décret*; under this proceeding there is public notice to all the world that such property is to be sold, so that every one may come forward and put in his claim; then the sale takes place, and the whole is under the inspection of the court to see that every one gets his due; then every one having got his due, the title to the property is more secure than it would otherwise be.

Then a large portion of public property has fallen under sheriffs' sales on account of the defects of the law?—Not during the time of Mr. De Gaspé; the law did not exist then.

But the fact is, that for the purpose of getting a secure title you are obliged to have recourse to a sheriff's sale?—It has been done since the law, and I believe before that law it was done; people wished to have a sale in virtue of judgment, so that there might be no contest thereafter; but those sales do not bar certain claims, I have understood, now.

Do they bar a prior mortgage upon the estate?—Yes, all mortgages except rights of minors and persons absent; persons in fact that cannot come forward and answer for themselves.

Then it is not a secure title against them?—It is not a secure title against persons that have it not in their power to exercise their right of coming forward, they cannot be deprived, that is universally so understood.

You stated that the management of public monies for purposes of internal improvement

ment was better in the United States than in Canada, can you mention any instances which authorize you in making that statement?—I conceive that the same amount of money goes further there than with us, and this I ascribe to better management and greater responsibility; I will state an instance: the La Chine canal cost about half a million of dollars; it was nine miles in extent. The New York canal cost about eight million of dollars, that is sixteen times as much, and it is 320 miles in extent, and upon the whole, it was liable to as great expenses, if not greater, than the La Chine canal, on account of the number of locks, and the great elevation of the country to carry the canal over, so that there is a remarkable difference against us in the result of the expenditure.

To what do you attribute that difference?—I attribute it to not sufficient accountability in our expenditure.

Was it a government work?—Yes, it is not well looked after; when any gentleman gets work done without looking after it, it will not be done half so well, nor nearly at so moderate a rate. Our canal gives hardly any revenue; their canal gives a very great revenue; there is another proof of the management: I should say, generally, they manage their affairs better than we do.

Is the La Chine canal not used?—It is used, but it gives very little revenue. I do not suppose that it gives more than between 2,000*l.* and 3,000*l.* a year.

It is stated in the petition that a great many militia officers have been dismissed without just cause?—There have been a great number of dismissals, and they allege that it has been without sufficient reason or just cause.

What in public opinion is believed to be the reason that those militia officers were dismissed?—The almost universal opinion latterly is, that it is owing to their taking a part in sending complaints to England.

What grounds are there for entertaining that opinion?—There is no doubt that several of them were present at the meetings at which the petitions were adopted, and I believe that several of them presided at those meetings.

Was any motive assigned for their dismissal by the Governor?—Yes, a very bad motive; having become active instruments of a party hostile to His Majesty's Government.

Were they dismissed by a general order?—They were dismissed by a general order; there had been about 200 dismissals within the last 18 months, either dismissals, or putting on the shelf in another way; there has been a general doing and undoing of the whole militia. The general order for the last dismissals is as follows:—it is dated, "Office of the Adjutant-General of Militia, Quebec, February 21st, 1828. General Order of Militia. The Governor and Commander-in-Chief has seen with regret that several officers commanding battalions of militia, forgetting their duty to set an example of subordination and respect for authority to those placed under their command, have shown themselves the active agents of a party hostile to His Majesty's Government; such conduct tending to create discontent in the country, and to bring the executive Government into contempt among the people, cannot be permitted to pass without notice; his Excellency, therefore, in virtue of the power vested in him by His Majesty, signifies to the under-mentioned officers that His Majesty has no further occasion for their services—3d battalion of Buckinghamshire. Lieut. Colonel Francois Legendre; 1st battalion of Bedford, R. Hertel de Rouville; 3d battalion of the county of St. Maurice, A. Poulin de Courval; 1st battalion of Kent, R. Boucher de Labruere; 2d battalion of Huntingdon, Major M. Raymond. The Governor-in-Chief thinks it not less his public duty than an act of justice to the loyal militia of the province, to put them on their guard against being misled by the arts and misrepresentations of ill-disposed persons, to entertain unfounded suspicions of the views and acts of Government, or to swerve from that respect for its authority, and that spirit of obedience for the laws which becomes dutiful and loyal subjects. By order of his Excellency the Governor-in-Chief.

(signed)

"F. Vassal de Monviel, Adj. Gen. M. F."

Were those officers embodied with their corps at that time; were they out on duty?—Every man in Canada from 18 to 60 years of age is a militia man, and no man is embodied unless he be drawn from the militia; they are all militia men and liable to militia duty, although they are living upon their own farms; but there is no embodied militia now.

Do they meet at all for training and exercise?—They meet to have the roll called, so as to keep them in existence; with this view, that when in virtue of a law it may be necessary to embody a portion of the militia, they may be ready.

Are they supplied with arms?—No, they have no arms.

Do they appear in uniform?—No.

Is this military power thus exercised over the militia, in point of fact, possessed by the Governor, in his military capacity, over every subject in Canada?—It would be so; but, in point of fact, the great body of the people of Canada consider that he has no warrant upon that subject, because they consider the law as in non-existence.

What law?—The Governor and the Council suffered the Militia Laws to expire in 1827, and they revived then an old ordinance which was passed in 1788 or 1789, before the existence of the present constitution, and it is under that ordinance that all the noise has been made lately. The people are generally of opinion that the law is not in force; but in the first instance, with respect to the mere parading to call the names over, nobody objected to it; but when they came to exact more than was usual under the laws that had existed ever since the present constitution, the people began to clamour on the subject, and those clamours have led, in some measure, to the present difficulties. There are actually dismissed of the officers, by general orders, 63, and there are a great number that are put on the shelf.

Are any portion of the militia called out during peace?—No; the system has been this: the whole population of Lower Canada have been declared to be liable to bear arms under certain circumstances, when there is a rebellion in the country, or when the country is invaded; for that purpose they are all enrolled; there is a roll made of the whole male population from 18 to 60 years of age, and there is a roll called every year to see that they are all in being, and there are provisions made that in time of war there should be a drafting of the militia to form the embodied militia. During the last war we had about 7,000 or 8,000 of those men on the frontiers; we used to draw every third unmarried citizen to send them to the frontiers.

Are commissions appointed?—The officers all hold commissions; there is a general organization of the whole male population of the country as a militia; that in time of peace is nothing, but in time of war every man is liable to march.

Do the officers receive any pay in time of peace?—Nothing, it is all a burthen; they lose their time, and they sometimes suffer a good deal of expense; they spend money in volunteer dressed companies.

About what is the whole number of the officers?—The whole militia of the province consists of 66 battalions and seven companies; the whole number of officers of the 66 battalions, including those that had the *retruites*, is 2,954.

Including non-commissioned officers?—No, commissioned officers only, including the rank of ensign and upwards.

Is not some claim made to property that formerly belonged to the Jesuits, and is it not urged on the part of the Assembly that the proceeds of it ought to be appropriated under their direction to the maintenance of public education?—There has been a claim urged against the Jesuits estates since the year 1793 by petition to the Legislature. The statement on the part of the people is, that the property belonging to the Jesuits was given to them for the purpose of the general education of the youth of the country, and that the Jesuits becoming extinct, the property ought to be applied for the purposes for which it was originally given; in fact, that the Jesuits, under the vow of poverty could not hold property but for colleges; and the result of the dissolution of the order of Jesuits in France has been that the property has been applied to the purposes for which it was originally granted, but under some other authority.

Has the claim any other foundation than the general reasoning you have stated?—There are several reports upon the subject by the House of Assembly, and the Education Report of 1824, which is to be found in the journals.

What answer has the Government given to the claims that have been made by the Assembly upon the subject?—There has been no answer on the subject.

In what way have the proceeds of the Jesuits estates been disposed of?—We have no account of them.

Do you know by whom the income arising from those estates is received?—There was formerly a commission and a treasurer, and the treasurer received the money, and he paid it into the hands of the receiver-general; part of it, I understood, was lost with the receiver-general; since that time there has been a new commission issued, and a sole manager appointed. I do not know who receives the money at present.

Is there any other property in the province of Lower Canada which stands upon the same footing, and with respect to which similar claims are made to those which you have stated to exist as to the Jesuits estates?—No.

Is there any other property held by the Crown which formerly belonged to ecclesiastical bodies?—Not that I know of.

What establishments are there for education in Lower Canada; have any been provided by public funds?—None, excepting that the Legislature has granted some annual sums for different school societies in Quebec and Montreal, during the last six or eight years, but there are none established by the public funds of the province, that is to say, subsequently to the conquest in 1760; prior to that time there were establishments made. There was the Seminary for Missions at Quebec, and the Seminary of the College of St. Sulpice, at Montreal; they preserved their property, and although they were originally erected for ecclesiastical education alone, they extended their system, and embraced general education. Now the seminary at Quebec, which was formerly erected for forming clergy, men, embraces the whole range of the sciences, and so does the Montreal seminary.

Have any disputes arisen with respect to the character of the system of education to be established; is there any wish on the part of the Canadians that it should be entirely of a French and of a Catholic character; and do the English inhabitants wish that it should be of a more general character?—There has been a good deal of jealousy on the part of the Roman Catholics on the subject of education; that, I believe, was occasioned by instructions from this country subsequent to the conquest.

When were those instructions sent?—They must have been sent shortly after the conquest, but they have been renewed frequently since, and it seemed to the Roman Catholics to be a kind of a system of proselytism, which of course produced some degree of alarm. There was an Act passed in 1801 for the establishment of schools; they were to be endowed by the King as schools of royal foundation, and they were to be under the management of a corporation to be named by the Governor; that corporation was not named till 1817, and it happened to consist mostly of those of one religion alone; the bishop of the church of England and the clergy of the church of England were at the head of the corporation, and the majority of the members were of the church of England, and that tended to confirm the suspicions the people had entertained with respect to proselytism, and it was needless to think of getting them to go to the schools after that; for there has hardly been an instance of the conversion of a Roman Catholic since the conquest, and I believe very few on the other side; but still all parties seem to be perfectly attached to their own religion and are afraid of anything like proselytism. In consequence of that, those schools have fallen through. No property has been given to them as was proposed by the Crown; they have had very few scholars; but they have applied about 30,000*l.* of the money of the province for their support. Notwithstanding I suppose, that altogether they have not educated 1,200 children a year since they were established.

What was that 30,000*l.* derived from?—From the provincial revenue.

Have any steps been taken for the establishment of schools in the townships?—Yes; but they will not have those schools in the townships; they will have no schools in the townships that may appear to be under the direction of one particular church.

In your own opinion, what would be the best system upon which schools for the instruction of the population generally could be established in the colony?—The system that was proposed by the House of Assembly by a bill in 1814, was similar to that of Scotland, and with some of the modes adopted in New England. It was to have schools in every parish; the parishioners to have the power of assessing themselves for the purpose of maintaining those schools, and to appoint persons, a kind of trustees, to have the management of the schools.

Could schools be established to which both Catholics and Protestants could have recourse in common?—The moment you distinguish between Protestant and Catholic, that moment you separate them from one another; you must not consider them as either Protestants or Catholics, or else there is a distinction between them immediately.

Is not the power of charitable contribution for the purposes of education limited by law in Canada?—It is. After a great many efforts to establish schools in Lower Canada, I think the bill was rejected five or six times, allowing a certain sum for every school that would be established, leaving the schools under the direction of the clergymen of the different denominations, each denomination to have the direction of the schools of its own sort, and allowing £200 for the purpose of erecting a school, and placing a schoolmaster in it, provided there were a certain number of scholars,—at last a bill was agreed to, allowing them to hold property to an amount not exceeding £75, I think, for the purpose of schools. Before that the people could not hold any property, even if it were a gift, for the purpose of schools, because the heirs of the person that had made the gift used to come in and take it away from them; the Statute of Mortmain prevented it; so that there are no schools for the education of the people except those that are established by charity. The people are, however, making great efforts in favour of schools; and whether they are assisted by law or not they will be educated.

Were those bills rejected by the Legislative Council?—They were.

On what grounds?—I cannot say; the general expression among them was that they would have no other Act but the Act of 1801; and the Act of 1801 could not be executed from the fears with respect to religion.

Was there any disinclination expressed to the system of the people assessing themselves?—No; that bill, however, never got to the Legislative Council; it was introduced just at the close of the war, and the substitute for it was a gift to each parish, whether it was a parish of the Roman Catholic church, the church of England, or the church of Scotland, or of Dissenters, provided they established a school, and had a certain number of scholars in it, they were to have from the provincial fund £200, but that was objected to in the Legislative Council. Then seeing that had failed so often, permission, as I have mentioned, to each parish to hold property for schools was introduced, and it finally passed, allowing property to the amount of £75, a year to be held by those schools.

Do you understand that a great desire for instruction has displayed itself in the townships?—There is no doubt of it; there is no American that does not think the education of his children is an essential part of his duty.

What is there to prevent the people from assessing themselves voluntarily for the purpose?—They have no legal authority for it; if they had they would have done it long ago.

Has any attempt been made to introduce an Act giving that permission?—No, I believe not, at least I know of no attempt but the general bill of 1814.

Do you apprehend that any difficulty would be made by the Canadian party to any such enactment?—I can assure the Committee that the Canadian party will do every thing that is possible to promote education, no matter by what party; they are persuaded that the country cannot get on without a general education.

Was there ever a period when the measures of the Government were commonly supported by the majority of the Assembly?—Certainly; after the establishment of the constitution in 1792 till 1806 and 1807, the Government had a constant majority in the House, or at least Government generally succeeded in all its measures.

To what do you attribute the change that has taken place since that period?—The great cause of the change was the administration of Sir James Craig; he was very violent with the House of Assembly, and the people generally; and he accused them of a great many things, and finally, on the eve of a general election he put three of the leading members of the Assembly into gaol under a charge of treasonable practices, and kept them there till some of them subscribed to any condition in order to get out, and others continued in till they opened the doors of the gaol and let them go out; the truth was that there was no notion of treason among the people.

Do you believe these proceedings to have had a permanent influence on the Assembly?—It was the end of all influence of the administration, because it involved not only the Governor, but all the persons that were in Government employ; they took an active part in it, and consequently lost their influence with the people.

Since that period has the Government had no majority in the Assembly?—It never could command a majority. During the whole administration of Sir George Prevost they were unanimous in supporting all his measures; because there was a question then of defending the country, and of doing what was necessary to be done to aid for that purpose, and they were nearly the sole supporters of the Government at that time. During Sir John Sherbrooke's administration, the people generally were on the side of the Government, and they had a majority for all their measures in the House of Assembly, but they have had no majority that they could command since the time of Sir James Craig.

The Committee have before them a letter addressed by Mr. Papineau and yourself to the Under Secretary of State upon the subject of the union, and in that letter you state that the inhabitants of the settlements, which you call a continuation of the American settlements in Lower Canada on the frontiers of the United States, have very little intercourse or community of interest with the body of His Majesty's subjects in Lower Canada?—They had at that time very little intercourse indeed; their intercourse was with the United States principally.

How did it arise, that being subjects of the same King, and living under the same Government, they could be held in your opinion to have little intercourse or community of interest with the rest of His Majesty's subjects?—They are living within about 100 miles of Portland, on the sea shore, in the United States; and they are, I suppose, 100 miles from the St. Lawrence; their intercourse has been principally with the country from which they came, their connections altogether are there, and the roads between those settlements upon the frontiers of the United States and the River St. Lawrence are through a forest. Persons in this country can have very little idea of a road through a forest in America; if a road were made as good as any Macadamized road here, it would not be safe to travel one week, for the first gust of wind that comes in the spring of the year, or the first thunder storm in summer, would throw trees down across it, and therefore it cannot be travelled unless you have people living there to clear the road; now the whole extent of that country is still a natural forest between those settlements and the old settlements on the River St. Lawrence; there have been roads made, but those roads, for want of settlers, get filled up, even though they are passable for carts; after the work is done they get filled up by the falling of trees, and there is nobody to look after the roads.

Are the Committee to understand that it would be impossible to maintain roads between the townships on the American borders and the seigneuries upon the St. Lawrence till the intermediate country is settled?—There is nothing to be done towards making practicable roads till you make settlements. If the crown and clergy reserves were done away with, and you were to grant lands to people on condition that they would settle on them, they would settle; but people do not like to go a great way into the woods, and to have those crown and clergy reserves to encounter; it is a dreadful thing under any circumstance to live perhaps 16 miles from a human being; it is impossible for a man to live if he has not got neighbours to help him; he cannot clear away a forest, he cannot prevent the rotten trees that are occasioned by the burning of the woods from falling down and killing his cattle, and ruining his fences; in fact it is impossible for a man to settle down in America and live on the land unless he has got neighbours around him.

You state in this letter that the laws which regulate property and civil rights, the customs, manners, religion and even prejudices prevailing in the two provinces are essentially different; and you also state that the inhabitants of Upper Canada, from their distance from the sea, and the want of an external market, have in a great measure ceased to be consumers of the description of goods upon which duties are raised in the port of Quebec; and you go on to show that their interests are so distinct, that there would be no mode of inducing them to co-operate in measures for the public welfare, or to entertain the same views of general policy: Is that still your opinion?—It is true that the laws, customs, manners and prejudices of the two countries are essentially different; it is true, likewise, that they are beginning to consume largely American manufactures in Upper Canada, particularly in the part of the country above Lake Ontario, which, I think, contains about half the population of the Province; and I believe there is a great line of distinction between the whole of the views and interests of the two provinces. I cannot say positively that they could never be brought to co-operate; I believe they have a very friendly disposition towards one another at present, and a friendly disposition will go a long way to produce co-operation under very difficult circumstances; but, generally speaking, it would be considered a very great hardship that the people of Upper Canada should be obliged to come to Lower Canada to make their local laws, or that the people of Lower Canada should be obliged to go up to Upper Canada to make their local laws. The United States along that frontier have the convenience of having five different local legislatures along that same line. There is nothing got by being a member of the Assembly of the Provinces; it is all labour, and no profit. In that case they must go 700 miles, through a very difficult country to travel, to attend to all their little affairs: it would render the situation almost unfit to be held by any body that had not a larger fortune than can be found in that country.

Must not all the commerce between the Upper Province and the mother country be carried on necessarily through the Saint Lawrence, and through Lower Canada?—Of course they cannot trade with the mother country through the United States.

Can that commerce be regulated with a due reference to the interest of the Upper Province, if the whole of the legislative control over it is in the hands of the Government of the Lower Province?—That is not the case now; there has been no such legislative control since the year 1832; there was the Canada Trade Act passed then, which took it out of the control of the Legislature of Lower Canada; and I believe that there have been no complaints upon the subject since that time.

Do not the inhabitants of Lower Canada complain that the provisions of the Canada Trade Act are a breach of the covenant entered into with them respecting duties, and that they deprive the Legislative Assembly of a part of the power inherent in itself of imposing duties in Lower Canada?—They did complain very loudly of the renewal of some temporary provincial Acts, levying duties by an Act of the Legislature of this country, they conceived that if it was not absolutely taxing the colony it came very close to it; but still there has been no formal remonstrance on the subject, because they were doubtful whether this country could not claim some power of the kind, from the circumstance of its being necessary to regulate a difference between the two provinces which they could not regulate themselves; that made them rather doubtful of the grounds of complaint, otherwise you would have heard complaints more than ever you have heard yet from Lower Canada.

Are the Committee to conclude from your statement that the commercial interests of Upper Canada require such a regulation of the duties in Lower Canada as amounts in reality to an invasion of the privileges which Lower Canada claims?—No, I think you have been very kind to us, you have divested us of a great deal of trouble, for we are not any longer to be considered as having the power of passing any regulations affecting trade, that is done by an Act here; there can be no quarrel then between Upper Canada and Lower Canada upon the subject of regulations of trade.

Do you consider all duties of customs as regulations of trade?—They all amount to that, and we have no duties of customs, except duties that are combined in some measure in the Act for regulating duties of Customs generally.

Setting aside any object as to the regulation of trade, do you suppose that the Parliament here could impose a duty of customs in Lower Canada, solely for the purpose of augmenting the revenue?—Certainly not; we hold this, that you are to impose no duties excepting for the regulation of trade, and it is not to be expected that any legislative body will use that power for any other purpose; we expect that they will be *bona fide* duties for the regulation of trade, and we understand that the proceeds of those duties, whatever they may be, are to be disposed of by the Provincial Legislature. With respect to levying duties on goods passing between Upper and Lower Canada, in point of fact, Upper Canada does at present raise duties upon importations from the United States, which is a frontier of 700 miles; if they were desirous of raising a duty upon importations into Upper Canada, and if it were not thought to interfere with the general power of this country in respect of

regulating the trade, they could have no difficulty in levying duties on goods passing from Lower Canada to Upper Canada, since they do levy duties on goods passing from the United States into Upper Canada. The only means of access into Upper Canada from Lower Canada are the River St. Lawrence and the River Ottawa, they might very easily levy duties there, and I think that probably after the next election, the Legislature of Upper Canada will ask to collect its own duties.

In what way would it be possible for Upper Canada to collect its own duties?—It could collect duties much more easily upon the Lower Canada frontier than it collects duties upon the United States frontier; it would not be one twentieth part of the expense, for the whole extent of the frontier between Upper and Lower Canada, which is not a wilderness, through which no trade can pass, cannot exceed 30 or 40 miles.

Suppose the case of rum imported into Lower Canada, and that a merchant in Upper Canada wished to transport that rum into the Upper Province, under the arrangement you have suggested, namely, that Upper Canada should collect its own duties, would they not in that case be subject to a double duty; must there not, in the first instance, be a duty paid for Lower Canada, and afterwards another duty paid for the Upper Province?—No, there ought to be a drawback. In the Constitutional Act there is an express power in this country to regulate those drawbacks; they would be entitled to a drawback upon proof being given that the thing had been introduced into Upper Canada.

Do you think it possible that an arrangement of this nature could be made, that all duties must necessarily be paid at the port of entry, but that instead of Lower Canada giving a definite proportion of those duties to Upper Canada, Upper Canada should impose whatever duties she chooses upon her imports, receiving a drawback from the Lower Province of all duties that have been paid upon goods in their transport through the Lower Province? I have no doubt that such an arrangement could be made.

Do you think it possible to enforce custom-house regulations upon the frontier line?—If they are enforced upon a frontier of 600 or 700 miles, they may surely be enforced upon a frontier of 30 miles; there could be no difficulty in collecting duties upon the Upper Canada frontier upon all goods of which the package would not have been broken; I should conceive there would be a difficulty in collecting duties, or allowing a drawback upon any thing that had been broken. It would be easy to ascertain that the thing was in the state in which it had come into the custom-house in Quebec, in that case the drawback ought to be allowed the moment it was ascertained, but if that were not provided for, there would be a great deal of trick and roguery; for instance, a tun of rum would be opened, and it would be watered, and two tuns made of it, and then the drawback would be allowed upon two tuns. Therefore it would be necessary to have it managed so that it would be certain that the same description of goods that had passed in at Quebec went to Upper Canada.

As at this moment every tun of rum that arrives at the Upper Province must pass through the Lower Province, where is the security now?—There is a great deal of roguery now; but, in truth, the consumption of rum in Upper Canada has almost ceased; they consume whiskey of their own manufacture. I believe there is no complaint at all on the part of either Upper or Lower Canada; they submit to the regulations that have been made.

What, in your opinion, would be the best mode of regulating it?—Suppose that in Upper Canada a merchant were to order things from England, they ought either, upon some certificate of an entry at the custom-house at Quebec, to go free to Upper Canada, or else Upper Canada ought to be allowed a drawback upon every article that has paid duty in Lower Canada, provided it is ascertained at the custom house in Lower Canada that *bona fide* the same description of articles has gone to Upper Canada, and that there has been no roguery; but although there has been a great deal of talk, I believe the Legislative Assembly of Upper Canada do not make any complaint on the subject. They are now on the eve of a general election, and I dare say will attend to all those things, for they are well conversant with their interests, and attend to them pretty strictly; but it is a matter for the decision of the Government of this country whether duties shall be laid upon articles imported into the colonies. If the Colonial Legislatures were to exercise that power to a certain extent they might shut the British trade out altogether; and it would, in my opinion, be a very imprudent thing for the Legislature of Great Britain, which has the general superintendence of the whole empire, to allow parts of that empire to turn the current of its trade as they pleased.

Are the imports of the Upper Province partly for the supply of the Upper Province and partly for importation into the United States?—There is very little importation to the United States; the people of New-York, although they pay heavier duties, are supplying Upper Canada. I believe that the Americans enter into competition every where above Kingston. Formerly the English tea could not enter the St. Lawrence at all; before the late alteration the Americans sent their tea down to Quebec and Newfoundland.

In what way do you account for that?—There is greater capital in the United States, and where there is a large capital trade may be carried on at a smaller profit. Our merchants are not trading upon their own capital; they are really trading upon the capital of merchants in this country; it is, I conceive, not so well managed as the American trade.

By what criterion has the proportion of the duties that has been appropriated to the use of Upper Canada been determined?—It has been determined by arbitrators chosen by the Governor of Upper Canada and the Governor of Lower Canada, and in case of disagreement, the Government in this country has appointed a third; and the House of Assembly of Lower Canada considered that as equitable a mode as possible, for they in reality had been almost tricked into a quarrel with Upper Canada. They were very glad to get rid of any thing that might get them into a quarrel again. The usual law that authorized an agreement with Upper Canada was suffered to drop in the Legislative Council, and the agreement expired; that raised a quarrel between the people of the two provinces, which can hardly now be raised.

Is not the portion awarded to Upper Canada objected to as too great with reference to her consumption?—I should conceive that it is greater than it ought to be, from the circumstance that there is a great proportion of articles introduced from the United States above Lake Ontario. Our duties lie upon a great variety of goods that cannot get beyond Lake Ontario, and of course the arbitrators having taken population as the basis, it is erroneous; it is of no use that there should be 200,000 souls in Upper Canada, if only 100,000 consume the dutiable articles.

The basis of the adjudication is objected to?—The basis of the population certainly is erroneous, but Lower Canada did not object to the last adjustment, so far from it, they obtained in the House of Assembly a vote to pay the arbitrators.

Would there be any objection to a distribution by the Imperial Parliament of the whole revenue collected at the ports of the Lower Provinces, made in proportion to the respective population of the two provinces, taken at certain periodical intervals?—Yes, there would.

In your view, which mode do you think the best with reference to the interests of the two provinces, that which has been resorted to of dividing the population and the revenues collected in Lower Canada, and applying them to the purposes of Upper Canada, or that of establishing a system of separate custom-houses for Upper Canada, and establishing duties to be collected there, and to be drawn back from the receipts of Lower Canada?—I should think that, in as far as this country is concerned, the preferable mode would be that of arbitration under the Canada Trade Act. I object to nothing in the Canada Trade Act except the revival of the duties. Upon the general principle, I should say, that the less this country has to do in legislative measures affecting the colonies, the better it is both for the colonies and this country. If it were to interfere frequently, it might be the occasion of misunderstanding, when no misunderstanding ought to exist.

Does not the arrangement at present existing impose a great difficulty in the way of any increase being made in the taxation of Canada, if that should be found necessary?—It does; and there has been a representation on the subject to the Government here, upon an application by Mr. Galt, agent for the Canada Company. There were certain resolutions passed in the House of Assembly, and this matter was mentioned in it. There was something submitted to Lord Gosderich; they took him as the arbitrator.

Do you consider that the union of the two provinces would be a proper remedy for those difficulties?

difficulties?—It would not at all be consistent with the interests of the two provinces, nor would it satisfy either the one or the other.

From your knowledge of Lower Canada, what do you conceive would be the feeling of that province with reference to a union?—It is clearly averse to it; both provinces are decidedly averse to it.

What do you believe to be the feeling in Upper Canada with reference to the question? Upper Canada I believe to be clearly averse to it; they wish not to be troubled with us in the management of their internal affairs. The truth is, that every portion of the population in America desire as much as possible to have the management of their internal affairs confined within narrow limits. In the United States, wherever a State was extensive, they have divided it into several States for the convenience of local management: They cut off the state of Maine from Massachusetts; they cut out two or three States in Virginia and in Pennsylvania. The object of that country is rather to sub-divide States than to unite them.

What do you think of any scheme for adding Montreal and the country between Montreal and Upper Canada to the Upper Province?—I certainly should think that it would be very objectionable; in the first place, it would be throwing the whole property of 100,000 souls who hold property under one system of laws to be at once governed by another system of laws, which they understand nothing about, and concerning which they have extravagant notions; for I am confident that every system of law is good for a country when it has been long established.

Do you imagine that it would shock the feelings of the population of that part of the country very much?—Certainly it would, very much indeed.

Is it not rather an inference, from the answers you have given, that it would be desirable, if possible, that Lower Canada and Upper Canada should carry on their internal concerns separately, but that there should be some principle of union between them upon such points, and such points only as are common to both; as, for example, the revenue necessary to be received at the ports within the Lower Province?—I conceive that the thing as it stands at present will work very well; those two provinces, and the other British provinces in America, ought to stand in the same relation to the Government of this country in which the different States of the American Union stand to the general American Government. The seat of the British Government is here, and the seat of the general Government of the United States is at Washington; the Provincial Legislatures may very well do all that is done by their State Governments, and the British Government may do all that is done by their Congress, and the whole thing may work together for their mutual benefit by union and good feeling.

Do you not think that the two colonies have the same interests in many respects, particularly with regard to improving the roads and water communications?—Yes, and on that point they will act together with the greatest cordiality. Both the provinces have an intimate interest in approving the water communication by the Saint Lawrence; because, what makes property valuable at Quebec, and the trade thrive there, except the trade up and down the river?—and what is more beneficial to Upper Canada than to get the articles which go to them up the river, cheap, or brought down to market at a moderate price? They have therefore both an interest in improving the internal communications. That operates so much with us, that although we did not know much about the Welland Canal, but merely saw that it would open a better intercourse to the Saint Lawrence for a great extent of country, that the House of Assembly, at that time consisting of eight out of ten of French Canadians, voted a sum of 25,000*l.* to take shares in that canal.

When you stated that you thought that the relationship between the colonies of North America and of this country was much the same with reference to points of general government, as that which exists between the different States of America and their centre of government, you must be aware that there are several material differences that must be taken into consideration; how would you propose to supply the want of representation in this country?—We never have complained on that head, nor can we think of having a representation here.

Would not you require that the colonies should have some representation in this country?—We have asked for an agent to represent the interests of the colony, particularly at times when there may be a difference of opinion between the executive and the representative branches; for we are not much afraid of any thing wrong going on here, if we can have an opportunity of being heard.

You think that an agent appointed by the Colonial Legislature would be a sufficient representation for the colonies in this country?—I think that there would be no danger of any mischief being done, if there was some person here so as to enable all parties to be heard; there is no opposition of interest between the colony and the mother country; it is an advantage to us to be connected with an old rich and powerful country; and it is an advantage to this country to have colonies that are subject to her regulations of trade, and where she can get things independently of other countries. The only thing that can ever place them at all in opposition, is the not being understood to one another, and particularly the touchiness of all colonies; they are like all children, more touchy than their fathers.

Then you think that the most desirable expedient to overcome the difficulties would be to have an agent resident in this country, on the part of each colony?—Yes; and I would think that all parties should have a fair chance of being heard here; that is to say, that the Legislative Council should either agree in appointing the same agent with the Assembly, or should have one of their own.

Would you not think it desirable, if possible, that the same agent should be appointed by the Legislative Council and the Assembly?—If they could agree upon the same agent.

Does not the absence of all power, on the part of the British Parliament, to levy taxes, except for the purpose of the regulation of trade, put the British Parliament entirely on a different footing, with regard to the colonies, from that on which the Congress stands with regard to the American States?—There is a material difference there.

Is not that difference so great as to involve the necessity either of changing the relation in which the Government stands in relation to the Colonies, or of making it impossible to carry the arrangement into effect which you have suggested?—I conceive that there is certainly a marked point of difference in the connection arising from the limitation which this Legislature has put upon itself, of not imposing taxes for the purpose of a revenue in the colonies. The Congress of the United States does impose taxes for the purpose of a revenue; and it may impose internal taxes even. Its power of taxation is general throughout the whole limits of the United States; in point of fact, however, it has gone no further in exercising it than the power of regulating trade; because nearly all its revenues are derived from duties on importations.

Sabbati, 7^o. Junii, 1828.

John Neilson, Esquire, again called in; and Examined.

DID not the proposition of the Union, which was brought forward in the British Parliament in 1822, excite a very strong feeling among the Lower Canadians?—It did.

What was the impression in Lower Canada, as to the inducement that the Government were under to bring forward that question of the union, who were supposed to be the parties applying for it?—It was supposed to be the Provincial Government of Lower Canada, or rather the persons forming the Executive of Lower Canada.

Was it supposed that any persons in this country connected with what is called the English interest in Lower Canada, made an application of that sort?—It certainly was supposed that the whole thing was got up from Lower Canada; they could not suppose that the Parliament or the Government of this country would take up a matter of that kind without it had come, in the first instance, from the authorities of Lower Canada; or from some person in Lower Canada, in correspondence with the Government here; that was the universal impression.

If there had been more definite provisions in that Act of Union for the preservation of the French laws and institutions, do you think it would have been less unpopular?—This thing would have been unpopular at any rate; it was generally unpopular among the English part of Lower Canada; it was considered a very unfair thing by them; even those that were in favor of the union were against the bill.

How do you account for the expressions that were used in the next year, expressive of so much gratitude and satisfaction?—Those are expressions of form very frequently, but the petitioners in favour of it were not satisfied with the bill as it stood, there were several that wanted the union, but I never heard one profess himself altogether friendly to the bill.

If those parties who, in their petition, expressed so much gratitude, were against the details of the measure, to what particular part did they object?—I have heard it mentioned among some gentlemen that were friendly to the union of the provinces, that the share of the representation was unfair, that it encroached upon popular privileges in some instances, that it introduced extraordinary clauses with respect to placing executive officers in the representative assemblies without election by the people, and matters of that kind; in fact all the petitions from Upper Canada in favour of the union expressed themselves dissatisfied with those provisions; the petitioners in Lower Canada, generally, were unfavourable to some of the provisions; but many of them were friendly to a union, expecting that the British Parliament would bring in a bill that would be better suited to the purpose than the one that had come out to Canada; that was the feeling of those who petitioned in favour of it. The feeling of those that petitioned against it was very different, and I dare say the Committee are well aware of that.

Are the Committee to understand that, if the modifications suggested by the petitioners who were in favour of the union had been adopted, the bill would have been satisfactory? Certainly not to the great majority of the people in both provinces.

If the modifications to which you refer had been made, would it have been acceptable to the people in favour of the union?—I should suppose it would have been favourably received by them; but I dare say they would have been glad to see what the clauses would be in the first instance.

Are you not aware that strong representations were made from Upper Canada, as to the utter impossibility of forming a custom-house establishment at Montreal, which could enable them to levy duties within their own province upon goods coming in through Lower Canada?—I am perfectly aware that they made representations to that effect.

Have you any reason to believe that they have changed their opinion since that time upon that subject?—I cannot say; but I know that they have sent forward no complaint upon the subject of the division of duties since that time; as to the collection of the duties on the frontier, I have already had the honour to state that I could not say positively whether they would find it practicable; but my opinion was that it was practicable to a certain extent; that they have collected duties upon a frontier of 600 or 700 miles; and I should suppose from that, that they could collect some duties upon a frontier of 30 miles; that a new election was going on in Upper Canada in this year; and that the people there would no doubt be able to say what they could do, or what they could not do.

Are not the Committee correct in understanding you to have stated to the Committee that no objection exists to the principle of arbitration, as regulating the proportion of the duties necessarily levied in Lower Canada, which ought to be applied for the civil government of the Upper Province?—I have stated that, as far as my opinion went, I did not object to any part of the measures adopted in this country to terminate the differences between the two provinces, excepting that which went to renew the temporary provincial Acts levying duties, which I conceive to be very nearly approaching to taxation; and consequently rather infringing upon the declarations of this country.

You are aware that however anomalous the introduction of those clauses might have been into the bill of 1822; the object of their introduction was to prevent the Government of Upper Canada being deprived of the means of being carried on in consequence of the cessation of revenue in the Lower Province?—We never had any doubt as to the intentions of the Government here, or of Parliament, with respect to that bill; we have always conceived that it was intended to relieve Upper Canada from her dependence on Lower Canada; but the bill was received with a great deal of dissatisfaction on account of one circumstance. We had no opportunity of having any person here to represent Lower Canada, though they had a person to represent Upper Canada?

The question refers to the practical point of the necessity of continuing those duties?—With respect to the continuing those duties, I state what I have stated elsewhere; that I conceive it to be very dangerous as a precedent, and rather infringing upon what I conceive to be the constitutional rights of the colonies; but, in point of fact, we ourselves would have been obliged to continue those duties, had they not been continued here. Part of them were refused to be renewed in 1821 or 1822, because there was in fact no want of the money. The Government at that time used to tell us, "we do not want any money from you; England will pay the Civil List itself if you do not pay it, as we require it." That was the language of the gentlemen acting in the House of Assembly on the part of the Government. When they proposed to continue the bill of 1821 or 1822, it was referred to a committee; there was a report; and finally the House refused to continue one of the temporary Acts: saying, "very well, if Great Britain is to pay the expenses, we do not want this money; we will relieve the trade of it." That was the cause of suffering that duty to expire; but the moment there was a question of providing for the expenses of the Government, it would have been necessary for us to revive or continue that bill; we could not have paid the expenses of Government, even upon the scale we had agreed to, unless we provided a sufficient revenue for that purpose; and likewise for the other purposes that are indispensable; such as, something like miscellaneous votes here, hospitals and education; and several annual appropriations that are usually made; and besides that, the improvements of roads and the internal navigation. With all these things we had the Chambly Canal, and the La Chine Canal; to provide for; we certainly would have continued those duties ourselves; therefore, in point of fact, though the precedent was dangerous, you took nothing from us that we would not have given ourselves. The precedent may, however, cause a good deal of hesitation in consenting to new duties required for temporary purposes.

Do you admit then, that if the Assembly of Lower Canada, on account of any reasons, had not revived those temporary Acts, the effect would to that extent, have been to have deprived Upper Canada of the means of carrying on her civil government?—Certainly, Upper Canada would have been diminished in its means; but Upper Canada would not have been injured by Lower Canada in that respect, because it was a temporary Act. When Upper Canada consented that Lower Canada should impose those duties of which they were to have a share, if consented to it in the manner in which the Acts were passed for a certain time, so that Upper Canada would have had no reason to complain: it is we that have had reason to complain, because those Acts have been continued beyond the time. No one ever intended to make those Acts permanent, and therefore Upper Canada could not be deceived in that respect.

These questions are not put to you with a view of establishing any ground of complaint of Upper Canada against Lower Canada, but merely to illicit the fact whether the conduct of Lower Canada with respect to this continuing the Act does not necessarily expose Upper Canada to a failure of revenue, which prejudices her means of carrying on her civil government?—It is obvious, that if there is a revenue of which Upper Canada gets a part, and that is discontinued, that Upper Canada is thereby deprived of so much revenue.

Are you not prepared to admit that Upper Canada has no means within herself of obviating the inconvenience of such a cessation of her revenue?—I cannot say so. I have said the contrary, that I conceive she may collect duties for herself.

But supposing that should not prove to be the fact, in that case do you not admit that she has no means of obviating the inconvenience?—If she has no other means, certainly.

Are you not aware that complaints have been made by Upper Canada, that she could not impose taxes upon commodities which would afford to her a more beneficial revenue than that revenue which she now receives under the operation of the separate and exclusive taxation of Lower Canada?—I know that she has complained that she could not collect a revenue

revenue sufficiently, unless it was at the Port of Quebec, and I know that it is upon that ground that complaints were sent home to this country, and Mr. Robinson was sent home to support those complaints, and if we had been heard at the same time we might have fallen upon some mode that would have satisfied all parties, but we were not heard.

As many years have elapsed since, and you have had time to consider the nature of those remedies, can you now point them out to the Committee?—Those remedies must depend upon the consent of two parties. I can say what I think might be feasible, but it must be conceived to be feasible by both parties, or it will amount to nothing.

State what in your view could be effected?—I have already stated that I thought that Upper Canada could collect a revenue upon the frontier towards Lower Canada. I have reflected upon the thing since, and I think it feasible; and if that were not feasible, it still would be feasible to make a warehouse at Quebec, where articles imported for Upper Canada would be received and delivered out, so as to secure their not being sold or distributed in Lower Canada; if the goods were put into the King's warehouse at Quebec, for instance, there is nothing in the world to prevent their being transmitted through Lower Canada free of all duty, upon certificate being had that they are entered in Upper Canada, and the duty paid or secured. That has been practised in other countries. The other mode that I suggested was, that they might be allowed drawbacks. I am confident that the two provinces could fall upon some mode by which they would mutually afford sufficient convenience for one another to levy the duties necessary for their own purposes, without interfering or quarrelling; but it would require that they should understand one another as to what would be agreeable to both parties.

Then you are of opinion that it is practicable to make an arrangement under which Upper Canada may tax herself?—Yes, and be satisfied; I have not the least doubt of it; it may be done either upon the frontiers, or at Montreal, or Quebec, and by allowing a drawback. If they purchase articles in entire pieces as imported, they may have a drawback upon proof of entry in Upper Canada, and having paid or secured the duty; or they may have a warehouse at Quebec, and have the goods deposited there and transmitted under a certificate of the custom-house at the port of entry to Upper Canada; it would entail a little more expense, but it would not be material; and I am confident it might all be done at less than the expense of collection at the Port of Quebec at present.

Under the view you take of this subject, are the Committee to understand that you propose that arbitration should regulate the proportion of those duties which are charged equally in the two provinces, but at the same time if Upper Canada thinks it necessary for her own purposes to increase the duty on any particular article, or to impose a duty upon an article which is not taxed in Lower Canada, it would be practicable to carry such intention into effect?—We have never objected to the system of arbitration as adopted in the Act here; we have consented to that arbitration, and I believe that it satisfies all parties for the present. If a mode could be adopted for each province to levy its own duties it would be better, because it would leave them to tax such articles as each liked; but in reality, I think the levying such duties upon trade by the Colonial Legislatures to any great extent may be liable to a great many difficulties, and very dangerous. This country must regulate the trade, and you must consider the situation in which those colonies are placed with regard to the United States of America; if you choose to let the colonies levy duties upon articles that they can get from this country, and not levy duties upon articles that they can get from the United States, your trade might be, perhaps, unintentionally turned out of that country.

Did not the trade bills of 1822 and 1824 impose duties in their schedules upon articles imported from the United States?—I know there have been duties imposed by Lower Canada and by Upper Canada independently of the Acts of the British Parliament; those in Lower Canada have ceased; it was generally conceived that the thing was not at all consistent; the Government of the Empire have regulated the trade between the United States and Lower Canada; how could we alter those regulations by laying on duties? if we laid on duties we altered the regulations of trade. I do not know what the Government of this country intends to do, but the whole system of communication between the British provinces in North America and the United States is likely to overwhelm us all.

Whether the duties be imposed by British Acts of Parliament, or whether they be imposed by provincial Acts, do you consider that the nature of the frontier between the United States and the British North American provinces is such as to make it extremely difficult in practice to levy duties upon articles imported into those provinces from the United States?—I conceive it altogether impracticable for any beneficial purpose. There is an extent of settled frontier between the British provinces and the United States of America of upwards of 1,000 miles, and more than 500 of that is a mere water communication; a broad river and lakes; the settlements are thin along these, and the river may be passed in any direction by night or by day. Any thing that can give any profit by smuggling will come in; all the custom-house officers in the world could not prevent people, living as neighbours and friends, relations, brothers and sisters, people who visit one another almost every evening, from bringing in any thing that will enable them to make a profit, or exchanging articles for mutual convenience. Then there is another thing to be considered; all over the world the Revenue Laws have been unpopular; people have not considered offending against them in the light that it ought to be considered, as an immoral act, but they have voluntarily violated those laws, thinking that they did not commit a very immoral act; they join in countenancing the smugglers instead of preventing them; every one feels that he has got a kind of interest in getting a thing as cheap as possible, and he does not hesitate when he feels the workings of that interest to violate the law; therefore, you have the people on both sides interested in some measure in this system of smuggling and unrestricted intercourse; and when the body of the people on each side the frontier are interested in favour of it, how can you prevent it being done?—There is something so consonant with the character of the people of America in this kind of trading with one another, independently of all regulations, that during the last war our army was supplied through the American army with the greatest part of its provisions. Under these circumstances, I would submit whether it is practicable on such a frontier to prevent smuggling if there is any thing to be made by it, and if there is nothing to be made by it, what is the use of the laws and regulations? If a system of custom-houses were established along the frontiers, it would ultimately make the people on both frontiers hostile to the British Government, for the acts of the officers of the Government are too commonly ascribed to the Government, and particularly in America; if any thing is done it is in the name of the British Government, and if they quarrel with officers they are quarrelling in some measure with the Government, so that in reality this kind of nuisance that the people will suffer in consequence of all those custom-house officers collecting a revenue, which will be no revenue, upon the frontiers, will dissatisfy the people with the British Government, and consequently, being dissatisfied in that way, both the Americans on their side and our own people on ours, we will run the risk of being overwhelmed, as I said before.

How do the American States regulate the intercourse between Canada and their territory?—There is hardly any regulation or difficulty to the intercourse. I came through that way; I brought all that was necessary with me to this country, books and papers, and other things; when I came to the first custom-house, a gentleman came in to the inn where I stopped and told me that he was a custom-house officer, if I would be so good as to report what I had brought. I told him what I had brought, and he wished me good day and a pleasant journey: that was the whole ceremony; there was nothing to pay; but with us they make them pay for every little thing, permits, and so on.

Is there any transport of valuable goods of any kind from Canada to the United States?—There is a trade going on of some kind, but it does not appear much, by the custom-house reports, on either side.

If the United States of America are able to supply Canada with such manufactured articles as it requires, do you think that it will supersede the trade with Great Britain?—It would, no doubt; and it is for that reason that I think it is extremely dangerous for this country to allow too great a latitude to the Colonial Legislatures to lay duties upon articles to be imported by Quebec, because that augments the price of those articles, and diminishes the inducement for their consumption. It is easy to collect duties at the port of Quebec, but they cannot be collected with equal certainty along the frontiers;

this has a tendency to make the Colonial Legislatures lay them on heavily at the port of Quebec, and thereby shut out the British trade, which must come in at that port. The duties there give a bounty as it were upon a clandestine importation on the other side; now it is a matter of fact that the manufactures of the United States have been selling at Montreal; coarse cotton manufactures fit for the wear of labouring people. It is to be observed that the great mass of the people in these countries are labouring people. The wealthiest of them often wear the manufactures of their own family, made up in their own family.

Is it within your knowledge, to take one example, that previously to the opening of the tea trade direct with Quebec, the price of tea was lower in the Upper Province than it was in the Lower?—Certainly it was.

Can that be attributed to any thing else than to the constant practice of smuggling from the United States?—The United States supplied all the parts below Quebec with tea, and many other things of value. It is utterly impossible to prevent smuggling in America; the only way is not to give an inducement to it.

Can you state the proportion of tea which was brought in from the United States, and of that which was brought in at Quebec?—We have no mode of judging of it except by the diminution in our importations. We found that the importation from England was diminishing every year, and some persons said that it was a cessation of the consumption of tea, which was a very unlikely thing; at last the truth came out that it was the tea from the United States that was coming into competition.

Are not the manufactured articles chiefly consumed in the Canadas generally of a coarse description, which do not so well bear the cost of transport?—Of course.

Do you conceive it probable that the United States must necessarily soon supply the great bulk of those articles?—The only preventive of that is getting into those countries articles of British manufacture as cheap as possible, and consequently keeping the duties and other expenses as low as possible upon the introduction of them.

What description of goods, besides the coarse cotton goods you describe, are smuggled into the Canadas from the United States?—Silks, and all East India goods; but Mr. Cuvillier, who is here, can give better information upon that, because he has been long engaged in trade, and I am not.

Under the statement you make, of the impossibility of preventing smuggling from the United States, is it not more convenient that the revenue that may be necessary for the purposes of Government in those provinces should be derived from internal taxation rather than from import duties?—You will have a very badly supplied Government if you depend upon internal taxation for it. I have stated that the present revenue is about equal to the expenses; I have no doubt that if necessity existed we would find the means of raising more money; we might raise money by licenses and things of that kind. If it were necessary there is no danger that they will find means of raising enough for the real wants of the country; but it would be desirable that the country should have the means, under proper accountability, of extending its improvements; it ought to run a race with the adjoining countries, or else it will not only be laughed at, but be ruined.

Do not you conceive that the same difficulties which you say would arise from any attempt to prevent smuggling between the United States and the Canadas, would in a great measure apply equally to any attempt to establish a separate scale of duties in the Upper and Lower Provinces?—There is no doubt that it would; but the line is not very extensive, and goods could only enter by the Two Rivers; the safest place is no doubt the Port of Quebec.

Is there any qualification for members that sit in the Legislative Assembly?—No qualification.

Is there any qualification for members that sit in the Legislative Council?—No qualification.

In your opinion would it be desirable to introduce a qualification?—The inconveniences have arisen from the exercise of the prerogative with respect to the Legislative Council; the King by the Constitutional Act has the right of naming them.

What would be the effect of limiting the prerogative, by a regulation that no person should be nominated unless he was possessed of land to a certain extent?—If you could have an independent Legislative Council, you would have something like a British Constitution, and the affairs of the country would go on. In that case there would be a body that would have a weight in the opinion of the country when the Governor and the Assembly were at variance, and on whichever side they declared they would incline the balance; if they were independent men connected with the country, it would be impossible to resist the declaration of the Council, consisting of respectable and intelligent men, in any dispute between the Governor and the Assembly; but under present circumstances every one supposes that the Council decide always just as the Governor pleases, and they have no weight.

Have you ever turned in your mind any plan by which you conceive the Legislative Council might be better composed in Lower Canada?—I am willing to say what I would suggest, but it must be considered as entirely my own individual suggestion, and not the suggestion of the petitioners. There are two modes in which the composition of the Legislative Council might be bettered, the one which, I believe, the majority of the people in Lower Canada have in view, is by the exercise of the prerogative appointing men who are independent of the executive, and in fact who are able to live by their own means. That has appeared to us to be the most consistent with the constitution under which we live. If that were found to be impracticable, the other mode would be to make the Legislative Council elective, by electors of a higher qualification, and fixing a qualification in property for the persons that might sit in the Council. I should conceive that the latter mode would be safe enough for all parties; still it seems to be a deviation from the constitution under which we live.

You conceive, then, that the fault of the Legislative Council is not in the original constitution of the body, but in the manner in which the choice of counsellors has been exercised?—Certainly; that may, perhaps, be unavoidable; because it is impossible that the Government here should see in the colony, excepting by the means of the people that are in the colony, they must take the recommendations that are sent from the colony, and if they are men that are not independent, and not suited altogether to act an independent part in the Council, of course they must appoint them notwithstanding, for they do not know that it is otherwise.

When you say that those alterations would improve the constitution of the Legislative Council, do you use the word 'improve', in this sense, that they would constitute a body which would agree with the lower House in their views, instead of agreeing with the Governor, as it now does, in his views?—I should suppose that it would be compelled to agree with neither one nor the other. At present we suppose that it is absolutely compelled to agree with the Governor. Then it would be an independent body, that would keep the balance between the two, and give a certain stability to the existing laws and institutions.

Do you conceive that if there were some qualification required from the members of the Legislative Council, that the province would still feel satisfied to allow the nomination of the Legislative Council to remain with the Crown?—The general feeling of the people has not been in favour of alteration; but rather a feeling of satisfaction with the usual rights exercised by the Crown in those matters. It never was imagined, by us at least, that the Legislative Council was to be otherwise than a body originating in some measure from the Crown.

Are you of opinion that any class of executive officers should be excluded by law from being members of the Legislative Council?—Yes, certainly.

Will you specify them?—I should say that in that country the judges ought to be excluded from the Legislative Council; for it unavoidably mixes them up with politics, and they become, instead of judges, in some measure, political partisans.

Do you think that should apply equally to the chief justice?—If the chief justice is to be every thing as he is at present, a member of the Legislative Council, chairman of the Executive Council, presiding in the Court of Appeals, and taking an active part in all the public business of the province, he must be almost incapable of avoiding, when

he is upon the bench, feeling a certain bias: it is believed too that such a bias exists; for instance, when a prosecution is advised, it must be sanctioned in the council in order to allow the expenses, the Executive Council has of course advised the prosecution, and the chief justice is the judge to sit on the bench and try it, and he is in danger of being biased. In truth, people do conceive that there is a bias at present in matters where the Crown is concerned.

If the chief justice did not belong to the Executive Council, do you think there would be any objection to his belonging to the Legislative Council?—If the chief justice or any judge, were not to be active politicians, there would be no harm in their being any where; but the society being small, they become active politicians.

Is not it by being Executive Councillors that they get mixed up with politics?—Yes, that is the great evil of their being Legislative Councillors, but in the Legislative Council, in the passing of bills, they take an active part; they are for or opposed to the bill, and it has been frequently found that they interpret in their courts according to the interpretation in the Council.

Is the chief justice *ex officio* chairman of the Executive Council?—No, the Constitutional Act says, that the governor shall appoint the chairman.

Is there any other class of executive officers that you would be desirous of excluding from the Legislative Council?—I do not see that there can be any objection that there should be executive officers in the Legislative Council, provided there is not a majority of them.

Then, in addition to the objections arising from the nature of the offices, you would put a limit upon the number?—That the King can do at all times.

Would you think it desirable that a provision of this sort should be made, that not above a certain proportion of the Legislative Council should consist of persons in the pay and employment of Government?—Certainly I should say so, that would be a proper rule for the Government to act upon.

Do you think it possible that, in a country circumstanced as Lower Canada is, the Legislative Council can really command the confidence and respect of the people, or go on in harmony with the House of Assembly, unless the principle of election is introduced into its composition in some manner or another?—All that depends in truth upon the instructions that may be sent from the Government of this country; if they are dependent upon the governor of course they move according to the instructions from this country, because the governor must move according to those instructions.

Do you think that the colony could have any security that the Legislative Council would be properly and independently composed, unless the principle of election was introduced into it in some manner or other?—Judging from past experience, I should say there could be no security, but I should conceive it is possible that the errors of the past may be remedied for the future; but as the thing has gone on, we cannot conclude that we would have any security.

Do you conceive that any regulations whatever, as long as the nomination to the Legislative Council remains with the Crown, would make it such as would command the confidence of the people?—I should hope so.

Supposing such regulations to take place with respect to the Legislative Council as those to which you have referred, supposing that there should not be in it a majority of persons holding any situation of emolument under the governor; have you any apprehensions in that case that the Legislative Council would be considered with jealousy by the inhabitants of Lower Canada?—I should conceive that it would acquire great weight, but at present there has been a great deal of difference, and a great deal of disagreeable circumstances that it is not necessary to repeat, and it is some time before confidence recovers after such disagreeable circumstances; but I have no doubt that if the most enlightened and independent people in the country were placed in the Legislative Council, that it would acquire in public opinion a counterpoise to the House of Assembly, that is, if the House of Assembly are wrong; if they are right and the Council are wrong, I should suppose the Assembly would naturally carry it, but as things stand at present in popular opinion, there is no counterpoise to the House of Assembly.

If it be deemed expedient to introduce a qualification as ensuring the independence of the members of the Legislative Council, do you not think that in principle it would be desirable to introduce a qualification with respect to the members in the Lower House of Assembly?—At present I do not see any use that the qualification would be of, for they are all qualified beyond what is proposed, even in the Union Bill; I know only of one individual member that might be suggested not to be qualified fully according to that Act. Then, seeing that no abuse has occurred from the present system, it perhaps might be judged rather invidious to say that they shall be qualified, when they are at present fully qualified to the extent that is desired.

Are the properties of any individuals so great in Lower Canada that there exists an aristocracy out of which it would be possible for the Government to select a Legislative Council, which, from the circumstance of their rank and fortune, would carry the weight that should belong to such an assembly with the province?—In all those new countries property rises up and disappears rapidly, so that, in reality, property is not sufficiently permanent to say that it can be calculated upon as itself giving a superiority to particular individuals over the rest of men; but I should suppose that relative, there might be something like an aristocracy formed out of the population of Lower Canada uniting talent and property, still it is less secure than in this country, or in any old country, because property is more evanescent.

Is not the absence of that security of less consequence where the situation is only for life and not hereditary?—Yes; but if the appointment were for life, it would create great danger of the composition being bad. When they are hereditary there is no choice, they come of course independently of the will of any body, and of course they can act independently; but if they are put in by the will of some one, they will naturally be inclined to act according to the opinion of those that put them in.

Is it not the general impression in the colony, that the intention of the English Government in introducing the Canada Act of 1791, with regard to the Legislative Council, has never been fulfilled?—No, there has been hardly any thing but two branches of the government in the country, that is to say, a representative body, and an executive government; there has been such an intermixture of the legislative council, and the executive government, that they have been in reality nearly one and the same thing.

You have said that there might be a sufficient body, combining property and talent, from which you might take an aristocracy; but as you could not ensure talent by any legislation, is there any body whose property would place them in that situation in the colony, that they would be proper persons to be selected?—Yes, all those things are relative; in a poor country, a man who has what would be considered here a small income, yet stands in the same situation with respect to that country in which a rich man stands in this country.

Should you confine the qualification of the Legislative Council to the possessors of landed property?—Landed proprietors in all countries are the country, they are the owners of the soil of the country, and of course must always be a prominent party in the country; but I conceive that fairness would require that every class of the community should have a fair share of every public situation; landed proprietors would, no doubt, form the majority of such a body in fairness.

Is there not a growing inclination in the Canadas to see their institutions rendered more and more popular, and in that respect more and more resembling those of the United States?—The Canadas have made great progress towards an inclination to popular institutions, it is not their disposition, but they have been driven to it; they have been kept in a constant state of agitation, and they certainly are more in favour of a popular government than they were some years ago. Eighteen or nineteen years ago I have heard that the population of Lower Canada considered a popular kind of government a very troublesome one; and they even said that they had all the advantages that they had in the United States without the trouble; they were proud of it; but latterly the people have held very much to popular privileges, because they have been afraid of innovations in their institutions; and the disputes, dissolutions and agitations that have occurred have made them enter more into the prevailing notions of the present time of a representative government.

Since you have stated that this inclination towards popular privileges is upon the increase in the Canadas, do not you think that it would be wise, in any change that is made in the institutions of that province, to meet what will be more and more the wishes of the people, and make them extremely popular?—It is very good; but it is very dangerous to hurry people in that respect; I should conceive that they ought to have the appetite before you give them the food. I conceive that the people of Lower Canada are certainly making rapid strides in attachment to a representative government. Twenty years ago I could not have believed it myself; but still they are not naturally a democratical people, nor have they any strong desire for the United States.

Having stated that there might be objections to the Legislative Council being appointed for life, do you conceive that there are materials for forming an hereditary council?—The answer that I have already given relating to the evanescent state of property there will explain, in some measure, my opinion, that an hereditary Legislative Council would not do in Lower Canada; they might be hereditary beggars, and fall into contempt. America is a new country, where all must be actively industrious, or decline in means. You may form a tolerably correct idea of America by supposing a number of people hewing down a forest, changing it into fields, while others are doing such other parts of labour as are indispensable for furthering this immense work. Under all the circumstances, the respect that ought to be attached to an hereditary aristocracy, and which is necessary to give it a useful existence, would not be maintained in America.

You have said that with regard to the House of Assembly it would be a good thing to have some members of the Government introduced into it; is there any such a decided influence of Government over any particular parts as to give them a security for having a certain number of members?—The Government have put in some members, and they had at one time a majority of persons that were agreeable to them, but some how or other for a considerable time past, they have lost the confidence of the electors. At Gaspé they still have put in a member, and at Sorel and at Three Rivers, but they have had hard struggles for it; at Sorel they were turned out, and at Three Rivers they succeeded only in obtaining one of the members.

Under these circumstances, should you not think it a good thing that certain members of Government in active situations should have the right of attending and speaking in the House of Assembly without voting?—The thing would be very extraordinary, and the situation would be a most unpleasant one to the gentlemen that would attend there; they would not have the privileges of members, and they would be amongst people that would view them with a kind of jealousy and suspicion.

Are you aware that it is the case in the French Constitution, that the French ministers attend and speak, but do not vote?—No; we have rather looked to the British Constitution.

Have you any papers to deliver in to the Committee?—I will deliver in copies of several other bills that have been referred to in my evidence; one is a Bill for vacating the seats of Members of the Assembly in cases therein mentioned; another is a Bill to remedy the improvident Grants of the Waste Lands of the Crown, and the other is a Bill to provide for the Trial of Impeachments in this Province.

[The witness delivered in the same.]

Denis Benjamin Viger, Esq. called in; and Examined.

ARE you a native of Lower Canada?—I am.

Are you connected with the profession of the law?—I am an advocate.

In what court do you practise?—In Montreal. I practise occasionally in the Court of Appeals at Quebec, but my residence is in Montreal.

What number of public courts of justice are there in the province?—We have a Court of King's Bench in the district of Quebec, and a Court of King's Bench in the district of Montreal; then there are, besides, provincial courts in other districts: there is a provincial judge at Three Rivers, there is a provincial judge at Gaspé, and another, a late establishment, at St. Francis.

Is St. Francis within the townships?—It is.

Is the same code of laws administered in all of those courts?—We always understood it so till the Act of the 6th George 4, which was a declaratory Act by the Parliament of England, deciding that the laws of England were the laws of the townships. I ought to add in answer to the former question, that in the district of Three Rivers two judges of the Court of King's Bench of Montreal, or of Quebec, go every term to Three Rivers to hold a Court of King's Bench, and then there are three judges there; two judges are a quorum; but in case there should be a difference of opinion, there are generally three, and those two judges with the provincial judge, exercise all the powers of the Court of King's Bench, as they are established by the Provincial Statute of 1793.

Does the enumeration which you have given of the Courts of Justice include all that exist within the province?—Yes, excepting quarter sessions of the peace, which are held in every district.

Is the criminal law administered solely at the quarter sessions of the peace?—No; there are criminal terms of the Court of King's Bench twice a year in the district of Montreal, and in the district of Quebec, and there are two criminal terms at Three Rivers, held by the chief justice either of Montreal or of Quebec, with the provincial judge and those who come from Montreal or Quebec. If I had known that I should be examined upon this point, I would have brought the law which was passed in 1793, which would explain the thing at once.

Was that law a provincial law?—Yes. It was a law by which the Courts of King's Bench and the quarter sessions have been established in Lower Canada, or at least put on a better system.

Is there any institution similar to the circuits in England?—No. We have endeavoured to establish such a system in our country for these three years past. I framed a bill, it passed in our Lower House, but it was not passed by the Legislative Council. My great object was to endeavour, with reference to constitutional principles, to establish the Courts of King's Bench in Canada upon the same footing that they are in England, because I do not think that the administration of justice, particularly with regard to jury trials, can be administered well by any other system, though I do not think it would be for the advantage of our country to change the laws as they stand at present with respect to civil matters, yet as far as it is practicable I thought it advantageous to establish the courts nearly on the footing upon which they are in England, and to have circuits. After a good deal of division in the House of Assembly, it came to an almost unanimous vote in favour of the bill.

In what year was that?—Successively for the last three years, the bill was brought in in 1825, 1826 and 1827. I will deliver in a copy of the bill which passed the House of Assembly, which is intitled, "A Bill to facilitate the Administration of Justice throughout the Province."

[The witness delivered in the same.]

Do you know the grounds upon which the Legislative Council rejected it?—I was once in the Legislative Council when the bill was argued; to my great surprise the judges in the Legislative Council were those that opposed that part of it which related to juries. It would take a great deal of time to explain their reasons; they seemed to think that the people were not fond of those jury trials, and they conjectured so from the small number of trials by jury which came before them. I ought to mention that we have only two species of civil actions which are to be determined by the verdict of a jury; commercial cases, and personal wrongs, that is cases of personal injury, such as defamation or assault; but they perhaps were not aware that the system of juries, as it is established in civil matters in Canada, is the worst species of juries that can be imagined, for one plain

reason. By the ordinance of 1785, it is established, that in civil cases in the districts of Montreal and Quebec, which contain about nine-tenths of the population of Lower Canada, the juries are to be taken from the city of Montreal for the district of Montreal, and from the city of Quebec for the district of Quebec, so that by that means you have only citizens of Montreal and Quebec to form juries for a population of about 450,000 souls, which is certainly not according to the constitutional principles of jury trials. They should be taken from the whole mass of the population, because there ought to be a common association of ideas between the parties and the juries. The reason why the people, generally speaking, are averse to have trials by jury is, first, that they are extremely expensive; and, in the second place, they can never depend upon having jurors who have a common association of ideas with the people whom they try. In general, the great advantage of trial by jury is, that they may form an opinion as to the criminality or innocence of the party, from the circumstances and from their knowledge of the rank of the parties, their character in society, and their usages, and this advantage is lost in Canada, because, though those juries may be very respectable and honest men, they do not understand sometimes even the language of the persons they are to try. I would say that there is not a jury trial in criminal matters in Canada, according to the laws of England, at least in Montreal, because I never saw any petit juries that were not taken from the city of Montreal. The citizens of Montreal, by that practice, exercise a kind of power of life and death over a population of about very near 300,000 souls. I do not know upon what that can be founded. I know that the law is against it; the precepts of the judges are to take the juries from the body of the district, from the jurisdiction of the sheriff, as it is in England; yet singular to tell, they have never been taken except from the city of Montreal, and though we have complained, and there were some resolutions passed in our Assembly upon the subject, this, which I consider a great abuse, is at this moment continually acted upon in our courts of justice. These circumstances may have given occasion to some prejudices against juries generally. In my practice my clients have frequently expressed a wish of having their causes tried by juries, provided they could be taken from the vicinage.

What other objections were stated by the Legislative Council to the measure you proposed?—I think they did not like the circuits.

Was it your wish to apply juries to civil cases?—I do not like sudden changes in any case. I did not wish at that moment to extend jury trials further than the law gives it present; but I would have thought it desirable in a little time to extend it to other cases, where mere matters of fact are to be decided; for example, where damages are to be given for a trespass, it seemed to me that those would be proper cases for a jury; I should not think it desirable to introduce juries in matters of mere property, of mere title, of mere conventions. When this bill passed in the House of Assembly I did not wish to derange the system too much; I only wanted to lay a foundation for the administration of justice, civil and criminal, upon the constitutional principles of England, particularly to have circuits, to have a judge that would not be connected with the parties, that would go to the spot, and would there receive the verdicts of the juries.

What number of judges are there in the existing courts?—There are four judges of the King's Bench at Quebec, and four judges at Montreal; one provincial judge at Three Rivers, one at Gaspé, and one at St. Francis.

Can you state what proportion of those judges are of French extraction, and what of English?—There is one at Quebec, one at Montreal, and the provincial judge of Three Rivers, who are of French extraction; all the others are Americans, Scotchmen, Irishmen, and of the neighbouring provinces.

What opportunity have the gentlemen of English extraction of becoming acquainted with the French law?—They generally study with a lawyer of the country. There is no college in Canada where the civil law is taught. I think it would be very desirable that we should have a professor of civil law; but we have had so many things to think of that we have not been able to establish it. When I speak of the civil law, it is to be observed that though we speak very much of the *Coutume de Paris*, and the ordinances of the King of France, it is but a small part of our law. The common law of Canada may be called the civil law, as it was interpreted, and as it was practised in the Parliament of Paris. Where the *Coutume de Paris*, or the ordinances of the kings, are silent, then we take the general principles of the civil law as the *raison écrite*; in this sense it may be looked upon as the common law of Canada.

You have stated that a part of the judges in the Court of King's Bench are in the habit of going, on certain occasions, to Three Rivers, to hold a court there; will you describe what the process is?—At Three Rivers the provincial judge decides alone in cases under 10*l.*; but in cases above 10*l.* sterling two judges must sit in the court to form a quorum; and for that reason, every term one of the judges of Quebec goes to Three Rivers, and one of the judges of Montreal goes there also.

Is that practice confined to Three Rivers; or does it extend to Gaspé and St. Francis?—It is confined to Three Rivers; at Gaspé and at St. Francis the jurisdiction is limited; at Gaspé, I think it is limited to 100*l.*; and it is limited to 20*l.* at St. Francis.

Would it, in your view, be desirable to extend the powers of the courts of Gaspé and St. Francis?—I cannot say so; I think it would be better to establish a system of circuits, at least for St. Francis.

Is there any description of causes tried in those provincial courts?—The court of King's Bench sits at Three Rivers for the whole district, including that of St. Francis, for all cases not within the jurisdiction of the judge at St. Francis; and the same thing occurs at Quebec for Gaspé.

The provincial judges alone have no criminal jurisdiction?—No.

When the court of King's Bench sits at Three Rivers, whence are the juries drawn?—I never was at Three Rivers at the sitting of the court; but I understand that they are perhaps drawn upon a better plan, not only from the city, but from the vicinity. That is not the case at Montreal and Quebec; I speak of petit juries; for some years grand juries have been partially taken from the body of the district.

Is there any criminal jurisdiction at Gaspé, or at St. Francis?—Except quarter sessions, none.

Do the judges ever decide inconsistently with one another, some of them according to the French law, and some of them according to the English law?—There have been sometimes mistakes committed by judges by borrowing too much from the English law; but generally speaking our judges are supposed to adhere to the principles of civil law as it exists in Canada.

In how many places are quarter sessions held?—In Montreal, Three Rivers, Quebec, St. Francis and Gaspé.

How many times in the year?—Four times in the year.

Has each court of quarter sessions a separate judge?—Those quarter sessions are held by the justices of the peace; but in Montreal, Quebec and Three Rivers, there are what are called chairmen of quarter sessions, who are paid; and a similar appointment has been made for Gaspé. The St. Francis judge presides at the quarter sessions there.

What is the nature of the jurisdiction of those quarter sessions; is it civil and criminal?—It is chiefly criminal; but it extends also to road matters and penal laws.

What description of persons are the justices of the peace?—If I were to speak according to the rules and laws of England, I should say that they should be taken from the class of proprietors; however that has not been acted upon. We have passed a bill once or twice in the Assembly to qualify them nearly as they are in England; this bill has not been assented to by the Legislative Council.

What is the class of persons from whom the justices of the peace have been generally appointed?—The greatest number are merchants or traders in the country, as well as in the cities.

In the townships from what class of persons are they appointed?—I am not acquainted well enough with the townships to state that. In the townships the greatest number of the people are farmers; and I know that a number of respectable farmers are admitted into the commission.

Have you not understood that there is a difficulty in finding individuals to fill the office of magistrate?—We have sometimes imagined that the choice was not always good,

but the Governor exercised his prerogative; it is left by the law to his judgment, and we have not interfered.

Have the inhabitants in the townships any power of assessing themselves for the purpose of local improvements?—There is no law to that effect in Lower Canada; by the laws of Lower Canada every body is under the obligation of making his own road, and this is done generally by an order of the grand voyer, and then there is a distribution of the work, and payment of the money in the same way; and there is a kind of assessment with regard to churches, there must be some previous arrangement, application must be made to the Governor, and then there are commissioners appointed for the purpose; then there is a kind of assessment by the parish, but there is no regular power for parishes to assess themselves by the laws of Canada for any purpose, except in the way that I have just mentioned.

What proportion of the year do the Courts of King's Bench sit in Quebec and Montreal?—Four terms of twenty days each for civil causes, and two terms of ten days each for criminal jurisdiction, besides terms for civil jurisdiction under 10*l.* sterling.

In what way are the proceedings conducted; are there pleadings in writing?—Pleadings are in writing in the superior court, not in the inferior court; in the court under ten pounds there are no pleadings in writing, unless the judges order it in some intricate cases, but in all cases above ten pounds all the proceedings are generally in writing.

You mentioned that at Quebec and Montreal there was a Court of King's Bench, consisting of four judges each; is that subdivided into a superior and an inferior tribunal?—Yes, one judge decides in cases under 10*l.*, and in cases above 10*l.* there must be two judges. Generally four judges sit, but the quorum of the court is fixed at two in civil matters.

In cases under 10*l.* are there any written pleadings?—There are no written pleadings, except when the judge, thinking that it is an intricate case, orders pleadings to be in writing.

Are witnesses examined in court?—*Vivâ voce* in cases under 10*l.*, and in cases above 10*l.* their testimony is generally written; however, sometimes they dispense with writing the testimony under 20*l.*, because there is no appeal from the Court of King's Bench in such cases.

When the Court of King's Bench dispenses with written pleadings in cases under 20*l.*, do they examine witnesses *vivâ voce*?—Yes, they take a note of it as they do in England.

When they resort to written pleadings, before whom are the witnesses examined?—In the presence of two of the judges, and it is one of the evils which were intended to be remedied in this bill, by giving a power to the judges to appoint commissioners to take this evidence in the country because it is an enormous expense; sometimes witnesses come a distance of 90 miles, sometimes they are obliged to come several times, and it was intended to give power of appointing commissioners to examine them in the country.

Are the arguments of the counsel *vivâ voce*?—They are.

Even in the superior court?—In both courts.

Are there many appeals from the superior court to the Court of Appeal?—I could not exactly tell the number, but I know there is a pretty large proportion.

How is the Court of Appeals constituted?—The Court of Appeals is neither more nor less than the Executive Council of the province; every member of the Executive Council is *ipso facto* a member of the Court of Appeals.

Is the expense of lawsuits considerable?—They are very expensive.

Have you ever turned your mind to consider any mode by which that expense might be lessened?—I have thought of it, but I saw that there was very little remedy, because our courts are vested with the power of making tariffs of fees by a law of 1801, and we supposed that it would not be a very easy matter to abridge that power.

Are the fees large?—We considered them large in our country, in proportion to the quantity of circulating medium, and in proportion to the price of every thing.

To whom do those fees go?—A part of the fees go to the clerks of the court, the lawyers, sheriffs and bailiffs.

Are they paid into a fund out of which the salaries of those persons are paid?—Not at all. The judges are paid out of the public funds of the province; there are no fees to judges in Canada, except in the Admiralty Court, which have been a great subject of complaint there.

Is there much distinction in the mode in which you bring an action, according to whether the subject of it relates to real property, or whether it relates to moveables?—By the laws of Canada every man that brings an action must explain the grounds upon which he claims either real property or goods, or a sum of money; he must make the person whom he prosecutes know the title upon which he claims, and draw precise conclusions as to the amount, and as to the nature of the things he claims, and if he fails in any way to ask what he wants to obtain, the judge by the laws of the country can never give him any more; and that this is the difference, perhaps, between the nature of the proceedings in Canada and this country. In England there are particular forms of action, and a general conclusion is taken; whereas the judge, being both judge and jury in Canada, can never give any thing but what is asked precisely by the plaintiff, and then the defendant must give in the grounds of his plea.

Is the plaintiff afterwards enabled to amend his declaration?—He must obtain a permission from the judge. In some cases, that is given if it is only an addendum to the action, but he cannot change the nature of his action.

But whether the action relates to real or to moveable property, the mode of bringing it is the same?—Yes, in England there are special forms of action, we are not restricted to a precise form of action; but with regard to real property, for example, there is a mode of action, which is established by usage and according to the principles of law, which is such that if you were not to take that form of action you could not succeed. It is necessary to establish a certain number of principles and facts, and then to draw the conclusion from those principles, and from that results the necessity of adhering to certain forms, though we are not nominally restricted to forms.

Does the King's Bench act both as a court of equity and as a court of law?—By the laws of Canada there are cases where they have no right at all to exercise any equitable jurisdiction; that is, so far as the law is written they must obey that law; but there are a great number of cases where the law itself gives them a certain equitable jurisdiction. Of course in those cases they exercise an equitable jurisdiction; and besides the civil law being, as I said, the written reason which guides the judges in all cases where there is not a precise enactment, they have, generally speaking, fixed rules of equity by which they can be guided very easily.

Does the court deliver its judgment *vivâ voce*?—Yes, and they generally assign their reasons *vivâ voce*; but they do not generally enter them in the written judgment upon the register. As they are the judges of both law and fact, I should think it would be very desirable if their reasons were stated in the written judgment.

Upon the whole, is there satisfaction or dissatisfaction in the minds of the persons subject to the administration of the law, with regard to the mode in which it is administered?—I could not say that there is a very great confidence in the administration of justice in Lower Canada; and it arises from a great many reasons.

Will you have the goodness to state some of those reasons?—In Quebec the judges are generally executive counsellors; they are at the same time legislative counsellors, and they are generally supposed to have too much influence in the affairs of the province, so that their decisions are not always supposed to be perfectly impartial; besides there is such a contradiction in the judge being in the morning at court, in the afternoon at the Executive Council, and on the same day at the Legislative Council, making the laws, ordering their execution, and then judging upon those very laws, that it is impossible, at least as we suppose, that those men can be exactly judges, and judges alone. Perhaps in a country like this the same inconvenience may not arise from the judges exercising those different capacities, because there is the check of public opinion, and the Houses of Parliament are composed of an immense number; but there the judges form a great proportion of the Executive Council and of the Legislative Council, and they are the persons of the greatest influence in them.

Are the qualifications of the judges such as, in the opinion of the people of the province, to make them to be looked up to as fit persons to administer the law?—I must state that there are judges now who are not considered as great juriconsults.

In amending the administration of the law in Canada, should you think it necessary that there should be some additional establishment in the nature of circuits?—I really think that it would be essential to introduce circuits, as far as it is practicable, upon the system on which they are established in England.

What are the circumstances which you found to be obstacles to the introduction of the system as it exists in England?—The only thing is, that the distribution of the courts could not be exactly as it is in England, by counties, on account of the distribution of the population, such as it exists in Canada.

Could you explain generally the plan which you proposed to adopt for that purpose?—The object which the House of Assembly had in view was to subdivide the large districts into circles which would comprise a reasonable proportion of the population in each, so that the judges might exercise their jurisdiction in each of those subdivisions.

Had the divisions any reference to the counties?—It was impossible; and the reason is, that the division of the counties are liable to continual changes in a country where the population augments with rapidity.

Upon what principle did you propose to divide the country anew for the purpose of circuits?—To make a subdivision according to the population; that is, to fix the seats of the jurisdiction in those places where there is a population to which it could be useful.

Was the arrangement proposed intended to be permanent?—Things of this kind cannot be made permanent in a country like ours, because probably there are some of those divisions which it would be necessary to subdivide again as the population increased.

Do you combine that with the other proposition you have mentioned, of examining witnesses in the country?—Exactly so; it was proposed to have the examination of witnesses taken in those very subdivisions by commissioners; and I must say, that in this instance, as in a great many others, I did not think I was making the best law possible; but my object was to make the best that we could under the circumstances.

What number of circuits should you think necessary?—The number is fixed in the bill: we thought that in the district of Quebec seven circles would have been sufficient besides Quebec, and in Montreal eight besides Montreal.

Do you understand that according to the Constitution of Canada the English civil law is to be administered with respect to property situate in the township, or with respect to all property held in free and common socage?—We always thought that the French law prevailed in Lower Canada till Parliament passed the Act of the sixth year of His Majesty, with reference to tenures in the townships: our judges have acted upon this system. Since that Act, I do not believe that there are means to bring actions according to the English law, with regard to real property in the townships.

Seeing that it is the intention of the Legislature that English law should be administered with respect to all property held in free and common socage; what, in your opinion, would be the best arrangement for giving effect to that system of law?—I think that it is a very difficult thing, not to say impossible, to make the two systems go together in the courts, such as they are established; and I do not see how it could operate in Lower Canada, it would establish such a contradictory system, that it would bring every thing into confusion.

Would not that confusion be very materially prevented, by the establishment of different courts, that is, by establishing a new set of courts in which the law might be administered with reference to property situated in the townships, and retaining the courts which exist at present, in which the French law is administered?—I could give no opinion upon a thing which is almost a mere theory; to speak of the effect of establishing a new system of law in a country where it has never been in practice, would be reasoning upon mere supposition, upon which I am unable to answer; I know that the difference of courts and the difference of jurisdictions, and the difference of laws, will necessarily produce confusion; when it is established we must take things as they are, but in a country where it is not established we cannot say how it would operate.

Seeing that it is the fixed purpose of the Legislature to carry into effect the establishment of English law with respect to the lands in the townships, do you think the attempt had better be made by administering it in the courts as they at present stand, or by any other mode?—I do not know how that could be arranged at present.

Can it be administered in the courts as they exist at present?—It would be very difficult; perhaps it would be proper to state, that the actions as they are brought according to the rules of civil law, are very simple, and that the object can be attained as fully and as easily as upon any other system. I cannot imagine how it would be possible to establish in Canada courts in which the judge would determine one day according to the laws of England, and another day according to the law of Canada, it would throw the practice of the court into the greatest confusion; we have already enough of confusion, which has been created by people sometimes endeavouring to take the rules of the law of England and to introduce them into our jurisprudence.

Has the Canada Tenures Act been carried into operation at all in Canada?—I do not know what operation it can have at present; it has destroyed rights that have been in existence 30 or 40 years—minors rights, rights of women, sheriff's sales, *hypothèques* executed upon the lands; all these have been swept away by the Act of the 6th of the King.

Are the Committee to conclude from what you have said, that the Canada Tenures Act has excited great discontent, and has been considered an unfortunate measure in the colony?—It has, certainly, in Lower Canada created the greatest discontent, particularly in what we call the Canadian population, because it destroyed at once the system which we considered to extend to the whole province, which has been acted upon for 40 years, and ever since the conquest. People had acquired lands in that country by titles made according to the formalities of the French law, which are extremely simple, and operate very well without any difficulty, and against which there was never any complaint at all. Women had acquired rights of community, families had acquired rights according to the Canadian law of descent, creditors had lent money upon *hypothèques*, a species of mortgage we have in Canada, by which those lands were supposed to be affected; and sheriff's sales of those lands have taken place in great numbers. Now if the declaratory law, which has been passed by the Parliament, is to take effect, all those rights are gone and destroyed, and all the sales which have taken place for 30 or 40 years are null and void; and in the second place, it has created a great discontent among the Canadians; because they are acquainted with the Canadian laws of the transfer of property, which are extremely simple, and which are not expensive, and very easily to be acted upon by every body; but this Act of Parliament establishes a system of transfer of property, with which the inhabitants of Canada are perfectly unacquainted, and which has the disadvantage of being extremely costly. In Canada you can get an excellent title made, according to the Canadian law, for about from 5s. to 10s. and you are obliged to pay as many guineas according to the English law. I may state, in order to give an idea of the opinion of even an English lawyer upon our law of transfer of property, that I heard the late Chief Justice Monk, who was not very much prepossessed in favour of Canadian establishments, say on the Bench, that a common notary in Canada, after a couple of years practice, understood conveyancing better than the most able conveyancer in England. I could add many other reasons, but these are sufficient, to give an idea of the sources of discontent with regard to this Act, and the more so, because by the Act of the 31st of George the 3d, our Constitutional Act, it was particularly enacted in the 43d section, that "Lands in Upper Canada were to be granted in free and common socage (in like manner as in that part of Great Britain called England,) and when lands shall be hereafter granted within the said province of Lower Canada, and when the grantor thereof shall desire the same to be granted in free and common socage, the same shall be so granted, but subject nevertheless to such alteration with respect to the nature and consequence of such tenure in free and common socage as may be established by any law or laws which may be made by his Majesty, his heirs or successors, by and with the advice and consent of the Legislative Council and Assembly of the Province." Now from this we understood, of course, that if there was any alteration to be made it should be made by the Legislature

of Lower Canada, who would work upon the system according to the interest of the country, and who would of course know the circumstances of the country better than those who are at a distance of 3,000 miles. I will show, in point of fact, how the thing has operated in Canada. After this Act had been passed in England, the very Legislative Council, which is composed of executive counsellors who have the greatest influence there, and placemen who were supposed to have desired that the laws of England should be introduced, were the first to send to the Lower House a bill to introduce again our forms with regard to the transfer of property in the townships, the law of *hypothèques*, and some other rules taken from our own civil law.

Do you hold that the law by which property held in free and common socage should descend, supposing that the owner dies without a will, should be the law which prevails in the seigneuries, or the English law?—I am apt to think that it would be desirable that it should remain as it was before the declaratory Act passed, that is, that it should be divided equally, according to the laws of Canada.

When you say that discontent has arisen amongst the Canadians with respect to the provisions of the Canada Tenures Act, are the Committee to understand that you mean the persons holding lands in the townships are discontented with those provisions, and that they wish the Canadian laws with respect to the descent of property to apply to them as they do in the seigneuries?—I am not acquainted with the sentiments of the majority of the inhabitants of the townships; I can say that with regard to the Canadians they would wish, of course, to preserve their laws of descent.

Is there any thing in the Canada Tenures Act which has a tendency in any way to interfere with the laws of descent with respect to the land which is held by the Canadians in the seigneuries?—It is very much the case indeed; because by this very Act, if the tenure of any land in the seigneuries is changed by arrangement with the Government, that land would be regulated by the laws of England, so that one farm would be regulated by the laws of England and the next farm would be regulated by the laws of Canada; and the Committee can judge what would be the consequence.

As no change of tenure under that Act can be made excepting at the desire of the proprietor, have you any reason to imagine that any individual wishing that change to take place with regard to his own lands would be likely to complain of the alteration that would take place in consequence of it?—Yes; a man that might wish to make a change in his tenure would not like that his land should be placed under a new system of law; it would operate as an obstacle to making a change in the tenure.

Supposing that no individual seeks to change the tenure of his land under that Act, in what way does that Act affect the seigneuries, so as to deprive them of that which they consider an advantage, namely, the French law?—Of course if there is no change there can result no inconvenience, except so far as there would be a different system in the courts of justice, which would create a great confusion in the ideas of the lawyers and judges.

Is not the law of the 6th of George 4, of this nature, that provided the Government, and the seigneur holding under the Government, change the system of holding into free and common socage, the seigneur can force his vassal to change his tenure?—No; it is not a compulsory power, but there is something which is a great obstacle in that very Act, but if the seigneur were to change his title the cultivators of the soil would have a right to ask from the seigneur to change their tenures too, and upon his refusal, to force him to submit to arbitration; and this is an obstacle to the land being put in free and common socage, because there is no seigneur that would be disposed to accept a price for his dues, to be paid in money, that was not fixed by himself.

Has the law been acted upon at all in the seigneuries?—I only know of two cases where application has been made to Government for a change, and I think that the arrangement has not been concluded.

Are there a great number of Canadians who reside in the townships?—A great number in some townships, and there would be a much greater number if facility had been given for their settlement.

Martis, 10^o. die Junii, 1828.

Denis Benjamin Viger, again called in; and Examined.

SUPPOSING a person possessed of a fee simple estate of real property in Lower Canada, to die intestate, leaving a family, what would be the course of descent?—We have, generally speaking, only two species of property in Canada, that is *fief* or *seigneuries*, and *rotures*, besides *franc alleu*, free and common socage. With regard to the first, the *seigneuries*, the eldest son has a greater proportion than the other children in the case of real property; in the successions to *rotures*, every species of property is equally divided between the children.

Supposing he leaves a widow, has she any interest either in the one or the other?—By the laws of our country husbands and wives are partners and joint proprietors of every species of personal property whereof they are respectively possessed at the time of the marriage, or which may thereafter be acquired either by inheritance or otherwise; but real property, which comes to them by descent, or which is acquired before marriage, does not fall into that species of partnership, which is termed in our law *communauté*. It is to be observed that the law is not imperative. A man who marries may by his contract of marriage renounce every such right, and then the wife has only what is stipulated in the contract of marriage.

In the event of his dying intestate, and the wife taking that half, upon her death what becomes of that half?—That part of what we call the *communauté*, which has once accrued to the wife by the death of the husband, goes in the first place to her children, and in the second place, if there are no children, it goes to her own relations, not to the relations of the husband.

Is there any distinction in your laws between dower and *communauté*?—Yes, a great deal.

Does the dower apply to the real property, and the *communauté* to the personal estate?—Dower applies sometimes to real property, as well as to goods and chattels, but it depends upon particular circumstances; the dower established by law is the right to the enjoyment on the part of the wife of one half of the real property of which the husband is possessed at the time of the marriage, and of such property as devolves to him by descent in the *direct line* from ancestors; the property, or the right in the thing itself, belongs to the children; she has only the enjoyment of the property for her life, that is the dower which is granted by the *coutume*; but very often a dower is stipulated in the contract of marriage; generally speaking; it is a sum of money, which is secured by *hypothèque*.

Then, in point of fact, if a person dies intestate, leaving a property which has come to him, partly by descent and partly a property acquired during marriage, the wife would be entitled to her dower out of the one, and to her share in the *communauté* in the other?—Exactly.

Suppose he makes a will, what power has he over, first of all, the land which comes to him by descent, and secondly, that which is acquired during marriage?—He has the right to dispose of all the property which belongs to him, whether by descent, or whether it is his part of the *communauté*, and to bequeath it in any manner he pleases, subject nevertheless to the stipulation of the marriage contract.

That is to say, if he has property which belonged to him previous to the marriage, he can bequeath the whole of it as he pleases?—Yes.

With respect to that which he acquired subsequently to the marriage, he can only dispose of one half of it?—Yes, as well as of that acquired to him by succession. Any real property

property which comes to either man or wife by succession they have respectively a right to dispose of; any such real property which comes by inheritance to the wife, or to the husband during the marriage, never enters into the *communauté*, unless there is a particular stipulation to that effect in the contract of marriage; of course either the man or the wife has a right to dispose of that by their wills as they please.

Supposing a person marries, and that during the existence of the marriage he makes a considerable fortune; supposing further, that he has a child by the marriage, who dies in the lifetime of the father and mother; then suppose the mother dies during the lifetime of the husband, what becomes of her share in the *communauté*?—Her share goes to her own relations, except that there is hardly a contract of marriage in which there is not a stipulation that they shall, if there are no children of the marriage, enjoy the property during their life, to the exclusion of the relations of either party.

But if no such contract exists, the law is as you state?—The *communauté* is divided, and the half of it goes to the relations of either husband or wife.

Supposing a person in possession of an estate is anxious to sell, what is the mode of his conveying it to the person who is to purchase it?—The contract is always passed according to the laws of our country, before two notaries, or one notary, and two witnesses; for the form of these contracts are known to every notary in Canada. If there are no particular circumstances which may require special stipulations it is not necessary to travel out of those forms.

Is it a very short deed?—Pretty short, it generally contains about three pages of common folio paper.

Does it contain any recital of the former title, how it came to the person that sells?—It does generally; though it is not essential to the form of the deed or its validity that it should be so; there are people that will sell a farm as belonging to them, without mentioning anything else; but, generally speaking, it is entered, not as matter of necessity, but as matter of convenience, and in order that the person may know the parties from whom the estate came.

How does the purchaser satisfy himself that the person who sells has a good title to sell, and also that the estate is unencumbered?—That depends upon his prudence, and particularly upon the good advice that he receives either from the notary himself or from a lawyer; for example, if you were to consult a gentleman in Canada about a purchase which you wanted to make, the lawyer would of course, before allowing the deed to be passed, require communication of the title of that property, would also require to know whether the vendor was married or not, whether there existed a dower upon that estate or not; of course this is very easy. I must besides observe, the laws of our country with regard to prescription are generally pretty simple; ten years possession, with a good title, where the parties are legally present in the province, are sufficient to operate prescription in favour of the buyer. Twenty years are necessary to prescribe against absentees; I must add, that a person must be of age, and capable of exercising his rights, for prescription to operate against him. Generally speaking, thirty years prescription is sufficient to cover some difficulties in a title in due form, which has no radical defect. A man could not acquire by prescription a farm, or any other real property, if his title was not a real *bona fide* sale; if, for example, he had been a tenant with a lease, he could not prescribe against his own title; but if the title is good, generally speaking, a prescription will operate in his favour after thirty years. Now the lawyer considering these circumstances, and perhaps some others, would easily find whether the man who sells can give a good title.

Then how are you satisfied that a good title is produced, either for ten years or for twenty years, or for thirty years, as the case may be?—It would depend upon particular circumstances; you must examine whether there are absentees, and there are minors, or other persons incapable of exercising their rights; all this is very easy for a man of experience, but it would be difficult to explain it to persons not exactly acquainted with the principals of our law; all that I can state upon that subject is, that I have been a little more than thirty years in practice, and have given a good deal of advice upon questions of this sort. I do not think I ever had any complaint by any persons of the insufficiency of their titles. It would be necessary to say, that if there is any fear of *hypothèques*, the only means we have at present, and the only possible means, I think, in any good system, is to have recourse to a *decrét* (sheriff's sale), that would, to use a technical phrase, be sufficient to purge all charges except dower; but with regard to dower, it is always easy to know whether there is a charge of dower, because you can know the person from whom the property has come to the actual seller, or the person from whom his title is derived; it is very easy to know whether they have been married or not, and to get the contract of marriage, to be satisfied as to the nature of the dower. All these things must be done of course by people who understand the laws of the land, they are very simple things; but I must confess that a stranger coming to Canada may be subjected to some little difficulties, as is the case in any other country. I have a particular knowledge that two or three years ago an accident happened to a stranger; he bought a farm, and was told by some persons that there was a dower upon it, or some such encumbrance, though the person who spoke to him was not conversant in the law; I think he was a common farmer; he informed him of the risk he incurred in buying that property; the buyer would not listen to him, he bought the farm, and he experienced what every imprudent man would in that case, he lost his property.

Is not real property in Canada subject to all, what are in this country called, simple contract debts, of a person borrowing money?—Every species of property, real or personal, may be seized and sold for the satisfaction of a judgment, whatever may be the nature of the debt.

What is the form in which a person in Canada in possession of real property borrows money?—In order to secure to the creditor the right of *hypothèque*, he generally constitutes that *hypothèque* before notaries, by an act in which the amount of the money is specified, and that is sufficient to give him the right to be paid out of the proceeds of the real estate, before any other who is not anterior to him in *hypothèque*: according to our maxim of law in this case, *potior tempore potior jure*, the person that has the first *hypothèque* has the preference to the money which is raised by the (*decrét*) sheriff's sale, and then in succession every hypothecary creditor.

Supposing a person borrows a sum of money upon his bond, does that carry *hypothèque*?—It does not, unless executed before a notary.

Must it have reference to the estate?—That is not necessary, provided it is passed before a notary, that carries by itself the right of *hypothèque*.

Then a person who sells an estate, wishing to deceive the purchaser, might keep back those *hypothèques*?—Yes; and that is the very reason why we have recourse to a sheriff's sale.

Must not a great deal of inconvenience arise out of that system; that till there is a sheriff's sale a person might go on borrowing money without its being known to the parties from whom he borrows money whether his estate is subject to a prior encumbrance or not; would not a registration put an end to a man borrowing money upon his estate more than his estate was worth; could you say to the Committee why some regulations to that effect has not been adopted in Lower Canada?—This question embraces a great variety of subjects. I must say that I labour under great disadvantage in giving my evidence in English, a language which is not familiar to me; it will be a matter of great difficulty to speak with that exactitude and technicality of expression which would be desirable. I will endeavour to sketch the situation and some of the circumstances of Lower Canada as may be connected with this subject. I remember, that some years ago there was a great deal said in Lower Canada about this matter; after examination it was found that the country in its actual situation did not admit of establishing a registration; that was out of the question; but what I should call a *bureau de conservation d'hypothèques*. After discussion with some gentlemen who were desirous of having these *bureaux* established, and after explanation with them upon that subject, and the nature of a *decrét volontaire*, and its effects, they agreed that that was all that was wanted, and that if it was possible to have a sheriff's sale with a little more facility they would be perfectly satisfied. A law was passed for that purpose; but I understand that the expense was very great, and that people have not been quite satisfied. The fact is, the regulating of the cost belongs to the courts of justice, and I do not know whether the complaints were well founded, or not. I stated that

a man may have granted *hypothèques* which he may conceal, but I must observe, that by the laws of the country a man who conceals *hypothèques* when he sells, or declares when he borrows money that the land which he hypothecates is perfectly free, is liable to go to gaol after it is discovered that he has committed that species of fraud, till he has paid the damage suffered. I do not know upon what ground it has been supposed in Canada that this law was no more in force. Every day in the courts of justice we take execution against the body for the satisfaction of penal damages under the old laws. I do not see that there could be any difference between the two; however, it seems to be the opinion of the judges, as I have understood, that they could not grant an execution against the body in the case of the species of fraud which I have just mentioned, which we call *stellionat*. By the laws of the country for every species of debt, when you have obtained a judgment in a court of justice, you have a right to seize the property of your debtor, both real and personal, to seize every thing which belongs to him in the hands of third persons, and indeed you have every possible means of obtaining his property, whatever the nature of it may be. Besides, by a law which has been passed in 1785, the Legislature of the country for the time being has established in favour of merchants and traders the right of taking the body of their debtor, though he be not a merchant, after seizing and selling every species of property which belongs to him, and to keep him there as long as he does not pay the debt. Before that time this right of taking the body was not allowed, except between merchants and merchants, and in some other cases. By an interpretation which has been given to that ordinance, which I do not pretend to justify, it has been understood that the *cessio bonorum*, which is a part of the law of Lower Canada, had been abolished by that ordinance of 1785. I would say, that before adopting any such law for the establishment of *bureaux de conservation d'hypothèques*, it would be first necessary to re-establish the *cessio bonorum*; because I look upon our code at present to be really barbarous; and this was attempted in the House of Assembly of Lower Canada repeatedly by bills sent to the Legislative Council, which were not passed. It would be besides necessary to establish sub-divisions of the districts to place these *bureaux de conservation d'hypothèques* in such places that it would be of easy access, and not too expensive for the people of those different sub-divisions to register the deeds which would carry *hypothèque*. One of the objects of passing a bill for ameliorating the system of the administration of justice, and creating sub-divisions of the districts for that purpose, was at the same time to pave the way for future ameliorations of this description, and others. It would then be possible, if the Legislature thought that it was necessary to establish those *bureaux de conservation d'hypothèques*, to fix them in the very offices of the courts which would be established in the circuits. There would be besides a great facility of establishing those *bureaux de conservation d'hypothèques* by enforcing the execution of the laws of the land, which is absolutely neglected, and obliging besides, notaries to keep double registers of the acts they pass every year, and to deposit one of the duplicates of the register in those offices. This would cost hardly any thing to the province; it would add but very little to the expense of passing notarial acts, and would serve all the purposes of the *bureaux de conservation d'hypothèques*, as it would be necessary to establish them in our province if they were supposed to be desirable; but before doing that, it would be necessary to re-establish the *cessio bonorum*, and in that case it would be necessary to abolish the right of taking the body in execution in many cases. I must observe here the very great difference between the laws of England and the laws of Canada upon a particular point. The great necessity of these registry bills in provinces where the laws of England are in force, is, that there is no record of sales as with us. Notaries are, by the laws of the land, obliged to keep the original act of the sale, and they only deliver copies; every body has a right to get a copy of the Act, provided that he has an interest in it. In provinces, where the laws of England prevail, on the contrary, the original remains with the buyer, that makes it necessary, in order to know the proprietor, that there should be a public office where such sales should be recorded.

You probably are aware that in Scotland, where the law is a mixture of the feudal law and the Roman laws in Canada, they have a perfect system of registration?—Yes; I do not exactly know the principles upon which they are established, but they have the *cessio bonorum*. In our country, before we adopt this system we should take means of ameliorating our laws, re-establish the *cessio bonorum*, and subdivide the country. I ought to observe besides, that for one deed which there is to register in a country like England, we have a thousand that would require to be registered. Now, if a man was to come from a distance of 90 miles to register a deed for a lot of land which is worth 20*l.*, or an *hypothèque* for 12*l.*, it would be the most cruel thing imaginable. Therefore, if we were to establish register offices, or rather *bureaux de conservation d'hypothèques*, we should at least establish them in such a manner that they would not be a burden to the people, and that the law might protect all persons equally. In case this establishment was to take place, it would be necessary, as I said, to subdivide the districts into smaller circles, that we might finally establish those *bureaux de conservation d'hypothèques* in the places where the courts would be held.

Has there been any difficulty attending the registration of real property in the United States?—I cannot answer with regard to the United States.

Does the law you have stated to apply to the *communauté* apply equally to persons who have been married in England and who have settled in Canada, and who had after they got to Canada realized property in Canada; is it a case that often happens?—That is a question of great difficulty, embracing a vast number of considerations even of public law. It has not, to my knowledge, been the subject of direct discussion; yet in Canada, I know that some questions of this description were agitated with regard to persons who had married in the United States. I see very little difficulty with regard to a man who marries in the States, because, if I understand public law well, and it seems to me to be consistent with the principles of sound policy, no foreigner has a right to avail himself of the laws of his own country with regard to matters of real property. The real property must be subject to the laws of the land. It would be very different with regard to an Englishman, because being subject to the same empire, we would be inclined to suppose that he must have reciprocal rights. My reason for saying so is, that it was admitted as a principle of general equity and public law in France, that when a man living under a particular *coutume* married, that *coutume* was the law which was to regulate his property; he was supposed to contract his marriage with the intention that the effect of his marriage would apply to his property according to the law of the land where he had made the contract. Now if this principle was adopted in Canada, we might suppose that an Englishman who married with the intention that all the property which he acquired in our part of the empire would be regulated according to the laws of the country in which he contracted the marriage, and we might further suppose, that this privilege might be claimed reciprocally in different parts of the empire.

Do your observations apply equally to the two sorts of real property you have described to exist in Canada, except so far as you said they differed?—Yes.

Has the effect of the law of descent been to divide the property into a great number of small divisions?—It has in some cases; but I am just going to make here an observation which has been made by Baron de Stael in his late Letters in England upon this very subject. If I remember well, he says, that in France, in spite of the law as it is, by which an equal division takes place among the children, it seems that property has a tendency rather to accumulate. Since some years in Canada, I have noticed that the same sub-divisions of real property have not taken place that did formerly. First, people make wills, and very often prevent divisions taking place. Farmers, particularly, generally divide their real property during their lifetime; if they have many farms they give a farm to each of their children; if only one, they generally choose one of the children to whom this property is given; that seems to be about the general practice at present in Canada.

Where a seignury descends according to your law, does it not multiply superiors to the vassal?—It has, in some cases; but of late years the divisions of seigneurial estates has decreased almost in the same proportion as the divisions of other estates, as mentioned in my last answer.

Then, in point of fact, the vassal may, under your law, be obliged to hold under many superiors?—The Committee are perhaps not aware that what is called feudal law in Canada

nada has no precise analogy with what is called feudal law on this side of the Atlantic. In Canada the land is conceded to the farmer generally for a very small annual rent, the farmer pays this annual rent, and there is an end of all duties to his seigneur, this is in the nature of a quit-rent. Generally speaking, the only obligation which is imposed upon him, besides his going to the mill of his seigneur to have his wheat ground there, and when he sells his property the buyer is obliged to pay *lods et ventes*, a mutation fine equal to one-twelfth part of the value of it; these are about all the feudal duties to which our cultivators are generally liable.

So that a vassal is not subject to vexation by having a variety of superiors?—Not the least; it has little or no effect upon the vassal.

With regard to the law within the townships; you stated that in your opinion the Act of 1774 had no effect within the townships until the Declaratory Act of 6 Geo. 4. stated that that was the case, and that much inconvenience had arisen in consequence of that Act of Geo. 4. ?—It is so.

What was the mode of conveyance, and what was the law which existed within the townships up to the Act of Geo. 4. ?—I have seen many deeds passed according to the form prescribed by the laws of our country; they were generally made in that way, as I understood.

Were they made also according to the English form of conveyance?—Since a number of years some persons in Canada have raised their voice against our forms, whether right or wrong. Some gentlemen conceived there might be a little doubt some day or other, in spite of the practice and of the opinions which were entertained by the judges, and the practice of the court with regard to sheriff's sales, and real and mixed actions relative to real property, and many other acts which affected, directly or indirectly, property in the townships; and I understand that some people had sales made, both according to the English forms and according to the forms prescribed by our laws, for the same estates. I have been told that that is the case, though I have not seen the deeds.

Have the courts of justice given any opinion as to the law that exists within the townships, whether in case of a person dying intestate his property is to be divided according to one law or the other?—I do not know any direct decision having been given upon that point in our courts of justice. There is one fact that strikes as proving their opinion, and it is the sheriff's sales, and actions respecting real property during more than 40 years in the townships: if the laws of England are really the laws of the townships, all those sales of course would be null and void; because, if I understand the laws of England upon this subject, real property cannot be sold; that you can seize the revenue, but not sell the land itself by execution; and with regard to actions, our actions *pétitoire, possessoire*, or others relative to real property, could not apply to estates governed by the laws of England.

Have those sales continued since the Declaratory Act of Geo. 4. ?—Yes.

You stated that the mode of conveyance, according to the English forms, was much more expensive than that which prevails according to the French forms?—So I understand from all quarters; and I recollect that it was a subject of particular attention when the Legislative Council sent to us bills to change the late law, 6 Geo. 4, which the Imperial Parliament had passed upon that subject; of course we made some inquiry about it, and it was found, from all information, that it was more expensive; indeed the double deed, which is to be made according to English forms, and double actions, create expenses, whereas by the laws of Canada one deed and one action are sufficient.

Do you happen to know why they preferred that mode of conveyance by lease and release?—It would be very difficult for me to explain.

Supposing you had an English deed of one page, should you complain of that, (*a form of deed being shown to the Witness*)?—By no means; I have been informed that they have admitted such form in Upper Canada, and in some of the United States; but it was by changing the forms of conveyance; that is very simple I must confess, but it does not seem to me that this would be sufficient in Canada; I would not like quite so simple a form, because, though our forms are very simple, by the laws of Canada we are obliged to describe the property, and be more accurate in many other respects; even in our forms, simple as they are, there are a great many things which are entered which are not perfectly necessary. I will state some words which are to be found in all our contracts, we generally make use of this word on the part of the seller, that he obliges himself to guarantee; by the laws of the country that is not necessary, every man that sells is supposed to be obliged to guarantee, and yet by mere habit it is stipulation is entered in all the deeds; I could cite a number of words of that kind which are quite useless, and which might be dispensed with; but the forms are generally printed beforehand, and of course the notaries will stick to them as a mere matter of habit.

Do you happen to know whether of late the land has descended according to free and common socage within the townships, or according to the Canadian law?—I do not know what has passed upon this subject lately in the townships, since the passing of the Declaratory Act, which I have mentioned. I should have added in my preceding answer, we have all the advantages of the modifying system, as they have adopted it in Upper Canada and in the United States, with regard to the transfer of real property, only it is perhaps regulated more precisely in our system of civil jurisprudence in Canada; we have all the advantages which they have endeavoured to get by adopting new forms different from those which are used in England.

As the law now stands, are you of opinion that if an individual, died holding lands in free and common socage within the townships, they would go to his eldest son?—If the Act of Parliament is to be executed I should suppose it would be so. The only difficulty which there is in this matter is, that you have many different species of successions in England. I understand that in England there are some counties in which an equal division of property takes place among children. However, it is, I should suppose, more common to see the whole of the real estate go to the eldest son; and suppose that the Declaratory Act would be understood in this way, that the landed property would go to the eldest son.

Hitherto that has not been understood?—It was understood that a division took place according to the laws of Canada; and it is generally the manner in which the laws of descent have been made, even in the United States, by changing their former system. The prejudice is so much in favour of this species of descent, that in Upper Canada the House of Assembly has passed, within a few years past, two or three bills successively to establish that law of equal division between the children; but the Legislative Council rejected those bills.

If heretofore lands in the townships, although held in free and common socage, have passed from the father to the children under the laws prevailing in Lower Canada, and supposing that, according to the statute which has lately passed, the English law is now to apply them, would it not be necessary to pass an Act in order to quiet existing titles; that is to say, in order to give them some assurance with respect to titles that have been derived from generation to generation under the French law?—Of course it would be necessary; it is an Act that might be easily passed in Lower Canada; and in the very Act of the Imperial Parliament, which is declaratory, it is particularly enacted, that the Provincial Legislature may change and alter the law, and indeed it was respecting that very clause which I cited from the Act of 1791. It was supposed that those who solicited the passing of that law by the British Parliament, saw probably that there would be some difficulty in its execution; and it is perhaps for that reason that they have added a provision, that the Parliament of Lower Canada may change, alter, and modify it, so as to make it convenient for Lower Canada.

Will you be good enough to point out to the Committee that clause in the Act of 1791 which induced the Canadians to believe that the English law was not the law of the townships?—It is not in consequence of the express enactment which is to be found in the 43d clause of that Act, that the Canadians were induced to believe that the laws of England were not the laws of the townships, but we considered that what is to be found in that clause afforded an additional reason to interpret the Act of 1774 as we did. We thought that from the general rules of interpretation of laws of a public nature, although the words might imply something in contradiction to the principles which the law seems to intend to lay down, as all public laws should be interpreted rather according to the intention of the

Legislature than the ordinary grammatical meaning of words, it was thought that the Government of England did not intend to establish two different systems of law in the same country, and particularly one for persons in the townships and another for real property; because if the French laws were generally introduced in the country, that exception with regard to the townships would apply only to real property, not to persons, so that there would be one system of law for persons, and another system of law for real property; but supposing even that this was not the intention of the Legislature at the time, an error which has been fallen into by every body in Canada should certainly be looked upon at least as respectable. This would be a case for saying *error communis facit jus*, no inconvenience could arise with regard to real property in Canada from that interpretation; our law is simple and well defined, and such as every body would prefer to the system of real property, and transfer, as it exists in England. I do not pretend to be a judge of the laws of England, but I will take the opinion of every English writer upon the subject. I am sure that any body who will take the trouble of examining with attention the principles of our law with regard to real property, will see that there can be very little inconvenience arising out of this system. Is it right then, when that interpretation has been given to it for 40 years, when the whole system of the country is established upon it, that we should learn from the other side of the Atlantic that the law has been changed? Another reason for which the Lower Canadians must be supposed to think that they have a right to their own laws in those lands which were open to their own industry, was, that the greatest number of the people who have come to settle in those lands were foreigners; and it does not appear right that those Canadians who have before and since been called to defend their country in war, and to defend those institutions which are dear to them, should be deprived of the advantages which they can derive from the knowledge of their own institutions in their own country. The Committee will observe besides, that after the conquest a proclamation was issued by the King, which went upon the supposition that the conquest had the effect of destroying the laws of Canada. After an examination, it was found that this was not consonant with the principles of public law between civilized nations; that a conquest could have no such effect; that by the conquest allegiance only changed; but that property remained, and of course the laws, which are the safeguard to that property, and without which it could never be kept; and finally, this proclamation was looked upon as a nullity. It is to be remarked further, that even in the Act of 1774 there is a particular stipulation with regard to this subject. In the Act of 1774, c. 83, it is declared, in the 4th section, "And whereas the provisions made by the said proclamation have been found inapplicable to the state and circumstances of the said province, the inhabitants whereof amounted, at the conquest, to above 65,000 persons, professing the religion of the Church of Rome, and enjoying an established form of constitution and system of laws, by which their persons and property had been protected, governed and ordered, for a long series of years from the first establishment of the said province of Canada." In the fifth section it is enacted, "that the inhabitants may profess the Romish religion;" and in the 8th section it is enacted, "that in matters of controversy relative to property and civil rights, resort shall be had to the laws of Canada as the rule for decision of the same; and all causes shall, with respect to such property and rights, be determined agreeably to the said laws and customs of Canada, until they shall be varied or altered by any ordinances passed in the said province." Now the 10th clause goes to say that this shall not extend to lands conceded by His Majesty in free and common socage; but previous to that the seigneurial rights are of course kept up upon property. Now it was understood at that time that this exception could relate only to the encumbrances with which, by the feudal laws, those lands might be charged, but that it did not apply to the ordinary laws which affect every citizen; it was not understood that the property in the townships should be governed by another system in that respect; we could never imagine that we were to be shut out from the townships by the want of knowledge of the system of laws with which we were about to be affected in entering those townships; that the Government meant to establish two systems of law in the same country, and to establish the confusion that would result from such a division in the province; and I understand that it was the opinion of some of the best lawyers in England, who have been consulted on the subject, that this exception could not be understood in a different way from what I have stated; but even supposing it had been an error, when an error of that kind has been so long in existence in a country, would I not have reason to say, as I have already observed, that *error communis facit jus*. If the conduct of every body was founded upon this kind of error, we might say, in a case of this kind, *optima interpret legum usus et consuetudo*.

Will you read the 43d clause of the 31st of Geo. the 3d, and state whether it is not evident by that clause of the 31st of George the 3d, that it was the deliberate intention of Parliament to establish two systems of tenure of property in Canada, namely, that they did not intend to abolish the seigneuries, and that they did intend to establish the system of free and common socage?—From this very Act I would probably come to a very different conclusion, because the free and common socage is no more nor less than a tenure known in our laws; what is the free and common socage tenure but the *franc alevu*?

Will you explain what the *franc alevu* is?—The *franc alevu* is the land which is subject to no kind of dues; there are two sorts of *franc alevu*, the *franc alevu noble* and the *franc alevu roturier*; the *franc alevu noble* is divided as fiefs, and the *franc alevu roturier* is divided as rotures. All the advantages and privileges which attend the free and common socage we attain by the *franc alevu*, and that is what we understood to be the species of tenure which the Parliament of England wanted to introduce. Moreover if there was any change to take place in the opinions of the public, or of the judges, or in the practice of the courts upon this subject, I would ask, who ought to have had the power of making such an alteration; when besides the general power of making laws vested in the Legislature of Lower Canada, there is this particular provision in the 43d section of the Act, which gives the free and common socage tenure, "subject nevertheless to such alterations, with respect to the nature and consequences of such tenure of free and common socage, as may be established by any law or laws which may be made by His Majesty, his heirs or successors, by and with the advice and consent of the Legislative Council and Assembly of the Province." If we are to take the very words of this law, we must infer that it was the Parliament of Lower Canada who were to examine and to decide whether the judges had misconstrued the law, and to establish rules according to the power which had been given to them.

Has any Act, originating in the Assembly of Canada, received the Royal Assent, which regulates or interferes in any way with the English law of property as applicable to land held in free and common socage?—As there was no doubt about this question, there was never any mention in our Legislature about it, that I know.

When was the first doubt raised upon this question, whether the English Law was to prevail in the townships or not?—It is not possible for me to say.

Is it long ago that the question was raised?—Yes; I have heard many things said long ago, but the proceedings in the courts of justice and the general practice continued in the same way.

Did the courts of justice ever come to a decision that the English law did not prevail in the townships?—I am not aware of any direct decision upon the subject; but the practice of the courts was such, that it was impossible they could have acted in the manner in which they have if they had supposed that the laws of England were the laws in force in the townships.

What has been practically the course of inheritance in the townships for the last forty years?—If I were to speak from my personal knowledge of one particular case, I would say that an immense property, which is in the township of Hull, has been divided after the death of a woman according to the laws of Canada, and all the Acts have been passed according to the laws of Canada, the rights of *communauté* acknowledged, and the division made between the father and the children, and I know the notary who has done the whole; but as I have very little practice in the townships for many years, I have not been very attentive to that subject.

Do you conceive that the rights of primogeniture have never been acted upon uniformly in the townships since the conquest?—As far as my knowledge goes I know it was not considered to apply to the townships.

Your attention has been called to the 43d clause of the Act of 1791, in which it is provided

ded, that in all cases for the future, within the province of Lower Canada, whenever grants are made it shall be at the option of the grantee whether they are made according to the French law or to the English law of free and common socage; are you or not aware that every grant that has since been made has, in point of fact, been made according to the English law of free and common socage?—I understand that they were made in free and common socage; and I have already said that we understood this free and common socage to be like the *franc alevé*, that it freed the land from feudal incumbrances, but that they were to be governed by the other laws of the country, that it exonerated those lands from the feudal incumbrances, and went no further.

Are the Committee then to understand that the interpretation which has been put in Lower Canada upon the 43d clause of the Act of 1791, is not that the free and common socage there alluded to was the free and common socage in use in England, but the *franc alevé* system of the French law?—It was understood that it was a free tenure, which was not liable to any of the feudal burthens imposed by our own laws either *en fief* or *roture*, and of course we considered it a *franc alevé*, so far that it paid no rents or dues, but with regard to succession, sale and other laws which relate to property, we considered that those lands were liable to the civil laws of the country as they are received and acknowledged in Lower Canada. That was the common opinion, and as I have said already, this opinion seems to me as even confirmed by the very Act itself of 1791; because the Legislature of Lower Canada is specifically empowered to make regulations with regard to that tenure, and it was therefore for them to see whether the judges gave a right and faithful interpretation of the Act of 1791.

You were understood to state that it was the duty of the Legislature of Lower Canada to watch the judgments of the courts, and that if those courts misconstrued the law of 1791 it would be their duty to check that misconstruction. You have also stated, that you are not aware of there being any record of any judgment of the courts in Lower Canada, deciding one way or another as to the law that prevailed in the townships; how then, under these circumstances, could the Legislative Assembly have any opportunity of considering that point?—I have stated, that I was not aware that any judgment directly pronouncing upon this question had been given in Canada, although there might have been a decision; but I must add, that the practice has been such, that it was impossible that the judges should entertain a different opinion; for example, with regard to the seizure of property by the sheriff for 40 years; we have been seizing property, and an immense quantity of these lands have been sold by the Sheriff, and have become the property of the gentlemen that bought at those sales. With regard to successions I have a knowledge that *tutelles* have been made according to the laws of Canada, and that a division of property had been made between man and wife in the townships. I know that divisions of property have taken place according to the laws of Canada, after being sanctioned in some measure by the judges, before whom all elections of *tutelles* are made, with the advice of parents, according to the formalities prescribed by writers of our country. Sales have not only been made, as I have stated, according to our forms, but actions instituted and determined on those sales and prosecuted invariably according to the forms prescribed by our laws. I could state a great many other subjects of daily practice, by which it would be evident that the general opinion in Canada was, in fact, that real property in those townships was to be regulated by the laws of Canada, except with regard to the burthens which are imposed upon the tenures according to the old law of the country, from which they were exempted by the clauses of the Acts of 1774 and 1791.

You have referred to a clause in the Act of the 31 Geo. 3, which, after empowering lands to be granted in free and common socage, contains the following words: "Subject nevertheless to such alterations with respect to the nature and consequences of such tenure of free and common socage as may be established by any law or laws which may be made by His Majesty, his heirs or successors, by and with the advice and consent of the Legislative Council and Assembly of the Province." Do you understand anything more by that clause, than that it is open to the Legislature of Lower Canada, with the consent of the Crown, to make any alteration in the laws of property?—The manner in which this is inserted there shows that probable the Parliament must have meant a little more than an ordinary intention of conferring upon the Parliament of Lower Canada the power of making laws; and my reason for saying so is this, it was not necessary to repeat that in this particular article the general enactment of the law was, that the Parliament established in Lower Canada at that time was vested with the power of making laws for the interior of that country upon every subject. Now it is certainly a presumption in favour of my interpretation, that the Parliament of England should have thought it necessary to insert this clause, after having given a general power of making laws, which certainly must have comprised the right of making laws for that part of the country which was to be in free and common socage. The Act even goes further, and after saying that the government of His Majesty will have a right to concede lands in free and common socage, they say, as it were, to the Legislature of Lower Canada, "we have already given you the general superintendence over all the country, but even where the lands are granted in free and common socage you will be particularly the judges of the effect which this species of tenure will have;" and I am sure that any gentleman in Lower Canada must have thought that there was something in this expression which, when added to the common general expressions which were used, were intended to give to the Legislature of Lower Canada the power of legislation, in particular with respect to those lands. But even supposing that this power had not been given, would it not be right that the Legislature of Lower Canada should rather have this power than the Parliament of England? Were we to suppose, when this Act of 1791 was given to us, that the Legislature of England would make laws without giving any notification to the province of Lower Canada with regard to subjects of interior legislation? Now we know very well that the Parliament of England has the superintending power over all the colonies, and I might say to the Committee, that if they had been present at some of the discussions which have taken place in Lower Canada, they would see how far we rely upon its power for protection, as well as we acknowledge it with submission; but it is well understood, I think, since the colonies have become more advanced, that they are not to be treated as they were sometimes of necessity when in their infancy. How could we suppose then that a law of this kind would be passed in this Parliament without the province being aware of what was to be the result of that law? Supposing we had interpreted the law in a manner different from what the Parliament had interpreted, have not we the right even of repealing Acts of Parliament? Do not we change every day the laws of England in Canada? Is not the criminal law, as it stood in 1774, altered every day in our provincial Parliament? Nobody could deny that the Parliament of Lower Canada had a right to legislate upon these subjects; and as we had even a special right of making alterations with regard to that particular subject, we might have made any change supposed to be advantageous to the country without referring to the Parliament of England.

Are you aware that by the constitutional law of England no Colonial Act can repeal the enactment of a British Act?—I am not exactly aware of that, since it seems to me to be the daily practice in all the British colonies to alter and modify the laws of England, such as they are established by statutes, or by common law in England; and there is a particular enactment in our own constitutional act, which I suppose must have had in view to correct the abuses which might follow the too great extension of this power, which might be exercised by the Legislature of Upper or Lower Canada, because in the very Constitutional Act there is a particular power reserved to His Majesty to disallow such acts as are passed by the Parliaments of Upper or Lower Canada during two years after they had been enacted; I know that we have altered many statutes of England in criminal matters, and I think it would be very desirable that we should imitate even what is done in England at present with regard to the amelioration of criminal justice.

Are you aware that it is in the power of Great Britain to impose what laws it chooses upon a ceded colony, and that when the Act of 1791 gave Lower Canada an independent Legislature, as it provided that the law of free and common socage should be the law in future grants, if it had not given at the same time specifically a power to Lower Canada to alter that character of property, it would not have been within the power of the Assembly of Lower Canada to have made any alteration in it, and consequently, it became necessary at the same time that the law of Great Britain established the law of free and common socage, to give

a power to the Assembly of Lower Canada to make such alterations in it as the King might choose to consent to; are you prepared to adopt this explanation?—I do not consider that the Parliament of England has more power with regard to a conquered country than is allowed by international laws, and public laws which I consider to be part of the laws of England; I speak of moral power, not of the power of force, which does not impose moral obligations, but which binds only as of necessity. Besides, the present natives of Canada are all natural born British subjects, and they conceive they have the common rights of British subjects. With respect to this particular subject of the tenures, supposing that the Parliament of England had an intention in 1791, that the effects of the concessions made in Canada of lands according to this tenure were to carry with them all the consequences which they might have in England, according to the laws of England, with regard to the laws of descent and transfer of property, I consider that even in virtue of the general power which was given by the Parliament of England to the Parliament of Lower Canada, to make laws for the interior of that province, the Parliament of Lower Canada would have a full and competent authority to make, with the consent of His Majesty, any alteration which might be necessary from the laws of England. The manner of changing the laws may vary, and even use and custom will establish laws, and will serve to interpret laws. This took place in Canada with regard to the tenures.

Can you inform the Committee what is the proportion of the area of Lower Canada in which the townships are included as compared with the area of the seigneuries?—No. About 30 or 40 townships have settlements in them. The extent of townships already granted in whole or in part, and the ungranted lands, form almost the whole superficies of the province, the seigneuries being chiefly combined to the shores of the St. Lawrence and the rivers falling into it. Lower Canada generally, however, contains relatively to its superficies but a small proportion of land fit for cultivation under that climate. It is in fact the lower part of the valley of a great river, and this valley towards the eastern extremity is reduced to a narrow limit by the meeting of the southern and northern chains of mountains, extending from the Alleghenies on the south, and Hudson's Bay on the north.

Do you think that the establishment of the English laws, which relate to property held in England on free and common socage, and bringing them into operation in the townships in Lower Canada, and also applying them to all property wherever held in Lower Canada, which is held on the tenure of free and common socage would be an infringement of the rights of the ancient Canadian inhabitants of the country?—The least that I could say of it is, that it would be unjust; I think it would be an infringement of the rights which belong to us if it was not done by the Legislature of Lower Canada.

Do you think that it would tend to retard the cultivation and civilization of the uninhabited and wild districts of Lower Canada?—If I were to enter into the details, I would demonstrate that it is that kind of fluctuation which has existed in Canada since the conquest, by which we have continually been threatened with seeing all our institutions which were dear to us destroyed, which has retarded the settlement of the country, and if you consider the immense progress which has been made by the Canadian population in spite of all the difficulties which they have experienced, it is easy to see what it would have been if a proper system of conduct had been followed with regard to the Canadians.

When you say a proper system, do you mean if the French system and the French law had not been obstructed in its operation?—So far as this, that they should have continued to let the French law prevail all over the country, and that they should have given facility to the people of the country to settle in those townships, that instead of putting obstruction, they should have given them the means to go there; that a system of education should have been followed in the country, according to the ideas and notions of the people, instead of raising obstacles in the way which I could detail to the Committee, and show them that every thing I am saying now I can support by facts, and facts of a most extraordinary nature; that particularly which has been a great obstacle to the development of the industry of the Canadians has been, that they have been too often looked upon as a species of enemies to the Government, and I beg the Committee to look at the distribution of places in Lower Canada, even of offices purely of honor, such as justices of the peace, &c.

Is not the real struggle which is now taking place in Canada a struggle between those who wish to promote French Canadian interests and to extend French law over the whole of Lower Canada, and those who wish to resist that operation, and to protect the English settlers in that country and place them under English law?—There is no such feeling; the desire of the Canadians must be necessarily to keep up their own institutions, and to preserve their laws in every part of the country. In that there is no kind of feeling against the English population; a prejudice of that kind does not exist in Canada. The best proof that there is no feeling against what are called the English is, that at least one half of the population sides with the Canadians in all the little difficulties we have had with our administration.

Is it not the wish of the Canadians to change the structure of the Legislative Council, and to take measures for ensuring its formation in such a way as to make it likely that it should agree with the Legislative Assembly?—I am sure we must wish that the Legislative Council should be composed of men who would side with the mass of the people.

Do you not believe that in effecting that arrangement you would secure the means of extending the French law and the French Canadian custom over Lower Canada?—That might perhaps be the natural effect, but there is no particular system of this description; the whole mass of the people being attached to institutions which have been already in existence for two centuries, and which they were called upon the Government to defend at the breaking out of the last war with the United States. If the law should be the expression of public opinion, it is very possible that what are called Canadian interests might in some measure prevail, and I think that the British interests would by the same consequence be prevailing; because I can say very boldly, that the Canadian interests and the British interests are the same.

In your individual opinion, do you think it desirable to adopt such measures as would secure to the inhabitants of Lower Canada, of French extraction, a preference in settling the vacant lands in Lower Canada over emigrants from England, or the descendants of the inhabitants of the townships?—I would not wish a particular preference to be given to the Canadians, although they should be equally protected; but, in point of fact, it is evident that it would be well, even politically speaking, right as just, to protect equally the population, which must be naturally linked with the Government of Great Britain by its own interest, if it was not so even by affection and duty.

Are you not aware that, taking the generality of emigrants who land at Quebec with the desire of settling in Lower Canada, the majority of those emigrants would prefer to settle upon lands under the English law of property and descent rather than under the French laws? I do not think that one in 10,000 ever thinks of the laws under which is to be to live when he comes to Lower Canada; and if the Committee were to know the species of emigrants that comes to Lower Canada they would say I was right; but it is natural that a great number of them should go to Upper Canada, because there is the English language, and the greater number of emigrants have gone to that country, and above all, the climate of Upper Canada is much better than that of Lower Canada.

Is a great proportion of the emigrants who arrive in Lower Canada Scotch?—Yes. Is the Scotch law under they have lived before more resembling the English or the French Canadian law?—Of course, the civil law of Canada being, generally speaking, the Roman law, wherever there is no special enactment of the *coutume de Paris*, and the *ordonnances* of the King of France, and other enactments, which are the smallest part of the laws of Canada; the consequence is, that the common law of both countries being as it were the same, there is more analogy between the laws of Canada and those of Scotland than between the laws of Canada and the laws of England; indeed, there is the greatest difference between the laws of England and the laws of Scotland, and the same difference exists between the laws of Canada and the laws of England.

Have the Committee understood you correctly to imply, that the French population in Canada would be more disposed to spread themselves, and to settle in the uncultivated parts of Canada, if they were secure of having their own laws and institutions when they so settled?—Yes.

Do you see any objection in principle to an arrangement of this sort, that although the whole of the area of Lower Canada may not be subjected to French laws, certain parts of that area should be reserved for the settlement of the native inhabitants of the colony, where they might enjoy their own laws and their own privileges, without any drawback or modification?—Yes; I do not think it is the desire of the native inhabitants of Lower Canada keep themselves distinct from the people that surround them; they wish to live in peace and quietness with all who now are or who may hereafter become inhabitants of the province, and that no alterations should take place in the existing laws and institutions without the consent of representatives equally and freely chosen by the whole population. They think that the province has already been too much divided into distinct parts which can only form barriers to its general improvements and welfare, and give rise to misunderstanding, jealousies and confusion. These can only be prevented or removed by a marked discouragement of them on the part of Government, and suffering the people of the province, without any distinction whatever, to have an equal voice in the management of its internal affairs.

Jovis, 12^o. die Junii, 1828.

Austin Cuivillier, Esq. called in; and Examined.

YOU represent the County of Huntingdon in the Legislative Assembly of Lower Canada?—I am one of the members representing the county of Huntingdon.

How long have you represented that county?—Upwards of 14 years.

Have you had occasion to pay much attention to financial matters since you have been a member of the Assembly?—I have been generally appointed on committees, to whom have been referred the accounts of the receipts and expenditure of that province.

Are you engaged in mercantile pursuits in Lower Canada?—I am a commission merchant.

Are you also a landowner?—I am.

The Committee are informed that disputes have arisen between the Assembly and the Executive Government of Lower Canada, upon the subject of the appropriation of revenue; in your opinion, would the Legislative Assembly object altogether to voting permanently a part of the establishment for the Executive Government?—I cannot pretend to say what the Legislative Assembly of Lower Canada would do; all I can say is, that they have hitherto made a permanent appropriation for the salary of the lieutenant-governor during his residence; and they have offered to make a permanent provision for the judges, with retired allowances, on condition that the commissions should be during good behaviour, and that they should withdraw from the Councils, and that a tribunal should be appointed in the colony for the trial of impeachments.

You say that they have voted a salary to the lieutenant-governor; have they ever voted a salary for the governor-in-chief?—No.

Is there an indisposition to do so?—There has been an indisposition generally to vote any of the salaries of the officers of Government permanently: it was asked of them in the year 1821 by the present governor, and it was refused. Subsequently it was asked for during the life of the King, and that also was refused.

For what length of time did they consent to vote the salary of the lieutenant-governor? During his residence in the colony.

Can you state upon what ground they have objected to put the Governor himself upon the same footing?—It was never asked separately from the other expenses of Government; but it was asked generally, at the whole expenses of the Government, which they called the Civil List, should be voted permanently, or during the life of the King.

Do you believe that the Assembly would object to vote a salary for the governor as long as he continued to hold his office?—I cannot answer for others, I can only give my own opinion concerning what I would do. I should be disposed, individually, not to vote the salary of the governor-general of British North America at all; I think it more dignified for the Empire to pay its governor-general, rather than to fasten it upon the province of Lower Canada exclusively, which has its lieutenant-governor to pay as well as the other provinces; it only amounts to 5,000*l.* currency.

Is not the salary of the lieutenant-governor borne now upon the expenses of the colony? It is.

Is not the salary of the governor-general borne upon the establishment of Lower Canada only?—It is.

As far as the objection applies to his having authority in the two provinces, while the whole of his salary is paid by one province only, would not that be got rid of by dividing the salary between both the provinces?—It would diminish that objection so far as Lower Canada is concerned; but I think it would be very undignified for the governor-general of the colonies to be applying to every colonial assembly within his jurisdiction for a portion of his salary.

Would there be any other objection than that which you have stated, to voting the salary of the governor-general, or a proper portion of it, for the time during which he held his office?—I can only answer for myself; I should feel inclined if I were so called upon, to vote the salary of the governor-general during the time that he administered the government therein.

With respect to the judges, the Committee understand that they are appointed only during pleasure?—They are appointed during pleasure.

Would it, in your view, be safe and wise to appoint them *quam diu se bene gesserent*?—No question that holding their commissions during good behaviour, subject to impeachment in the colony, would be more advantageous; it would make them more independent of the Crown, and the people would have no objection to make them independent of them, giving them permanent salaries and retired allowances; that has already been proposed, but rejected in the Legislative Council.

Do you believe that if a judge could only be controlled by so troublesome a process as impeachment, it would be safe to appoint him during good conduct?—I should suppose a sense of duty would keep men within certain bounds; at the same time there may be some very bad men that may require to be controlled by the dread of punishment.

Do you propose to invest the power of impeachment of the judges in the House of Assembly?—The impeachment, I understand, virtually belongs to the representatives of the people; that is an inherent right of the inhabitants of the province as they conceive, as well as the right of taxation; but the trial, in my opinion, ought to be before the Legislative Council.

Supposing it should not be thought desirable to adopt the recommendation you have made, and to appoint the judges upon so permanent a footing, should you object to the judges having a salary voted to them as long as they held their office, although they continued dependent upon the Government?—I should decidedly object to voting any thing permanent to the judges without those conditions, that their commissions should be during good behaviour, that there should be a tribunal in the colony for their trial in case of malversation; and that they should retire from the Councils both legislative and executive; because it is a strange anomaly that the judges should be executive councillors and legislative councillors as well as judges; they in the morning advise the executive, in the afternoon they make the law, and in the evening they administer it.

Should you propose to carry that principle so far as to exclude the chief justice from either the Legislative Council or the Executive Council?—There might be some difference in opinion upon that subject. I think there would be no objection to the chief justice remaining president of the Legislative Council.

But you think there would be an objection to any of the other judges being members of the council?—Decidedly. The Assembly have, on various occasions, objected to any of the

Judges remaining in the Legislative Council, and they have thought it very improper that they should be in the Executive Council.

Do you hold, that no person holding office in the Executive Government, of which he may be deprived at the will of the Governor, ought to sit in the Legislative Council?—If they did not form a majority of the Council there would be no great harm; but as the Council is at present constituted, they form the majority of that body, and holding their places during pleasure, they are liable to be influenced by the Governor. No greater example of that can be found than that of the same bill having been adopted in 1825, and rejected in 1826, with the same persons present, upon a change of governor.

Do you think, if any arrangement were made similar to that of the civil list in England, that it would be desirable, or not, to include the secretary to the Governor?—I do not see upon what principle the secretary's salary should be made permanent more than that of any other executive officer of the province. If the Committee would point out any disadvantage that the secretary would be under from his salary being annual instead of permanent, I might perhaps have a contrary opinion; but I do not see that any disadvantage would arise to the Government from the salary of the secretary being annual.

Do you think it is not desirable that the salaries of a certain number of officers belonging to the Executive Government should be made permanent?—None but the judicial officers; those should be made independent of the people, but upon condition that they should also be independent of the Crown.

Do you apply that principle to the Executive Council?—The executive councillors have but small salaries in that capacity.

Do you think that they should be dependent upon the annual vote of the Assembly?—My opinions are decidedly against any permanent appropriation of any description, except in favour of the judges, and those already made by the Assembly.

Do you conceive that there would be on the part of the Assembly an insuperable objection to a permanent civil list, however limited in extent, or to any vote beyond an annual vote for the civil list, even supposing the Government should give up the claims which they have made, or should repeal those provisions under which they conceive that they have the power of disposing of certain revenues of the province?—I can only say that there now exists upon our statute book a permanent appropriation, conditioned upon the repeal of the Act of 1774, of nearly 12,000*l.* which, I believe, is far more than any permanent appropriation that would be consented to at this day under any condition.

Can you state from recollection what is the distribution of that 12,000*l.*?—It is for the support of the civil government, and the administration of justice in general terms, without any specific appropriation.

Has not the Assembly in late years objected altogether to voting any lumping sum to the Government permanently, leaving the distribution of it to them?—A bill very much of that description did actually pass in 1825; there was a sum of money voted to make up a sum equal in amount to that which was required, and certainly it left the distribution of the money entirely at the disposal of the Government. I objected to the bill in 1825, upon the principle that the Assembly denied to the Executive Government the right of disposing of the monies under the Act of 1774, at the same time that they left a much larger sum at their entire disposal; but to guard against that, so far as regarded that law, we entered resolutions on our own journals, stating that whenever a sum of money was voted for one service, it should be applied exclusively to that service, and not to any other; which guarded in some respect against the misapplication of money from one service to another. By obliging the executive to submit annually an account of the expenditure under that particular account, we thereby ensured to the Assembly an opportunity of judging whether monies of that description were misapplied.

Was not the objection to the Act of 1825, upon the part of the Government at home, that by voting a definite sum to make up a certain amount, the House of Assembly took upon themselves virtually to control over those funds which the Government maintained were subject to their appropriation?—No doubt; the Assembly considered it so also.

How is that to be reconciled with the position which you laid down just now, that the Legislature in 1825 passed a bill, granting a permanent appropriation to the Crown?—I did not understand that any permanent appropriation had been made in 1825.

What was voted by the bill of 1825?—£58,064 sterling.

Under what conditions was that voted?—The sum was voted under the condition that it should be expended for the general purposes of the Government, and that the account of the expenditure should be submitted to the Legislature within 15 days of the then ensuing session.

Was the vote worded in such a way as to assume the power of voting the monies arising from the taxes raised under the Act of 1774?—The bill had that effect.

In what way was that produced?—It was worded so that the sum given by the Legislature was to make up the sum of 58,000*l.* for the general expenses of the Government, including the sums already appropriated to that purpose.

Was there not also a provision that an account of the 58,000*l.* should within fifteen days of the next session of Parliament be laid before the Legislature?—There was.

Did not that provision bind the Crown down to account to the Legislature for those sums which they claimed to be under their special appropriation?—Unquestionably, it was so intended.

Did not the phraseology of the bill also include, virtually, a grant and appropriation of those taxes?—We did not appropriate those, because they were already appropriated for the purposes of Government; but we voted a sum that would, with those taxes, form the amount that was judged necessary for the expenses of the Civil Government, which had the effect of bringing the whole of that appropriated revenue under the control of the Legislature.

On what ground do you hold that the revenues arising under the Act of 1774 are not entirely at the distribution and under the control of the Government?—I think the Act of 1774 was virtually repealed by the Act of 1778.

Explain the grounds of that opinion?—At the time that the Act of 1774 was passed, the colony had no Legislative Assembly; it had no power within itself of laying taxes for the support of its own Government. The principle adhered to by the British Government now is, that in their regulations concerning trade generally, whenever taxes are raised for that purpose in the colonies, they are directed to be applied in the colonies, under the control of the local Assemblies, where there are Assemblies; and where there are no Assemblies, it is left as in the Act of 1774, to be applied by the Lords of the Treasury. I consider the Treasury at that time held the power of applying the taxes, in trust, to be exercised so long only as the colony had not a Legislative Assembly, but the moment the colony obtained a Legislative Assembly, that trust ceased in the hands of the Treasury, and we became virtually possessed of our inherent rights as British subjects, that is, the right of taxing ourselves, and the right of applying those revenues within the colony. That is my opinion of the Acts of 1778 and 1791, as applied to that of 1774.

Then you do not contend that the right of the Assembly to control those taxes arises from any definite provision of an Act of Parliament, but that it is a general inherent power connected with the legislative powers of the province?—I understand it so.

What would be the grounds upon which you would decline following the analogy of the British Government, in voting a certain sum for the King's life, or for a term of years, for a civil list?—There is no analogy whatever between the practice of the colonies and the practice of the mother country. The King here is supposed to be always in the midst of his people, surrounded by a nobility that have a real stake and permanence in the country; but in Canada there is no such thing; the Government of Canada cannot be administered by the King, it must be by a representative, accountable to the King and to his ministers. We have not in Lower Canada any thing like an aristocracy, and the consequence is, that there is no motive in the colonies for making that provision for the civil government of the colony that there is in England. Besides, in England the King has given more than an equivalent for the civil list; he has given large landed patrimonial estates, in consideration of which, the Parliament have given to His Majesty a permanent grant of money. Has

Has not the Crown the power to cede any casual or territorial revenue arising in Canada?—I conceive that the Government has already conceded part of its territorial revenue in 1794, for the public uses of the province.

Do you not conceive that in a government which admits of any monarchical principles in its constitution, it is essential that there should be certain officers of state who are independent of the popular voice?—I will not enter into the merits of any form of government, but I will merely say, that it is my opinion generally that the judges only in the colony should be made independent of the people.

Do you conceive that all other officers whatever belonging to the state should be subject to an annual vote of a popular assembly?—I do so, with the exception of the governor-general, who, I think, should be paid by the Empire.

You state that there can be no aristocracy in Canada, what makes you say so?—The laws of the country are against the acquirement of property sufficiently large to create an aristocracy in the country, and the manners of the people of America are decidedly against the system of aristocracy.

Do you apply that to America generally, or is there any thing peculiar to Canada?—America generally.

What is it that prevents the accumulation of property in large masses in the hands of individuals?—The subdivision of property.

What produces the subdivision of property?—The laws of descent.

Are the laws of descent similar all over America?—I believe they are pretty much the same in the United States of America as in the seignories of Lower Canada.

Is it not frequently the case among the French inhabitants of Lower Canada that they leave their property to the younger son, while the elder sons go elsewhere?—It has hitherto been the case, but that custom is dying away very fast; there have been considerable abuses of that mode of giving away property, I believe it is not now very generally followed in Canada.

Then the almost universal practice in Lower Canada is to divide the property among the children?—It is, by an equal division.

Does that system prevail in Upper Canada?—I do not know what system prevails in Upper Canada; but the Representative Assembly has frequently passed a bill for an equal division of the estates of persons dying intestate.

Do you know what system prevails in the United States of America?—I do not.

Was not there more than one offer made by the Assembly to the Government to take the civil list upon itself to a certain amount, if a sufficient control were given over the appropriation?—There has been no definite proposal to vote any additional sum permanently.

Was not there a proposal to take the civil list as it stood in 1819, provided a control were given to the Assembly?—The Assembly voted in 1819 nearly the whole of the sum that was required of it by the Executive Government in 1818.

Was not there an offer made by the Assembly to engage to pay the civil list as it stood in 1791, provided a control over the appropriation were given to the Assembly?—The offers which a legislative body generally makes are by bills, that is the language of the Legislature; that bill professed to make an annual appropriation in 1819, for all the necessary expenses of Government.

Were they specified item by item?—In 1819 it was voted item by item, and so expressed in the bill. In 1821 the sums were voted by chapters, that bill did not pass in the Legislative Council. In 1822 there was no money voted; it was asked for permanently during the life of the King, terms in themselves contradictory, but they were used in the message sent down by the governor.

Do you know on what ground the bill which voted the supplies by chapters was rejected by the Council?—I did not attend the debates in the Council, but I know that the Council passed certain resolutions against their proceeding upon any bill from the Assembly, which did not provide for the expenses of the Government in one entire sum, and during the life of the King.

Will you be so good as to state what control you hold that the Assembly has over what are called the rents of the King's posts, which amount to 1,200L.—The rents of the King's posts amount to 1,200L. currency. Lord Dorchester, in his message to the Legislature in 1794, in the name of the King, gave those revenues to the province towards the support of its civil government. Hence the control which I conceive the Assembly has over those revenues. It is in consequence of a gift on the part of His Majesty, to the province, for the public uses thereof, that the Legislature has the right of appropriating them to those purposes.

In what form was that gift made?—By message.

Did that message of Lord Dorchester's say that the King would appropriate those revenues for the use of the province, or that he made them over to the Legislature to be appropriated by them to the use of the province?—I do not recollect the precise words of the message; but this I recollect, that the casual and territorial revenue was given to the province in aid of its civil government; at that particular time the revenues of the province were not sufficient for the payment of its whole expenses.

Do you hold that the power of appropriating that revenue to specific objects is in the Legislative Assembly?—I conceive so; I conceive the right belongs to the Assembly of the colonies to appropriate every shilling of money levied on them generally.

Here is the sum of 500L. stated as arising from the forges of Saint Maurice; what is that?—That forms a part of the territorial revenue of the King.

Are the Committee to understand that you claim more than is claimed by any of the other British Legislatures in North America, because you are probably aware that there is upon record no claim whatever, by any other Colonial Legislature, upon what is peculiarly called the territorial revenue of the Crown?—I do not know what is claimed by other colonies. I have been asked my opinion as to what I think ought to be, and I have declared it unequivocally.

Do you mean, by the answers you have given, to imply that you think that the colony ought to have such a claim, or that under the existing law they have such a claim?—I was asked my own private opinion, and I answered that I think they have a right under the existing law.

You state that you objected to vote the civil list permanently; do you not consider that the power of granting or refusing supplies to the Executive Government is the principal means of exercising influence over it?—No doubt.

Do you consider that by having the power of giving or refusing monies for the improvement of the navigation or the roads of the province, the Legislative Assembly would in any manner control the Executive Government?—I should conceive that the Legislature of the province has a great interest in the improvement of the country; it would be injuring, not the Executive Government, but the country generally, to refuse any thing like a reasonable grant for the purposes of internal improvement.

Therefore you do not believe that they exercise any control over the Government by refusing such appropriations?—No.

Are they called upon to furnish any means for the defence of the province; as in England, the House of Commons is called upon to furnish means to support the Army and Navy?—We have never been called upon to pay any part of our military establishment; we have, however, furnished very large sums for the defence of the province during the late American war, beyond the means of the country.

The only control that you exert over the Executive Government is by having the power of refusing to vote the civil list?—The only control we have over the Executive Government of the province is by refusing the supplies, and that I conceive to be a very great power. We do not know what is meant by civil list in Canada, it is a term used by the Government, but we have studiously avoided even the name of civil list in all our communications with the Executive Government of the province.

Do you not believe that, for the peace of the province, it would be better that the House of Assembly should be at their homes than that they should assemble once a year in order to remonstrate in vain, without having any control against any acts that may be unpopular?—Assuredly.

Are you aware that two appointments have lately been made by the Crown, one of

our inspectors of woods and forests in Lower Canada, and the other of an inspector of the waste lands, for the purpose of raising a revenue and applying that revenue under the control of the Crown, and under the discretion of the Government, expressly and exclusively for the benefit of Lower Canada?—I am aware that there are two such appointments existing in Lower Canada. I believe Mr. Davidson is at the head of one office, and Mr. Feiton, of the Legislative Council, is at the head of the other. I do not know what department of Government pays them their salaries; these salaries have never been asked of the Legislature of Lower Canada.

Are you aware that their salaries are to be derived from the proceeds of the sale of timber and the sale of land?—I do not know out of what fund their salaries are to be provided.

Are the Committee to understand that you consider that the Assembly have a right to the proceeds of the sale of land, and the proceeds of the sale of timber, and that they have a right to appropriate those proceeds instead of the Crown?—These are opinions that are required of me upon which I really should hesitate to pronounce. I know that the people in England are very jealous of any revenues of the Crown independent of Parliament, and any thing that can excite the same jealousy in the colonies is equally pernicious.

Are you not aware that there is this distinction between the situation of the people in the colonies and that of the people in this country, that the colonies do not contribute towards their military defence?—I consider that the colonies pay considerably towards the support of their defence. The monopoly of our trade is worth something to the Empire, and I think that in consequence of that monopoly we are entitled to be protected.

Is it your opinion, that under the circumstances of the change of the commercial law of this country under the late Act, it is now to be asserted that the mother country has a monopoly of the trade of Lower Canada?—I should consider so; because, in throwing open the ports of other parts of the world, Parliament has virtually closed them by laying heavy duties, which prevent our taking advantage of that intercourse; for instance, the ports of France have been thrown open to Canada for a direct trade, but the duties imposed upon the manufactures of France in Canada are so heavy that they amount to a prohibition.

Are the Committee to understand that you demur to that provision of the Act of 18th Geo. 3, which specifically reserved to the mother country the right of imposing duties for the regulation of the trade?—No, I do not; I think it very necessary that the Imperial Parliament should possess the power of regulating the general commerce of the Empire.

Does the colony pay any thing towards the support of the troops in Lower Canada?—No.

You complain of the waste and mismanagement of the revenues in Lower Canada, have you any further observations to make upon that point?—The petitioners of Lower Canada complain, amongst other things, of the mismanagement of their revenues. In 1809, the receiver-general, it appears, was in arrear about 40,000L. This sum was assumed by his son and successor, who was in default in 1823 about 100,000L, besides about 100,000L. more advanced, which from that time till 1826 had not been settled, notwithstanding repeated addresses of the Assembly. This state of the receiver-general's accounts was not made known to the Assembly till after his failure.

What do you mean by saying that there were 100,000L. more advanced?—They were advanced by the receiver-general to persons employed to carry into execution Acts of the Provincial Legislature, containing special appropriations. The manner of advancing money is rather a bad one in Lower Canada; the receiver-general advances it upon what are called letters of credit; the Governor issues those letters in favour of the party on the receiver-general, the money is advanced by him, but he does not carry it to his account till those letters of credit are covered by a warrant, and the warrant is generally issued when the work is performed, and not before, which is the reason why, there is such a large sum outstanding; the warrants have not been issued, because the work has not been performed, the accounts not satisfactorily vouched.

You complain also in your petition of the want of sufficient check on the expenditure on the part of those who contribute the money; have you any observations to make upon that head?—The Representative Assembly of the province has in reality been allowed no check on the expenditures, from the commencement of the constitution in 1792 to the present time, and its votes and representations latterly have been generally disregarded by the local government, excepting in 1825, during the administration of Sir Francis Burton. The only check on these expenditures in the colony is in the Governor and Council, who spend and dispose of the money, and in the Treasury in England, upon reports of the Governor and Council. Since the year 1819, about 140,000L. of the provincial revenue, which the Government admits to be at the disposal of the Colonial Legislature, has been applied without appropriation, and partly to new and unnecessary expenditure. Besides advances to a great amount, made 10 years ago, remain unsettled.

Have you put any information upon paper, which you are desirous of communication to this Committee?—I have.

Will you be good enough to refer to that Paper, and to state to the Committee the information which it contains?—In 1760 Canada was surrendered by the French government at Montreal by capitulation, providing that the inhabitants should preserve their property of every description and become British subjects. In 1763 Canada was ceded by the French King, providing for the freedom of the Catholic religion, &c. In 1763, a proclamation of the King, promising the benefit of the laws of England, and a Representative Assembly as in the other colonies. In 1774, the Quebec Act of 14 Geo. 3, c. 83, declaring ancient laws of Canada in force. The Quebec Revenue Act of 14 Geo. 3, c. 88. In 1778, the Declaratory Act for the application of duties by Colonial Legislatures. In 1791, the Constitutional Act, 31 Geo. 3, c. 31, establishing a Representative Assembly and a Legislative Council, and empowering His Majesty during the continuance of the Act, with their advice and consent, to make laws for the peace, welfare and good government of the province. In 1793, the first Revenue Act passed in the colony for the expenses of the Legislature. In 1794, April 19th, the message from the governor for the entire repeal of the Revenue Act of 1774, "as soon as the provinces of Upper and Lower Canada shall have passed laws laying the same or other duties to an equal amount to those which are payable under the Act, and such laws shall have obtained the Royal Assent, the King's Ministers will be ready to propose to Parliament a repeal of the Act above mentioned." In 1795 the second Revenue Act passed, appropriating 5,000L. sterling annually, for the administration of justice. In 1799, June 3d, an Act passed agreeable to the message of April 29th 1794, to be in force as soon as the repeal is made known by proclamation of the governor, &c. This Act is perpetual, and appropriates 11,799L. 18s. 13d. per annum for the general expenses of Government. In 1809 the expenses of the Civil Government were rapidly increasing, and had doubled in 14 years, namely, from about 20,000L. to about 40,000L. The Assembly addressed the King to be charged with all the expenses, part of which had before been paid by the mother country. In 1818 the Assembly was in His Majesty's name required to provide for the expenses of the Civil Government, on an estimate, amounting to about 66,000L. sterling, and it voted to complete the entire sum required for that year by address, which it covered by a bill, which passed the following year. In 1819 the governor required an increased expenditure for the Civil Government of about 16,000L. which the Assembly refused; but voted and passed a bill on the footing of the expenses of the former year, with the exclusion of the allowances of some sinecured and absentees, some of which were afterwards changed into pensions on recommendation of the Government. Since this time the bills sent up annually by the Assembly providing for the civil expenditure have been constantly rejected, with the exception of 1822, in which year a representation was forwarded by the assembly to His Majesty, explaining the grounds upon which it declined granting any additional supplies otherwise than annually, as had hitherto been required of it by message of the governor in chief, and excepting also in 1823 in part, and 1825, when the Supply Bill passed by the Assembly became a law during the administration of Sir Francis Burton. The supplies permanently appropriated by the Colonial Legislature are the proceeds of the Act

of 1793, amounting to about 2,000l. annually for the expenses of the Legislature, and 5,000l. sterling annually for the administration of justice. The local Government claims also the territorial revenue given to the colony of His late Majesty, 29th April 1794, "to be applied towards defraying the civil expenses of the province," amounting to about 5,000l. annually, and the amount of the proceeds of the Quebec Revenue Act of 1774, before mentioned, which proceeds, by taking away in 1822 a drawback formerly allowed on exportations from the colony to the West Indies, has increased from about 10,000l. to about 20,000l. annually. The whole of these sums the executive has lately claimed to apply in such amounts as it pleases, to such expenses as it deems to be expenses of the Civil Government, and the administration of justice, without consulting the Assembly, and it calls on the Assembly to provide the deficiency. The Assembly, on the other hand, insists that no items form part of the expenses of government generally without its concurrence. In the mean time, since 1819, (with the exception of 1823 and 1825 above mentioned) the governor has paid such deficiencies as he thought proper out of the monies which he acknowledges to be at the disposal of the Colonial Legislature, to the amount of about 140,000l. leaving nothing or next to nothing for local improvements, education, or other pressing wants of the country.

You have stated that the claims on the part of the governor have only been made lately; that would appear to imply that the governor had originally recognized the right of the province to appropriate all the monies?—In 1819 it was so understood, that the Legislature of Lower Canada should have the control over the whole expenses.

How does that appear?—It appears by the message and estimates of that year.

By the Act of 1819, was there not an appropriation of the whole revenue of the colony made by the legislative assembly?—In 1819, an Act was passed appropriating to the amount of 40,000l. to make up the deficiency between the appropriated revenues and the expenses of Government, because those appropriated revenues were insufficient.

Did it include any clause similar to that which was inserted in the Act of the year 1825? I do not exactly recollect the clause, but I think it was similar to that; the bill of 1819 was to cover the expenses of the preceding year, which had been expended upon the address of the House.

What was done in the year 1820?—There was no session in 1820. In 1821, a bill was passed by chapters, voting the whole expenses of the Government, and applying the appropriated revenues to form a part of it.

When do you consider the Government first to have made a claim to a permanent appropriation of a part of the revenue?—In 1822, the Governor, by a message to the Assembly, stated he had in his power certain revenues which he would apply to certain expenses of the Government, and requesting the legislature to make a provision for local establishments which form no part of the civil government, and among the items for which the Assembly was required to provide, which form no part of the civil government, was the expenses of the legislature of the colony.

In the year 1818, when the Governor called upon the province to supply monies for the support of the whole of the civil Government did he not promise some conditions on his part, and were those conditions complied with?—The demand upon the Assembly of that day was to make provision generally for the expenses of the Government. It was understood at that time, that since the Assembly were charged with the whole expenses of the civil government of the colony, the whole of the means should be at its disposal. We considered as part of the means those revenues that were already partly appropriated to that purpose.

Did not the governor promise that the Act of 1774 should be repealed?—Not in 1818; in 1794, the Governor in his message to the Legislature at that time stated, that as soon as the Legislature of Upper Canada and that of Lower Canada shall have laid the same or other duties equal in amount, His Majesty's Ministers would recommend to Parliament a repeal of the Act of 1774; in 1799, an Act of that description passed the Legislature of Lower Canada, and received the Royal sanction. That Act is in our statute book; and it now remains for the British Parliament to repeal the Act of 1774, in order to have a permanent appropriation of 12,000l.

Do you conceive, supposing the revenue Act of 1774 now to be repealed, that the legislature would have a control over the permanent appropriation which was then provisionally voted?—There is some doubt upon that point I must confess; I would decidedly say, yes; but that is only an individual opinion.

Can you give the Committee a general statement of the present state of the population and representation in Lower Canada?—The population of Lower Canada, according to the census taken conformably to legislative enactment in 1824, was about 430,000. There were numerous omissions in this first census. The population was then upwards of 500,000; it must now be about 600,000. About nine-tenths of these live by agricultural labour, on their own land, say are proprietors to the extent of from 60 to 120 arpents. The ground is covered with snow about six months in the year; they are, however, able to live with some comfort, and rear numerous families. The incomes from lands, where the owner does not work himself, are trifling. There may be a few hundred proprietors who get annually as rent for land, to the value of from 100l. to 300l. The principal revenues from land are seigneurial revenues, they amount from 100l. a year to 1,500l. which is about the highest. The other tenth are connected with the towns in which the majority of the inhabitants are proprietors of houses and lots. The wealthiest have incomes from 500l. to 2,000l. a year; of the latter there are but very few indeed. The trading classes, generally, have been rather sinking than gaining money of late years.

The representation was fixed by the governor's proclamation in 1792 at 50, and the whole province included in the division of counties. Since this time a number of townships on the frontiers of the United States have been settled by American emigrants. Between these settlements and the old settlements there was and still is, in several directions, many miles of wilderness. Since the late war vast sums of public money have been expended and called for to open roads for them to the St. Lawrence, the greatest part of which has been uselessly spent. About ten years ago these people wished to have representatives, distinct from the old Canadian settlements, within the counties in which the townships are placed. Since 1818 bills have been almost annually sent up by the Assembly to the Legislative Council, to increase and apportion the representation of the province, and set off the townships in separate counties; with this bill the townships generally have declared themselves satisfied, but the bills were lost in the Legislative Council. These townships contain by census about 30,000 souls.

You are aware that a proportion of the lands in Canada are held upon the tenure of free and common socage?—The lands in the townships are under that tenure.

Have not all the lands granted since 1791 been granted upon that tenure?—I believe there was no grants in free and common socage earlier than 1796; between 1774 and 1791, I think there were two grants under seigneurial titles. The King's instructions as late as 1786 were to grant *en fief et seigneurie*. The whole may be seen in the land report in Assembly's Journal of 1824.

Supposing the owner of lands held in free and common socage were to die intestate, according to what law do you hold that his property would descend to his children?—Hitherto it has been considered that the property would descend to the children agreeably to the laws of Canada, but since the passing of the Act of the 6 Geo. 4, c. 59, commonly called the Tenures Act, it is understood that the property would descend according to the laws of England, because that Act made the laws of England applicable to lands in Canada held under that tenure. That Act has a retroactive effect, which will throw the country into great confusion if it is acted upon.

In what way will that confusion arise?—It will arise in annulling a vast number of sales that have been made by the sheriffs and otherwise, which hitherto have been considered legal; it will destroy the rights of minors and absentees, the rights of women and persons interdicted, and creditors who have lent money under the supposition that the laws of Canada applied to those townships, and that the property would be divided according to the laws of Canada.

Can you state any statute upon which the belief was founded that the French law applied to lands held in free and common socage?—I confess that the Act of 1774 contains in

the shape of a proviso an enactment that nothing therein shall extend to lands held or to be held in free and common socage in Lower Canada; but it could never have been the intention of Parliament to establish in the colony two systems of law, and the judges have uniformly, upon that principle, decided that the lands under the free and common socage tenure, should be regulated by the laws of Canada.

To what decisions of the judges do you allude?—In consequence of the decisions of the judges, all lands that were disposed of by sheriffs sales have come under the operation of the laws of Canada.

Is there any more specific and direct decision upon the subject?—I do not know that the question has been properly raised in any of the courts of justice in Canada.

Is it considered as legally established that the property in the townships is subject to the French law?—I believe that in one or two townships, particularly in the township of Hull, where there are some Canadian settlements, the laws of Canada have been applied to their property; they have inherited it in the manner and form that is prescribed by the laws of Canada, and that inheritance and transfer of property has been held good.

Was there any dispute upon the subject?—There was no dispute about it; because there was no difference of opinion upon the subject till the Act of the 6th of the King.

Are the Committee to conclude that you are not aware of any decision of a court of law upon the disputed point?—I do not know that the question has ever been raised in the colony.

Has the course of inheritance in the townships been practically according to the French law?—It has.

Can you assert that of your own knowledge?—I am no lawyer, and I have never been concerned in any suit in which that question has been raised.

On what ground do you form the opinion that it could not have been the intention of the Legislature, by the provisions of the Act of the 14 Geo. 3, to establish two different systems of law in the colony, with respect to real property?—Because of the impossibility of acting under two systems of laws without producing the greatest confusion. Besides it would be unreasonable to suppose that Parliament intended to introduce the law of England into a country already regulated by a different system, without at the same time enabling those who were to be guided by the law, to know what were the new laws introduced.

Are not aware that the law of gavelkind and of borough English applies to certain property in England, and that the law of free and common socage applies to the greater part of the country, and that no inconvenience is found from that diversity of law?—I have heard of a great many different descriptions of tenure in England, and I believe that the people are very sorry that there are so many. Judging from a speech which I have read, as lately delivered in Parliament, I should not think the laws of England as existing at present desirable for Canada.

Will you state what, in your opinion, would be the inconveniences which would arise from the English law of descent to real property prevailing in the townships at the same time that the French law prevailed within the seigneuries?—I have already stated that there would result confusion in the courts of justice if they were called upon to act under two different systems of laws, and I believe the legal division of the districts issued now as prevent the exact operation of the English and French laws conjointly.

Would there be any difficulty in defining the different districts in which the different systems were to prevail?—It is not impossible.

Would there be any difficulty in establishing different courts, in which the two different systems of law respecting real property might be administered?—None.

Would any confusion arise in that case?—Not if the new courts located in the country wherein the free and common socage tenure prevailed, and if the law of England applied to that particular territory.

Does not the law of England already prevail partially by custom in the townships?—I believe that in the townships neither the law of England nor any other law is known; they have been in a great measure without law in that country since their establishment. The laws, I believe, that are now prevalent in the United States of America are the laws which they understand best.

Have the English laws prevailed with respect to the descent of property by custom?—I am not aware that they have prevailed generally; there might have been some instances of it, but several of the people who hold lands in the townships hold them without titles; they are mere squatters; persons in possession of land that have no titles; they sell the improvements only; to make use of a word common to them, they sell the *betterments*; they never sell the land itself, they sell the mere possession, and the improvements.

Do you mean to apply that generally to all the townships in Lower Canada?—I believe that in more than one half of all the townships there is not one man in ten that has a legal title under the 6th Geo. IV. c. 59, probably one third may have an equitable claim to the land from possession.

Are there no settlers in the townships who have improved land which they have acquired lawfully under Government grants?—There are no doubt some who have made considerable improvements; I know a gentleman there that has spent a fortune upon the improvement of land, of which he got a grant from the Government; Mr. Felton.

How do you account for the circumstance of there being so few settlers in Lower Canada, and for the great preference which is shown by English settlers to go to Upper Canada?—There are various causes for that; in the first place the climate of Upper Canada is better, they have their friends there in greater numbers. Those emigrants from Ireland who are Roman Catholics generally prefer remaining in Lower Canada; Protestants prefer going to Upper Canada; but I do not consider that there is anything in the laws of the country that prevents their settlement in Lower Canada.

Is there any thing which, in your opinion, discourages their settlement in Lower Canada, without absolutely preventing it?—I believe that the climate is the most discouraging thing.

How do you account for the circumstance of there being no settlers in the townships except the persons that you describe as squatters, and one or two individuals whom you describe as having laid out money upon the improvement of land; is the difference of climate alone sufficient to account for it, or is there any objection to the system of French law?—I do not believe that the existing system of law forms any bar to the actual settlement of the country in the townships; because I do not know that there has been any increase of settlement in the townships since the passing of the Act of the 6th of the present King, which declares the lands in those townships to be under the operation of the laws of England.

What, in your opinion, will be the effect of that provision in the Canada Tenures Act, which enables individuals in the seigneuries to change the tenure of their property, and to hold it in free and common socage?—There is an objection in my mind to the commutation on the part of the seigneur; the seigneur in Lower Canada holds the property in trust for actual settlers, and the effect of the commutation would be to make him the proprietor of that which he holds in trust only for actual settlers.

Will you explain what you mean by the seigneur holding in trust only for actual settlers?—The concession of almost all the seigneuries in Lower Canada was made originally by the French King, upon the condition that the seigneur should grant the lands on demand to actual settlers, upon a very small annual rent; and upon his refusal the property is escheated to the Crown, who on application grants it to actual settlers. There have been some decisions upon that subject in the courts of justice in Canada before the Conquest, where the seigneurs have refused to concede, and the property so refused to be conceded was reunited to the domain of the King.

At the same time that the seigneur was called upon to allow settlers to settle upon his land, subject to the payment of a small rent, was not he on his part called upon to pay a certain rent to the Crown?—The only dues which a seigneur pays to the Crown is the *Droit de Quint*, which is paid only upon sale of the seignury.

You are aware that the Tenure Act is not compulsory, but it is only giving facilities to parties who wish to change their right of property?—I understand it so.

Is not the proposition shortly expressed as follows: that a seigneur is placed in possession of his land upon the tenure of free and common socage, at a certain rate of payment, subject to his being compelled to consent to convert the land of his sub-tenant into free and common socage, upon the receipt of such an award as shall be made by arbitration upon a given principle?—I have already observed, that I thought the power given to the seigneur to commute was an unjust one; that it was converting to his own use that which was only given to him in trust. The obligation on his part to commute with his sub-tenant would naturally follow the commutation with the Crown, as a matter of course; on the other hand, I hardly think that the seigneur would find it his interest to submit, on his refusing to change the tenure of his sub-tenant, to an arbitration of the nature described by the Act.

Then you consider that the Canada Tenures Act will be inoperative, inasmuch as it will not be the interest of any seigneur to comply with the terms?—I do so, in a great measure.

If they were complied with, do you think it would retard the settlement and the cultivation of the land?—I do not think that the holding lands in seignery is at all detrimental to settlements; on the contrary, I think it facilitates settlements.

Do not the seigneurs ever settle and cultivate the land themselves?—Most of the seigneurs reside on their seigneuries; they find it to their advantage.

Should you consider those seigneurs to be holding their lands in trust for settlers?—All the seigneurs hold their lands for actual settlers except a domain, which they are allowed to hold for their own use.

Do you mean that they are practically trustees, or only theoretically?—They are theoretically and practically trustees; the lands were given to them upon the condition of re-granting to actual settlers; because, if the seigneur refuses to grant any lands to an applicant, that person making complaint to the Crown would have the power of getting that particular land annexed to the domain, and obtain the grant from the Crown at usual dues.

In case of a seigneur having settled and cultivated the land himself, is he bound to grant that land to a sub-tenant on demand?—He is not, because he performs the actual settlement duties. The object of conceding the land was for the actual settlement of it; if he were to cultivate the whole land himself he would cease to be a trustee, *quo ad* the particular part he cultivates.

Then with regard to the land he has cultivated the same motives would not exist against converting it into free and common socage?—Certainly not, if he could have any motive for it.

Has not a seignery sometimes become vested in more than one proprietor?—Yes; the seigneuries have been very much sub-divided.

Supposing one of them will not consent to any application which is made for a piece of waste land?—There is another difficulty which the Tenure Act has not sufficiently provided for. Where there are co-proprietors in a seignery held *par indivis*, the consent of the whole of the proprietors must be had to obtain a change of tenure. In respect to application for waste lands, the person in possession of the manor is the only one that applicants have to deal with where there is not a legal partition.

Do the petitioners whom you represent complain of the composition of the Legislative Council?—They do.

Of what do they complain?—They complain that the majority of the members of the Legislative Council are persons holding places of profit during pleasure, and in consequence of that they are not considered independent of the Crown.

How do they propose to remedy it?—I do not know that their opinion has been taken upon that particular point. I can only give it as my opinion to the Committee that if it were not expedient to make the Legislative Council elective, certainly the judges ought to be excluded from that body, and also the collectors and receivers of revenue, and the auditors of accounts. If on the other hand the Legislative Council were to be elective, a certain qualification of course would be requisite in the electors, and a certain qualification for the members; but decidedly certain descriptions of persons ought not to be elected in the council, for instance, collectors and receivers of the revenue.

In the event of the appointment of the Legislative Council remaining still in the Crown, would you think it desirable to carry the exclusion of placemen, and persons holding employments under the government, beyond that of the judges and receivers, and collectors of revenue?—I should consider that for the better securing the independence of that body, all future appointments to the council should be made subject to be vacated on the acceptance of an office of profit during pleasure.

Supposing the appointment of the Legislative Council to remain still in the hands of the Crown, should you not think it desirable that persons holding offices under the Government, should form only portion of the Legislative Council?—They should certainly form by far the least portion of the council so as to have a majority of independent men.

Would you consider that a greater security would be effected in that way than by making the Legislative Council elective, and the members holding their seats for life?—With regard to that, I would not wish the Legislative Council to be elective.

How many persons are there in Canada who from character and property are qualified to be members of the Legislative Council?—There are a great many persons that might be called to the council now, with great advantage to the Government and to the country; there are several large landed proprietors, men of good education who might be serviceable in that capacity.

Are the majority of those persons of French extraction?—Decidedly; there are very few large English proprietors in the country; they come to the country for the purpose of trade, and their object is to acquire something easily transferable.

Will you state your objections to making the Legislative Council elective?—I think it would make that body rather independent upon the people, and I should like to see them independent of the people and of the Crown.

Would not that independence upon the people be done away with by their holding their seats for life?—Certainly, if they were elected, and that election lasted during their natural life, they would cease to depend upon the people.

Do you think that the principle of election might be advantageously introduced into the composition of the Legislative Council, by making not the whole council elective, but a part of it?—If the composition of that body could be so changed as to render it independent without an election, I would prefer it.

Do you imagine, that in case of any measures being passed by the Parliament or the Government at home, materially affecting the constitution of the province of Canada, that the province would be very ill disposed to receive such measures without having first had an opportunity of expressing its opinion upon them.

I consider the constitution of the governments of Upper and Lower Canada, as a compact between the mother country and the colonies, a kind of compact which cannot be changed without the consent of all parties. I should consider that any change whatever in the constitution of government of Lower Canada, without the inhabitants being previously consulted would be very ill received by them.

Have not the inhabitants of Lower Canada petitioned the Houses of Parliament to make certain alterations in their constitution?—I believe not; on the contrary they pray that no change whatever shall take place.

Generally speaking, do you not consider that the inhabitants of Lower Canada attribute the disorders and discontents that have taken place, not to the constitution itself, but to the manner in which that constitution has been administered?—Certainly; there is no doubt but that the form of government under which they now live is admirably well calculated to ensure their happiness, if it is properly administered.

Do you believe that is the opinion entertained of it in the townships?—The townships, I believe, have complained. I do not know whether the complaints come from themselves, or whether they are made to complain. Generally I have not heard any complaint in the colony against the laws.

In the complaint which the petitioners make of the composition of the Legislative Council, do they not conceive that they are requiring the Legislative Council to be so composed,

as it was intended to be composed by the Act of 1791?—It was no doubt intended that the Legislative should, in imitation of the House of Lords here, be an independent body, that should have a stake and interest in the country, and would rise and fall with it; but it is the reverse in Canada; those people are not independent of the Crown as the House of Lords is here; they are men directly dependent on the Crown, the majority having places of profit during pleasure, that is, they are actually dependent on the local government.

Do not the people of Lower Canada consider the want of a security for proper nominations to the Legislative Council as a defect in the constitution of the colony?—The persons that have been called to the Legislative Council have been called in virtue of the royal prerogative; the nomination, no doubt, must in some measure come from the colony, and although the Government here may have every disposition to nominate persons to that body, who are perfectly independent, yet they are frequently exposed to error, and from misinformation a number of people are called to it who ought not to be there.

Seeing the manner in which the prerogative has been exercised, do not you think that it requires some check?—No doubt. I should conceive that the system of appointment to the Council, if it were necessary that any enactment of law should take place upon the subject, should be qualified, by requiring that the persons appointed should have a certain landed annual income.

Would not that be a change in the constitution of the colony?—Certainly not; because it was intended that the large landed proprietors of the country should form an intermediate body between the Assembly and the Crown; there is no doubt, that upon instructions being sent from this country to the colony a bill might be introduced requiring certain qualifications in the members of the Legislative Council.

You state, that you consider the constitution of Canada as a compact between two bodies which cannot be altered without the consent of both; do you carry that opinion so far as to hold that no alteration of the Act of 1791, could be made by the British Parliament without the consent of the Assembly of Lower Canada?—I consider that the Parliament, in the exercise of its general superintending power, has a right to legislate for the colonies generally; but with regard to internal legislation, the Imperial Parliament has virtually given up that power, with respect to Upper and Lower Canada, in giving them an Act whereby they have the power of legislating for the peace, welfare, and good government of the country.

If the Act of 1791 is to be considered a solemn contract, to which three parties have been consentient, namely the Parliament of Great Britain and the two Legislatures of the two colonies, are the Committee, to understand that those clauses which relate to the reservation of land for the clergy, and which form part and parcel of that solemn compact, it is not in the power of the Parliament to change?—In that respect I verily believe that the Parliament has the power of changing that part of it which has reference to the lands; these and some other matters are specially reserved in the Act.

Supposing it be admitted that the Act of 1791 had the character of a formal compact, do you mean to state it as your opinion, that with a view to the benefit of those provinces, it is not constitutionally in the power of the Parliament of Great Britain, to legislate upon the subject of the government of the Canadas?—As to the power I do not deny it. The right may be questioned, and the expediency is more than doubtful.

Do you attach the same importance which one of the former witnesses did to the necessity of having an agent in this country for the colony of Lower Canada?—I think it most essentially necessary, inasmuch as Great Britain has reserved to itself the right of regulating our commerce, that there should be an agent here to attend to the interests of the colony.

How do you think that agent should be appointed?—By the Legislature of the colony.

Do you mean by both branches of the Legislature?—The truth is, that no Act making provision for the appointment of an agent can take place without the consent of the three Branches. The agents, generally speaking, who represent some of the colonies, have been nominated by the representative assemblies. If any great objection were made to the appointment, one might be appointed by the Assembly, and the other by the Legislative Council, so that the country would have the benefit of two agents instead of one; but I verily believe that the Assembly would not consent to the payment of an agent, of whom they had not the choice.

There are certain items of charge of salaries to individuals to the payment of which the Assembly have objected, as considering that the situations filled by those individuals are unnecessary; are you of opinion that if those salaries were discontinued, and those situations done away with at the expiration of the lives of the parties holding those salaries, there would be any disposition on the part of the Assembly to pay them during the lives of the parties?—The Assembly have already done so in some instances, when it was required of them; and I verily believe that they would have no objection to convert these salaries into pensions; for myself I should decidedly vote for it; I verily believe there would be no objection, provided that all the other grievances were removed.

Sabbati, 14^o. die Junii, 1828.

The Rev. Crosbie Morgell, called in; and Examined.

WERE you Chaplain to the Bishop of Quebec?—I was.

How long were you resident in Canada?—From the month of June 1826 to the month of December 1827.

Were you chaplain to the Bishop of Quebec the whole of that period?—I was; I went out with his Lordship from this country.

Had you any opportunity during your residence in Canada of becoming personally acquainted with the ecclesiastical condition of those provinces?—I had every opportunity. Six months of the time that I was resident with the bishop I was employed in travelling through the Country; we performed two summer and one winter visitation; in the course of those journeys we visited every clergyman in the diocese, excepting five in Lower Canada and eleven in Upper Canada. When we were not occupied in visitation there was continual correspondence going on, through me, between the bishop and the clergy.

How many clergymen did you actually visit in each province?—Twenty-two in Lower Canada and twenty-five in Upper Canada.

Have you got any memorandum of the actual residence of the clergymen whom you visited in Lower Canada?—It is stated in the Report of the Society for the Propagation of the Gospel in Foreign Parts. The station of each clergyman will be found in the synopsis of the society's missionaries and catechists.

Can you explain to the Committee the manner in which those clergy in Lower Canada are paid?—They receive, with, I think, two exceptions, a salary of 200*l*. while in priests orders; as deacons only 100*l*.; their drafts being honoured in this country by the treasurer of the Society for the Propagation of the Gospel in Foreign Parts; and, in speaking of the clergy of Canada, I beg leave to say, that all my information respecting them refers to those in the service of that society.

Have they any other advantages besides the receipt of that 200*l*. a year?—They have fees on marriages, burials, and nothing else. These fees in the country parts seldom, I imagine, exceed 20*l*. yearly; at Montreal and at Quebec they amount to a larger sum. There are some few

few clergymen in Canada who are not paid by the society. The rector of Montreal, the rector of Quebec, and the military chaplains, derive their incomes from other sources. In Upper Canada all the clergy, except the military and naval chaplains, are paid in the way I state.

Do the clergy in Lower Canada reside on glebe, that is to say, do they reside on any part or portion of the clergy reserves?—They may perhaps rent a lot, but they are not authorized, as clergy, to reside upon any such glebe lands.

Then they reside in the most convenient position which they can find with respect to their several congregations?—They do; first, with respect to their church, and next with respect to the congregations which they are directed to visit, and which may be at considerable distances from the church.

With respect to the churches; at whose expense have those churches been erected?—A few of the leading people in a settlement who are desirous of having amongst them a resident clergyman of the Church of England, draw up a petition, addressed to the Bishop of Quebec, in which they state the circumstance. This is generally accompanied by a proposal to build a church if their wishes respecting a clergyman are complied with; then follow the names of the persons who are willing to become subscribers to that church; if there is a sufficient sum, the Bishop of Quebec, from the fund which he himself raised in this country, promises them 100*l.* when the church, as it is expressed in that country, is closed in, namely, when the boards, of which the sides are composed, are put up.

Had you the means of ascertaining the number of persons who usually attended the congregations of those ministers of the Church of England so located in the country?—In Lower Canada there are two different descriptions of country in which our clergy reside. In one the great mass of the people are Roman Catholics; throughout this Roman Catholic population is scattered a great number of persons who are adherents of the Church of England. Many of them are at very great distances from each other, and from the clergy-men of the district, and perhaps may not be able to come to church with any degree of regularity. Wherever a certain number of them are to be found in any one spot, the clergyman goes and officiates. His residence is commonly among the larger proportion. Such congregations in the country places, although there may be several of them, are small. I think that there are not more than four clergymen so situated in Lower Canada. There is indeed one at Three Rivers, but Three Rivers is a town, and contains a considerable Protestant population; there is one also at William Henry, which likewise is a town similarly situated. Of the four I have alluded to one lies in the district of Gaspé, one at Rivière du Loup, and the other at the river of L'Assomption, the fourth at Chambly. In these parts the population is, with few exceptions, French Roman Catholics, and therefore our clergy have not at any one time such large congregations as elsewhere. But I have said that in Lower Canada there is another description of population: it is found to the south of Quebec. The district is generally designated the Eastern Townships. Here the population is non-Roman Catholic, and is composed chiefly of emigrants from the United States. Our congregations in those parts generally amount to from 150 to 200 on an average. In the spring and in the autumn they do not amount to any thing like that number, owing to the bad state of the roads in those seasons; the snow in the autumn not being sufficiently deep and trodden down to enable people to pass along; and in the spring the gradual melting of the snow produces the same effect. But there is a general mode of ascertaining the congregation, which is applicable in a general way to almost every country, as far as our church is concerned. It is this; discover the number of communicants, which is very easily ascertained; multiply that number by six, and you have the congregation; and that multiplied again by two will give you the number of adherents to the church. Now, in order to show that this is a right calculation, I would instance one case; I take that of St. Andrew's, in Lower Canada. In a late report from this mission the communicants are stated at 32; that number multiplied by six will show the congregation; that is, it will give 192.

Do you mean to apply that calculation to both the Canadas?—Yes, to both the Canadas; and I should go further and apply it, in a general way, to Great Britain, as far as my experience goes.

Do those clergymen make any circuits for the purpose of dispensing religious instruction at a distance from their actual residence?—On the Sunday they officiate in the church to which they are licensed. Besides this duty, unless there is an equal congregation assembled in the evening in that particular church, they are required to go to a distance of five or six, or sometimes ten miles, in order to serve another congregation. In addition to this duty they officiate during the week at certain fixed preaching places, at which notice is previously given when the roads are passable. But sometimes for a fortnight or longer our clergy cannot reach such remote congregations. I know that some of the Canadian clergy officiate at six district places regularly, some at more than two, but all at two; and besides they are called continually to very considerable distances in order to perform funerals, and to administer the sacraments. They obey the summons of persons of any denomination.

Taking the calculation with which you have furnished the Committee, what is the result of that calculation as giving the number of adherents to the Church of England in the province of Upper Canada?—Perhaps I cannot explain the matter better than by referring to the statement respecting the number of communicants in the settlement of Perth, a military settlement in Upper Canada, as it is given in the last year's Report of the Society for the Propagation of the Gospel in Foreign Parts. I select this case because I received a few days since a letter, dated the 21st of April, from the Bishop of Quebec, in which his Lordship mentions the relative population of that place. We find in the report that the number of communicants in that mission is 163; multiply this number by six and it will give you a congregation or congregations of 978; multiply his number by two, and you have the real number of adherents of the Church of England in that particular place, which is 1,956, according to the calculation. Now in the letter I have mentioned, the bishop of Quebec states, that the Episcopalians in the Perth settlements are 2,158. This number compared with that obtained by my calculation does not exhibit any considerable difference, and proves the calculation to be a fair one for all practical purposes, I take the case of Perth, because the bishop of Quebec happens to have stated the relative population of that settlement to me in a letter which I received a few days ago, and because it confirms my calculation.

Have you any means of informing the Committee what the aggregate numbers of the adherents to the Church of England amount to in Lower Canada, as founded upon this calculation?—I am not furnished with sufficient data upon which I can found a calculation of any accuracy.

Can you state the number of persons of other denominations in Perth?—I can. The number of Presbyterians, including dissenters from the Church of Scotland, American Presbyterians and all other descriptions of Presbyterians, is 1,581; Roman Catholics, 766; Methodists, 206; Baptists, 80. The letter mentions 11 as being of no persuasion. Generally speaking, if you enter into conversation with a person whom you casually meet in that country, being an American, or a native Canadian, and ask him what religion he is of, he will reply, although he may be regular in attending at church, that he has not joined any religion. He will not, in fact, call himself belonging to any denomination till he is a communicant.

Are you of opinion that at this moment there is a real demand in the province of Lower Canada for more churches, and for more clergymen of the Church of England than are at present supplied?—I can only state, that when I was at Quebec, there were constant applications made to the Bishop of Quebec for additional missionaries. Petitions, offers of land for the erection of churches, and offers to deed the land to the bishop, and so on, were continually received by his Lordship. These were forwarded by the emigrants, in some instances, who had come out from this country, belonging to the Church of England. From others also, who had been long settled, there have been received continual applications to the same effect. Some of these last petitioners may have previously known something of our service and discipline, but it is not to be supposed that the majority of the settlement, who never heard the liturgy of the Church of England, and know nothing about it, should be particularly anxious for a minister of this church. It must be only because they may thus have a resident minister amongst them, who is no expense to them, that they join

in the application. Their feeling with regard to our church must be the same as that of the people in heathen countries who have never heard of Christianity. They cannot be said to exhibit a demand for Christianity.

Is it within your own personal knowledge, that where a resident clergyman of the Church of England has been established there has been a disposition to join his congregation on the part of persons not previously supposed to belong to that church?—I should say that, generally speaking, the congregations are composed entirely of such persons, if the settlement is not formed of British emigrants. Perhaps there may be a few leading men in such a settlement who know something of the Church of England previously, but the population, generally speaking, can know but little of it till they have had a resident clergyman.

Is it your opinion, from your own personal observation, that there is a prevailing desire among the Protestants of Lower Canada to attach themselves to the national church rather than to any other?—I should say there are two national churches as far as this empire is concerned, that of England and that of Scotland. I have stated that the population, generally speaking, have known previously but little about the Church of England until a resident minister has been placed among them. I have also said, that they have by degrees been led to adopt this form of worship, or have at least attended it. What might be the case with regard to the national church of Scotland we cannot say, as the colonists can only know it in theory from the Scotch emigrants. But that the people of Lower Canada have no prevailing desire for it is plain from the case of Montreal, where a church of American Presbyterians exist, although there are in the place two resident kirk ministers.

What church had the people been connected with previously to their joining your church?—Of every possible description of denomination. Persons coming from every county in Ireland, and from every county in England and Scotland, many from the United States necessarily bring with them a multitude of religious opinions; and no one denomination being sufficiently strong to support a minister, they are sure to adopt generally any church whose clergy are not chargeable to them, provided only you give the church which you establish sufficient time to take root among them.

Does any particular form of worship prevail with them?—I think that until one of our clergymen has been established amongst them, they are Methodists chiefly.

What description of Methodists?—Not Wesleyan Methodists, according to our idea in this country. They are in country places most wild in their religious worship, they have camp meetings constantly: during which they will stay out in the woods for a whole week, and continue their religious exercises, praying, singing and preaching the whole time, night and day. They call themselves Episcopal Methodists.

What system of church government have they?—They have a person who calls himself a bishop, having derived that order from the hands of Wesley originally. Wesley, if I recollect right, sent out a number of persons, whom he styled bishops, to America. Such a bishop presides over a district: there are several preachers and lay-assistants under him.

Have they any constant communication with the Americans in the United States?—They have hitherto always had connection with the American Methodists of the United States. But of late I perceive from a document to which I have had access, that they have begun to withdraw from that connection. It is very desirable that they should do so, for they are certainly, notwithstanding their wildness and extravagance in many respects, the most useful and most numerous sect in Upper Canada.

Have they chiefly emigrated from England?—No; they have come chiefly from the United States. They have gradually increased in Canada ever since the country has been opened. The first settlers may have been churchmen, or of other denominations, and as they have died away, their children have adopted the persuasion of the itinerant preachers, being the only form of religion within their reach.

Are those persons to be found all through Upper Canada?—They are. There are a few of the old settlements where the people are Lutherans, and Quakers. Some Scotch settlements are Presbyterians.

Of the population of Upper Canada do you believe that a large portion has come from the United States?—Till the last emigrations by far the greatest part of the old settlers were from the United States. Most of them were loyalists after the American rebellion.

In the account you have given of the prevalence of this particular description of dissenters, do you mean it to be understood that they are confined principally to the eastern townships in Lower Canada?—No. They are to be found in almost every part of both provinces. There they have decreased, because our ministers have been so long in those settlements.

Then you mean that they are to be found over Upper Canada?—Over Upper Canada, and those in the eastern townships, who do not belong to our communion, are generally Methodists. There are, indeed, some few Baptists.

Do those persons whom you describe as being willing to attend the worship of the Church of England, after a church has been established in their neighbourhood, cease to maintain any communication with their own ministers and cease to attend their meetings?—No, they will attend preaching of any description. Not so our communicants, they adhere to us, and will not attend any other ministrations. But here I would beg leave to remark, that there are few or no regular ministers throughout the country besides those of the Church of England. The rest, excepting a small number in Upper Canada, are itinerants.

But the others, though they will attend your service, still continue connected with their own ministers?—It depends upon what they are. The Methodists often keep up their connection with their own people, and the American Presbyterian will attend us, but all the time say that he has not deserted his own church, though he may communicate with us. There are, however, but a very small number of the American Presbyterians; and they, in fact, in country settlements remain adherents of our church, and elsewhere, till an American Presbyterian minister is established among them, who is brought in from the United States. In country places they cannot support such a minister, and thus their descendants become rooted in their attachment to our church, having been educated from childhood in her communion.

In that case would you consider them as regular adherents of your church?—They attend no other ministrations, though if a Presbyterian preacher from the United States was to come into the settlement, they might attend him. I say from the United States, because there is a great difference between American Presbyterians and those of Scotland. The United States Presbyterians will not coalesce with the Presbyterians of the Church of Scotland, and I can quote several instances of the kind.

Do you know why?—The difference of church government is one cause, and church discipline is another thing controverted.

With respect to Presbyterians who have emigrated from Great Britain and Ireland, do they ever conform to the Church of England?—Yes, the Irish Presbyterians will; and some instances are now fresh in my memory of persons so brought up in Ireland, asking permission to receive at our altar.

Do the Scotch Presbyterians?—They will, where there is no minister of their own. They will not attend the ministrations of any other denomination, except those of the clergy of the Church of England, and of their own.

Are they in the habit of attending the church till a minister of their own is appointed, and then withdrawing from it?—In Upper Canada there are only six Scotch Presbyterian ministers, one of whom has been ordained in the Church of England lately. In Lower Canada there are only three. With the permission of the Committee I will explain what I would here say, by stating the cases of Montreal in Lower Canada, and of Cornwall and of Kingston in Upper Canada; we have had ministers in each of those places for some years; at Montreal of course for a long time; at Cornwall about 10 or 12 years; at Kingston, perhaps, much longer. In each of those places there are Presbyterian congregations, and in each of them our people exceed considerably the Presbyterian congregation. At Montreal the wealthiest of our congregation were originally Presbyterians, but they have from the first conformed and adhered to the Church of England, and have not returned to the kirk, although there are two meeting houses in the place. At Cornwall our congregation so much exceeds the Presbyterian congregation, that it is well known the Scotch minister could not find sufficient support to live there, did

did he not hold the government-school establishment in the place. He has only one congregation to serve, whereas our missionary includes among those who profit by his ministrations upwards of 850 souls. At Kingston, which is a peculiar case, there is a minister of ours and a minister of the Scotch kirk; and, as a proof that the Presbyterians from the United States will not coalesce with the Presbyterians from Scotland, it is observable that the former have got in a preacher of their own from the United States, and our congregation is double as large, I am given to understand, as either of them. I will not say that it is larger than both together, though I have heard it asserted. At Montreal it is precisely the same; American Presbyterians have obtained a minister from the United States. These facts tend to show that if some few native Scotchmen should return to their national church on the coming of one of its ministers among them, our church would not suffer by the circumstance.

Are the United States Methodists Calvinists?—No, very much opposed to Calvinism, in the ordinary sense of the term, and for that reason the American Methodists will not unite with any Presbyterians, nor the Presbyterians with them. There are no two bodies of Christians more opposed to each other than the Presbyterians of Canada, who are Calvinists, and the Methodists who are altogether Anti-Calvinists.

Are they Arminians?—They are strictly Arminians, and very controversial in respect of their doctrines.

Do you consider all the denominations of Presbyterians to be Calvinistic?—I do. Their catechisms and other formulae appear to me to be so.

Do the Presbyterians whom you describe as conforming to the worship of the Church of England continue Calvinists after they conform?—I think they might not perhaps be displeased if the clergy broached Calvinistic doctrines; but I am not aware that they do; as there is no other form of worship that these Presbyterians like so well, they attend their ministrations.

Has that state of things a tendency to incline the ministers to the adoption of Calvinistic doctrine?—I think not.

Are the Committee to understand that there are to your knowledge but three Presbyterian ministers of the Church of Scotland in Lower Canada?—I think there are but three, two at Montreal and one at Quebec.

To the best of your belief, is the number you have stated the entire number of Scotch Presbyterian ministers in both the Canadas?—To the best of my belief it is.

Can you state the number of Presbyterian ministers of the other description?—Twelve in Upper Canada; I only know of two in Lower Canada.

In stating the number of your congregations and adherents, do you reckon in those persons who occasionally attend your service but also attend the service of other churches?—Yes, I reckon them amongst the congregations, if they attend with regularity the ministrations of our clergy.

Whether they attend other congregations also, or not?—Yes. But it is only, save in a few instances, the itinerant preachers, they can attend.

You consider them as Episcopalians?—I consider them as attendants upon the ministrations of an Episcopalian.

And your calculation with regard to the number of Episcopalians is always to be taken with that understanding?—I think so; because the people know nothing of the Church of England till it has been established some time among them; and they do not appear to regard an occasional attendance on other forms of worship as incompatible with their connection with that church.

Are all the clergymen whom you have enumerated in Lower and Upper Canada constantly resident?—I do not know an instance of non-residence. Now and then they get leave to come to England, but it is with great difficulty. After they apply for leave, it takes at least three months before they can attain it, as the sanction of the Board of Society for the Propagation of the Gospel must first be received.

Have all of them churches built, and in repair?—Not all, but there are very few who have not.

Are the Committee to understand that a minister is sent to a particular district upon a petition of a certain number of the inhabitants to have a church built, and that the bishop also subscribes out of a certain fund a certain amount in aid of that object?—The minister is not sent till the church is finished, which is always built by the people of the neighbourhood. It has otherwise occurred in two cases under particular circumstances. The applicants were our own people, and they had only lately come out from Ireland, having as yet no means of building a church.

Before a clergyman or a missionary is sent into a particular district, is it necessary to specify that there is any certain number of congregation ready to receive him?—The bishop judges by the number of persons that sign the petition, and the subscription paper. He does not inquire particularly who they are, because he knows very well that if our church is to take root it must be first put in the ground.

Upon what principle did the society act formerly, when, as you state, they were in the habit of sending missionaries without previously requiring the building of a church; what was then required, before they would send a missionary?—I was not connected with Canada at that time. It occurred in the time of the late bishop.

What is the occupation of those clergy who have no churches built?—The two I have alluded to, and there are only two in the diocese, officiate in the school-houses, and wherever they can get a congregation, and they have in general as good a congregation in the school-house as they would have in the church.

Have the clergymen in Canada generally been educated in England?—Many of them have been educated in England and Ireland. There are 22 in Upper Canada out of 39 who have been educated in Great Britain. The remainder have been educated in the country. They are, I believe, chiefly the sons of loyalists; men who have mostly received a gratuity from the society of 50*l.* a year, to enable them to pursue their studies in divinity.

What opportunities have they of pursuing studies in divinity in Canada?—The opportunity they had when I was there, was that they were ordered to Quebec, and I used to lecture them twice a week by the bishop's direction, it was part of my duty to him. The Archdeacon of Quebec used also to lecture them.

Are there any persons in holy orders in Lower and Upper Canada who have previously been ministers of any other denominations?—In Lower Canada I know of but one at this moment; but in Upper Canada there are 10, and there were several applications whilst I was there.

To what sect did those belong?—Some were Lutherans, some Scotch dissenters, one kirk clergyman, and two Roman Catholic priests.

To what circumstances do you attribute the cessation of so many clergymen from their own church, and their conversion to ours?—I must hope that they are the purest motives, but I cannot dive into mens thoughts. One cause, I should imagine, may be that their people desert them after having brought them into the country with promises of support; but when they come they find themselves without a means of living.

Is any preference given to persons on account of their being converts?—When a dissenting minister can say that a great majority of his congregation will join our worship with him, he is received, if qualified. It is the case in one instance in Upper Canada, and two in Lower Canada. Under other circumstances, any person applying for holy orders undergoes a severe scrutiny, and certainly has no preference given him because he has previously belonged to another communion.

Is there any difficulty in procuring persons to serve as clergymen in Canada, who have been educated in the doctrines of the Church of England?—Certainly, I should say there is difficulty in procuring them in Great Britain.

Is not that the reason why they have been induced to take so many persons into the service of the church who have been formerly belonging to other denominations of christians?—When a mission becomes vacant it is very desirable to fill it up as quickly as possible, and if we were to exclude all who have not been regularly educated in England, we should have to wait several months, and in the mean time sectarians would come in and perhaps disperse the congregation.

Are you acquainted with the practical jurisdiction which the Clergy Corporation exercise over those lands called the clergy reserves, which were appropriated under the Act of 1791 in Lower Canada?—In Lower Canada they had the power of leasing in 1819; and I happen to know that they were not long since in debt to their secretary.

Have you any general idea of the number of adherents of the Church of England in the province of Upper Canada?—I cannot form any idea of it, except from the calculation with which I have furnished the Committee; and this is dependant upon a knowledge of the number of communicants in the several missions.

What proportion should you say they form of the whole population?—The missionaries have told me that their congregations, except in the French parts, amount to between 150 and 200 during the time when their roads are passable; but further information than that I cannot give respecting the number of Episcopalians in the Canadas; I am not acquainted with the population of the Canadas, but I know that wherever I travelled I found persons who belonged to our church, and in many places where no clergyman had ever penetrated.

Are you aware that the House of Assembly in Upper Canada have repeatedly by a very great majority declared it expedient that the clergy reserves should be applied to the maintenance of the clergy of all Protestant religious persuasions, and not of that of the Church of England exclusively?—I know that such resolutions have appeared in the public prints; I attribute them, in part, to the smallness of the number of Episcopalians in the House of Assembly, compared with the united strength of all denominations in that House. The Houses of Assembly in Canada, like many other colonial Houses of Assembly, are not very well affected towards the Government, and the Church of England being inseparable from the Government, they of course oppose the Church of England for the sake of opposition to the Government.

Was not there a formal vote of the House of Assembly carried by a majority of 37 to 3, that the church of England is the religion of a very small proportion of the population of Upper Canada?—I do not know, I have not attended much to the state of things in the House of Assembly; there might have been very few persons belonging to our church in the House of Assembly at the time. The House of Assembly is composed of 44 members: of the church of England there are 18; of the church of Scotland there are 4; the rest are of various denominations.

Do you take that from Archdeacon Strachan's report?—It is from his speech in his place as a legislative councillor, and I believe the statement.

Do not you know that that report is entirely contradicted by the resolutions of the House?—This is not the report alluded to; the one I hold in my hand has arrived within the last few days. The circumstance I attest has been stated at York, where the Assembly meets.

Is the Committee to gather from your answers that you are very little acquainted with the relative proportions of the various sects in Upper Canada?—I am acquainted with the number which attend the ministrations of our own clergy.

In the visitation you made in the upper province did you personally inspect all the churches where you visited the clergymen?—Yes, in all cases.

In every instance of the 25 clergymen whom you visited were they resident and officiating in the church?—Yes, certainly.

Are you aware of the circumstances of the 11 others whom you did not visit?—Yes; I should say that they were resident also; in fact they cannot be otherwise than resident.

Is that principle universally acted upon in Upper Canada as in Lower, of not sending a minister till a church is built?—It is now acted upon in all cases; there is, however, one missionary who is employed without having any specific church; he goes all through the diocese; I mean the visiting missionary.

Excepting the fact of the number of each congregation, you cannot give the Committee any information of the relative proportion of the adherents to the Church of England to any other sect?—I can in one particular place; but not generally.

The Committee have before them a letter, signed by Mr. Ryerson, who is the agent in this country for the Christians of different denominations in Upper Canada; in his letter he states, amongst other things, that the adherents of the Episcopalian Church alone in Upper Canada do not exceed one tenth of the inhabitants of Upper Canada; do you believe that is correct?—We have a very small number of clergy proportionate to the wants of the people, and of course it follows that the number of churchmen cannot bear a very large proportion to the whole of the inhabitants; but the real adherents of the church exceeds any other denomination; at least I have always understood so.

From your knowledge of the country, have you any idea that the adherents of the Church of England exceed one tenth of the population of Upper Canada?—I have no means of ascertaining that; I cannot at all take upon me to say.

Do you believe it to be quite impossible that they can reach to a half?—I think it cannot be so large.

Can you inform the Committee of the composition of what is called the Clergy Corporation?—They are every one of them of the Church of England.

Have you any information you can give to the Committee with respect to the value of the clergy reserves in Canada?—What I am about to state will apply equally to Upper Canada and to Lower Canada; if in any one township the lots were capable of culture, and were actually leased for 21 years upon the terms on which they have hitherto been leased, they would produce a yearly amount less than 100*l.* sterling.

You say according to the rate at which they are now leased, will you explain what that rate practically is at this time?—I cannot state it.

Upon what basis have you formed that calculation?—Upon a calculation that has been made by a person that I can fully trust in that particular.

Then, according to that calculation the whole of one township would not let for more than 700*l.* year, as the clergy reserves are one seventh of the township?—I suppose that is so.

Will you be good enough to explain what you meant when you said that in Lower Canada the Clergy Corporation were actually in debt since the year 1819?—I know that the corporation were indebted to their secretary a few pounds for keeping the books, and after defraying the expenses connected with the management of the reserves.

In what way are the expenses of the Clergy Corporation incurred?—By collecting rents, which is an enormous expense compared with the receipts.

Is there any payment to the Clergy Corporation themselves, or to the secretary?—A salary is given to the secretary, and a certain sum is allowed each member of the corporation for his expenses in coming from a distance to attend the annual meeting; nothing is allowed to those resident where it is held; but there is not a single clergyman supported by the reserves, or that nets as such a sixpence from the reserves.

Are the Committee to understand that the expenses of the collection have in Lower Canada amounted to above 100 per cent upon the rental of the clergy reserves?—I know that the Clergy Corporation in Lower Canada were in the debt of their secretary, a few pounds, after the balance was struck, while I was at Quebec.

Do you know that not one farthing collected by the corporation has ever been available for the support of any clergyman?—I do.

Applying these observations to Upper Canada, do you happen to know what has been the annual amount that has been derived for the purposes of the clergy from any leased lands of the clergy reserves in that province?—I do not know the sum expended in the erection of parsonages; but in the way of income, none of the clergy of Upper Canada have been in any degree benefited by them, nor can they be: they contend for them as a provision for future clergymen, when new missions are opened; as far as they are individually concerned they are wholly disinterested. Perhaps it might be as well to say that the time when the corporation in Lower Canada were in debt to the secretary, was before the new arrangement had been made, by which they have rendered the collecting of the rents easier and cheaper than formerly; whether they are now in debt I do not know.

Lord Viscount Sandon, a Member of the Committee, Examined.

Do you recollect having a conversation with Archdeacon Strachan upon the subject of the church reserves in Canada?—I remember two or three conversations which passed, principally, I believe, in the committee-room of the Emigration Committee; I do not remember distinctly any one.

The Committee observes, in a speech made by Archdeacon Strachan, on the 6th of March 1828, in the Legislative Council of Upper Canada, that Archdeacon Strachan says that he called upon your Lordship, in consequence of the debate which took place in the month of May last year in the House of Commons, with a view of ascertaining from you exactly what you had asserted to have been Lord Grenville's statement upon that subject; and Archdeacon Strachan proceeds to say, that he called upon your Lordship, and that you stated that Lord Grenville had stated that the Scotch Presbyterians were not intentionally excluded; and provided that provision should be found more than sufficient for the established church, he saw no objection to giving them aid. Is that a correct representation of what you said to Dr. Strachan?—That certainly is not a correct representation of what passed between us. It is difficult at this time to recollect distinctly what I said to him. All I can say is, that I could not have said what he represents me to have said; for it is not now, nor ever was, my understanding of what Lord Grenville said to me.

Have you at this moment a distinct recollection of what Lord Grenville said to you?—I remember that he stated to me that the scheme upon which he built the system that was intended to be incorporated in the Canada Act of 1791, was a good deal derived from information they had collected from an officer that had been much in Pennsylvania, of the system with regard to lands appropriated to religion and education in that State; I understood him to say, that the distinction of a Protestant clergy, which is frequently repeated in the Act of 1791, was meant to provide for any clergy that was not Roman Catholic, at the same time leaving it to the Governor and the Executive Council of the province to provide in future how that should be distributed.

Austin Cuvillier, Esq. again called in; and Examined.

The Committee believe that you have been more or less engaged in commercial pursuits in Canada? I have.

Are you at all acquainted with the trade that takes place between Upper and Lower Canada?—I have not been directly engaged in the trade between Upper and Lower Canada, but the trade has come under my observation very frequently.

Are not all imported goods which are consumed in Upper Canada introduced through the St. Lawrence and through Lower Canada?—The principal part of the goods consumed in Upper Canada are introduced by way of the St. Lawrence, but many articles are also introduced into Upper Canada from the United States.

What proportion do you think the one class may bear to the other?—The proportion introduced from the United States must be a trifling one; formerly there were considerable quantities of tea introduced into that province from the States; that is now entirely done away with.

At present are not the duties which are payable upon commodities consumed in Upper Canada levied and collected in Lower Canada?—The duties levied in Lower Canada are upon all goods imported at the port of Quebec destined for Upper and Lower Canada.

Would it be possible to devise any means of separating the goods destined for the consumption of Upper Canada from those for the consumption of Lower Canada, and levying the duties upon them separately, so that Upper Canada might appropriate strictly to itself the amount of the duties upon the commodities consumed in it?—The separation of the goods in the first instance would depend upon the importers. I know but two or three merchants importing directly goods from England residing in Upper Canada; the principal part of the traders in Upper Canada draw their supplies from Lower Canada; but I conceive that a mode might be easily established whereby Upper Canada would tax itself on the introduction of goods imported in that country, by the establishment of custom-houses or by a system of drawbacks.

Will you describe in what mode you think the first course you have suggested could be carried into effect?—Two modes might be adopted; the one by warehousing in the first instance all goods destined for Upper Canada, either at Quebec or Montreal; and to exempt them from payment of duty when taken out, upon certificate of their introduction into Upper Canada, there entered and the duties paid: the other, by allowing a drawback of duties on all goods introduced into Upper Canada from Lower Canada.

Do you think that any adequate security could be taken to prevent such goods from being smuggled into consumption in Lower Canada, in their transit from the bonded warehouse to the confines of Upper Canada?—Yes.

Will you have the goodness to explain in what mode you would carry into effect the second course you have suggested, namely, that of levying upon the frontiers of Upper Canada duties upon the goods that were introduced?—To carry into effect the second mode I have suggested, it would be necessary that an understanding should subsist between the Legislature of the two Provinces. Goods imported into Upper Canada from the Lower Province should be entitled to debenture upon proof of entry. By the same operation, and without any additional expense, the same, or other duties might be laid at the place of entry, at the discretion of the Legislature of Upper Canada.

Would not the whole process connected with this drawback be extremely injurious and troublesome to commerce?—It would be very simple; formerly there was an officer stationed at Coteau du Lac, paid by both provinces, whose duty it was to take a correct account of every article passing through that post for Upper Canada, upon which an estimate was made of the quantum of drawback which was to be allowed to that province. By adopting the same system now, you might correctly ascertain the amount of drawback on goods liable to duty. I see no difficulty whatever in making the arrangement.

Is the frontier between the two provinces easily guarded by custom-houses?—Yes, the neck of land between the one river and the other is about 24 miles.

Are there not duties collected upon rum going into Upper Canada?—The principal part of the revenue of Lower Canada is raised upon rum and wines, and little of them are consumed in Upper Canada, where they now manufacture large quantities of spirits, some of which is sent to Lower Canada for sale.

What are the goods passing into Upper Canada which are liable to duty?—All goods upon which duty is paid on importation in Lower Canada; but the largest amount is of British manufactured goods; dry goods.

Would it not be necessary accurately to ascertain the quantities of those goods passing into Upper Canada?—Most assuredly.

Would not that be inconvenient?—No; because from the nature of the country, it is scarcely possible to take goods up there without passing through the locks at the Coteau du Lac; the navigation is such, that it would be attended with great expense to deviate from that course. It is at the locks where the custom-house is established. In the winter season the facilities of introducing goods into Upper Canada without stopping at the custom-house are much greater; but if individuals had no interest in the duties to be drawn back, they might be very correctly ascertained, they would have no temptation to smuggle. All British manufactured goods are subject to duty of two and a half per cent *ad valorem* on their importation into Lower Canada.

Do you think that either of those modes which you have mentioned would be preferable to the system which has been lately adopted by act of Parliament, of dividing the duties collected between the two provinces?—I think the system of drawback would be preferable; because in the apportionment of the amount of duties to Upper Canada, I think there has been great injustice to Lower Canada; in a great measure Lower Canada contributes to the expenses of Upper Canada.

Will you state upon what ground you think injustice has been done to Lower Canada in the division?—Because the estimate is made upon the amount of revenue, and the proportion allowed to Upper Canada has been founded upon its population; now the habits of life of the population of Lower Canada are materially different from that of Upper Canada; they consume proportionately more British manufactured goods in Upper Canada than in Lower Canada, upon which a very trifling duty is paid; and they consume less of rum, upon which the greatest part of the revenue is raised, and in that point of view I think great injustice is done to Lower Canada.

Do you think that any apportionment ever could be made which one province or the other would not find fault with?—The present system of apportioning the duty by arbitrators named by each province is subject to less objection than any other mode.

Is it not considered an infraction of the rights of the Assembly of Lower Canada?—I have always considered it so; but that point has been sacrificed to harmony.

Do you think there are any data according to which it would be possible to adjust accurately the proportions that ought to be received by each province?—None but the establishment of a custom-house on the frontier of Upper Canada, to ascertain the amount of dutiable articles passing into that country.

How often is the proportion allotted to Upper Canada to be regulated?—I think every four years by the Canada Trade Act; when the last apportionment was made the arbitrators of Upper and Lower Canada differed very materially; the ultimate decision was left to an umpire, a gentleman from New Brunswick, he inclined in favor of Upper Canada, as we expected.

Suppose the two provinces to view differently their own interests as connected with matters of taxation, and that Upper Canada should be disposed to put a tax upon the importation of some commodity, either differing in amount, or differing altogether from that which Lower Canada should be pleased to impose upon it, in what way then would the system you propose of duty and drawback work?—The drawback being allowed entirely would leave the articles perfectly free for taxation; the whole of them might be taxed in the same way or differently, according to the disposition of the Legislature of Upper Canada: the rest is mere matter of detail, which would be easily arranged.

Then you think that goods might go into Upper Canada duty free, although they had been charged with duty in Lower Canada, provided only that that duty was wholly drawn back?—Certainly.

Suppose that any commodity imported into Lower Canada, and subject to duty, became in Lower Canada a subject of manufacture; as for instance, suppose that upon the importation of horse hair, that horse hair was manufactured into brushes; if those brushes were imported into Upper Canada, how would it be possible to draw back the duty?—There are scarcely any manufactures in Lower Canada, and there cannot be any to an extent for a considerable time; it is strictly an agricultural country; it can never become a manufacturing one even if the dominion were changed.

You think that no inconvenience could arise from that score?—I think not.

Do you think that Lower Canada would be frequently defrauded of the amount of the drawback, by goods being sent into Upper Canada which had not paid duty?—If proper precautions were taken I do not think that any kind of fraud could be committed, especially if it was a government affair between the two provinces, without individuals being interested in it; individuals should have nothing further to do with it than to make a report at the custom-house.

Would not the difficulties that arise in collecting the revenue between the two provinces be more effectually remedied by a union of the two provinces than by any other mode?—If the provinces were united there would be no necessity for a division of the revenue.

What objection do you see to an incorporating union of the two provinces?—The union of the two provinces is insuperably objectionable on many grounds. The extent of country would be too great for advantageous local legislation. Eventually, and perhaps at no great distance of time, it would require to be subdivided; Upper Canada, from its size and geographical shape, may require it soon; and one part of Lower Canada might also be desirous of being subdivided; because there are two descriptions of tenures which, in some measure, create different wants. The extent of country which would be under the operation of the United Legislature is one of the greatest objections. People called from an immense distance to a central point to legislate for parts that are so far removed, must necessarily legislate under great trouble and expense, and without sufficient grounds to enable them to legislate with perfect and equal advantage to every part of the country. There are many other reasons which were stated on the part of the Lower Province, in a letter to the Under Secretary of State for the Colonial Department, in 1823, which I think unnecessary to repeat at present; but assuredly the feeling against the union of the two provinces is very strong in Lower Canada; and I believe equally strong in Upper Canada.

Do the opinions you have expressed lead you to think that it would now be desirable to effect any separation between the two portions of Lower Canada, which you describe as having little common interest with each other?—No; I should suppose that no such step would be proper, unless it were first required by the people themselves; generally speaking, the more united people are the better; the stronger they are, in a political point of view.

You think it would not be desirable to separate off the townships into another province?—In the manner the townships are dispersed on both sides of the St. Lawrence it could not be done: the principal disadvantage that would arise to the inhabitants of Lower Canada would be, that they would be confined within very narrow limits; it would prevent them from extending their population, probably from a dislike to the different governments and laws which would exist in the two portions of the country.

Would it be possible to draw such a geographical line as to establish a complete separation between the townships and the seigneuries?—It is impossible.

With reference to the district of Gaspé, do you think that forms conveniently a portion of the Province of Lower Canada?—I think it forms a very important portion of Lower Canada, and a very valuable portion of it. The principal fisheries, and the wealth of the river lie there; the prosperity of Lower Canada might be considerably extended if those fisheries were properly attended to.

Do you think that by an alteration of the boundary between the two provinces, an arrangement could be made of the district which would tend to the convenience of either or of both?—I do not think that the convenience of either would be materially benefited. The dismemberment of any part of Lower Canada might be considered a breach of faith on the part of Great Britain in regard to that colony, to every part of it a system of law has been secured by the capitulations and Acts of Parliament, under which property has been long possessed and regulated. To dismember any part of it would be separating, by violence, children of the same family.

Is any alteration of the boundary wished for by the inhabitants of either province?—I am not aware that any wish has been expressed by Upper Canada, nothing of the kind is desired by Lower Canada. I have heard it mentioned by some persons, that it would be desirable that there should be a port of entry for Upper Canada, in some part of Lower Canada, but I do not see any advantage Upper Canada would derive from that measure. The object, I understand, of having a port of entry, is to enable Upper Canada to tax herself; now nothing is more easy if she is inclined to do so, than the mode I have suggested. Are there not complaints of many persons in Canada, with respect to the possession of property by the Government which formerly belonged to the Jesuits?—Complaints have been very loud on that subject; they complain that the sources of education that had been left to the country before the conquest have been destroyed, and they have no permanent means of education left them but from their own personal means.

In what way do they undertake to show that the property held by the Jesuits, and distributed by them as they pleased, was applied to general purposes of education?—Those people could not hold property for their own use, or distribute it as they pleased; it was originally granted to them by the French King and individuals for the purposes of education.

tion, and some other duties that they were to perform, the conversion of the Indians to the Christian faith, and some other religious duties; but the chief object of those estates was, that they might be employed for the purposes of education in Canada. They built a very extensive college in Quebec, which is now used as barracks, the revenues of those estates are now very considerable, and we do not know what becomes of them.

Do you happen to know what took place with reference to those lands upon the expulsion of the Jesuits?—They were taken possession of by the local authorities in Canada, and are still held by them.

When were the Jesuits expelled?—The order of Jesuits, I believe, was extinguished in Europe in 1774.

In what way have the proceeds of the Jesuits estates been employed since?—They were generally employed in the colony, before the conquest, for the purposes of education; the conquest however put an end to the higher branches of education in Canada; they notwithstanding kept a school in Quebec after the conquest; they had schools in other parts of the province, but they also subsequently became extinct.

Do you happen to know whether the estates of the Jesuits in France that were confiscated in the same way, were applied to the purposes of education?—They were employed in France, I understand, for the purposes of education under other authorities and teachers, according to their primitive destination.

Has the Assembly frequently called for an account of the proceeds of those estates?—The Assembly did call before a Committee of that body one of the commissioners, and he refused to give any information whatever respecting those estates, we foresaw that it might create considerable difficulty to make use of the power of the House at that time to compel this gentleman to make a declaration of it; the House in some measure did not press it, we rather hoped for better times, and waived the exercise of a particular right for the time.

Did the Jesuits retain any influence over the management and application of the proceeds of those estates after the conquest?—They had a control and management of their estates, excepting the college, till the death of the last of the order.

When did that take place?—I do not now exactly recollect the time, I think it was in 1801.

From that time to the present have the Government been wholly in possession of the proceeds of those estates?—They have; and they are very valuable estates. There is one in particular, the Seigneurie of La Prairie, which is completely settled, a very populous parish in the county I represent, perhaps the most populous in the county, and the revenues of it must be considerable; but we know not what becomes of those revenues. There was another order in Canada, called the St. Franciscans, upon the death of the last of that order, that property was taken possession of by the Crown, and they have since exchanged part of it for other property, which has been applied to fortifications in the Island of St. Helen's.

Is there any other property that is possessed by the Crown now which formerly belonged to any religious order?—I know of no other.

What arrangement did the Assembly seek to make with respect to the land that formerly belonged to the Jesuits?—They desired that those estates should be employed for their original destination; that is, for the education of the youth of Canada, as might be provided by the Legislature.

Seeing that the Jesuits, to whose charge the management of those estates was given, no longer exist, to what class of persons would the Assembly propose to give the direction and administration of those funds?—I believe that no specific proposition of that nature has been made, but it is a matter of detail that might be easily settled; they no doubt intended the revenues of those estates to be applied to the education of youth generally, without distinction of religion or classes, as far as the original titles would permit.

Martis, 17^o. die Junii, 1828.

The Rev. Anthony Hamilton, called in; and Examined.

YOU are Secretary to the Ecclesiastical Board for the purpose of providing colonial clergy?—I am.

Of whom does that board consist?—Of the Archbishops of Canterbury and York, and the Bishop of London.

When was it appointed?—In the year 1824 or 1825.

By whom was it appointed?—By Lord Bathurst.

What was the form of appointment?—A recommendation from Lord Bathurst to the Lords of the Treasury, and a confirmation of it by a minute of the Treasury.

Did the board receive any instructions or directions from Lord Bathurst at the time of its appointment?—The correspondence between Lord Bathurst and the Archbishop of Canterbury, and between the Right Hon. Wilmot Horton and George Harrison, Esq. will exhibit the grounds of the appointment, a copy of which is submitted to the Committee.

Will you describe what duties the board perform?—The investigation of the character and qualifications of candidates who apply for clerical appointments in the colonies.

Do the candidates apply to the bishops, or to the Colonial Office?—The practice varies; applications are sometimes directed to the Secretary of State, and sometimes to the Ecclesiastical Board.

In that case do you refer to the application to the Colonial Office?—No, when a vacancy is intimated to me from the Colonial Office, it is my duty to recommend, through the Ecclesiastical Board, a proper person to fill that vacancy.

Of the number of candidates who apply in the course of a year, do the greater number apply personally to yourself, or to the Colonial Office?—I should think the greater number to myself direct, not generally in person, but by letter; no person is ever recommended without personal intercourse.

Is there an account kept of the applications which would show the proportions of the numbers accurately?—Yes.

Does any appointment take place without a reference to you, either from the individuals, or from the Colonial Office?—I believe not.

Has there been any instance of a recommendation of your's not having been acted upon by the Colonial Office?—I believe not.

You receive a salary as secretary to the board?—I do, of 500*l*. a year.

Is there a clerk?—There is a clerk in the office.

Is that salary paid out of the colonial revenue?—No, it is paid by the Treasury recommendation.

Does the examination of clergymen apply to all the colonies?—To all the colonies.

Having ascertained the fitness of the candidate, what steps do you take?—I draw out a form of recommendation, which is signed by the members of the Ecclesiastical Board, and then transmit it to the Secretary of State.

And in consequence of that recommendation the appointment invariably takes place?—Invariably.

In the recommendation of clergymen to fill the vacancies that occur in Canada, what steps are taken by the board?—The clergy in Canada are under the control and appointment of the Society for the Propagation of the Gospel in Foreign Parts, of which I am also secretary.

Has the board you have described, consisting of the two Archbishops, and the Bishop of London, any thing to do with the appointments in Canada?—They have not yet had any thing to do with the colony, but there are several appointments in the Canada's which are in the patronage of the Secretary of State, the great majority are in the patronage of the Society for the Propagation of the Gospel; none of those in the patronage of the Secretary of State have become vacant since the establishment of the board.

Have the goodness to describe those appointments in Canada which are under the influence of the Ecclesiastical Board?—I should conceive that they are limited to the Rector of Quebec, the Rector of Montreal, and the Rector of Three Rivers.

How does it arise that those three are under the influence of the Ecclesiastical Board? They being in the patronage of the Secretary of State, and not in the patronage of the Society for the Propagation of the Gospel.

How does arise that those three clergymen are appointed by the Secretary of State?—I believe this has been the practice from the first settlement of the colony.

By whom are their salaries paid?—Either by the local Government, or by the Government here, but I am not aware in what manner they are paid.

When you say they are under the patronage of the Government, do you mean that nevertheless they are practically recommended and appointed by the Ecclesiastical Board?—I should conceive they would be in case of a vacancy, but no vacancy has yet occurred since the formation of the Ecclesiastical Board.

Will you explain what is the nature of the functions administered by the Society for the Propagation of the Gospel in Foreign Parts?—The supply and maintenance of a body of clergy for the North American colonies. The clergy appointed by the Society for the Propagation of the Gospel in Foreign Parts, are denominated missionaries, they are appointed to certain churches in different districts, and they receive a salary from the society.

Of whom does the society consist?—It is a voluntary society, consisting both of clerical and lay members, embodied under a charter, and certain dignitaries of the church named therein.

About what number?—The incorporated list consists of 300, and the management of the society is in those; there is also an associated list, which consists of about 4,000.

When was this society first formed?—In the year 1701.

Has it a charter?—The charter was granted by King William.

Does it publish an annual report of its proceedings?—It does.

What funds has it?—It has certain funds now vested in public securities, the produce of collections and bequests, amounting to between 4,000*l*. and 5,000*l*. a year. Voluntary subscriptions, amounting in the last year to about 7,000*l*., and assistance from Parliament, amounting to about 15,000*l*.

Are the 300 persons whom you have described to be the managers all clergymen?—No.

What portion of them are clergymen?—Much the largest proportion.

Does that comprehend all the bishops?—All the English bishops, but not necessarily so.

What is the qualification which is necessary in order to entitle a person to become one of the incorporated members?—As vacancies occur in the list, they are proposed and elected by ballot.

Are they all necessarily subscribers?—They are, they cannot subscribe less than two guineas.

What salary have you as secretary?—My salary is 180*l*. a year; but I have an allowance for house rent besides.

With respect to the Canadas, what duties does the society perform?—The supervision of the clergy, the correspondence with them, and the appointment of them, and the payment of them.

What control have they over them?—They have the control which the power of the purse gives generally.

Has not the bishop an episcopal control?—He has.

When you mentioned the parliamentary assistance which the society receives, did you include in the grant which is made specially for the Canadas?—I did. I think that amounts to 7,000*l*. out of the 15,000*l*.

Does the control of the society extend only to the North American Colonies?—It does.

In what way has the number of clergymen for Upper and Lower Canada been decided upon?—According to the means of the society to support them; it would be very much enlarged if the means of the society enabled it to increase them.

Are applications transmitted from Canada, praying the society to send out missionaries for particular districts?—Frequently.

In what way does the society know to what district a clergyman is appointed, and whether or no there is actually a congregation for him to attend to when he gets there?—No clergyman is ever appointed by the society to a congregation, unless the people themselves have already built a church, and agreed to provide a parsonage house.

Then in every instance a church has been built before a clergyman has been appointed?—In every instance, and they have either provided a house, or raised a contribution to pay for one.

Is that fact always communicated by the bishop?—It is.

Is it certified in any way?—I will not say that in every instance it is certified by the bishop that such is the case, but I have not the least doubt that such is the case, because it is intimated to this society as the rule of his lordship.

In what way do you ascertain the numbers of the congregation that is likely to attend, or the number of persons who would belong to the church?—The only way in which we can form an estimate of the congregation is from a return of the communicants; that does not take place in every instance, but there have been returns from many; and from those I should judge that the congregations vary from 200 to 300, 400 and 500, scarcely any under 200; the calculation that I should adopt is to multiply that number by six for the congregation, and then by two, to find the number of the members of the church of England.

Is that a rule applicable to England?—It requires an active clergyman to make that rule applicable. If one sixth of the congregation is too high an estimate for the communicants, the number of the congregation must be greater. I believe, from what I have heard, that calculation will not answer in the settlements adjoining the United States, because there, although there are very numerous congregations, the people are not in the habit of communicating.

Do you know on what account that is?—I conclude that, being originally dissenters, they are not yet completely confirmed in faith and practice of members of the Church of England.

Do you know how the funds are obtained for the building of churches?—By subscriptions among the people. The Society for the Propagation of the Gospel grants some assistance, but it must form a small part of the whole.

Is that frequently the case?—In almost every instance in which it is applied for.

Do you mean that assistance is granted in almost every instance in which a church is built?—I think so.

What proportion does the grant bear to the whole expense of the church?—I should think about a fifth or a sixth part.

How do you estimate the amount of the expense of building a church?—From the returns that occasionally are made. An estimate of a church in New Brunswick reached me yesterday, which exceeded 600*l*.; in aid of this church the society granted 100*l*.

Is there subsequently, after a church has been built and a grant made by the society, an account sent of the actual expense that has been incurred?—Not as a regular practice.

Have you in many instances received it?—I should say not, in Canada; in several instances, in Nova Scotia and New Brunswick, we have. Some years since, a grant of 2,000*l*. was placed at the disposal of the Bishop of Quebec; and the paper delivered in exhibits a statement of the manner in which 1,300*l*. of that sum was appropriated in assisting the erection of 20 churches, from July 1821 to December 1824.

Have you any reason to believe that the grant made by the society towards the building of churches is ever a considerable larger proportion than one fifth of the amount actually expended?—I should say not, certainly.

By whom is the estimate furnished?—By the people themselves, through the missionary or the bishop.

Can you furnish the Committee with an exact account of the sums granted towards building churches in Canada in each of the last five years, specifying the amount granted in each case?—I could furnish that.

Could you also furnish an account of the estimated expense of building each church?—Not of each church, but I could of some.

If you can furnish the estimate in some instances, why cannot you in all?—Because we have it not returned to us; we make the grant upon the recommendation of the bishop.

Have the society any fixed principle in apportioning the sums they grant for the building of churches?—They vary according to the wants of the place; I should not say there is any fixed principle.

Can you say what is the amount they usually grant?—From 50% to 100% and they have granted as much as 200% in particular cases; but I know no instance in Canada in which they have granted 200%.

Has the whole of that sum been expended?—It has.

Are there returns of the expenditure?—There has been a return of this 2,000l.

Is there also a return of the sums alleged to be expended in individual cases?—Yes; in every case it is certified by the bishop; the bishop draws for the money.

Is any money granted towards building parsonage houses?—Not in Canada.

Can you state out of what funds they are built?—They are built in general by the subscriptions of the people.

Have the society had any income from the clergy reserves?—None at all; the society have nothing to do with them.

What portion of the grant of Parliament is applied towards the maintenance of the clergy in Canada?—£7,000 is voted, and a much larger sum than that is distributed; in Canada no separate accounts are kept, in reference to the several accounts; a separate account for each individual missionary is entered in the treasurer's book.

Could you state what proportion of it is applied to Canada?—No doubt the whole of the 7,000l. is, and much more.

Could you furnish the Committee with the annual returns of the expense of the society for the last five years?—Yes, it is published every year.

According to what rule do you decide the salary that shall be paid to each clergyman in Canada?—The average of the salaries is 200l. a year, there are very few instances in which they exceed or are below that.

In deciding whether the salaries shall amount to 200l. a year, or less, have you reference to the amount of the congregation?—No, it was considered that 200l. a year was the least sum that any clergyman could live upon with any degree of respectability.

The Committee have seen a report at the proceedings of the society, in which they observed several columns; one contained a specification of the salary paid to the clergyman, and there was also another column headed, "A Return of the Population of each Parish," that column was entirely blank; can you state whether the missionaries have been unable to furnish returns of the number of the Protestant population of their districts?—In some instances they have done it, but it is extremely difficult.

Does that profess to be the Protestant population generally, including all dissenters?—Yes.

In what way do you define the district in which each clergyman exercises his functions; is there any thing in the nature of a parochial division?—None in Canada; it has been considered as a great defect that such a division has not taken place, it has not been for want of representations on that subject; in Nova Scotia and in New Brunswick the country is divided into parishes.

Do you know whether they have any payments from fees?—They have surplice fees, but they are very moderate, their extent is not known; they may be considerable in the large towns, such as Kingston and York.

Do the subscriptions of the society increase or decrease?—Increase.

Have you difficulty in procuring English clergymen to serve in Canada at the salary you give?—I should say not; we have a great many applications at this moment before us; the only difficulty we have is in finding means to support them.

Of the money that you apply for the support of clergymen in Canada, do you think that the greater proportion comes from the Government grants, or from private subscription?—I should think that a large portion is from Government grants, because 15,500l. the grant from Government, exceeds the sum total of the other resources of the society, amounting to 11,000l. or 12,000l.

Does the bishop of Quebec in his communications with the society, or with the Ecclesiastical Board, state that if there was a greater opportunity of endowing churches, and pecuniary means of supplying clergymen, there does exist a demand in that country for clergymen of the Church of England?—No doubt, he has repeated it often, and Sir Peregrine Maitland has said the same thing in his communications with Government.

Does the bishop say so with regard to both Canadas?—He says it with reference to both.

Are the churches in Canada at present abundantly supplied with clergymen?—No, we have repeated applications for more clergymen, but we have not means to support them.

Are any of the churches without ministers?—A great many clergymen serve two or three churches.

Would it be possible to have an account of those?—Yes. May I be allowed to observe, that in the first instance I deprecated this examination, because I am assured that it is defective; measures have been preparing to give information of a very superior kind to the Committee, and that information is daily expected from the bishop of Quebec. With the permission of the Committee I will make an observation upon the subject of the clergy reserves, with respect both to the question of right and the question of expediency.

Do you know what is held by the clergy in this country upon the subject of the clergy reserves?—It has formed a subject of conversation very frequently, and they consider that the right of the clergy of the Church of England in the Canadas is exclusive.

Do you apply your arguments principally to the expediency of having religious instructions provided for in one way or another, rather than to the expediency of providing for them in the particular method pointed out in the Act of Parliament?—Yes.

Do you think the having an exclusive church would tend to promote peace and harmony among the population at large?—I should think so.

Even among the French Canadians? No, the circumstances of the case are totally different.

Are you aware that petitions, very numerous, signed, have been presented from both Canadas against an exclusive church; and that the House of Assembly of Upper Canada have by a very large majority passed resolutions to the same effect?—I do not think that is conclusive against the feeling of the people in favor of the church.

Mr. James Charles Grant, called in; and Examined.

Are you a native of Canada?—I am.

Have you come over to England for the purpose of representing the views of any class of persons in that country?—Yes, I have come to represent the claims of the Presbyterians.

Are you of the Church of Scotland?—Yes.

Are there in Upper Canada many persons denominated Presbyterians who differ from the Church of Scotland?—There are many who are not in communion with the Church of Scotland.

Can you state the number of each class?—No, it is impossible to give a correct statement of the number of different sects in the country, as no census has been taken.

Can you state which forms the largest class of the Presbyterians, those which are called Scotch Presbyterians, or the others?—I cannot state the comparative numbers; no means have been afforded to encourage clergymen of the Church of Scotland to settle in that country; I am only possessed of general information received from the different

parts of the country; but those who are considered as Scottish seceders in that province, would join in communion with the Church of Scotland if it was established there. In the opinion of most persons it is conceived to be established by law, but it has not been so viewed by the colonial Government.

Is there any class of Presbyterians in Upper Canada who have originated from the United States?—There is.

Do they form a third class, always assuming in the question that the Scotch Presbyterians are divided into seceders and others?—They are considered as a separate class.

Would they attend the same place of worship with the Scotch Presbyterians?—I cannot speak from my own knowledge; but from the information received from different parts of Upper Canada, I have reason to think that all who are attached to the Presbyterian form of worship would join the church of Scotland.

Do you know whether they differ in doctrine or in discipline?—Not in doctrine, I believe.

Have you brought over a petition from Upper Canada?—The petition which I brought over with me is, I presume, before the Committee; it is from Lower Canada, but it purports to be on behalf of both; this petition is signed by some persons in Upper Canada; another petition was to have been transmitted to me from Upper Canada, but I have not yet received it.

What do you represent on behalf of the petitioners?—The petition sets forth the claim of the Presbyterians to a portion of the revenue arising from the clergy reserves, which have been set apart for the support of the Protestant clergy in that country. The object of the petition is to obtain a permanent provision for the support of clergymen of the Church of Scotland.

What is the number of signatures to that petition?—Upwards of 4,000.

Are many of those in Upper Canada?—I cannot say what number or proportion of the petitioners reside in Upper Canada; there are many who reside in that Province.

Have you any general notion of what the numbers of the Protestant population of Lower Canada are?—I suppose the number in Lower Canada may amount to between 60,000 and 80,000.

Have you any notion what number of that population are members of the Church of England?—The only means I have of judging of the comparative numbers, is derived from the returns that have been made to some questions that were sent to different parts of the Protestant settlements, to respectable persons that were supposed to be competent to give information upon the subject. Much excitement and discussion arose in Canada last autumn, in consequence of the publication of an ecclesiastical chart and letter, purporting to give a statistical account of religious denominations in that province, which had been prepared by Dr. Strachan for the information of His Majesty's Government; a general feeling existed, that the distorted views and erroneous statements given in that chart, were calculated to make inaccurate impressions, and lead to the most erroneous inferences and conclusions on the subject. The mode above mentioned was adopted with the view of obtaining the most accurate information; I am in possession of the answers to those questions from some of the settlements both in Upper and Lower Canada, from which, I find that the number of Episcopalians vary in the different settlements, but they form but a small proportion of the Protestant inhabitants.

Have you any more accurate means of knowing what part of the Protestant population of Lower Canada the Presbyterians constitute?—No other mode of ascertaining it than that I have mentioned.

Have not the Scotch church in Scotland sent queries to the colonies, and got returns in answer to them?—Yes, returns have been obtained from some of the settlements only. It is necessary to observe that the Protestant part of the population in the townships is so dispersed over a vast extent of country, and the means of communication between the settlements so difficult, and in some cases interrupted and inaccessible, and the difficulty of finding persons, in the absence of clergymen in the different settlements, who would take the trouble of ascertaining the number of persons attached to the different forms of worship, that the information that has been derived is not so ample as might be expected.

Can you state the proportion of the Presbyterians to the members of the Church of England in Lower Canada?—I cannot say exactly, but I believe the Presbyterians are treble in number of the Episcopalians.

What is the proportion in Upper Canada?—It is very difficult to answer that question, but I imagine that there also those denominations will bear the same relative proportion.

Do you feel quite confident that neither in Upper nor in Lower Canada the members of the Church of England are equal in number to the Presbyterians?—That is my impression.

Are you aware that at present the clergy reserves have been very unproductive?—They have not been very productive hitherto.

Do you know what sum they have produced annually?—I believe not exceeding 500l. or 600l. or between that and 1,000l.

By whom are they managed at present?—By a corporation, consisting of the bishop and the benefited clergymen of Lower Canada.

Is that corporation composed exclusively of members of the Church of England?—It is.

Does the Presbyterian population of that province view with alarm the circumstance of the management of those clergy reserves being given to a body composed exclusively of members of the Church of England, and augur from that that there is an intention of finally giving the property of those reserves to the Church of England?—Undoubtedly; those lands were set apart for the support of a Protestant clergy; the Presbyterians belonging to one of the established churches of Great Britain always conceived that when those lands became productive they would participate in the revenue arising from such reserves; and the appearance of an advertisement, announcing the formation of this corporation, first excited their alarm, and induced them to look more narrowly into the situation of their religious establishments.

In what year was that?—In the year 1820. Not only among Presbyterians themselves, but I may say it was the generally received opinion in the country that they had a legal claim to a portion of those revenues.

Do the Presbyterians of Lower Canada conceive that the Church of England and themselves have the exclusive right to the property of those revenues, or would they admit other descriptions of Protestants to share in them?—They conceive that according to the language of the Act itself, those lands being set apart for the support of a Protestant clergy, none but the Church of England and the Church of Scotland could have been contemplated by the Act, as no other denomination of christians are recognised by law; at the same time I cannot say that there would be any objection on the part of the Presbyterians to a provision being made out of those funds for other Protestant ministers.

What might be the proportion of the other descriptions of Protestants, compared with the members of the Scotch Church and the Church of England?—I cannot say with respect to the eastern townships; but I suppose that in the city of Montreal they amount to about half the number of Presbyterians; from the other Protestant settlements in Lower Canada, from which answers have been received, there are but few.

Do you know the number of Presbyterian ministers in either of the two Canadas?—I can furnish the Committee with the names of the different clergymen; but that is not a proper criterion by which to judge of the number of Presbyterians; because in consequence of an ample provision having been made for the support of ministers of the Church of England, and the facilities employed by them as a religious establishment, the number of clergymen of the Church of England have multiplied in a greater ratio than their flocks, whereas the Presbyterians have had no means of providing for the support of their ministers; and as no Presbytery in Scotland will ordain a minister unless a sufficient and permanent stipend is provided for his support, numerous flocks attached to the latter church have continued to be, and are still, without pastors.

The Committee have been informed that there are two Presbyterian ministers in Montreal and one in Quebec; can you inform the Committee whether there are any others that

that are permanently established?—There are but two congregations in Montreal that are under the ministration of three clergymen in communion with the Church of Scotland; there is one under the ministration of a clergyman in communion with the presbytery of New York. In Quebec there is but one congregation, under the ministration of a clergyman in communion with the Church of Scotland; there is another in communion with a presbytery in some part of the United States.

Are there any other congregations in Lower Canada?—In various settlements the Presbyterians are numerous, and congregations would be formed if there were clergymen provided for them.

From what do you conclude that they would be formed?—From the desire the inhabitants have manifested, and the applications they have made for clergymen.

Are there other Presbyterian ministers of the Church of Scotland officiating though not with regularly formed congregations?—Yes, there are two in Montreal, who go to adjoining settlements, occasionally to perform service for the settlers in the immediate vicinity of the town.

Are there any others in Lower Canada?—In Lower Canada, not that I know of.

What is the number of Presbyterian ministers officiating who have not regular congregations?—I believe there are about five in Upper Canada who have congregations in communion with the Church of Scotland; and I suppose there would be 20 more congregations formed in that province if there were clergymen provided for the settlements where their services are required.

Can you specify those five?—There is one at Kingston, Mr. Machar; Mr. Urquhart, at Cornwall, Mr. Mackenzie at Williamstown, Mr. Council at Martin Town, and Mr. Sheed at Ancaster.

Can you state the number of congregations and also of officiating ministers in Upper Canada?—I cannot state from my own knowledge, but I can relate the information received from different parts of Upper Canada in answer to the queries that were transmitted. In the western district of Upper Canada there are about 8,000 inhabitants altogether, 3,500 of whom are Roman Catholics and 4,500 Protestants; one half of the Protestant population are supposed to prefer the Presbyterian form of worship. The district of Niagara is supposed to contain a population of about 20,000, three-fourths of whom are supposed to be Presbyterians, and attached to that form of worship; there are eight Presbyterian churches erected within that district, but no Scotch clergyman; the number of Episcopalians is very small. The salaries that are provided for the ministers vary from 50*l.* to 100*l.* The ministers who officiate in those churches are in connexion with American presbyteries, with the exception of one at Niagara, a Mr. Frazer, who is a Scotch seceder. In the district of Bathurst, the population amounts to about 12,000, they are chiefly from Scotland, and the majority of them are Presbyterians; there are three congregations under the ministration of clergymen of the Scotch secession that officiate within that district. This district has been settled within the last 12 years, and the inhabitants in general are too poor to contribute towards the support of clergymen.

Do the causes for the separation between the seceders and other Presbyterians and the Church of Scotland which exist in Scotland exist also in America?—Those causes do not exist in the Canadas; the clergymen of the Scotch secession in Upper Canada are formed into a presbytery, and at a late meeting they resolved that the causes of difference which have divided Presbyterians in Scotland are locally inapplicable in the colonies, and expressed their willingness to join the Church of Scotland. I am in possession of the resolutions, and will hand them into the Committee if it is desired.

Do you suppose that in case of the establishment of a Presbyterian clergy in Canada, those Presbyterians that have a connexion with the Presbyterians in the United States would be willing to join the Scotch Presbyterians?—Yes, from the information I have received, it appears that all, or the majority of them, would join.

Will you proceed to state the information you are in possession of with respect to other districts?—The Midland district contains about 30,000, one third of whom at least are supposed to be attached to the Presbyterian faith, and would join in the communion of the Church of Scotland, if they were supplied with ministers from Scotland.

Can you state how many there are of the Church of England in that district?—No, I cannot; we have more particular information from some of the townships in the eastern districts. We have received returns from seven out of twelve townships in the eastern district; there are three clergymen of the Church of Scotland residing within the district. The following is a census of four townships; the township of Charlottenburgh contains 2,104 Presbyterians, 75 Episcopalians and 1,652 Roman Catholics. Lancaster contains 902 Presbyterians, no Episcopalians, 1,019 Roman Catholics. Kenyon contains 597 Presbyterians, no Episcopalians, 490 Roman Catholics. Lochiel contains 1,152 Presbyterians, one Episcopalian, and 662 Roman Catholics.

Have you selected those townships out of the ten as affording the strongest instances of the extent of the Presbyterians?—No. I have no other motive than because the information received from those townships is more minute than from other parts; and it arises from this circumstance, that in these townships there are clergymen who have taken the trouble of getting information, and it is probable that the number of Presbyterians is greater there, or at least there are not so many dissenters, from the circumstance of there being established clergymen in that part of the country.

Have you in those four townships returns of the respective places of worship?—I do not at present remember; but I believe that service is performed at Lochiel, Williamstown and other places.

Are you aware whether there is any Episcopalian church in any of those four townships?—I am not aware of any.

Are there any dissenters in those townships?—No; in fact those townships are principally inhabited by Scotch; the townships of Cornwall and Roxburgh contain a total population of 2,918, and there are 1,128 Presbyterians.

Are any of the clergy reserves leased in those townships?—I cannot say whether there are; I presume, however, that some have been leased, inasmuch as those townships are well settled; and consequently it is probable that those lands have been taken up.

How are the funds provided by which those people build their churches and pay their ministers?—By voluntary contribution, and in most of the new settlements the people are poor, and have not the means of providing sufficiently for a clergyman.

Do you know what is the ordinary expense in the newly settled townships of building a wooden church capable of containing from 150 to 200 persons?—Between 100*l.* to 200*l.* I do not mean a permanent building, but one which would answer every purpose for a few years; a more substantial building would cost probably 500*l.*

Do they derive any assistance in building those churches from any other quarter?—None whatever.

Do you know the proportions of persons from different parts of the united empire which prevail among the emigrants that come in?—Emigration proceeds principally from Scotland and Ireland.

Have the General Assembly of Scotland never furnished any assistance towards the building of churches?—They have not furnished any; I presume they have none at their disposal.

You have stated that the salaries of the ministers are inadequate?—I have stated that in some of the townships first settled, and in which the inhabitants are more wealthy than those in the more recent settlements, the salaries that are paid to the clergymen vary from 50*l.* to 100*l.* a year, which is not considered sufficient for their support; and no presbytery of the Church of Scotland will ordain a minister for any parish unless there is a sufficient stipend provided.

What do they consider a sufficient stipend?—There is no fixed sum, but 150*l.* or 200*l.* a year would be an adequate provision.

How are the clergymen at Montreal paid?—By voluntary contribution.

What may be the amount of their income?—I doubt whether they receive more than 200*l.* each per annum, which is as much as their congregations can conveniently afford to pay, notwithstanding that most of the wealth of the country is concentrated in the towns.

Should you say that generally in a country circumstanced as Canada is, you conceive

that the religious wants of the country are better provided for by voluntary contributions, or by funds derived from setting aside a certain portion of the soil of the country for the support of the clergy?—The people in general are too poor to provide in a sufficient manner by voluntary contribution for the support of clergymen; in such a country, while in its infancy, they necessarily require assistance from some other source.

Do you think that under all circumstances it would be necessary to set aside a certain portion of the soil for the support of the religion in the Canadas?—I cannot say that it would be necessary to set aside a portion of the soil, but I think it would be proper that some provision should be made for the support of religion, in that or some other manner.

Do you think that there would be a sufficient provision from the reserves for the clergymen when civilization was in a more advanced state, as it is in some parts of Upper Canada?—Yes; although the lands that have been set apart for the maintenance of the clergy have not been hitherto very productive, if still retained for that purpose, those lands must eventually become very valuable, but in the mean time some provision ought to be afforded from other funds.

Are you aware that certain resolutions were passed in the Assembly of Upper Canada, asserting a right in the Assembly of controlling the funds arising from the clergy reserves, and also asserting that it would be expedient for the benefit of the colony to apply those funds not only to the support of religion, but also to that of education?—I am not aware that they asserted the right of controlling the revenue arising from those lands. I have understood that resolutions such as those last mentioned have been recently adopted in the Assembly of Upper Canada, but I have also a knowledge that in 1824, resolutions of a very different nature were adopted by that body, and a petition framed upon such resolutions was presented to His Majesty, both of which I have in my possession.

Did the Presbyterians of the Church of Scotland in the Assembly, concur in the second resolution which has been mentioned?—I cannot say; it is only from vague report that I have understood that resolutions of that tenor had been adopted by the Assembly in Upper Canada during the last session; but I can say that not only the Presbyterians, but all other denominations of Christians in that province adopted resolutions in favour of the claim of the Church of Scotland to those reserves in 1824, and I have the petition, predicated upon those resolutions, to lay before the Committee.

Is it the general opinion of the Presbyterian Church, that the management of those clergy reserves should be left to the Legislature of the province?—I cannot say what their opinion is in that respect; but I presume that the Provincial Legislature could not, nor can control the revenue arising from those lands, except under the restriction provided by the Act of the 31st Geo. 3, c. 31.

Are you not aware of a part of that Act which authorizes the Provincial Assembly to interfere?—It does to a certain extent, but I conceive that all enactments made by the Provincial Legislature upon that subject, would be subject to such restrictions, and could produce no effect until the same should have received His Majesty's assent, after having been previously laid before both Houses of Parliament in Great Britain. The House of Assembly of Upper Canada, in 1823 or 1824, adopted the resolutions I have already mentioned in favour of the Church of Scotland, those resolutions were sent up to the Legislative Council for their concurrence. But the Legislative Council having refused to adopt those resolutions, the Assembly of Upper Canada petitioned His Majesty on behalf of the Presbyterians; I hold a copy of that petition in my hand, and with the permission of the Committee I shall read it.

[The same was read as follows:]

“To the King's Most Excellent Majesty.

“Most Gracious Sovereign.

“WE your Majesty's dutiful and loyal subjects, the Commons of Upper Canada in Provincial Parliament assembled, most humbly beg leave to approach your Majesty, and to submit to your Majesty's most gracious consideration our earnest supplications in behalf of the clergy and members of the Established Church of Scotland, in this portion of your dominions. When the kingdoms of England and Scotland were (happily for both) united under the British Crown, the subjects of each were placed on a footing of reciprocity, they were to enjoy a full communication of every right, privilege, and advantage, and their respective churches were established as “true Protestant Churches,” within their particular limits; the clergy of both might therefore reasonably expect equally to participate in the benefits which might result from the union. Viewing the conquest of these provinces from the dominion of France, by the united exertions of Great Britain and Ireland as one great advantage resulting from the union, we humbly conceive that the Churches of England and Scotland had, after such conquest, equal rights as to the exercise and enjoyment of their respective religious privileges therein, and an equal claim to enjoy any advantages or support which might be derived from the newly acquired territory. By an Act passed in the thirty-first year of the reign of our late revered Sovereign, whose memory will long live in our hearts, an appropriation is authorized to be made of one seventh of the lands of the province for the support and maintenance of a Protestant Clergy in this Province; and under the general words, “A Protestant Clergy,” used in that Act, your Majesty's subjects in this province, who belong and are particularly attached to the Church of Scotland, fondly hoped that a provision had been made for the clergy of that church, as well as for those of the Church of England, and though the allotment of lands thus authorized has hitherto been in great measure unproductive, they felt a degree of confidence that it would eventually afford a fair support to the clergy of both Churches. The lands reserved under the said Act being claimed and enjoyed exclusively for the support and maintenance of the Clergy of the Church of England in this province, we humbly entreat your Majesty's consideration of the subject, and if in the legal construction of the said Act it is considered that no provision for the Clergy of the Church of Scotland was contemplated thereby, we would most respectfully and earnestly express to your Majesty our hope that your Majesty will be graciously pleased to extend to them your royal protection and consideration, by directing such provision to be made for their maintenance and support as to your Majesty may appear proper. That your Majesty may long reign in the confidence and affection of all your subjects, to guard and secure their rights in every portion of your widely extended dominions, is the prayer of your Majesty's faithful subjects the Commons of Upper Canada.

(signed) “Levius P. Sherwood,
Speaker.”

“Commons House of Assembly,
5th Jan. 1824.”

Do you know by what number that petition was voted in the House of Assembly?—In the Legislative Council there were six against, and five for the adoption of those resolutions.

Looking at the clergy reserves merely as a question of property, independently of appropriation, do you apprehend that they have been unproductively managed by the Clergy Corporation?—I conceive that those lands might have produced more, if a different course had been adopted in regard to them.

Are you not of opinion that their existence in their present form, without any reference to their appropriation, is prejudicial to the interests of the Provinces of Upper and Lower Canada?—It is conceived that they are prejudicial; but I believe that if longer leases were granted of those lands, and if the corporation or whatever person or persons who is or are to have the management of them, were compelled to perform the labour that is required to be performed by the persons holding lands contiguous to those of other persons (the expense of which might be defrayed out of the proceeds of the sale of a portion to raise a fund for that purpose), those reserves would not produce the injury they do at present.

Are you not of opinion, that if part of those reserves were sold, and their proceeds applied

plied for the making of roads, and for the prevention of those inconveniences which result from their being left waste, that the remainder would be infinitely more valuable than the whole are under their present circumstances?—I cannot say, whether that would be the case or not, because they are so dispersed and scattered; if those lands were set apart in a block or any particular section of the country, and a portion of that section was sold, and the money applied to the improvement of the remainder, it would enhance their value; but the reserves are scattered through the different settlements.

Are you not of opinion that the sale of those scattered lots which are mixed up with that part of the country which is now settled, would be desirable, leaving the proceeds to be disposed of in such manner as might be determined upon?—I think so, though I do not conceive the present to be a favourable time to dispose of them.

If it be deemed expedient to have a provision in land for the support of any clergy, do you think that provision might more advantageously be given in large blocks, than it would be by scattering them in that manner throughout the country?—The setting apart of such lands would not be so injurious to the settlement of the country generally, as the manner in which they are scattered over the country at present; but I cannot say that such provision would be more advantageous for those for whose benefit it is proposed to be made, than that which already exists.

Are you aware that a bill was brought into the House of Commons in the year 1826, authorizing the sale of 120,000 acres per annum, of those reserves, and that the sale was left to the discretion of the Governor in Council?—Yes.

Do you consider that advantage will accrue to the Canadas from that system being acted upon?—I think that it would be advantageous to the colonies.

Is it your opinion that the establishment of a prevailing and exclusive church of the doctrine and discipline of the Church of England, in both provinces of Canada, would contribute to the prosperity and happiness of those colonies?—I do not; the people in general are attached to the Presbyterian and other forms.

When you say that the people in general are attached to the Presbyterian form, is it your opinion that it would be desirable to give that church any exclusive privilege?—My opinion is, that no church in the country ought to be dominant, or possess political or other powers which might be prejudicial to other religious denominations; but I think that the national churches ought to receive some provision for the support of their clergy; particularly while those colonies are in their infancy.

Does any proportion of the Presbyterian population attend the ministers of the Church of England?—In the cities of Quebec and Montreal some persons brought up to the Scotch church joined that of England, at times when those cities were not provided with pastors, and having married and had their children christened in that church some may have since adhered to it, while other persons may have conformed to that church from interest. In Lower Canada, (particularly among the Protestant part of the population), as well as in the Upper Province, the Church of England has been made the avenue to office; and it is also probable that some may attend service in the Church of England in those parts of the country where there are no ministers except of the Church of England.

Of the other sects which should you say, from your knowledge of the country, is the most predominant?—The Methodists and Baptists in Upper Canada.

Do you mean the Wesleyan Methodists?—The Methodists generally; I cannot say that the Wesleyans are more numerous than the other.

The Committee understand that you are a lawyer?—I am.

Do you reside at Montreal?—I do.

Has your business lain much among the English townships?—A good deal.

Have you long had opportunities of observing the working of the present system of laws in the province of Lower Canada?—The last 14 or 15 years I have.

Should you say that, generally, the great mass of the population was satisfied with that system of laws?—They are with the system generally.

Does that observation apply to the population of the townships, as well as to what has been called the French population of Lower Canada?—The complaints that I have heard from the inhabitants of the townships did not refer to the general system of laws; those persons complain more of the present system by which those laws are administered, the remoteness of their situation, and the great difficulty of access to the courts of justice, and other circumstances.

Do you conceive that it would be necessary, in any alterations that are made by the Parliament of this country in the state of the laws of Lower Canada, to proceed with the greatest caution?—I do, and should be sorry to see the system of laws changed I do not think that a general change could be effected without materially injuring the rights of subjects in that country.

Do you extend that observation to the townships, as well as to the seigneuries?—I do; the principal objections I have heard from persons in the townships related to the tenure, but that question has been set at rest by the Canada Tenures Act. The inadequacy of the road laws in respect to the townships, and the want of offices for the registration of all mortgages and *hypothèques* on real estate, have also been the subject of frequent complaints on the part of the inhabitants of the townships.

What should you say generally was the system of laws in force in the English townships?—The English laws are in effect with respect to the title of landed estates, but I believe that the laws of Canada generally have governed that portion as well as the other parts of the province.

Do you consider that the Declaratory Act merely referred to the tenure of landed property?—I am not prepared to give an answer to this question at the present moment, but all doubts respecting the laws governing real property are removed by the Tenures Act.

Do you consider that advantage or disadvantage has resulted from that Declaratory Act in the townships?—I cannot say that any disadvantage has resulted from it; I believe that the people who reside in that part of the country are satisfied.

Do you distinguish the law of tenure from the law of descent?—Yes; the English laws of descent, as affecting those lands, may and ought to be altered.

Therefore, though the tenure may be regulated by the free and common socage law, the descent may not be according to the law of primogeniture?—Under the present law those lands must descend according to the laws of England.

Would the people be satisfied with that?—I cannot say with respect to that; I think they would not.

Is it your opinion that the English population in the townships, who you say prefer the tenure of free and common socage to the French tenure, would prefer to have the descent of land according to the French, or according to the English system?—In my opinion not according to the English system; I think they would be adverse to the law of primogeniture, but they would prefer the descent according to the laws of Canada, by which children inherit equally.

Do you think they would prefer the English law of conveyancing to the laws with regard to mutations of property under the French system?—There are few notaries resident in that part of the country. In Lower Canada lands are conveyed by an instrument executed before notaries; but I am of opinion that the lands held in free and common socage might be conveyed with equal facility in the townships as they are conveyed in Upper Canada, by a deed of bargain and sale, if provision was made for the enregistration of deeds, as in the latter province.

Do not the inhabitants of the townships object to that part of the French law which affects real property and mortgages?—They do object to those laws which create mortgages and liens upon real property. The Canadian system of law is an excellent one, but like all other systems, it has its defects.

Do not they also object to the law affecting personal property?—I have not heard objections made to those laws that I remember.

What is the law of descent in Upper Canada?—I believe there has been a provincial Act varying the law of England in that respect, but of this I am not certain; I know that a bill for that purpose was introduced, and passed the Assembly twice or thrice, but I am not certain whether it became a law or not.

Supposing that the Canada Tenures Act was found to produce injury to persons who had received deeds or transfers under the French forms prior to the Declaratory Act, might not any inconvenience from such *bona fide* transactions, in your opinion, be removed by a bill giving validity to deeds passed under the French forms prior to that Declaratory Act?—Undoubtedly.

Would not you think it convenient that such transfers should be registered within a limited time for the purpose of giving them validity?—Not for purpose of giving validity to such deeds.

Are not register offices much wanted in the townships?—They are.

Do you think that the scattered state of the population in the townships presents any greater obstacle to the establishment of register offices than in Upper Canada, or in any other newly settled country?—I think not.

Have you in your possession any representations which have been made by the townships complaining of grievances which they consider themselves as sustaining?—I have not; I am aware that they have petitioned the Provincial Legislature frequently.

In your opinion, does the difficulty of borrowing money upon landed security in the townships of Lower Canada arise from the general scarcity of money, or from a defect in the law as to giving security for money so borrowed?—There is not much capital in Canada, but I believe that it is owing to a defect of the law that money cannot be borrowed upon landed security in any part of Lower Canada; capital could be procured both from England and from the United States if the repayment of it could be secured upon landed estate.

Would not the registration of mortgages cure that evil to a certain extent?—That would be undoubtedly the effect.

Is there any difficulty in making out deeds with respect to land in the townships according to the English law?—I am not aware of any difficulty; but the deed would, of necessity, be longer than under the French form, or by bargain and sale, as in Upper Canada.

You said that the mode of conveyancing in Upper Canada is by bargain and sale?—Yes.

The Committee have been informed that the form of conveyance in Lower Canada is by lease and release; is that the fact?—I have executed deeds myself in that form, but it is not so convenient.

Why should they have adopted that form rather than the form of bargain and sale?—Because doubts were entertained by some as to the legality of deeds by bargain and sale executed in Lower Canada; the transfer of property in the townships has frequently passed without any regular form, or by an instrument drawn by the parties themselves.

Do you see any reason why it should not be by bargain and sale?—No other than that no provision is made in Lower Canada for the enrolment of such deeds.

Do you consider that the statute of Henry the Eighth, making it necessary to enrol a bargain and sale, applies to Canada?—Doubts were entertained upon the subject in the colony till the passing of the Canada Tenures Act; anterior to that event it was my practice, whenever consulted respecting the conveyance of lands situated in the townships, to advise the execution of the transfer both according to the French and according to the English form.

Do you know the nature of the law relating to a *décrot volontaire*?—Yes.

Do you consider it as affording a practical substitute for the system of registration?—No; the provincial statute, passed to facilitate sheriffs sales, interposed greater obstacles to bringing property to sale than the pre-existing laws; but the statute for the *décrot volontaire* has lately expired.

Can you describe the distinction that subsists between the French tenure of *franc alevu* and the English free and common socage?—There is little difference between the *franc alevu roturier* and the English free and common socage; in fact, I see none, except with respect to the law of descent. With regard to the *franc alevu noble*, the laws of inheritance are also different from the laws of England; the eldest son would be entitled to an additional proportion above the other children.

Then the law of descent is different in both cases from the English law?—Yes.

Are there rates levied in Lower Canada, and applied to local purposes, of the same character as county rates in this country?—No.

In point of fact then, it is the proceeds of the duties of customs that are applied to local purposes in Lower Canada?—Hitherto that has been the case.

When sheriffs are appointed in Lower Canada is security taken?—I have always understood that security was taken, and I believe the quantum was settled by the judges generally.

It has been stated to the Committee, that in consequence of the difficulty of knowing whether real property was charged with mortgage or not, resort has been had to sheriff's sales as the best means of establishing a good title, is that so?—It is so.

Would the system of registration render that to a great degree unnecessary?—Altogether unnecessary.

Do you entertain an opinion highly favourable to the system of registration?—I do; it would prevent a great many frauds, and would have the effect of introducing capital into the country.

Do you consider that the salaries of the judges and other public officers in Lower Canada, taking into consideration the means of living there, are too high?—With respect to the judges, I think, by no means; I am not aware of any office to which a salary is attached that is disproportionate; there may be some, but I am not aware of any. The duties of the judges are very arduous, and it is not to be expected that any gentleman in the profession, who is properly qualified, would accept the office of the judge if the salary was reduced below the present amount.

Supposing the consequence of the Declaratory Act being enforced to be, to alter the law of descent as a necessary consequence, should you conceive that to be a beneficial arrangement with regard to property in Lower Canada?—I do not think so.

Are you of opinion that it would be practicable, according to the present geographical divisions between the two provinces, to establish a system of customs in Upper Canada, so as to allow Upper Canada to raise a revenue upon goods imported, independently of the province of Lower Canada, in which the port is situated?—In my opinion it would be difficult to establish it in such a way as to prevent smuggling to a considerable extent.

Have you turned your attention very much to these subjects?—I have not; but I know that the communication by the St. Lawrence, and more certainly by the Ottawa, would afford facilities for smuggling.

Do you imagine that to be the general opinion?—I cannot say that I have heard any opinions expressed upon the subject.

Are you of opinion that the proposition of a legislative union would be likely to do away with many practical difficulties arising in consequence of the separate interests of the two provinces?—I cannot say; it is conceived by many, that it would have the effect of removing difficulties in the collection of the revenue.

What do you conceive to be the general feeling upon the subject?—I think the general feeling would be against the measure, certainly the majority of the people in Lower Canada would be against it.

What would be the feeling with respect to a sort of congress of the two provinces, in order to direct those concerns that are common to both provinces, leaving the Legislatures of both provinces to act in those matters in which they are each distinctly interested?—Probably there would be less objection to that; but I cannot say what would be the feeling in Upper Canada, respecting the first proposition; upon a former occasion, the opinion they expressed was, that they would be perfectly satisfied with whatever might be done upon that subject by the Imperial Legislature.

What is your opinion as to the law of descent of property from father to son; do you think it the best system that the land should be divided among all the children?—Undoubtedly that is the general feeling, not only in all the British colonies, but in every part of America.

Do you think that it should be made compulsory, and that the father should be prevented from leaving the land as he pleases?—No, that would be impolitic indeed.

Then you would wish to provide, that if a person died intestate his lands should be divided

vided equally among all his children?—There is a contrariety of opinion upon the policy of the law in that respect; but for myself I think it would be more equitable that it should be so, particularly if the parent possessed the power of leaving his property to whomever he thought proper; he would take the precautions which prudence would suggest if he was desirous of transmitting the whole or any part of his estate to any one or more of his own children in particular, or even to a stranger; the inhabitants of those townships have all some education, and they generally dispose of their property by will.

In making their will do they usually divide it equally amongst all the children?—It is difficult to answer that, but, I believe that, generally speaking, they do.

In the United States, you are aware that the power of devising by will is unrestricted, but that if a proprietor dies intestate his property is divided equally among his children; do you conceive that to be the best form of law of descent for a country situated like that?—I do.

In stating that you think that is the best system, do you apply that opinion only to countries situated as Canada is, or do you think it would apply equally to countries fully peopled?—Not equally so.

Do you think it has any tendency to lead to inconvenient subdivisions of property?—I think it has a tendency to lead to a more equal and just division of property, and preferable on that account to a system which would vest large tracts of lands in the hands of a few.

Does not inconvenience result from the small portions in which the land is subdivided in the seigneuries?—Inconveniences have resulted from it certainly.

Are they frequent?—I cannot say that they are.

What instances have come to your knowledge of an inconvenient subdivision, and what gives rise to such subdivisions?—I cannot charge my memory at present with any instance; it depends upon how the property is acquired; if acquired by persons between whom a community of property subsisted after the death of one of the parents, the children are entitled to their proportion out of the estate, and call upon the surviving parent for their proportion, and in that case the land is divided between the children and the surviving parent; in the division also of real property, among co-heirs, inconvenience may possibly be sometimes experienced, but not of a description to render any interference on the part of the Imperial Legislature necessary.

What is the practice that prevails in Canada with respect to the division of the land; is it usually sold and the proceeds divided; or is it the practice actually to divide the land?—It is sometimes actually divided, where it can be done without inconvenience.

Is that the most frequent course?—It is frequently divided.

In that case, what happens as to the buildings upon the land?—They are estimated by persons appointed for that purpose, and after the land is divided into certain portions, they draw lots, and the one to whose share the property with the buildings upon it falls, upon an estimate being made of the value of the buildings, is bound to give a proportion to each of the other co-heirs.

Is there not reason, from that statement, to think that the buildings upon a given estate which may be appropriate for one generation become inappropriate for the next generation, and that a new set of buildings must be erected upon a smaller scale, and of a different character?—In Lower Canada property is generally disposed of by parents before death by a deed of gift; industrious persons generally acquire the means of purchasing more farms than one, and the common practice among the French Canadians is this: when a son attains the age of majority, the parents give him a farm to cultivate for himself, and the paternal farm is generally disposed of by gift to the last child.

When the country becomes more fully peopled, must not the inconvenience be more felt?—It must.

Does not that law work throughout the United States, without any inconvenience resulting from subdivision?—I believe it does.

Then are not those ill consequences, when they occur in Canada, very much to be ascribed to the peculiar habits of the Canadian people?—Yes; and they occur more frequently among those who are only possessed of one farm or estate.

You have mentioned several amendments which you think it would be desirable to introduce in the laws of Canada; do you think those amendments are likely to be carried into effect if the province is left to itself?—It is very difficult to answer that question; those amendments may be carried into effect by the local Legislature.

Do you think it would be advisable for the Imperial Parliament to interfere in those respects, under the impression that the province will not of itself make those arrangements?—With respect to the administration of justice, I doubt whether a change will be effected by the Colonial Legislature, from the contrariety of opinions which prevail respecting a system to be adopted calculated to provide a remedy to the existing evils; but I am of opinion that it is not desirable that any change in the laws should be effected by the Imperial Legislature.

Have not there been bills brought in for the better administration of justice?—There have been bills introduced to effect a change, and a disposition has been manifested, as well by the House of Assembly as by the Legislative Council, to amend the present system; but I do not think that those bodies as at present constituted are likely to agree upon any system, although I believe that both are sincere in their endeavours to effect the change.

Is the difficulty to be attributed merely to the differences between the two parties?—No, I do not think so.

Supposing a person who has been married in this country settles and dies in Canada, leaving property acquired in Canada, would his property be distributed according to the law of Canada or according to the law of England?—I suppose the object of the question is to know whether property so acquired would fall within the *communauté de bien* in Canada; I think it would not: the *communauté de bien* is regulated by the law of the country where the marriage takes place; but I am of opinion that in the case of a person domiciled in Canada who came to England or the United States, and married with an intention of returning to Canada to resume his domicile, the *communauté de bien* would exist.

That is always supposing that there is no marriage contract?—Of course, it is in the power of the parties themselves, by a contract, to make the law to regulate their marriage rights; according to the law of Canada the parties may make any stipulation in their marriage contract which is not against good morals.

Supposing a person purchases an estate in Canada, is the estate subject to dower or not; the conveyance being according to the form of the law of England?—I think that all property in Canada would be subject to dower.

Do you ever bar dower?—No; but the parties before marriage may by their marriage contract exclude dower altogether. If the laws of England establish and regulate dower within the townships where lands are held in free and common socage, an Act of Parliament would be required, with similar enactments to the one in force in Upper Canada, to bar dower.

How is it done there?—I am not conversant with the provisions of that Act.

The question supposes that there is no marriage settlement, and that the person purchases land after the marriage, would that be subject to dower?—Land so acquired would not be subject to dower under the laws of Lower Canada; if situated within the townships, and that the laws of England have been introduced there, such land, I presume, would be subject to dower, as established by the laws of England.

The Committee are informed that settlers from England who are desirous of settling in America are unwilling to acquire property in Lower Canada, from the aversion they have to the tenure of land in that province; do you know whether that is the fact?—I have known some instances of persons being averse to settle in the country; I cannot say that their aversion arose so much from the tenure, as the danger and uncertainty of the existence of mortgages and incumbrances upon property.

If an Act were passed making it necessary to register all sales and mortgages of land, would not that in a great measure remove that objection?—As I said before, I think it would, have the effect of introducing capital into the country, which is very much wanted.

Do you think that there is any thing that can be done by the Imperial Parliament that would remove any of the difficulties you have mentioned?—If the question refers to the difficulties resulting from the want of register offices, my answer is, that with respect to

the seigneuries, it would be difficult to frame a bill for the regulation of register offices; the subject would require much consideration, and it ought to be framed by persons well versed in the law of the country. In regard to the townships, a bill might be framed upon the same principle as the law in force in Upper Canada for the eregistrement of deeds, &c.

Do you think there is any wish on the part of the townships that any such interference should take place?—I think there is a wish on the part of what we term the English part of the population, that register offices should be established; whether by the Imperial Parliament or by the Provincial Parliament is a question not very important.

Is there a disposition or an indisposition on the part of the inhabitants of the townships of Lower Canada towards the introduction of the English law?—There may be persons among them anxious for the introduction of the English law, but that of inheritance, as it exists here, with the right of primogeniture, they would all be adverse to; in fact, some persons in the townships may have prejudices in favour of the laws they have been accustomed to.

Would they desire that real property should not be subject to simple contract debts?—I do not think they would wish that.

Supposing that the law of primogeniture attached to all the lands in free and common socage, would not the people in the townships be perfectly satisfied, provided they had the power to leave it to whom they would by will, so that the law should not take effect except in case of intestacy?—I cannot say; they have already the power of disposing of their property by will.

Do you think it would be desirable to establish any system of limited entail?—It might; I understand that is the case in the United States.

What power is there of entailing property in the United States?—I believe, to the second generation.

Have you ever heard persons in Canada express a wish that such a power existed there?—No; they possess the power of entailing in Lower Canada.

Is it common to do so?—It is not uncommon; we have a species of entail by substitution.

Will you describe its operation?—The testator may leave his property by will to any person, and substitute to such person his children, or any other person.

Are there many such entails?—Substitutions of property are frequently made by will.

Has that the effect of taking a considerable proportion of the real property of the country out of commerce?—It is not acted upon generally by the people in the country.

You were understood to state just now that such practice is frequent?—It is frequent among those who make wills; the French Canadian population in general do not do so.

Do they generally make marriage contracts?—Yes, there is generally a marriage contract.

If the laws affecting the land held in free and common socage were assimilated to the English system, would it, in your opinion, be desirable to have that law administered in separate courts?—Yes.

Would there be any difficulty in establishing a court, in which all cases might be tried relative to the land held in the townships, or elsewhere, under the tenure of free and common socage?—There would be no difficulty in establishing a tribunal within the townships.

Would it be desirable in your opinion?—I do not conceive, that for the purpose of administering the laws relating only to the tenure, it would be necessary. If the laws of England generally are introduced, regulating all matters in that part of the country, it would be necessary to have a separate tribunal.

Are not the laws of England enforced throughout in the townships?—I cannot say that they are.

In what respect do the French laws prevail in the townships?—The French laws have generally been administered for the townships.

Has any case arisen since the Declaratory Act, where there has been a descent in consequence of intestacy?—No, nor am I aware of any judicial decision by which a division of property was had anterior to the passing of that law in the townships; there was always a doubt whether the laws of England or the laws of France ought to prevail in that part of the country.

Is the Executive Council as a court of appeals, a satisfactory judicature to the country?—It is not.

In what respect is it unsatisfactory?—In the first place the members are not professional men, with a few exceptions. The chief justice of Quebec presides in that court upon appeals instituted from decisions in the Court of Montreal, and the chief justice of Montreal presides over those from the district of Quebec.

What are the objections you have to that arrangement; is not that better than if each chief justice should sit as a court of appeal upon the cases from his own court?—It approximates very much to that, for although they do not preside in the very court in which the causes, (the decisions in which they are called upon to revise,) were instituted, they preside in one of a corresponding jurisdiction. The members of the Council generally are not professional men. A tribunal so constituted is not calculated to establish a uniform settled jurisdiction.

Is there a considerable arrear of business in that court?—Not in the Court of Appeals believe.

Is there in the other courts?—Yes that arises from a defect of the system of administering justice; the manner in which the evidence is taken, which is in writing, is very tedious, except in commercial cases.

Is the witness examined in court, or by commission?—Two of the judges preside on the bench, and the witness is taken aside to a small table and examined by the advocates interested on each side.

Then there is no decision given when the evidence is produced?—No, unless objection is taken to the relevancy of any question that is put.

If there were to be a jury introduced in such cases, would not that in some degree shorten the process?—It would shorten it.

Would it diminish the expense?—That would depend in a great measure upon the distance from which the witnesses were brought, because the expense of a jury trial is greater than that of a case conducted before the court.

Arising from what circumstance?—The summoning of jurors; the costs incurred upon that in issuing the venire, juror's fee, and other incidental expenses.

What remedy would you recommend for the purpose of diminishing the expense, and getting rid of the delays that you have described?—I think that circuit courts would have the effect of remedying the defect.

Would you conduct the examination of witnesses in the circuit courts in the same way that it is conducted in the courts at Montreal and Quebec?—I think that commissioners might be appointed to take the evidence as practised formerly in France.

Why might it not be done *visà voce*?—That might answer, but in cases relating to real estate, I do not think it would be an advantage that they should be decided by a jury; in ordinary transactions, I think it would.

Are the pleadings of counsel in writing, or *visà voce*?—The arguments are *visà voce*.

There are no written arguments?—No.

Jouis, 19^e die Junii, 1828.

Mr. James Charles Grant again called in; and Examined:

ARE you at all acquainted with the Eastern Townships of the Lower Province?—I have not travelled through those townships, but I have a good deal of business with the people in that part of the country.

Are

Are you acquainted with the complaints which the inhabitants of the townships make against the order of things existing in Canada?—They have complained, I believe, of the system of administration of justice, the inadequacy of the laws respecting roads as affecting the townships, and their having no representation in the Provincial Legislature.

Is there a prevailing feeling that the French Canadians wish rather to discourage the settling of persons of English origin in the townships?—That such a general feeling exists may be inferred from the addresses presented by the inhabitants of the townships to the Earl of Dalhousie, as well as from their petition.

Do you think that there is any foundation for such a feeling; do you think in point of fact that the inhabitants of Lower Canada of French extraction do wish to discourage the settlement of persons of English origin in the Lower Province, and the growth of English institutions?—I cannot say what is the feeling of people in general; I have heard some French Canadians express themselves in a way that induced me to think that they looked upon emigrants rather as foreigners and intruders, but I cannot say that that is the general feeling.

Do you see any thing in the conduct of the Assembly, or of persons in authority there, that leads you to think that they are desirous of removing the obstructions which at present have a tendency to prevent the settlement of English in the Lower Province?—I confess that I have not attended to public matters, nor watched the proceedings in the Legislature; persons who are not in the Legislature have little opportunity of judging of the motives which actuate members of the Legislature. The debates are never published.

Do not the wishes of the English part of the population of Lower Canada form subjects of general public attention in Lower Canada?—The English part of the population in general conceive, and very justly, that they are not represented in the Legislature; I mean that the eastern townships are not represented. The British part of the population in the seigneuries are so scattered and dispersed that they have it not in their power to return a single member, inasmuch as they do not constitute the majority of the people in any one county, unless it be Gaspé.

Are you aware of the attempts that have been made in the House of Assembly to alter the state of the representation, so as to admit representatives from the townships?—I am aware that a bill was introduced for that purpose, but I am ignorant of its provisions.

Are you aware that it passed the House of Assembly, and that it was rejected by the Legislative Council?—I have understood so, but I do not know upon what principle it was intended to increase the representation.

Are you aware that complaints have been made of the constitution of the Legislative Council?—Yes, I am aware that such complaints have been made.

What have you understood to be the nature of those complaints?—I have understood that the complainants have stated, that the judges ought to be excluded, as being totally dependent upon the Crown; but I am aware also that a message, was sent down to the House of Assembly, by which the Government offered to render the judges independent of the Crown, if the Assembly would make a permanent provision for their support.

Are you aware that the House of Assembly offered to provide permanently for them, if they were made independent of the Crown?—In consequence of the message I have mentioned a bill was introduced for the purpose of making permanent provision for them, but I understood that clauses were introduced in the bill that were thought objectionable, as tending to lower the judges in the public estimation.

Have you heard also as a matter of complaint against the constitution of the Legislative Council, that besides the judges there are too many persons in that council dependent upon the Crown, and in the employment of Government?—I have heard such complaints.

What proportion does the Canadian part of the population bear to the whole population of Lower Canada?—I suppose about five-sixths.

Then on the part of five-sixths of the population those complaints exist?—I do not know whether that is exactly the case; there is but little public opinion in Lower Canada, the majority of the population pay little attention to public matters.

Should you think it desirable that such a change should be made in the constitution of the Legislative Council, as should limit the number of persons who should sit in the Council in pay and employment of Government?—That is a question I am not prepared to answer; there are not materials in that country for forming an aristocratic body, without introducing some persons holding official situations.

Are not there persons living upon their own resources, and possessing independent incomes?—There are, and some of those are members of the Council already.

Are the members of the House of Assembly in Lower Canada paid for their attendance?—No.

Are not they persons living upon their own means?—Yes; but the law has required no qualification of fortune for members of the Assembly, which is considered to be a great defect.

If there are materials for forming a body of 50 persons in the House of Assembly of persons living independently upon their own means; from what do you infer that there would be an impossibility in appointing a Legislative Council, composed of the same description of persons?—There would be no difficulty if the Council were to be composed of the same description of persons, but many of the members of the Assembly are not possessed of any fixed revenue; they are persons engaged in different occupations of life.

Supposing that the majority of the Legislative Council consisted of persons entirely independent of the Government, having an independent property in the country, and who might be disposed therefore to sympathize in a great measure with the representatives of the people in the Assembly; what would be the effect of such a change?—The fact is, that the Government in that country have little or no influence; as it is they cannot return a member in the Assembly; and if all public officers were to be excluded from the Council, I conceive that it would be, in fact, establishing a species of republic. At the same time, it was a matter of surprize and regret, with all those who were competent to judge upon the subject, that the House of Assembly did not avail themselves of the opportunity of rendering the judges independent of the Crown upon any terms.

Have you any doubt, that if there was a Legislative Council appointed of independent landholders resident in Canada, that that Legislative Council would generally concur with their brethren of the Representative Assembly?—It is very difficult to answer that question; but I am inclined to think that they would be more likely to concur with them than otherwise.

Constituted as they are at present, do they not differ with the House of Assembly in general?—They do differ as they are now constituted.

Do you think it desirable that two such Assemblies should necessarily, by their constitution, be brought into a state of perpetual collision?—I do not think it is desirable that that should be the case; but I do not know whether any improvement to be introduced should consist in altering the Legislative Council alone.

What remedies would you propose?—I would suggest, as one, the increasing the representation of the country.

Do you consider that the House of Assembly has, whether right or wrong, uniformly represented the opinions and feelings of the great mass of the population in Lower Canada? I cannot say whether they have represented the feelings of the population in general or not, they are elected by the greater proportion of the inhabitants; but the mass of the population are uneducated, and take but little interest in public matters; they are not competent to judge, or to know what takes place in the Legislature till they are informed by the members themselves, or by their friends in the country.

If the inhabitants in general take little interest in public matters, how do you explain the fact that upon each successive dissolution the Government has been gradually losing a portion of its influence in the House of Assembly?—The country people in general are uneducated, and easily led by persons in whom they have confidence, and upon each successive dissolution they may have been excited by representations to take steps to secure their religion, and preserve themselves from taxation and other evils; and to my personal knowledge those means have frequently been resorted to, for the purpose of securing the election of certain candidates, and the rejection of others.

Does not that show that they really do take a very lively interest in public matters?—It

shows that they take an interest when any alarm is excited among them respecting their laws, institutions or religion.

Do you mean that the population confide the whole of their interests to the Legislative Assembly, and take very little concern about them afterwards?—They do.

How would that inconvenience be remedied by extending the representative body?—I mean that if any change is effected in the constitution, it would be fair and right to give a representation to that part of the community that are not represented at all.

Do you mean the English part of the population?—Those within the townships, for the other part of the English population are nominally represented, although they are not represented by members of their choice, because they are always out-voted.

Has there been any complaint made respecting the administration of justice, in consequence of the judges being part of the Legislative Council?—I have not heard any complaints about the impartiality of the administration of justice; but it is conceived, that so long as the judges are totally dependent on the Crown, the same independence and integrity in the administration of justice is not secured which ought to exist.

You say that the Canadians are uneducated; are there any complaints of want of education?—There are.

What is the nature of the complaints?—I have heard complaints made that the funds which were appropriated for the purpose of education have not been applied for that purpose; that is, the revenues arising from the Jesuits estates; and that the public schools in the country have been placed under the superintendence of a corporation for the advancement of learning, which is composed of the Protestant bishop and the English clergy, and members of the Episcopalian Church principally; however in the year 1827 there was a project in contemplation by the Government, with the co-operation of the Roman Catholic bishop, to constitute a separate committee for the support of schools for the education of the Roman Catholic part of the community.

If you were asked what class of persons you would exclude from the Legislative Council in order to render it more independent, what class of persons would you fix upon?—I do not think the same cause would exist for excluding the judges if they were rendered independent of the Crown that exists at present.

Is there any particular class of officers that are dependent upon the Crown that you would exclude in preference to others?—I see none but the judges particularly, should they continue to hold their offices only by the same tenure that they do at present.

Would you think it desirable that a large majority of the Legislative Council should be persons absolutely dependent for their pay and employment upon the Government?—Certainly not.

Are you not aware that that is the case at present?—There are some who are dependent on the Crown, there are others who receive small salaries, whom I do not conceive to be totally dependent upon the Government; and some of the independent landholders, who are members of the Council, seldom or never attend to perform their legislative duties.

Supposing it were referred to you to decide what Legislative Council should be established in Canada for the purpose of being a check both upon the Governor on the one hand, and the Representative Assembly on the other; have you ever considered what kind of a Legislative Council you would think best?—I have not considered the subject, but I think it would be fair that some of the principal landholders of the country should be introduced into that body, at the same time I do not think it would be proper that it should consist exclusively of them.

The Rev. John Lee, D. D. called in; and Examined.

YOU are one of the Ministers of Edinburgh?—I am.

Have any communications taken place between yourself and the Government respecting the state of the Presbyterian clergy in the two Provinces of Canada?—As convenor of a committee of the General Assembly, I was instructed to apply to Government in the form of a memorial, soliciting aid towards the support of the Presbyterian ministers in communion with the Church of Scotland resident in Upper and Lower Canada.

When was that application made?—The application was made about 12 months ago, about the beginning of June last year.

Have the goodness to describe the nature of the application?—I will deliver in a copy of the memorial which was presented to the Colonial Office.

[The witness delivered in the same, which was read as follows.]

"To the Right Honourable His Majesty's Principal Secretary of State for Colonial Affairs.

"The Memorial of a Committee of the General Assembly of the Church of Scotland,

"Humbly sheweth,

"That your Memorialists have been appointed by the last General Assembly to inquire into the condition of the Presbyterian clergy and people in the British provinces in North America, and have been instructed to support, by all proper means, the applications made to Government for their relief, and particularly to embrace every favourable opportunity for promoting the object of the overtures transmitted from various Synods of this National Church, recommending to the General Assembly to use their best endeavours for obtaining suitable maintenance for regularly ordained Presbyterian ministers in the British American Colonies, and assistance towards the creation and endowment of places of worship for the accommodation of the numerous settlers in those colonies professing to be in communion with the Church of Scotland.

"The attention of the Memorialists has of late been specially called to the condition of the adherents of the Church of Scotland resident in Upper Canada, on whose behalf claims have been put forth for a share in the proceeds of the lands reserved by the 31st of his late Majesty, c. 31; for the support of the Protestant clergy. The General Assembly, in 1823, directed this Committee to support the application by all means in their power; and it is in obedience to the command of the last General Assembly that this Memorial is presented.

"Your Memorialists cannot conceive it to admit of a question that, under the designation of a Protestant clergy, it must have been the intention of the Legislature to include, not only the clergy deriving their orders from bishops of the Church of England, but all such as might at any time be regularly ordained by Presbyteries of this National Church. The law of the land has applied the same general designation of Protestant indiscriminately to the members of either of the two established churches within the United Kingdom. In the ratification of the Treaty of Union, and in the Act of the Parliament of England, intitled, 'An Act for securing the Church of England as by law established; the expression, Protestant Religion, is used at least as frequently in combination with Presbyterian church government as with the government of the Church of England. And your Memorialists are not aware of any law which can exclude the members of the Established Church of Scotland from the same privileges which are claimed and enjoyed by the members of the Church of England, resident in a colony which is confessedly British.

"The Memorialists trust that it is unnecessary for them to advert to the great proportion of the settlers in Canada who are attached to the doctrine, government and worship of the church of Scotland. In the extensive range of country known by the name of Glengarry, inhabited chiefly by a race of Highlanders, there are three Presbyterian ministers, each of whom preaches both in Gaelic and English, and one of whom has about 500 communicants in his congregation. Since the termination of the war many thousands of persons have emigrated from the west of Scotland, and have formed congregations, particularly in the county of Carleton, including the settlements of Lanark, Perth and Richmond. Three years ago this county (the population of which was about 6,000) was supplied with religious instruction by four Presbyterian ministers, two Roman Catholic priests, one episcopal minister, and one Methodist preacher, from the United States. The people of that district, and of several others, have manifested a decided preference for the forms of worship practised in the Church of Scotland. Your

"Your memorialists have reason to believe that the congregations in Upper Canada in communion with the church of Scotland have been represented to Government as being few in number, when compared with the congregations which avail themselves of the ministrations of clergymen of the church of England. It cannot, however, be denied that there are in Upper Canada at least 30 Presbyterian congregations professing to adhere to the doctrine and worship of the church of Scotland, and that the existing places of worship frequented by Presbyterians are numerous and respectably attended. Though the Presbyterian ministers in the province do not exceed 20 in number, and though only five of this number have been ordained by Presbyterians of the established Church of Scotland, it is ascertained that a great majority of the people are zealously attached by principle and education to this established church. But the settlers being in general poor, do not possess the means of affording an adequate provision to ministers, and as the Presbyteries of the church of Scotland are not entitled to confer ordination on any to whom satisfactory security for a competent living has not been given, many of the settlers, who before their departure from Scotland were in communion with the church, are compelled to connect themselves with some of the sectaries whose forms resemble those of the church of Scotland, although their religious principles may not be strictly conformable to our standards. The Church of England has not laboured under the same disadvantage; funds have been granted by Government for the erection of churches, which are in many instances, if not in all, supplied by the missionaries from the Society for the Propagation of the Gospel in Foreign parts. Within the last six years (as appears from the Report of the Society for the year 1821) the number of communicants at 17 stations in Upper Canada, served by 17 missionaries, whose salaries amounted to 3,345l. did not exceed 118. As a contrast with this admitted fact, it may be stated that in the year 1823 the Presbyterian congregation at Perth, which began to be formed only five years before, (and which, though not served at present by a minister of the church of Scotland, must by express stipulation be so served in time to come), contained not fewer than 270 communicants. In petitions which the General Assembly has received from several ministers and elders in Canada, it is expressly stated that there are many extensive and flourishing settlements, especially in Upper Canada, the inhabitants of which are desirous to obtain clergymen of our national church, and that their exertions in building churches and raising funds for the support of clergymen, would be greatly animated if they could be assured of being placed under the jurisdiction and protection of the mother church. These petitions represent a great majority of the Protestant population as being of Presbyterian principles, and as having no disposition to conform to the established Church of England; so that wherever they have no access to the instructions of ministers ordained in the church of Scotland, they are in danger of imbibing political disaffection, as well as extravagant and irrational views of religion from some of the unauthorized teachers who are said to intrude in considerable numbers from various parts of the United States.

"Your memorialists have only further to state, that as the want of a fixed and permanent provision for clergymen ordained to such stations has hitherto restrained the Presbyterians of this church from complying with requests which have often been preferred to them, and as the settlers who have been disappointed of ministers ordained by this National Church have been tempted to throw themselves into the arms of sectaries of various denominations, (some of them of undefined creeds) it appears to be well worthy of the consideration of Government how far it might conduce to the advancement of religion and morality, and to the preservation of the loyalty and patriotism of the Presbyterian colonists, and their attachment to the British constitution, to extend to them the means of enjoying the benefit of religious ordinances on the same footing with their brethren in communion with the sister establishment, with whom they wish to avoid all collision of interests, and to whom they do not yield in regard for the honor, stability and prosperity of the empire.

"In name of the Committee of the General Assembly.

"JOHN LEE, Convener."

Edinburgh, }
Jun 8th, 1827. }

What answer did you receive to that Memorial?—The only answer I received from the Government was this letter, which I will deliver in.

[The Witness delivered in the same, which was read as follows:]

"Downing Street, 4th July 1827.

"Sir,

"I am directed by Viscount Goderich to acknowledge the receipt of your letter of the 8th ultimo, urging the claims of the Presbyterian ministers to participate in the lands reserved for the support of a Protestant clergy in Canada, and I am to request that you will communicate to the Committee of the General Assembly of the Church of Scotland, that instructions were conveyed by Lord Bathurst to the Lieutenant Governor of Upper Canada in October last, authorizing the appropriation of 750l. per annum from the proceeds of the sale of Crown lands to the Canada Company, which Lord Goderich trusts will evince the favourable disposition of His Majesty's Government towards the clergy of the Presbyterian Church, and whenever an available fund shall be established from the proceeds of the clergy reserves, the claims of the members of the Church of Scotland will be taken into consideration.

"I have the honor to be, Sir, your most obedient humble servant,

"R. W. HORTON."

What information have you of the number and condition of the Presbyterian population in the Canadas, which are in connection with the Church of Scotland?—I have had a great number of letters from ministers and others who are resident there, as the Committee of the General Assembly was instructed to correspond with those persons for the sake of obtaining precise information; but the information which was expected by the Church of Scotland is not yet nearly completed, returns not having been sent by the whole of the districts to which the queries were transmitted.

Is it not a rule with the General Assembly of Scotland that no minister should be sent to any congregation of Presbyterians without there is a certainty of his being properly supported?—That has been the rule and the practice of the Church of Scotland.

Under that rule, how many ministers have been sent to the Canadas?—So far as I know, the number in Upper Canada who have been sent under that rule is not more than six.

Have any gone there of their own accord, without authority for whom no certain stipend has been provided?—We have access to know that a considerable number have gone out otherwise, some having been sent by particular societies, private associations, formed for the purpose of sending ministers and missionaries for the instruction of the settlers there; and there are a good number who call themselves Presbyterian ministers, in Upper Canada in particular, who profess to be in communion with the Church of Scotland, but with regard to the form of whose appointment the Assembly is not informed.

Of all those descriptions, what proportion of Presbyterian ministers connected with the Scotch Church do you believe to exist in the Canadas?—The precise number I cannot state without referring to documents which I have not sufficiently arranged, not having expected to be examined by this Committee; but in Upper Canada, as I have already stated, I personally know of six; in Lower Canada, I think the number is nearly the same.

Have you any information which has led you to form any opinion as to the probable number of Presbyterians connected with the Scotch Church in the two provinces of Canada?—I could not condescend, on any thing like an exact statement of the numbers.

The returns from the different districts and townships all state that the numbers are very great, and that the proportion of persons attached to the doctrine and worship of the Church of Scotland is much greater than of those who are of any other communion.

Do you speak of Upper or Lower Canada?—I am speaking of Upper Canada at present.

What stipends have been awarded to the ministers whom you describe as having gone out to Canada?—I have no direct method of knowing exactly what is the salary of any one of them; none of them have been sent from the General Assembly itself; but they have been ordained by Presbyterians throughout Scotland, with the exception of one.

Do you know what stipend would, under the circumstances of Canada, be thought sufficient for a Presbyterian minister of a congregation of a moderate size?—I understand about 200l. a year to be what is thought an adequate maintenance there, and that I know is possessed by one or two.

Do any of them derive a portion of their emoluments from subscriptions or other funds provided in Great Britain?—I am not aware of any who do so, with the exception of such as are sent out by a society in Glasgow for promoting the religious interests of settlers in British North America.

If any Presbyterian ministers from the north of Ireland have established themselves in Canada, would that fact be known to your body?—It could not be known otherwise than through the communications that the committee of the Assembly have received; we know that there have been instances of such persons going there, but they are not at all recognized by the Church of Scotland.

Has any portion of the money referred to in the answer to your memorial been received?—I do not know; I have understood that it is only a limited period.

Have any communications taken place between your body and the corporation for the management of the clergy reserves in Canada?—No, I have not been the medium of any communication, and I do not know that any has taken place.

Have the body to which you belong taken any pains to ascertain what is held to be the interpretation of the statute of 1791, as affecting the Scotch Presbyterian Church in Canada; whether in point of law you have any claim upon the property reserved for the maintenance of a Protestant Church?—Certainly, we have an understanding on that subject; and I was instructed to press that matter in the memorial to the Secretary of State for Colonial Affairs.

What opinion does the body to which you belong entertain on that subject?—I conceive that the General Assembly of the Church of Scotland, in so far as any opinion has ever been expressed there, conceive that the Church of Scotland is as well entitled as the Church of England to a share of that property.

Do you hold that the words, "Protestant Clergy" exclude other denominations besides the Church of England and the Church of Scotland?—I believe that the Church of Scotland has been disposed to consider it as applicable to the members of established churches.

And of established churches only?—If I state my own opinion I would say so; but I cannot take upon me to say that that is the universal understanding of the church; but I think it is.

When did the Assembly first take into consideration this claim?—I think about six years ago; I have been only for three years connected with the committee.

Does the separation which has taken place between the two bodies of the Scotch Church exist in Canada, or would the two bodies unite there in one congregation?—We do not think that the grounds of the separation exist, at least to the same extent there that they do in Scotland; but still, so far as we know, the members of that body, called the Secession, have not bound themselves to adhere to the same standards which we acknowledge. We understand that they generally recognize the confession of faith as being consistent with Scripture; but that they do not bind themselves so strongly to the support of it as the members of the Established Church are bound.

Do not all the ministers of the Secession sign the Westminster Confession of Faith?—I do not know that they do now, but I understand that if they do they do it with some qualification. As the question has been put to me it is my duty to state, that many of the ministers connected with the Secession, both in Upper and Lower Canada, have signified their willingness to profess strict adherence to the doctrine, and discipline, and worship of the Church of Scotland.

Have you any means of knowing whether the Presbyterians of American origin in Canada would also join in the same congregations with the Scotch Presbyterians?—I have no means of knowing that.

Was that declaration of their willingness to adopt your confession of faith made by the clergymen in Canada, made since the discussion has arisen with respect to this claim?—So far as I know, it is only since this claim has been agitated.

Is it your opinion that all protestant dissenters of every description, whether Presbyterians or not, have a right to share in that fund?—I hope I shall be forgiven for stating that we do not consider ourselves as Protestant dissenters; the Church of Scotland is an established church.

Do you conceive that Protestant dissenters will be entitled to a share of that fund?—I am not capable of speaking upon that subject.

You mean that you consider your claim is as good as that of the Church of England?—That is our opinion. I may perhaps be allowed to state why I seem to limit the words "Protestant Clergy" further than perhaps might have been expected. It is for this reason: the Acts, both of the Parliament of England and of Scotland, passed at the time of the Union, when they speak of the Protestant religion, certainly refer either to the Church of England as by law established, or to the Church of Scotland, the government of which was then secured and ratified; and I cannot venture to say that the construction of this Act would entitle one to go further. Now as many of the Protestant dissenters do not by any means hold the doctrines, or conform to the worship, or submit to the discipline which is established in the Church of Scotland, I do not perceive how they could claim under those Acts.

Mr. Robert Gillespie, called in; and Examined.

WHAT acquaintance have you with the two Provinces of Canada?—I have been in Canada for a great number of years, and know them principally as a merchant trading to that country.

Are you acquainted with both provinces?—Yes, I have been in both provinces.

Do you know any thing of a petition to the House of Commons from merchants and others connected with Canada?—Yes, I do.

Did you sign that petition?—I did.

Will you state your views in setting your name to that petition?—The views that I had in doing so were, that the improvement of that country is very much retarded in consequence of the dissensions prevailing in the Lower Province, and also as a merchant not having that security in the country which I think would be very desirable for the prosperity of it.

In what way do the dissensions which prevail in the Lower Province obstruct the operations of commerce, and the improvement of the Canadas?—By preventing the enactment of laws necessary for the security of trade. There is no such thing as knowing, at present, when real property is mortgaged or not, and we are in the general course of our trade in the habit of advancing to different people merchandise, taking security on their property, and frequently finding in the end that this security is good for nothing, inasmuch as it has been mortgaged before to its full value, and we lose the whole advance; thus I know from experience as a merchant.

In what way have you experienced the inconvenience you mention?—In consequence of taking security for goods advanced to people who were ready to offer their property as security, but when we came to discuss the property, we found that others had previous mortgages on it.

Have you any reason to think that this has frequently happened?—In our general trade it has frequently occurred to us.

Is the lending of money upon mortgage materially discouraged by this difficulty?—No, I doubt it is.

In what way did you discover that the property had been previously mortgaged?—When we sued the individual in court, others came forward with prior claims.

What remedy do you think could be provided for this evil?—I think if the House of Assembly in Lower Canada were to pass an Act for the establishment of register offices in Lower Canada, where all mortgages and incumbrances should be registered, we should then know under what terms we either advanced goods on such property, or made purchases of landed estates.

Is the difference of opinion which arises as to the expediency of this register one of the dissensions which you describe?—A bill has been two or three times introduced into the House of Assembly for the establishment of registry offices, but the House of Assembly always have rejected it.

Has no register bill ever passed the House of Assembly?—Not to my knowledge.

Is there any thing else which prevents merchants from pursuing their business in Canada, or from investing their property in it?—I think those are the principal points on which the merchants have difficulty in transacting business, they also prevent purchases of real estate in Canada.

Do persons of English origin object to the tenure on which land is held in Canada?—Yes.

Can you state what the objections are which they urge?—I have not paid much attention to the laws of Canada.

Do you know any thing of the tenure of land in Canada?—Yes, I know something of it. Were you ever an occupier of land there?—A very small proprietor of land; I owned a farm once on the Island of Montreal.

On what tenure did you hold that land?—On the French tenure.

Does the French system encourage or discourage the agricultural improvement of land?—I think it discourages it.

In what way?—Few settlers or emigrants from this country will remain in the Lower Province, because they are never certain when they make a purchase of land whether it is not under incumbrance.

Have you known any cases in which the land has been abandoned after a purchase has been made?—I know an instance of an emigrant who came to Lower Canada, and made a purchase of a farm, improved it, and afterwards found that it was mortgaged, and he was obliged to give it up, to lose the money that he had paid for it, and also the improvements he had made on it.

Are the circumstances such that no ordinary prudence, in the first instance, would enable a man to protect himself against those inconveniences?—I do not know that there is any other way, except by a sheriff's sale in which you can obtain a good title in Lower Canada.

Does a sheriff's sale confer a good title against previous mortgages?—Yes it does.

Are you at all acquainted with the eastern townships in Lower Canada?—I never was in the eastern townships.

Is it the practice for persons in Canada, either born there or who have settled there as merchants, to vest their fortunes in land in that country, or do they generally remit them to England?—It has generally been the case that merchants making money in Canada have remitted it to this country.

To what do you attribute that disposition?—Because they could not obtain what they considered a good security for investment in Canada.

Does the same remark apply to Upper Canada?—I think not; register offices exist there.

Do you mean that persons intending to continue to reside in Canada would invest their capital in this country, rather than employ it in purchasing land in Canada itself?—I know many individuals of capital in Lower Canada who have remitted their monies to be invested here, they continuing to reside in the province, but perhaps not with a view of residing there permanently.

Is not that a very easy mode of ascertaining whether a title be good or not?—It is a tedious and expensive mode.

Can you state what might be the expense of obtaining a good title by a sheriff's sale with respect to a property of 2000l. or 3000l. a year?—I could not state exactly the expense.

Is there any other expense besides the expense of advertising and the sheriff's fees?—It must go through a court of law; it is by a decree of the court that the sale takes place.

Is not that a formal decree, which is had for asking for?—Yes, but still attended with expense.

Are you of opinion that the French law of descent, and the French law of personal property, operate to prevent the settlement of merchants who have made money in that country?—I think so.

What degree of change in that respect would, in your opinion, diminish that disposition to invest their capital here, as compared with investing it in Canada?—If the lands were held in free and common socage, I think it would be a favourable change.

Are there not many lands held in free and common socage?—Not in the seigneuries, all the townships are held so.

Do you find any disposition on the part of merchants to invest their money in lands in the townships?—No; they have a fear of their title not being good, and a great portion of those lands are of very little value, not being settled.

In point of fact, do you apprehend that under any change of laws, it would ever be desirable for a capitalist to invest large sums of money in the purchase of land in the Canada?—If waste lands in Canada remain without paying any tax, I should think that a purchase of land in the townships of Lower Canada at a low price would ultimately be a very advantageous thing.

Do you contemplate that advantage to arise from leaving the land waste for a considerable time, and then from the improvement of the land in the neighbourhood selling at a very advanced price?—I think that in time a great part of the waste lands in Lower Canada may get settled, and those remaining unsettled will then become valuable.

Then you would contemplate the purchase of land as leading necessarily to a considerable portion of it remaining waste?—Yes.

Do you consider that desirable for the province?—Certainly not.

Would you be disposed, if you had the opportunity of settling that land at an early period, of doing so, or would you wait?—I would rather wait, it is a very expensive operation, settling lands.

In general is not the purchase of land made there with a view of retailing it?—It is generally in this way: a person buys a large tract of land under the idea that he will retail part of it and retain the other part, so that it may become more valuable in consequence of the other part being settled.

Is it for the benefit of the province that that land should be held as a permanent investment?—No, I do not think it is, unless the proprietor settles it.

In point of fact can land in Canada be very profitable, except to the immediate cultivator?—Not immediately profitable.

Do you conceive that a purchaser is more safe in Canada, in purchasing lands that are held in free and common socage, than in purchasing land under the title of seigneurie?—Yes.

Would not a purchaser of land under free and common socage be liable to the same fraud, from there being a prior incumbrancer, whose title was concealed from him?—The lands held under free and common socage, being granted at a later period are unlikely to have the same incumbrances upon them.

Supposing you were about to purchase land held in free and common socage, and that you wanted to ascertain whether there was a prior existing title against it, what step would you take?—I could take no step if there was no register office established, unless I resorted to a sheriff's sale.

Then you are liable to be defrauded in the purchase of lands held in free and common socage, notwithstanding the novelty of the tenure?—Yes; but as stated before, the land is not so likely to be burdened.

In point of fact, is land in Canada very often mortgaged?—Very frequently.

You are aware that the French law of descent divides the property equally among the children; do you consider that the English population of Lower Canada would prefer that to the English law of primogeniture?—No, I do not.

Supposing two offers were made to you of a quantity of land equally good in point of bargain, the one within the seigneuries, the other within the townships; which offer would you consider to be the best for the investment of your capital?—That in the townships, because I think they will be sooner settled.

Why do you think it would be sooner settled?—Emigrants would sooner go there than remain in the seigneuries, because they would then associate with people of the same language, feelings and customs, and expect a participation of the same laws to which they had been accustomed.

There is then something in the law which would produce that effect?—In the townships the English law was promised, I believe, by the treaty of 1791.

As in general the land within the seigneuries is better situated, being nearer to a market, would not that be an inducement to a settler to settle in the seigneuries rather than the townships?—He goes to the townships because he meets with people of the same language, the same customs, and the same habits.

Do you think that their disposition to settle in the townships is not the result of any difference in the law prevailing in the two districts, but that they are desirous to inhabit among a population of their own country?—It arises from a desire to settle among their own countrymen.

Is it generally understood that the French law prevails over the townships in Lower Canada?—Yes, it is, but I am not so conversant with respect to law as some other gentlemen.

Are you acquainted with the commercial intercourse which takes place between the two provinces?—Generally so.

Can you say whether it would be possible to arrange any system by which the duties on goods consumed in Upper Canada could be collected on the boundary?—I think it would be a very difficult thing.

Would it be possible?—Scarcely.

In what would the difficulties consist?—There is an extensive boundary open to smuggling.

Would it be possible to arrange that the goods destined for the Upper province should be warehoused either at Quebec or Montreal; and that by some system a bond should be given for their entry at some particular point in Upper Canada, and that they might be transferred in that way with security?—I think it would be a very difficult matter.

Will you state in what the difficulties would consist?—The merchants in Upper Canada resort to the Lower Province to make their purchases; they do not import many goods direct from this country to Upper Canada; they generally purchase in Montreal and Quebec, the variety of articles which in Upper Canada a retail shopkeeper wants is very great, in quantities so small that it is almost impossible to import them from this country, and therefore they resort to the Lower Province, and on those goods the duty has been already paid at Quebec.

Then you think that if the duties were to be taken in Upper Canada on the goods consumed there, it would produce an extremely inconvenient separation of the trade?—I do.

Would it necessarily establish merchants trading for Upper Canada as distinct from the merchants trading for Lower Canada?—I think it might have that effect.

Could the same merchants carry on both trades conveniently?—Not conveniently, on account of the variety and smallness of the assortments required.

Would it not be necessary to have an entire separation of the commodities imported for Upper Canada, for those imported for Lower Canada?—Yes, it would of course be necessary to pack separately those goods that were going to the Upper Province.

Would not that require the embarkation of larger capital?—It would be very expensive; it would require the employment of a greater number of people and of larger capital.

And that would be equally necessary whether the duties were collected at some dépôt in Lower Canada on the goods to be transported to Upper Canada, or whether they were collected at custom houses upon the boundary of the two provinces?—Yes.

Do you see any objection to the arrangement which has taken place of assigning a certain proportion of the duties collected upon Lower Canada to the use of the Upper Province?—The Upper Province complains that it does not receive a sufficiency of the duties collected at Quebec, and the principle is bad.

Is it not likely that the difference in the habits and manners of the two provinces would induce a separate system of taxation, by leading them to consume different commodities, and making it their interest to impose taxes on different commodities?—Yes, I think it is very likely that it would be so.

Under those circumstances, would not the division which at present takes place of the revenue collected, become inconvenient, and in some sense unjust?—Yes.

Do you know of any remedy for those inconveniences?—I know of none, but a reunion of the provinces.

Do you think that is a desirable measure?—I think so.

Will you state on what grounds you entertain that opinion?—I think that the difficulties that occur relative to the division of the revenue would be set at rest.

Are there any other inconveniences that would be set at rest by the union?—The Legislature of Lower Canada may wish to impose taxes upon produce coming from the Upper Province, and though at present they have it not in their power to do so without the concurrence of its Legislature, I think this would be best attained by a union. The Lower Province in one instance, I believe, imposed a tax upon timber coming down.

Does that tax exist now?—It does not exist at present.

Was it upon timber that was supposed to be brought from the United States?—No, timber from Upper Canada.

Has any other transit duty been established?—Not to my knowledge.

What other inconvenience is there in the present system?—The inconveniences in Lower Canada are such, that the mercantile interests in the House of Assembly are unrepresented. By a union of the provinces a great number of English representatives would be obtained, and many Acts by which the country would be improved, would, I think be passed.

Do you think that the English mercantile interest is in any way discouraged in Lower Canada at present?—I think it is; the Lower Province at present raises comparatively little for the exports of the country. The merchant of Lower Canada has to look to Upper Canada, and to the townships for articles of export, as the Lower Province produces few or none.

Do not they export timber, ashes, and corn from the seigneuries?—With respect to corn, the last year they did not raise more than would be necessary for the consumption of the Lower Province.

Is there a surplus in the townships?—Not in the townships of Lower Canada; in Upper Canada there will be a surplus.

To what do you attribute the circumstance of there being no surplus of grain raised by the inhabitants of the seigneuries?—I think the Canadians are bad agriculturists.

Are they rendered so by the tenure of their land and their system, or is it any thing in their individual qualities?—I think their system of agriculture is bad.

To what do you attribute the badness of their system, and the superiority of the practice in Upper Canada?—In Upper Canada they follow the English, or more properly the English-American, system of farming; in Lower Canada they retain the old French custom of grazing the land one year and ploughing it the second, without the rotation of the English system.

Are not the soil and climate much more favourable in Upper Canada than in Lower Canada?—The climate is somewhat more favourable, and the new soil is better than the old in cultivation in Lower Canada.

Does the timber all come from Upper Canada?—Principally.

What are the principal articles of produce in Lower Canada which are exported from thence?—Grain and ashes.

Is the quantity of ashes from Lower Canada greater than that from Upper Canada?—I think not.

From what parts of the Lower Province are the grain and ashes exported?—The grain exported from Lower Canada, and raised there, is principally grown in the district of Montreal, and the greater proportion of ashes are made in the townships.

Do the descendants of French Canadians consume English goods to a considerable amount?—They do.

Is there any difference between the habits of the seigneuries and the habits of the townships and of Upper Canada in that respect?—In Lower Canada they dress somewhat differently; they use an inferior article of woollen cloth, for instance, to what they use in Upper Canada or in the townships.

Is there any trade direct between France and Canada?—Very trifling.

Is there much connection maintained between the descendants of the French settlers and France?—There are occasionally Canadian gentlemen who visit France and return.

Is there much emigration from France into the Lower Province?—Very little. I believe that the priests in the seminary at Montreal are generally Frenchmen.

What branches of trade are you most acquainted with?—With the trade of Canada generally.

Do you know whether the imports from the United States into Canada are increasing?—There is a duty on American goods coming into Canada which checks them.

Is Canada, in fact, supplied with many articles of the manufactures of the United States, some coming in under duty, and others coming in by means of smuggling?—A great many ashes from the United States come into Canada.

Is it not the fact, that ashes from the United States imported into Canada for the purpose of being re-exported pay no duty different from what they would pay if they were the produce of Canada?—None at present; and it is very desirable that it should be so.

It has been suggested to the Committee that it would be possible to carry on the trade between the two provinces upon the footing of duty and drawback, that is to say, that all goods imported into the Lower Province should pay duty in the first instance, and upon their being exported from thence into the Upper Province the duty originally paid should be drawn back, and that a fresh duty should be paid upon their admission into Upper Canada; do you think that such a system could be acted upon with security to the revenue and with convenience to the trade?—I am afraid it would be attended with great inconvenience: the boundary is extensive, and the great variety of goods imported into Upper Canada, on which there would be different duties, would make it a very intricate and troublesome operation.

Supposing a higher duty were imposed upon the article in the Upper Province than was paid in the Lower Province, do you think that increased duty could be collected, taking into consideration the facilities of smuggling from the Lower Province into the Upper Province?—I think not, but it would depend upon the difference of duty in some measure.

When you advert to the subject of smuggling, do you mean smuggling by means of water communication, or by land?—Smuggling principally in winter by land.

Is it your opinion that generally speaking the inhabitants of either province wish for a union?—The English part of the community in Lower Canada wish for a union of the provinces, and I think the majority of the inhabitants of Upper Canada.

Then you do not think that a union between those two provinces would excite any great discontent?—It would depend very much upon the nature of the Act that would unite them; a union bill was introduced into Parliament some years ago, in which there were clauses that were very objectionable.

Do not you think it would excite great discontent among all the French inhabitants?—It would depend entirely upon the Act. I conceive that there are many people in Lower Canada, who, provided the Act was a just one, and they thought that their laws and their religion were not to be interfered with, would not have serious objections.

You do not conceive that there is generally an objection in principle to the union of the two provinces?—Not generally.

Mr. George Ryerson, called in; and Examined.

ARE you acquainted with the Provinces of the Canadas?—Yes, I am.

In what capacity have you become acquainted with them?—I have lived there about 28 years.

Of what country are you a native?—I am a native of Nova Scotia.

Are you a landowner in either of the Canadas?—Yes, I am a landowner and magistrate in the district of London in Upper Canada, and have been for a number of years.

Did you come here as agent for any petition?—I was appointed agent after I came here, I came on private business.

What petition is that which you have been appointed to represent?—A petition relative to the constitution of the University of Upper Canada, and the appropriation of the clergy reserves.

By what number was that petition signed?—By about 8,000.

What were the prayer and the objects of that petition?—The object of the petition was to correct some erroneous statements in certain official communications from the Rev. Doctor Strachan to His Majesty's Government, to vindicate the character of several religious denominations whom they assert had been misrepresented in those communications; to procure such an alteration in the charter of the proposed university in Upper Canada as would render the institution equally beneficial and accessible to all denominations of Christians, and to solicit the Government to sell the clergy reserves and to appropriate the proceeds for the support of public schools free from religious tests, and for the purposes of internal improvement in Upper Canada.

What religion is professed by the petitioners?—They consist of various denominations of Christians.

Did many Presbyterians sign that petition?—Yes; some of the principal signers are Presbyterians; the chairman of the committee, Mr. Ketchum, is one of the leading Presbyterians in Upper Canada.

The Committee have before them a paper, signed by Mr. Morrison as secretary to the central committee that was proved in the Upper Province of Canada for the object you have mentioned, what is the nature of that paper?—It was a letter I received from the secretary and chairman of the committee to authorize me to attend to the interests of that petition.

This paper refers to an ecclesiastical chart of the different denominations of Christians in Upper Canada, derived from different clergymen and persons much interested in the result of those petitions as to the numerical strength and number of the different denominations of Christians in that province; have you any such chart with you?—That chart is attached to the petition that was laid before the House of Commons.

Can you describe the manner in which that chart was formed, and what means were taken to insure its correctness?—The secretary of the committee wrote to ministers of the different denominations of Christians, and to other intelligent individuals, requesting a correct return of the number of their churches and members, and ministers, and of those who stately attended their religious instruction, &c.; much pains were taken to ascertain the correctness of the returns. The chart was published in Canada, where any errors would be discovered and exposed by those interested in the subject.

Can you certify the accuracy of that document?—I know the most material part of it to be correct, and I believe that the whole of it is so.

Can you state to the committee the substance of it?—I cannot at this moment. The chart does not profess to give a perfect view of the numerical strength of the English Church, the Presbyterians, Quakers, and Menonists, though it does in general of their ministers and places of worship. The account of the Methodists and Baptists is more detailed and complete; it gives the names of the ministers, the place of their birth and education, the number of chapels, regular and occasional religious services, members of their church and regular hearers. The Methodists are the most numerous denomination.

What denomination of Methodists, are they Wesleyan Methodists?—They are essen-

tially Wesleyan in doctrine and discipline, but form a distinct body, denominated the Canada Conference; their ministers meet annually in a conference in Upper Canada.

What denomination is next to them in number?—I think the different classes of Presbyterians are the next, but they are not in organized societies, they have but few ministers.

What denomination do you conceive to be next to them in number?—I think that the Church of England and the Baptists are about equal in number, and next to the Presbyterians.

Does the chart you have referred to give a tolerably correct statement of the proportions of all those denominations?—It does, I believe, give a correct return of the churches, the ministers, and the religious services of the different denominations, but not a full account of the number belonging to each, except the Methodists and Baptists. They keeping an accurate account of all their societies, were able to furnish specific information. It is scarcely possible to give a return of the Church of England, because there are but few communicants. In the other societies none are returned as belonging to them but those who are adult communicants.

It is stated in Mr. Morrison's letter that the Presbyterians refused to join the petitioners generally?—By that part of the Presbyterians who are members of the Church of Scotland the petition was not, I believe, generally signed.

What do you attribute that to?—They wish to get half of the reserves themselves: but the largest proportion of the Presbyterians of Upper Canada, I believe, joined in the general petition.

It appears also that the Roman Catholics did not join; do you conceive them to be very numerous in Upper Canada?—In the upper part there are a few townships of French Canadians, and a township of Highland Scotch in the lower part who are Roman Catholics; in other parts of the province they are not numerous.

Are there many Irish Catholics?—There are in some few of the new townships recently inhabited.

In this letter there are many complaints of the manner in which the statement of the number of communicants of the Church of England was drawn up; have you any observations to make upon that subject?—No, I am not acquainted with that; I know the number to be very small.

You have stated that Dr. Strachan has made some mis-statements; what grounds have you upon which to offer opposite statements to those of Dr. Strachan?—Dr. Strachan says that the majority of people belong to the Church of England and I know that to be incorrect, and that the Church of England is amongst the least numerous of the different denominations; the congregations are generally very small, except in the town of York, where there are a number of Government officers. Dr. Strachan in his chart omits several denominations of Christians altogether, as the Baptists, the Quakers, and the Menonists; and he mentions the Methodist teachers as being disaffected and alienating the minds of the people from the Government. I know that to be wholly incorrect; for a large proportion of the ministers are old loyalists, and several of them men that have fought in defence of the country. A very large proportion of the Methodist societies also are the descendants of old American loyalists. In the late war no men distinguished themselves more in the defence of the country than the Methodist societies generally.

It has been stated that the tendency of a large part of the population of Upper Canada would be towards the established church, if ministers of the established church and suitable places of worship could be provided; do you believe that to be the fact?—No; they have greater means of providing places of worship and of procuring ministers than any other denomination: they receive a grant of 100*l.* towards building a very small church, and their ministers are paid by this country, and have several sources of emolument and peculiar privileges refused to ministers of other denominations; but they have not increased in the same proportion as others have done.

Do you know any district in which, there being an established church and a minister provided, the number of other denominations of Christians yet exceed the number of the members of the Church of England in a large degree?—Yes; in the town of York, where there are several Clergymen officiating in the Church; there is no place in Upper Canada where the other denominations are more numerous and increase faster. I was there about a year ago, and I visited several Sunday schools belonging to the Presbyterians, the Methodists, and the Baptists, but there was more attached to the Church of England; I believe it to be the case in almost every place in Upper Canada where there is a resident minister of the Church of England.

How many congregations of the Church of England are there in York?—There is one, Dr. Strachan's church.

Do you know the number of which that congregation may consist?—No, I cannot state the number exactly; I think not more numerous than the Methodists alone.

How many congregations of Methodists are there?—There is only one chapel of each denomination, Church of England, Roman Catholics, Presbyterians, Methodists, and Baptists.

What schools are there connected with the Church of England establishment?—The district schools, of which Dr. Philip is the teacher; and a central school on the national system.

Are there any district schools for the other denominations?—There are two large schools that consist of Methodists, Presbyterians, and others.

Have the churches for the other denominations of Christians been built entirely by voluntary subscription?—They have, and their ministers are maintained in the same way.

Has there been any select committee lately appointed by the House of Assembly in Upper Canada, upon subjects connected with the religious state of the province?—Yes, and I have forwarded a copy of their report to the Colonial Office.

What opinion did that committee express upon the accuracy of Dr. Strachan's statements?—They expressed an opinion that it is inaccurate in almost every particular.

Did the committee express any opinion upon the university that has lately been founded in Upper Canada, with reference to its religious character?—Yes, they disapprove of the character of it, and I believe it is generally disapproved of by the largest proportion of the people in Upper Canada.

Upon what grounds?—On account of its being under the exclusive control of one denomination of Christians, and requiring religious tests, and the large appropriation of lands which is made for its support, renders it unlikely that other institutions will be founded open to other denominations of Christians.

Has a strong feeling been excited in Canada by the representations of Doctor Strachan?—Yes, very strong, I have never known any thing produce so much excitement through the country, except the Alien Bill.

Does it threaten to produce still greater excitement?—Religion has never been considered a party question before, but it is now likely to assume that form; and the ecclesiastical chart, and the charter of the college have tended to unite all the different denominations of Christians together in a party opposed to the Church of England, and to those that uphold its exclusive claims. They have not opposed the church before, but they feel themselves called upon to do it in defence of their civil rights and religious liberties now.

Have the seceders from the Church of England increased in number in consequence of this?—I think they have: those who were undetermined before have now assumed a more decided course of conduct in opposition to the Church of England and the university, and I think it will have a material influence upon the character of the House of Assembly that will be elected this summer.

Have you a copy of the resolutions relative to the appropriation of the clergy reserves, which were passed in the House of Assembly of Upper Canada on the 22d of December 1826?—I have.

[The witness delivered in the same, which were read as follows.]

"1st, Resolved, That the despatch of the Right Honourable Earl Bathurst, His Majesty's Principal Secretary of State for the Colonies, communicated to this House on the 12th

12th instant, by his Excellency the Lieutenant-Governor, in answer to the Address to His Majesty of this House at its last session, respecting the clergy reserves, is unsatisfactory to this Assembly, inasmuch as it is silent on a material part of the respectful representation of this House contained in the said address."

"5th. Resolved, That the construction given to the Imperial Act which appropriates the clergy reserves to individuals connected with the Church of England, and the determination of the clergy of that church to withhold from all other denominations of Protestants residing within the province, the enjoyment of any part of the benefits arising, or which may arise, from the lands so set apart, call for the immediate attention of the Provincial Legislature to a subject of such vital interest to the public in general; and that such claim by the Protestant Episcopal Church, is contrary to the spirit and meaning of the 31st Geo. 3, and most injurious to the interests and wishes of the province.—Yeas 28. Nays 3. Majority 25.

"6th. Resolved, That a comparatively small proportion of the inhabitants of Upper Canada are members of the Church of England, and therefore ought not in justice to desire the sole enjoyment by their clergy of all the advantages which these lands present, to the exclusion of their fellow subjects, although equally loyal and firm in their attachment to His Majesty's Government and the Constitution.

"7th. Resolved, That in a thinly inhabited country, such as Upper Canada, where the means of moral instruction to the poor are not easily obtained, it is the bounden duty of the Parliament to afford every assistance within its power towards the support of education.

"8th. Resolved, That the present provision for the support of district and common schools is quite inadequate to the wants of the people, and ought by every reasonable exertion to be increased, so as to place within the reach of the poorest inhabitant the advantages of a decent education.

"9th. That it is the opinion of a great proportion of the people of this province, that the clergy lands in place of being enjoyed by the clergy of an inconsiderable part of the population ought to be disposed of, and the proceeds of their sale applied to increase the provincial allowance for the support of district and common schools, and the endowment of a provincial seminary for learning, and in aid of erecting places of public worship for all denominations of Christians.

"Yeas 31. Nays 2. Majority 29.

"Resolved, That the number of the Protestant Episcopal Church in this province bears a very small proportion to the number of other Christians, notwithstanding the pecuniary aid long and exclusively received from the benevolent society in England by the members of that church, and their pretensions to a monopoly of the clergy reserves.

"Yeas 30. Nays 3. Majority 27."

What was the object of those resolutions?—The object of them was to frame a law agreeing with them, for the sale of the clergy reserves.

Did all parties unite in passing those strong resolutions in the House of Assembly?—Yes.

It appears that they were moved by Mr. Rolph, is he a member of the Church of England?—He is a member of the Church of England, educated at Cambridge, and, I believe, a member of Lincoln's Inn.

They were seconded by Mr. Morris; is he a member of the Established Church of Scotland?—I believe he is, and is understood to represent that interest in the House of Assembly.

Dr. Strachan says that the Assembly contains 18 members of the Church of England; the minority in the division did not exceed three, were those members of the Government?—No.

Do you believe that there were 18 members of the House of Assembly professing to be members of the Church of England?—I am not certain on the subject, but I do not think so.

Mr. Morrison's letter states that Dr. Strachan has reported in his chart, that many churches were built, or likely to be built, in places where none had been built, or were likely to be built. Have you any information upon that subject?—There is no church in Ancaster, but one, called a *free church*, built for the use of all denominations of Christians, but the minister of the Church of England does not preach, nor is there any regular service by the church in it. The township of Woolwich he mentions as having a church and occasional service; that is a new township, on the Grand River, and there never was a clergyman in it when I left the country, except a Methodist missionary, he had only visited it then once. There is no Indian village in the district of London, with a church, as stated. Other inaccuracies I have seen mentioned in newspapers from different parts of the province, but I am not sufficiently acquainted with all the localities to point out the mistakes.

It is stated in the same letter that Dr. Strachan has considerably mis-stated the case of the Methodist clergymen, representing them to be almost all natives of the United States, whereas the far greater proportion of them are stated to be British subjects; have you any knowledge upon that subject?—I know them to be all but four British subjects. There are 46 itinerant ministers who form the Canada Conference, and 31 of the 46 are British subjects by birth and education, 12 of them are British subjects by naturalization, and three only are aliens, and those have lived several years in the country, and can now under the new Alien Act be naturalized.

Are those ministers who constitute the Methodist itinerancy of Upper Canada under the orders of the conference of the United States of America, or do they assemble annually in Upper Canada?—They assemble annually in conference in Upper Canada; they receive no minister from the United States, nor an other country, without a vote of a majority of the conference, and a regular probation for two years.

What proportion do you conceive the members of the Church of England bear to the whole population in Upper Canada?—It is impossible for me to say.

Do you think they are one tenth part of the population?—I do not think they are.

Do you think they are one fifteenth?—It is probable they do amount to that, or perhaps to one tenth; I should think there is one fifth part of the population in Canada that do not belong to any religious denomination, although they may be more favourable to one than to another, and they generally attend one of the places of worship in preference to others.

What do you conceive would be the best way of settling a provision to supply the religious wants of the country in Upper Canada?—I think that at least nineteen twentieths of the country with that the clergy reserves should be appropriated for the establishment of schools.

Do you think that it would be desirable to allow the ministers of religion in Upper Canada to depend wholly upon voluntary contribution for support?—Yes, I think it would be much the best; I think it would be conducive to the interests of religion, and it is not mere theory; we are living by the side of the United States where the ministers are supported in that way; I was several months in that country attending different places of worship, and I found them much more respectably attended, and the ministers better supported, and a greater decency prevailing in congregations both in the Episcopal Church and in others. The Episcopal Church in the United States is decidedly superior to ours in Canada, and it is supported by voluntary contributions of the people. In addition to this, occasional aid might be granted by the Legislature of the province.

Do you believe that the Church of England would have a better chance of becoming popular in Canada if the causes of jealousy, were removed which at present exist?—Yes, decidedly so, and her greatest enemies are those who would establish invidious distinctions between her ministers and others. The ecclesiastical chart has done her fatal injury. If the system commenced be persisted in, it will destroy the influence of the church in Canada.

Did the Legislative Council concur with the House of Assembly in those resolutions about the clergy reserves?—No.

Has not the Legislative Council very frequently been opposed to the wishes of the House

of Assembly on other subjects?—They are always expected to oppose the House of Assembly on all acts of a liberal and popular tendency, particularly if they have for their object the extension of religious liberty.

Does the Legislative Council consist chiefly of placemen?—Yes. Can you give the committee any statement relative to the persons of whom the Legislative Council is composed?—It contains five who are members of the Executive Council; they are, the Honourable William Campbell, chief justice, the Speaker, the Right Reverend the Bishop of Quebec, the Honourable James Baby, inspector-general, the Honourable Archdeacon Strachan, and the Honourable George Markland. Seven of the other members of the Council are persons holding offices of emolument under the Government; they are, the Honourable W. D. Powell, who is now in England on a pension, the Honourable John McGill, the late inspector-general, &c. who is retired on a pension, the Honourable Joseph Wells, who is on half pay, and a commissioner, &c. the Honourable Duncan Campbell, the provincial secretary, the Honourable John H. Dunn, the receiver-general, the Honourable Thomas Ridout, the surveyor-general, and the Honourable William Allan, who holds numerous offices; the other five are persons not holding places of emolument under Government, and they are, the Honourable Thomas Clark, the Honourable William Dickson, the Honourable Neil McLean, the Honourable George Crookshank, and the Honourable Angus McIntosh; the Honourable Thomas Talbot has never taken his seat as a legislative counsellor.

Can you state any other subject on which the Legislative Council have differed from the House of Assembly in Upper Canada?—I can state with confidence that several instances of the character before mentioned occur every session of the Legislature, but as I have not been furnished with documents on the subject I am not prepared to enter into details; the fact is notorious; and has been the subject of much discontent for a number of years; we have in fact but two branches of a Parliament, the Commons and the Executive; an enlightened and independent aristocracy is unknown in Canadian legislation, I speak of a large majority of the Legislative Council.

Have the same quarrels with regard to the independence of the judges taken place in Upper Canada which have taken place in Lower Canada?—There is a difference of opinion, but I cannot bring to my recollection the particulars, with sufficient clearness to state them in evidence. The House of Assembly are for the independence of the judges, but I do not know that any specific measure on the subject has been matured.

Do you conceive that any alteration in the composition of the Legislative Council is generally desired by the inhabitants of Upper Canada?—Yes; and I believe that nearly all our grievances would be removed by the Legislature of Upper Canada were the Legislative Council independent: without some change in this part of our constitution I believe no remedy can be effectual; and this I have reason to think is the general opinion in Upper Canada.

Do you imagine that the feelings of the population of Upper Canada are favourable to the idea of a union of the two provinces or not?—I do not think they are: the feelings of commercial men are in favour of it, but not of the public generally; it is very unpopular in most parts of Upper Canada.

Has the province of Upper Canada an agent in England?—No.

Has the House of Assembly ever expressed a wish to have an agent resident in England?—I believe they have, but I do not recollect the particulars.

In what way would it be possible to give the Upper Province a seaport without joining Montreal to it?—I do not know any other way; our difficulties with Lower Canada relate to revenue, and would all be settled by giving Upper Canada a seaport. This is a measure much desired in Upper Canada, and it would enable us to conduct our commercial financial concerns without being subject to continual collisions with Lower Canada.

Do you consider that there would be insuperable difficulties to questions of trade being decided between the two provinces without resorting to a union?—I cannot say; the union of the provinces would most probably be injurious to both.

Could not it be settled by deputation from the two Houses?—I think no satisfactory and permanent arrangement could be effected in this way; we have tried it long without any beneficial results.

Additional particulars, in answer to the questions of the Canada Committee relative to the Religious Denominations of Upper Canada:—

These are, 1st, Episcopalians; 2d, Presbyterians; 3d, Methodists; 4th, Baptists; 5th, Quakers; 6th, Menonists; 7th, Roman Catholics; and few others very inconsiderable in number.

The Episcopal clergy are paid by the British Government and the Propagation Society, and in no instance by their congregations; therefore the number of clergymen affords no criterion by which to judge of the probable number of churchmen in Upper Canada.

Under the term Presbyterian, I include the Independents and the Presbyterians of Upper Canada, as well as the less numerous congregations connected with the Church of Scotland. They are, in general, in favour of an impartial appropriation of the religious funds of the colony for the benefit of all denominations of Christians. I do not know that any of the Presbyterians in Upper Canada have petitioned for a division of the clergy reserves between themselves and the Episcopal Church. I believe that a more equitable appropriation for the good of all classes is approved not only by them but even by a majority of churchmen in Upper Canada.

The Baptists I do not think are so numerous as the different classes of Presbyterians, but I believe they are in general more influential. They are stated to have 45 ministers and 36 chapels; they occasionally itinerate, but not on a regular system.

The Quakers and the Menonists, a large body of German settlers, are valuable inhabitants, and occupy several very flourishing settlements.

The Methodists are represented in an annual conference consisting of 46 itinerant preachers. They have 117 itinerant and other ministers; 66 chapels; 623 places, including chapels, where Divine Service is regularly performed, and 130 places where it is occasional; there are 9,009 communicants belonging to their societies, and about 38,000 regular hearers, making about one-fifth of the population of Upper Canada. They have the only mission for the conversion of the Aborigines of Upper Canada, I mean the Chippewa or Mississauga Indians, 500 of whom have been brought to christianity. The astonishing and beneficial change which they have been the means of effecting in the character, habits and condition of these poor savages, has been noticed with approbation by Sir Peregrine Maitland, as well as by the House of Assembly. The Methodists maintain 10 schools, where 251 Indian children are instructed, and are rapidly acquiring the arts and habits of civilization and of christianity. The methodists, by means of a systematic itinerancy, affords religious instruction to every part of the country, and the religious services rendered the colony by this body of christians alone, would, if performed by a resident parochial clergy, cost the Government at least 20,000l. per annum. The Methodists formerly received missionaries from the United States, but they have for some years been under the care of their own ministers. They have now dissolved all connection with the Methodists in the United States, and measures are in progress which will probably lead to a more intimate connection with the Wesleyan Methodists in England. Under the existing regulations, the Methodists, in common with other dissenters, are excluded from any participation in the provisions made for the support of a Protestant clergy in Canada, as well as from the honours and privileges of the University.

I have stated it as my opinion, that a permanent endowment for the maintenance of a clergy in Upper Canada would not be beneficial. But the present state of the country requires that aid should be granted to build places of worship, to support missions and schools, and in some instances, to a limited extent, to assist in the maintenance of ministers. A partial measure for the assistance of one denomination to the exclusion of all others, would do a great injury to the country, and would more than can well be imagined in this country, tend to destroy British influence in Canada. The clergy reserves are generally acknowledged to be a very great hindrance to the improvement of the country. They might be sold to form a permanent fund for the encouragement of religion.

religion, education and internal improvement generally, and would no doubt be usefully and equitably appropriated for those purposes by the Provincial Legislature, were they authorized to do it.

I firmly believe that the prosperity of the Episcopal church in Canada, the interests of religion generally in the colony, as well as its peace and welfare, would be the most effectually promoted by removing every invidious distinction on account of religious opinions, and by giving assistance and protection to all.

I believe it to be the wish of full nineteen-twentieths of the inhabitants of Upper Canada, that all the clergy reserves should be sold, and the proceeds appropriated by the Provincial Legislature, on such principles as will not countenance any distinction on account of religious profession or belief, for the purposes of education and internal improvement in their most extensive sense, including the building of school-houses, places of worship, assistance to mission or native schools, to poor settlements for the maintenance of clergymen, &c. &c. The clergy reserves, which are now considered a great public injury, and which are the cause of much jealousy, contention and dissatisfaction, would, by such an appropriation, become the source of incalculable benefits and advantages to every class of the inhabitants, and would proportionably increase their attachment to the Government, and restore harmony and confidence in the colony.

I fully acquiesce in the sentiments expressed in an Address to His Majesty from the House of Assembly of Upper Canada, on the subject of the clergy reserves and of the University of Upper Canada, dated March 1828. I believe this address to be a real expression of public opinion in Canada, and I form this conclusion from an intimate knowledge of the country for many years. The report of a Select Committee of the House of Assembly of Upper Canada, on which this address was founded, dated 15th March 1828, I wish also to state, contains important facts connected with these subjects.

In explanation of my answers to the questions relative to the Legislative Council, I wish to remark,

The change desired in this body, is, that the Legislative Council be so constituted that a majority of its members be gentlemen whose interests are identified with those of the inhabitants, and who neither hold offices of emolument under the Colonial Government, nor belong to the Executive Council. I wish also to correct a very erroneous opinion which I have heard expressed in this country, namely, that the inhabitants of Upper Canada wish for or prefer a democracy. They are warmly attached to the British Government, and give it a deliberate and decided preference to that of the United States. Liberal institutions will, I have no doubt, increase these predilections, and also bring many valuable emigrants from the United States, men who would prefer liberty under a regular government to the anarchy and strife of democracy.

Additional remarks, in answers to the questions relating to the Union of the Two Canadas :—

This is generally unpopular in Upper Canada. But the annexation of Montreal to Upper Canada, to which it naturally and equitably belongs, would, I believe, meet with universal approbation. This extension of Upper Canada to its obvious and natural boundary, the eastern branch of the Ottawa, by giving us a sea port, would settle our financial difficulties with Lower Canada, and would be doing no injustice to that province. The commerce of Montreal is chiefly with the Upper country, whence it derives its wealth and prosperity. This commerce is principally profitable to the Montreal merchant; all our wealth flows to it, and we receive no advantages in return: we labour to enrich another Province, and have no control over the wealth which our industry produces. In Upper Canada we possess no means for internal improvement, and scarcely a circulating medium sufficient for the ordinary transaction of business. The advantages to Upper Canada, and to Great Britain, that would result from such a measure, are, I think, many and important. In Upper Canada it would give a powerful impulse to industry, commerce and general improvement, would increase the facilities for transporting produce, and consequently augment the consumption of British manufactures. It would more entirely detach the interests of Upper Canada from the United States, and unite us more intimately with Great Britain. I have no doubt that in a very few years, steam-boats would navigate to Lake Huron. It would more than realize to us every possible advantage of the union, without any of its obvious and perhaps insurmountable difficulties. I have reason to believe that the commercial and influential inhabitants of Montreal would be pleased with the measure.

GEO. RYERSON.

Sabbati, 21^o. die Junii, 1828.

James Stephen, junr. Esq., called in; and Examined.

What office do you hold in the Colonial Department?—I am Counsel to the Colonial Department.

In that situation have you frequently subjects connected with the two Canadas under your attention?—Frequently; because as all the Acts passed by the Legislatures of the two Canadas are referred to me for my opinion in point of law, it becomes necessary for me in considering them to make inquiries into the public affairs of those provinces.

Are you at all acquainted with the mode in which clergymen are appointed to the different districts in Upper and Lower Canada?—The clergymen of the church of England in the Canadas are not incumbents of livings. They are rather missionaries of the Society for the Propagation of the Gospel.

Has the Colonial Department any control over their appointment?—When a vacancy occurs among the clergy of the church of England in either of the Canadas it is reported by the Governor to the Secretary of State, who calls on the Ecclesiastical Commission to nominate a proper candidate. Of course their recommendation is usually accepted.

Are there any applications made by individuals to the Colonial Department for appointments, or do they always go in the first instance to the Ecclesiastical Commission?—Applications are often made directly to the Colonial Department. In strictness all applications should be made to the Secretary of State, because the Ecclesiastical Commission exists merely as a board of reference from the Colonial Department.

Can you state how long the practice has been disused of having all applications made to the Colonial Department?—I should say that the practice is not disused at present. The applications made to the Ecclesiastical Commission are not applications to the patron, but to persons who have it in their power to recommend applicants to the patron.

Was not the course taken of this kind, that the names of certain persons who were desirous of appointments in the church in Canada being known to the Colonial Office, that office was desirous of ascertaining, through the means of the Ecclesiastical Commission, whether they were fit persons or not?—Just so; the Secretary of State conceived himself inadequate to form a right judgment of the competency of a clergyman for his spiritual duties.

In the other case, would not the suggestion of individuals to be appointed originate with the Colonial Department, and does it not now happen that the suggestion of individuals rests with the Ecclesiastical Commission?—If the fact is inquired into, and not the theory, I should answer that in point of fact the Ecclesiastical Commission is substantially patron of all the church preferment of the government of the colonies.

Does Mr. Hamilton hold any situation connected with the Colonial Department, or is he solely employed by the Ecclesiastical Commission?—He is secretary to the Ecclesiastical Commission, and, as I suppose, received his appointment from the commissioners.

The Colonial Department is in constant communication with that body, and he is the acting member.

By whom was the Ecclesiastical Commission appointed?—I apprehend that the Ecclesiastical Board are not constituted by any "commission" in the legal sense of that word; but the Secretary of State requested the Archbishops and the Bishop of London, to render him their assistance in the proper disposal of this part of his patronage. In order to relieve those prelates from some of the difficulty in which they were involved by complying with that request, the Treasury authorized their Lordships to employ a secretary, which secretary is Dr. Hamilton.

By whom was Mr. Hamilton recommended for appointment to the situation which he now holds?—I believe by the Secretary of State for the Colonial Department.

Does the Colonial Department exercise any control whatever over either the appointment of individuals to, or the management of, the affairs of the church in Canada?—It has no other management, that I can perceive, of the affairs of the church in Lower Canada, than that which consists in appointing the dignitaries and the clergy.

Can you give the Committee any information respecting the Church Corporation?—The Church Corporation is created by a Commission under the public Seal of the province of Lower Canada, and it has always been doubted whether the Governor had any strict legal right to issue such a commission.

When was it issued?—I believe about nine years ago.

Of whom does it consist?—I believe it to consist of the bishop, the archdeacons of the two provinces, and the clergy of the church of England. They are all, as I understand, members of this corporation *virtute officii*, but I have never seen the instrument; we have no copy of it in Downing-street, and I can therefore speak of it only from the representations of others.

Do you know what powers they have under that commission?—I think their powers are confined to granting leases for the term of 21 years, and to the prevention of trespasses on the clergy reserves. They are a corporation of management merely; they have no power to appropriate the rent which they receive.

Is the rent received by them?—The rent, I apprehend, is paid over to the receiver-general of the province.

To him directly?—I believe that the clergy collect it in their different districts, from the tenants, and pay it over to the receiver-general.

In what way is it appropriated?—Hitherto the sum has been so inconsiderable that no discussion has arisen about the appropriation of it. I understand that it goes in aid of the funds out of which the clergy are paid.

To whom does the receiver-general account for the money?—The receiver-general accounts for all his receipts to the Lords Commissioners of the Treasury.

Does not he make a separate account to all the other persons of the money received for the clergy reserves?—He would also, I apprehend, if required, account to the corporation.

Is any copy of the account rendered of this money annually transmitted to this country?—It is not very much in my way to know what accounts of money are transmitted; I think however that they are not sent annually.

Would they appear in the details of the accounts rendered to the Treasury?—Yes.

Have you ever heard what it amounts to annually?—I have heard it stated, that in Lower Canada the gross rent amounts to 900*l.* a year; but there is in Downing-street an exact account of the gross rent and actual receipt from the clergy reserves in Lower Canada, and of the appropriation of it.

Do you know whether it is rapidly increasing?—I apprehend it is not.

Have they any other power than that of leasing the land?—I am not aware that they have any other powers except that of leasing, and that of preventing trespasses.

Has any wish been expressed by the Church Corporation to alter or to increase those powers?—A wish to that effect was expressed by some of the Canadian clergy.

What powers did they think that it would be expedient to vest in the Church Corporation?—They wished to have powers resembling those which were granted to the Corporation in New South Wales, which powers are much more ample.

What are those powers?—In New South Wales, in every county, a block of land is set apart, which is conveyed to a corporation, called "Trustees of the School and Clergy Reserves." The Corporation have the power of selling one third of what is so set apart for them, and applying one half of the produce of those sales to the improvement of the rest. The Corporation are to grant leases of what remains in its improved state, and the rents which they are to receive from those leases, with the interest arising for one half of the proceeds of the sales, are to be divided into two equal shares. Of these, one is to be applied in supporting schools for the education of children in the principles of the established Church of England; the remaining half is to be applied to the support of the bishop and archdeacon in the first place, and then for the support of the other clergy of the Church of England. When those objects are effectually provided for, the surplus is to be applied in whatever manner the King shall be pleased to direct.

Have any steps been taken towards extending the powers of the Church Corporation?—No.

Are you at all acquainted with the course of their proceedings?—I apprehend they have little to do, and meet but rarely. I am however unacquainted with their proceedings.

Do you know what number of leases have been made?—I do not.

Are you of opinion that the Act of 1791 contemplates the endowment of the Church of England, but that at the same time, with respect to lands which are not necessary to be applied for the endowment of the church, the rents and profits of those lands may be applicable, at the discretion of the Crown, to the purposes of a Protestant Clergy, speaking generally?—As I understand the Act of 1791, it distinguishes between the clergy of the Church of England and a Protestant clergy. To the clergy of the Church of England, and to them alone, it gives the capacity of receiving endowments as parochial ministers. To "a Protestant Clergy," whatever those words may mean, it gives the capacity of receiving any parts of these lands which the Royal Bounty may deal out to them. The expression, "a Protestant Clergy" is understood by the law-officers of the Crown to mean any Protestant Clergy, recognized by the law of Great Britain, or in other words the clergy, either of the Church of England, or of the Church of Scotland.

When you speak of the Royal Bounty, do you mean the rents and profits that may be made from the clergy reserves?—Not the rents and profits merely. I apprehend that the King might, if it should so please him, appropriate in perpetuity a certain portion of land for the sustentation of one or more English clergymen, or of one or more Presbyterian clergymen of the Church of Scotland.

Do you mean beyond the one-seventh reserved, or out of that one-seventh?—Out of the one-seventh.

How do you reconcile that answer with the statement that the Act appears to you to contemplate an endowment only of the Church of England?—Because I apprehend that it is one thing to erect a parsonage and endow it with a glebe, and a different thing to appropriate a piece of land for the maintenance of a clergyman.

Have the law-officers of the Crown given their opinion distinctly, that by the term Protestant Clergy no other sect is included, except the Presbyterian clergy of the church of Scotland?—They have, as I understand them, given their opinion distinctly, that no body of clergy, not recognized by the law of this land, can be candidates for this property.

And that consequently no such body is contemplated under the term Protestant clergy, under the Act of 1791?—Yes.

Can you point out in the Act the words upon which you take the distinction you have stated to the Committee?—The 37th clause enacts "That all and every the rents, profits or emoluments which may at any time arise from such lands so allotted and appropriated as aforesaid, shall be applicable solely to the maintenance and support of a Protestant clergy within the province in which the same shall be situated." The 38th clause enables the King to authorize the Governor, with the advice of the Executive Council, to erect within

in every township or parish, one or more parsonage or rectory according to the establishment of the Church of England. The 39th clause enables the King to authorize the Governor to present to every such parsonage an incumbent, or minister of the Church of England, who shall have been duly ordained according to the rites of the said church. The 40th clause declares that every presentation of an incumbent to any such rectory, and the enjoyment of the rectory and the profits of it by the incumbent, shall be liable to all the rights of institution and other spiritual jurisdiction which may have been granted by the King to the Bishop of Nova Scotia, or which may be granted to any other person according to the laws and canons of the Church of England. And the 41st clause enacts, That the several provisions hereinbefore contained respecting the allotment and appropriation of lands for the support of "a Protestant Clergy" within the said provinces, and also respecting the constituting, erecting and endowing parsonages or rectories within the said provinces, and also respecting the presentation of incumbents or ministers to the same, and also respecting the manner in which such incumbents or ministers shall hold and enjoy the same, shall be subject to be varied or repealed by any express provisions for that purpose contained in any Act or Acts which may be passed by the Legislative Council and Assembly of the said provinces respectively, and assented to by His Majesty, his heirs and successors, under the restrictions which are afterwards mentioned. Those restrictions are the laying them before Parliament. The 42d section enacts, that whenever any Act is passed by the Legislative Council and Assembly of either of the provinces, to vary or repeal any of those provisions respecting the allotment and appropriation of lands for the support of a Protestant clergy within the said provinces, or respecting the constituting, erecting or endowing parsonages, or respecting the presentation of incumbents or ministers to the same, or respecting the manner in which such incumbents shall hold them, & that whenever any Act shall be so passed containing any provisions affecting the exercise of any religious form or mode of worship, or shall impose or create any penalties, burthens, disabilities, or disqualifications in respect of the same, or shall in any manner relate to or affect the payment, recovery or enjoyment of any of the accustomed dues or rights hereinbefore mentioned, or shall in any manner relate to the granting, imposing or recovering any other dues, or stipends or emoluments whatever, to be paid to or for the use of any minister, priest, ecclesiastic or teacher, according to any religious form or mode of worship in respect of his said office or function, every such act must, before it receives the King's assent, be laid before the Parliament of Great Britain. Now as it seems to me in all these passages the Church of England is expressly mentioned where the Church of England is meant. And where the more comprehensive sense is to be conveyed, the more comprehensive term, "a Protestant clergy" is employed.

What meaning do you attach to the latter part of that paragraph, especially to the words "any other dues?"—I explain the words thus: this Act of Parliament, in the earlier sections, refers to the dues and rights belonging to the Roman Catholic clergy. In this passage its language is, "If the Legislature of the Canadas shall grant or impose any other dues,"—other, that is, than those which belong to the Catholic clergy,—then the King shall not have the power of assenting to such an Act until Parliament has had the opportunity of seeing and considering it."

Do you consider that clause as in any way a guarantee against the possible invasion by the Assembly of what had been granted to the Catholic clergy?—I apprehend that the object of the clause is rather to take some security that the Legislature of the Canadas should not establish any objectionable form of worship, or impose on the King's subjects there any dues for its support. Before the King can assent to any such law Parliament claims an opportunity of seeing it. This is, in fact, a jealousy of the King legislating, with the consent of the Provincial Assembly, on the subject of religion.

In clause 37, it is enacted, "That all and every the rents, profits or emoluments which may at any time arise from such lands so allotted and appropriated as aforesaid, shall be applicable solely, to the maintenance and support of a Protestant clergy within the province in which the same shall be situated, and to no other use or purpose whatever." As the next clause limits the endowment to the Church of England, is it your opinion that the rents, profits and emoluments arising from lands not endowed must be, at the discretion of the Crown, applicable for the general purposes of a Protestant clergy?—Applicable for any Protestant clergy established by the law of this land.

Will you point out to the Committee any provision in this Act which appears to permit the appropriation and allotment of land specifically to a Protestant clergy, as contrasted with the appropriation of a portion of the rents and profits arising from the lands?—I apprehend that the 37th clause, which authorizes the application of "rents, profits and emoluments" to the maintenance of a Protestant clergy, carries with it a power to the King to appropriate, in perpetuity for that purpose, any portion of the land whence those "rents, profits and emoluments" are to arise. The land so to be appropriated may, in my apprehension, be given either to the English or to the Scotch clergy. That the land itself is to be held in mortmain, and is to be inalienable, I suppose to be a matter of course.

Do you conceive, according to your interpretation of the term Protestant clergy, that other Presbyterians than those in communion with the Church of Scotland would come within the letter of the Act?—I think not. I apprehend that no man is a clergyman of the Kirk of Scotland who is not appointed to that office either by the General Assembly, or by some of the Presbyteries dependent upon it. A person calling himself a Presbyterian who is altogether unallied with the Church of Scotland, does not, as I conceive, come within the meaning of the term "a Protestant clergy," as that expression must be understood when used by the United Parliament of England and Scotland.

Do you then consider the Presbyterians of the Synod of Ulster as not recognised by law as a Protestant clergy in the country?—I apprehend the Presbyterians of the Synod of Ulster are not recognised by law as an established church in this country. The Acts of Union prevent the legal establishment of the Church of Scotland in any part of the United Kingdom except Scotland.

Did not the arrangement that was made with the Canada Company contemplate the sale of a part of the clergy reserves?—Yes, a sale of one half.

Were the powers of that sale obtained under a special Act of Parliament?—Yes.

Were they confined to the sale to the Canada Company, or were they sufficiently extensive to enable the Government to sell the clergy reserves to any person that would buy them?—No; Parliament authorized merely a sale to the Canada Company.

Do you know any thing of the appropriation of the income of the estates that formerly belonged to the Jesuits?—I understand them to be appropriated for the education of Protestants exclusively.

Do you hold that according to the existing statutes, the Government have the power of appropriating them at their own discretion?—Supposing them to be the territory of the Crown, the revenue arising from them is part of the territorial revenue of the Crown, and may be appropriated at its discretion. Whether the Crown really is, in point of strict law, entitled to those estates, is a question of the most complex and intricate nature. It depends on the proceedings in the Parliament of Paris on the dissolution of the order of Jesuits, and on the judicial sentences to which those proceedings gave occasion.

Can you give the Committee any information upon that subject?—I can give no information which it would be worth troubling them with.

In what way can the Committee obtain information upon this subject?—There is a Report of a Committee of the House of Assembly on Education, on the subject of the Jesuits estates, which forms a thin octavo printed volume. They were promised to Lord Amherst; but it was found impossible to carry the promise into execution, in consequence of objections made to the title of the Crown. The consequence was, that Lord Amherst's heirs resigned their pretensions to these estates, and an application was made by the Crown to Parliament to grant a pension as a substitution for them. A pension was accordingly granted. From that time to the present the estates have been in the possession of the Crown, which has been receiving the rents, and applying them for the education of the Protestant children of the country.

Are you aware of there being any legal opinion in favour of the right assumed over them by the Crown?—Yes, there were legal opinions by the law-officers of the province.

Have there been any legal opinions by the law officers of the Crown in England?—

Yes, by the late Sir James Marriott, and the attorney and solicitor general De Grey, and Norton.

Do you know the amount of the revenues arising from those lands?—I do not with accuracy; I suppose the net revenue to be small; a few hundred pounds annually.

Can you state what was the amount of the revenues of the Jesuits estates under any previous management?—I cannot.

In other colonies, where independent Legislatures exist, can you inform the Committee what has been the course with regard to the appropriation of the revenue; does there exist in any of those colonies, any fund which is at the disposal of Government; or is there in any of those colonies any permanent establishment, independent of the vote of the Legislature, for the governor or the judges, or any other officers of the colony?—By the general instructions which the governor takes with him to all the colonies in which there are legislative assemblies he is required not to consent to any act till a proper settlement has been made upon himself during his administration of the government. In point of fact, the administration of a new governor almost always begins by the enactment of a law, which places him in a state of independence of those whom he is to govern. But with this exception there is not any permanent establishment beyond the control of the Legislature. I believe I can undertake to say, that there is not any one of the Legislative colonies in which the King has any settled revenue which is not virtually subject to legislative control. The territorial revenue and the revenue arising from fines, forfeitures and other incidents of that nature constitute the only exceptions.

Is there any other permanent provision made, excepting that for the governor?—In Jamaica, and in many other colonies, salaries are settled upon the judges; but still it is in the power of the Assembly not to vote the funds out of which those salaries are to be paid. The votes are invariably annual.

Is there a deputy-governor in any other colony?—There are many lieutenant-governors acting as governors. But there is no colony, except Lower Canada, in which there is at the same time a governor and a lieutenant-governor.

Are you aware whether the House of Assembly in Lower Canada has ever offered to vote the salary of the governor and deputy-governor, during their residence in the province?—I think they have never made any such offer; nor am I aware that any opportunity has hitherto been afforded them of negotiating on the subject; for, under the highest legal authority, the Government have always maintained their right to pay the governor out of the existing revenue.

Are you certain of that, or is it only a general impression?—I have only a general impression; but it is an impression derived from some familiarity with the journals of the House of Assembly, a great part of which I have read and considered attentively.

In your opinion, would any inconvenience be likely to arise from appointing judges upon the same footing upon which they are appointed in this country?—Yes, I should regret the appointment of judges independent of the Crown, in any colony.

What reasons have you for entertaining that opinion?—My reasons are these. The gentlemen of the bar who go out to the colonies as judges, are of course seldom selected from the most successful members of the legal profession. They are frequently young men, and (without meaning to say one word disrespectfully of them) they are seldom well known. They go to a small society, where as a matter of course, (for it may be said to be the natural state of all small societies) they find violent feuds and parties. How they will conduct themselves in such situations must always be a matter of conjecture, and doubtful experiment. If the judge were independent and irremovable, I fear he would too often become the ally of some one or other of the local parties. His authority and influence would be almost without limit, and he would be obnoxious at once to unbounded adulation and reproach. Holding in his hands all the power connected with the administration of justice, he would be violently tempted to abuse it to party purposes. The grievance of the dependence of the judges on the Crown is, I think, on the other hand, nearly imaginary. Remembering the responsibility under which the ministers of the Crown act in this country, the danger of their removing a judge without the most grave and sufficient cause, is surely very inconsiderable. You must remember too, that every other public officer in the colony, even the governor himself, holds during pleasure. If you arm the judge with the whole powers of the law, and place him in perfect independence, without any large society to check and control him, can you expect that he will not be a little intoxicated with that elevation, and that the judicial will not be gradually merged in the political character.

If it were thought desirable for any reasons to make, from any source, a permanent provision for the judges, would there not be something absurd in making a permanent provision for a judge removable at pleasure?—It would be a permanent provision, not for the removable judge, but for the permanent office.

Since you think it desirable that the judges should be in a certain degree dependent upon the Crown in the colonies, do you not think it a natural and proper wish on the part of the Legislatures of those colonies to retain a certain check upon the proceedings of the judges, by keeping in their hands the power of annually voting their salaries?—I think not. In a small colony, or even in a large colony, people are exceedingly united to each other by domestic, social and party ties, and such unions exercise the most powerful influence in the legislative bodies. When a judge is dependent upon them, there will always be a danger lest he should make unworthy and unbecoming concessions to conciliate their good-will or to avert their displeasure.

Has much practical inconvenience of that kind arisen in the other colonies where the judges are dependent upon the Legislatures?—In most of the colonies the judges depend much more upon fees than upon the Legislatures. In the island of St. Vincent's they have voted the judge a salary; and they have done the same thing in Jamaica and in some other islands; but fees are the general resource.

Is there no danger of a dependent judge, such as you are speaking of, becoming a partizan with the executive power if there should be any difference between that and the representatives?—I think there is; but you must make your choice between opposite dangers.

Then it is a mere question of choice between the two degrees of danger?—It is, as in all other human affairs.

Supposing that a judge should so misconduct himself, as you have stated is possible, could not he be removed by an application to the Crown for misbehaviour?—He might be removed for misbehaviour; but my opinion is that the consciousness of dependence on the Crown would have a great tendency to prevent a sort of misbehaviour, for which, though it might be extremely injurious to the colony, he could not be removed.

Do you not consider that there would be less danger of the kind you before stated, of an influence upon the minds of the judges from their dependence upon the colonial assemblies, in so great a colony as either of the Canadas, than in similar colonies where that dependence at present exists?—In proportion as the population is greater, and the transactions of life are more numerous, local influence will press less on the mind of the judge; but still, even in Canada, the dense population meet together in a very small space. In Upper Canada particularly, this is so.

Do you consider, that there is any thing peculiar in the situation of the Canadas which entitles this country to ask the Assemblies in those colonies for a greater degree of independence of the judges upon those Assemblies than it has asked or obtained in any other colony?—I think that in other colonies we have not asked nor obtained enough. If the question relates to what it would be abstractedly convenient to do, I should not take the practice of the other colonies as a standard.

What are the practical inconveniences which have occurred in the other colonies in consequence of the dependence of the judges upon the Legislature?—The practical inconveniences are that the judges are inadequately paid; that well-instructed and successful lawyers decline the employment; that you have frequently judges who have no education preparing them for the judicial office. It would be invidious to refer to particular cases; but throughout the colonies a body of gentlemen are acting as judges, who, however accomplished in other respects, are totally destitute of a legal education.

Are you aware that in those disputes which led to the separation of the North American colonies, which at present form the United States of America, from the mother country, this question of the independence of the judges formed a great part?—Yes. Are

Are you aware of Dr. Franklin's expressed opinion on this subject, of the utter impropriety of people in any free state allowing judges that were dependent upon the Crown to become independent of them, as being utterly subversive of every free constitution?—When the Canadas shall have grown into a nation, large and extensive as the United States had become, even at the time when Doctor Franklin spoke, I should say that the time had arrived for constituting independent judges. The danger of their independence, in my estimate, arises almost entirely from the peculiar constitution of small colonial societies.

Does not a greater degree of danger arise from the necessity which prevails, or is supposed to prevail, for sending judges from this country, and thereby placing them out of the sphere of their own natural dependence?—It is not a necessity which is merely supposed to prevail, but which, as I conceive, does to a great extent in fact prevail. If a sufficient number of gentlemen were educated in Canada to be competent judges, (and there is at this time in Upper Canada and I believe also in the Lower Province, more than one gentleman at the bar competent to discharge the judicial office in this or in any part of the world) if the choice were sufficiently large, then the most urgent reason for sending judges from England would be at an end.

Do you think it necessary that the judges should be in the Legislative Council in Lower Canada?—I suppose it to be necessary from the want of other competent persons. *Ceteris paribus*, I should prefer, as a member of council, a man who was not a judge; but if the superiority of knowledge, talents, and other accomplishments, were decided and unequivocal, I should prefer the inconvenience of employing the judge to the inconvenience of losing his assistance.

Do you think that the circumstance, either of the dependence of the judges upon the Government for their continuance in office, or of the dependence of the judges upon the Assembly for their salaries, is at all influenced by the circumstance of their sitting in the Legislative Council?—I do.

Is it more or less desirable on that account?—If a judge, dependent on the Assembly for his judicial salary, is also sitting in the Legislative Council with a salary, he is bound to the Assembly by two ties instead of one. The dependence in which he is placed is consequently increased, and the objection to that dependence augmented.

Do not you think that if that independence of the judges was once ascertained it would lead to the sending out of men of rather a higher character as judges?—Not unless their emoluments were much greater than it is. At this time a puisne judge in Upper Canada receives only 900*l.* sterling annually; he has no outfit nor passage found him; it is a mere 900*l.* sterling. Now there are few men who have borne the expense of a legal education, and who have had any sort of success in their profession, who would emigrate to a foreign land for such a remuneration.

Would not the Government, if the judges were made independent, send out men of higher moral character, and men less likely to violate their public duties?—I entirely disclaim having meant to impugn the moral character of those who go at present; I have questioned only their discretion.

Do not you think that the sacrifice of duty to party feeling intimates a moral want?—As an abstract question, I should say so; but in truth, men slide so easily from the highest morality to a lower and more easy standard of morals, that one would hardly impeach a man's character upon that ground.

Is it not within your own knowledge that the individuals who are appointed to judicial situations in the colonies always receive such testimony as to their character and competency as to justify their appointment?—It is an established rule, and I should say a settled practice also.

Do you consider that it would be safe to leave to the Colonial Legislature the power of impeachment of the judges?—That depends altogether upon the constitution of the tribunal by which the impeachment was to be tried.

What should you consider to be the requisites of the tribunal before which such impeachments should be carried, under the conditions of which it would be safe to leave that power in the Legislative Body?—They should be judges perfectly independent of the parties preferring the impeachment; and they ought, if possible, to be judges quite remote from all the feuds and party feelings of the colony in which the impeachment arises. In the case of the charter which has recently been issued for the constitution of new courts in the Cape of Good Hope, the power of removing a judge is reserved to the King in Council, but only upon proof of misconduct. The King in Council then is the tribunal before which the supposed impeachment is to be preferred; and that, in my mind, is the best possible tribunal for such a purpose.

Are the Committee to understand that in the charter to the Cape, the King is deprived of the power of removing a judge except under circumstances of misconduct?—Yes.

Then in point of fact, at the Cape, if a judge were to mix himself up with local parties, unless it amounted to some ostensible act of a violent nature, it would be impossible for the Crown to remove him?—It would; but the charter is avowedly an experiment, and as long as it is regarded in the light of an experiment it may perhaps have a salutary effect in preventing any misconduct which might lead to an alteration of it.

Mr. William Parker, called in; and Examined.

YOU are a Merchant in the city of London?—I am.

Of what country are you a native?—Of Scotland.

Have you resided in Lower Canada?—I resided there 13 years without leaving the country, and afterwards made upwards of 20 voyages to Canada and Britain.

Have you any connection and interest in that country at present?—Yes, very considerable; I have debts owing; I have retired from business in that country, but I have very considerable debts outstanding there.

What is the opinion you may have formed of the general character of the population of that province from your own knowledge?—I consider that the peasantry there are the finest people in the world that ever I met with; I had an opportunity of knowing them very intimately, I succeeded as a partner in a French house in 1784, which had extensive connections with French Canadian merchants, in the district of Montreal, when there was very little accommodation in the town of Montreal, and they all staid with us when they came to town, which was very frequently, and therefore I was very much in their company.

What are, in your opinion, the causes of the dissensions which have prevailed in Canada for some time past?—I think it is, in some measure, owing to my countrymen the merchants there, who are ambitious to be legislators; and they are very much hurt that the French Canadians prefer their own countrymen as their representatives to them.

What is the character of the mercantile population in Montreal which you have spoken of; are they permanently resident in the country, or are they generally people who make their money there, and then come over to England?—The French Canadians consider them not as fixtures, but as movables, and therefore they have not that confidence in them that they have in their own educated countrymen.

Has the interest you have in Canada induced you to enter into any correspondence of a public nature relative to the dissensions which have prevailed there, with a view to quieting them, and preventing their recurrence?—In 1822, when the union business was brought forward, I, jointly with Mr. Munro and Mr. Stansfield, addressed Lord Bathurst on behalf of the Canadians, and since the late dissensions I wrote to Mr. Huskisson in September 1827 and January 1828; and these three letters I desire may be taken down as part of my evidence, and inserted as such; as also the letter from Mr. Wilnot Horton in 1822.

[The witness delivered in the same.]

—No. 1.—

LETTER to the Right Honourable Earl Bathurst, dated 8 July 1822.

9, John Street, America Square, 8th July 1822.

My Lord,

Our attention having been drawn to a bill recently introduced into the House of Commons, for uniting the two provinces of Upper and Lower Canada into one government, we

most respectfully, but most earnestly, entreat of your Lordship that the measure may not be proceeded in until the sentiments of the inhabitants shall have been ascertained. A long residence in the province of Lower Canada, and a connection of upwards of forty years with both these valuable colonies, have afforded us the means of forming an opinion on the subject, and we feel it our indispensable duty to state to your Lordship our strong conviction, that the hurrying of this measure without giving the Canadians a hearing, is pregnant with the most disastrous consequences.

Allow us, therefore, most earnestly to entreat that it may not be proceeded in until His Majesty's Government shall have had an opportunity of learning in a direct manner the sentiments and feelings of the parties whom it most concerns.

We have the honour to be with much respect,

Your most obedient servants.

The Right Honourable,
Earl Bathurst, K. G.
&c. &c. &c.

(signed) Wm. Parker,
D. Munro,
G. Stansfield.

—No. 2.—

LETTER from R. Horton, Esq., dated 10th July 1822.

Colonial Office, 10th July 1822.

Gentlemen,

Lord Bathurst directs me to acknowledge the receipt of your letter of the 8th instant, requesting that the Bill lately introduced into the House of Commons may not at present be proceeded in; and I am to acquaint you, that the measure having been brought forward in Parliament after a full consultation and strong conviction of its expediency, his Lordship cannot recommend that it should be withdrawn in the present stage of its progress.

I am, Gentlemen, your most obedient servant,

(signed) R. Horton.

To William Parker, Esq. &c.

—No. 3.—

LETTER to the Right Honourable William Huskisson, dated 27th September 1827.

9, John Street, America Square, 27th September 1827.

Sir,

The controversies and increasing hostile feeling between the Representatives of the House of Assembly in Lower Canada, and the Executive Government of that province, make so strong an impression on my mind as to the political consequences of such an unhappy state of things, that I feel it my duty to make a communication to you on the subject; for impressed as I am with a deep conviction that the British North American colonies are of the most vital importance to the empire, as well in a political as commercial point of view, especially the two Canadas, which not only consume largely themselves of British manufactures, but are the indirect cause of probably more than three fourths of their present consumption in the United States of America, the government of which, were it not for the vicinity of our colonies, would exclude them by high duties in favour of their own infant manufactures. Being at the same time convinced that these most valuable colonies can only be preserved to the British Empire by uniting the whole population of the two Canadas, and especially the French Canadians of the Lower Province, in a zealous and unanimous defence against any possible hostile invasion on the part of the Government of the United States. From the knowledge I have of the temper and feelings of the French Canadians, derived from a long residence amongst them, and an intimate connection with all the different classes of these most invaluable British subjects, and more especially with those of the higher orders, for nearly the last fifty years, I religiously believe, that a more loyal, brave, and hardy race of men do not exist on the face of the globe; nor who are more capable of the greatest military exertions, and which they gave convincing proofs of at their conquest by the British, when their numbers were not one sixth part of their present population. I feel truly proud of them as British fellow-subjects, and would ever deplore any unhappy circumstance that might throw them into the arms of the United States, the most dangerous rival of the British Empire, and who are impatiently waiting for this most important event to enable them to rid North America of British residence, influence, and interference with their ambitious and aspiring Republic. Under this deep conviction, I am fully persuaded that Government would consult the best interests of the empire by granting (and without delay) to the inhabitants of the two Canadas every right and privilege that the citizens of the United States of America enjoy, with the exception of their dependence on the Crown of this empire as colonies. They ought, in my humble opinion, to have the election (as the citizens of the United States of the Union have) of every officer of the province, including their Governor, Lieutenant-governor, judges, &c. &c. Under these very liberal circumstances I am convinced they would cheerfully consent to pay all their own expenses, Great Britain of course to pay any military force she might deem it prudent to keep in any of these provinces, and which would be all the expense attendant on keeping the two Canadas as colonies.

So liberal a measure as this would effectually secure the gratitude, confidence, and cordial attachment of every French Canadian in these provinces, and would determine them to make every sacrifice of life and fortune that may be necessary to preserve their connection with this empire against any hostile attempt on the part of the Government of the United States, whom they certainly do not like. I beg leave once more to repeat my firm conviction, that we cannot preserve our North American colonies from the grasp of their ambitious neighbours without the zealous and cordial co-operation of every French Canadian in the Lower province; but, on the contrary, if we secure their exertions, supported by a moderate British force of about 10,000 men, I would not fear any numbers that the United States could employ against them. They would soon find their graves, or a prison, in that interesting province. I would be most happy personally to explain the grounds on which my opinion is founded, when you think fit and at your convenience, will do me the honour to appoint a time to wait upon you for that purpose.

I have the honour to be, with great respect,

Sir, your obedient servant,

The Right Honourable
William Huskisson,
&c. &c. &c.

(signed) Wm. Parker.

—No. 4.—

LETTER to the Right Honourable William Huskisson, dated 28th January 1828.

9, John Street, America Square, 28th January 1828.

Sir,

I did myself the honour of addressing you on the 27th September last, with my sentiments in regard of the unhappy differences existing between the Executive Government and

and the Legislative Assembly of the province of Lower Canada, and of stating the dangerous consequences that might follow thereupon, if not speedily removed; but as I have received no intimation that my letter has reached your hands, I am induced, in order to guard against its possible miscarriage, to hand you a copy of it herewith enclosed.

I am the more desirous of doing this, as every event that has occurred in that province since the date of my said letter to you, tends to widen the breach, and to alienate the affections of the French Canadians, who have hitherto been justly considered the most loyal subjects (without any exception) of His Majesty; I feel it my duty, therefore, to repeat my former conviction of the urgent necessity of a speedy and radical change in the system which has much too long prevailed of governing the Canadas, and more especially the invaluable province of Lower Canada; for, constituted as things now are in that country, in the event of war, or invasion on the part of their neighbours, no effectual resistance could rationally be expected from the French Canadians who compose more than nine tenths of the population. The other tenth part, who are called English, consist of American loyalists, American citizens, and emigrants from the United Kingdom—chiefly from Scotland; and from whose insignificant numbers and composition no effectual resistance could possibly be made to an invading enemy. And yet, small and unimportant as this part of the population of Lower Canada is, they have in a great measure (ever since the American Rebellion) monopolized every place of honour and emolument under the Government, to the exclusion of the French Canadians, who, if justice were done to their abilities, education, loyalty, and importance in respect of influence with the whole of their virtuous countrymen, would fill at least nine tenths of all these places. If this part of the subject were to undergo a fair discussion it would naturally be asked, Who are the chief justices of the province? Who the attorney-general? Who the solicitor-general? Who the judge-advocate? Who president of the two councils Legislative and Executive? Who compose the majority of the members of these councils? Who are the sheriffs? Are they French Canadians? Oh no! they are a conquered people, and French, and not fit to be trusted. American loyalists and others must therefore have almost the exclusive preference of all places of honour and profit. Lower Canada now abounds with young French Canadian subjects of brilliant talents, cultivated by the best education; and who, from their respectability and influence are qualified to fill every situation in the province with credit and honour to themselves, and benefit to the colony and mother country. They very deservedly enjoy the most unlimited confidence of all their virtuous countrymen, who would rise to a man—and I might almost say to a woman—in defence of the province, if encouraged and led on by them. But how can such devotion be reasonably expected from men circumstanced as they are under the present administration of things in that colony? Fortunately for the best interests of this country, the French Canadians are a virtuous people, and wish to remain so, (distinct from the mixed classes around them), and enjoy in peace and quietness their religion, language, and manners; and happily for us, they consider they have a better chance of so doing with British connection than with American. On this account, and for the advantages enjoyed by them as British colonies, they will adhere to Britain, if its Government have the wisdom and good policy to do them justice. I am still, therefore, of opinion that they should have every privilege of independence granted them consistent with their remaining colonies; and that our other North American colonies should also be promised to be placed on a similar footing, so soon as their population reached a certain number. Under so very liberal a system of government, when war with their neighbours takes place, we would be more likely (if so disposed) to colonize their neighbouring states than lose any of our present North American colonies. Unless that some arrangement is made, and soon, that will satisfy and tranquilize the minds of His Majesty's French Canadian subjects of Lower Canada, whenever war takes place between this country and the United States, we will most assuredly lose all our North American colonies. They will be added to the stripes for the back of John Bull. It is not yet too late to avert this calamity.

I have the honour to be, with great respect,
Sir, your most obedient servant,
(signed) *Wm. Parker.*

The Right Honourable
William Huskisson,
&c. &c. &c.

DID you sign a petition lately presented to the House of Commons from the Canadian merchants residing in London?—No, I did not; it is a very improper one, in my opinion.

Why do you think so?—To unite 1,500 miles of country in one province would be the most inconvenient thing that could be; and it is a most insulting measure to the French Canadians; the object of it appears to me to be only to overpower them in the House of Representatives, and it would not be attained by that means. In Upper Canada it is said that there are very able republican members, and if they sent them down to Lower Canada as representatives, they would be very apt to republicanize the French members, who are not republicans, but loyal, and in my opinion, even ultra royal in their present sentiments and wishes.

Do you know any Canadian merchants now resident in London who entertain the same opinion upon that point as yourself?—Perhaps not.

How long is it since you have been in Canada?—Not since 1811.

You have described what you call the English population, by which it is presumed you mean the population from Great Britain, as being unsettled and transitory?—Not unsettled; but the French Canadians do not look upon them as settled; the educated part of their own population, being born in Canada, remain there; the English part of the inhabitants remain there or not, according to circumstances.

According to what circumstances are they there?—They are there for the purposes of trade.

Are they in the habit of investing their money there in purchasing lands?—Some few have done so.

Can you state why it is that only a few are disposed to do so?—There are not many that have money to invest; there are but few of them that make money. I believe that since I went out in 1780 there are not half a dozen houses in Montreal and Quebec that were in existence at that time.

Do you believe that in the English population there is an indisposition to acquire property and to settle in Canada?—I cannot speak to that; I think that if they made money they would be more inclined, perhaps, to return to Europe.

To what circumstance do you attribute that?—That if they had fortunes they would enjoy them better in England than in America. Canada is a very cold country, there is one half of the year that they are locked up with ice.

Is there any other reason than the climate which renders the persons emigrating from this country indisposed to acquire property in Lower Canada?—They would like to have the confidence of the French Canadians; they would like to represent them in the Legislature; and the French Canadians have not that confidence in them, from the circumstances I have mentioned, that they have in their own countrymen, who are numerous and well-educated men.

Do the English settlers dislike the state of the law and tenure of property in Canada?—Perhaps they would like some other tenure better; I do not know; some of them, I suppose, would prefer other tenures.

Have you ever held landed property in Canada?—I have land that has come to me in payment of debts.

From your acquaintance with Lower Canada, do you think that if the minds of the inhabitants of that province were quieted as to any apprehension of uniting them with the Upper Province, and if the present constitution was administered in a conciliatory manner, that that would be sufficient to make things go on smoothly?—Yes; I think it would, unless there was an invasion on the part of their neighbours. But they have been so much teased and tormented for the last 20 years that it must shake their confidence in their constitution; and I question almost if even such palliations would be sufficient. It would tranquilize while there is peace with America, but it would require the exertions of every man in the country, in co-operation with any force that this country might furnish, to defend

the colonies against the Americans. I do not think that 50,000 British troops would keep the two Canadas for two campaigns.

You mean without the hearty co-operation of the French Canadians?—Yes; with their co-operation 10,000 men would be quite sufficient to drive out the Americans.

What system of government towards the Canadians is it that you would recommend?—I would give the whole civil government of the four British North American colonies, Upper Canada, Nova Scotia, and New Brunswick, to the inhabitants, under such vetos and restrictions as might be deemed proper with colonies, the fewer, however, and more liberal these were, the better, and keep them as military and commercial stations, and give them all the privileges that they see their neighbours of the United States enjoy, and under which system they are so happy and prosperous.

Do you think it desirable to leave the Lower Province of Canada to the management and direction of the French Canadians?—Certainly; they are in my opinion the best subjects that this country has in any part of the world.

Supposing that there exists on the part of persons emigrating from England any dislike of French institutions, would you think it desirable to take such steps as would remove the grounds of objection taken by the English, by letting them have in such parts of the country as they are disposed to settle English, laws and English institutions?—Not in Lower Canada; you could not have separate institutions in Lower Canada; the English are confined chiefly to the towns of Montreal, Quebec, and Three Rivers.

Are you aware that the land granted to the English, is granted upon a tenure similar to that on which land is granted in England?—In Lower Canada I think it ought not to be so; it is contrary to their capitulation, by which, I understand, they were to enjoy their laws as to landed and fixed property.

Do you also think that it would be contrary to good policy?—I think it would be contrary to good policy to infringe in the least the rights they capitulated for.

Do you think that the unsettled lands that now exist in Lower Canada should be left to the descendants of the French Canadians to occupy them as they may hereafter be able to do; or that it would be wise to adopt such institutions as would encourage the settlement of individuals from this side of the water?—I would encourage the French Canadians, they are the only people you can depend upon; the population of the other provinces is of a mixed character (a great many loyal, brave and good men, no doubt, amongst them); the French Canadians are united in their origin (of which they are justly proud) in religion, in manners, and in virtue; they have a character to support, and they have always nobly supported it; whilst they were under the French government, they were the bravest subjects that France had; and with one sixth of their present number they gave the greatest opposition to the British army that they met with at the conquest in Canada. I am persuaded if the French Canadians had been as numerous at that time as they are now, we could not have wrested Canada from France, and if such had been the result, we would not now have the youthful, powerful and federative North American republic encroaching on us as she do at present. The French Canadians are reproached for not Anglifying themselves; are the inhabitants of Jersey and Guernsey worse British subjects for having preserved their language, manners and Norman laws? or are they so reproached?—and yet I will boldly assert that Lower Canada, and other North American colonies, are of ten thousand times more vital importance to this empire than these islands are of. I consider them more than the right arm of the British Empire. I am convinced that if the French Canadians were double their present number, they would set all the union of America at defiance; they are the best subjects this country have.

For that reason you think it would be wise to let them have an opportunity of extending their numbers and their institutions over the whole of the Lower Province?—Certainly; you have no other chance of keeping your North American colonies but by that means; if you do not do it, you lose them as sure as ever you have an invasion on the part of America, and what then?—With the American republic one and indivisible from the Gulph of Mexico to Hudson's Bay, how would this empire be circumstanced in regard of ships, colonies, and commerce? This (in my humble opinion) most important and indeed most vital question deserves the most serious consideration of the British Legislature: once the North American Colonies lost, they are for ever.

Martis, 24^e. die Junii, 1828.

James Stephen, junior, Esq. again called in; and Examined.

When you were last before the Committee, some questions were put to you with respect to the rents of the clergy reserves, have you been able to ascertain what is the gross amount of the rent actually received, and what are the net receipts?—I have with me an account, which I believe will answer that question with sufficient accuracy. In the province of Lower Canada the total quantity of Crown reserves is 488,645 acres, of which there are in lease for 21 years, 38,366 acres. The terms of the leases are, that upon a lot of 200 acres eight bushels of wheat, or 25s. per annum, are to be paid for the first seven years, 16 bushels of wheat, or 50s. per annum for the next seven years, and 24 bushels of wheat or 75s. per annum for the last seven years. The nominal revenue of these Crown reserves, upon the average of several years is 830l.; and the actual receipt is less than 30l. per annum. The total quantity of clergy reserves is 488,594 acres, of which 75,639 acres are granted in lease upon the same terms as the Crown reserves. The nominal rent of the clergy reserves is 930l. per annum, and the actual receipt, upon the average of the last three years, is 50l. per annum. These statements are made on the authority of a letter addressed by Mr. Cochran (the private secretary of Lord Dalhousie) to Mr. Wilmot Horton, of the 20th March 1826. It is the latest account on the subject in the Colonial Office.

Can you account for the great difference between the nominal rent and the net receipt?—It is accounted for by the great difficulty of collecting the rents, and by the tenants absconding. The resident clergy act as local agents in the collection of the rents. It appears that the sum of 175l. has been deducted for the expenses of management, and that at the date of Mr. Cochran's letter there was in the hands of the receiver-general a sum of 250l., the gross produce of the whole revenue of this estate.

The Committee are informed that an arrangement was made with the Canada Company for disposing of a considerable portion of the clergy reserves, and that that arrangement has practically failed; is there any other arrangement in operation to dispose of a portion of the clergy reserves, excepting that which you have informed the Committee of, which exists under the power which the Clergy Corporation possess of leasing a portion of them?—The statute 7th and 8th Geo. IV, c. 62, authorizes the sale of one fourth of the clergy reserves, provided that in no one year more than 100,000 acres be sold.

What persons are directed to carry that sale into effect?—They are to be sold by the Governor, acting under instructions issued by His Majesty, through the Secretary of State. Mr. Peter Robinson is appointed in Upper Canada as the Agent to carry this power of sale into effect. I believe, but am not certain, that in Lower Canada Mr. Felton has the same appointment. The proceeds of the sales are to be invested in the public funds of this country, and the interest arising from the investment, after defraying the expenses of the sale, is to be applied to the improvement of the unsold land, or for the purposes for which the land itself was originally reserved.

Have they the power of selling, subject to lease, any portion of those lands that have been leased?—They will, I understand, sell wild land only.

It has been suggested to the Committee that it might be desirable to invest the Ecclesiastical Corporation with a power of letting leases for a much larger term than 21 years, even for the term of 100 years; if they were invested with such a power would it not conflict with the power of sale granted to the Governor under the Act you have alluded to?—The power of granting long leases would of course have a tendency to withdraw from

the agent appointed by Government some of the property which is now at his disposal. But I do not apprehend that there is any probability that, except in a few peculiar cases, the leases would be accepted.

Even of as long a duration as that alluded to?—No; not if they were granted for 1,000 years; the duration of the interest would indeed be virtually unlimited, yet a leasehold tenure is always of less value than a freehold, because the tenant is subject to forfeitures for breaches of covenant. It is unpleasant also to stand to another person in the relation of tenant, because during the term the landlord has many rights over the property which are burdensome and vexatious. In the Canadas freehold is to be obtained so readily that, *ceteris paribus*, no one will accept a lease however long. I apprehend also that the Church Corporation have already granted in lease those portions of their lands which are the most desirable. The choice lots have been culled already.

Is the quantity which the Government are empowered to sell, under the Act alluded to as great as the state of the market would enable them to sell?—I of course have no personal knowledge of the state of the market, but what I have been able to learn, renders me utterly incredulous that there is an annual demand for 100,000 acres of land in either of the provinces. You may of course create a demand by lowering the price, but there is no effective demand for it.

The Committee are informed that the distribution of the clergy reserves is extremely inconvenient, as far as it affects other land occupied by independent settlers; has it ever been considered worth while to make an exchange of the land, and to give to the clergy a large mass of land in any particular spot, and to dispose of the particular portions now allotted as clergy reserves?—A power of exchange is contained in the Statute 7 & 8 Geo. IV. c. 62.

Do you know whether any thing has been done under that power?—I think not. Does any thing occur to you which would improve the situation in which the clergy reserves now stand, or may be placed by the existing laws?—Nothing; I apprehend the only wise course of proceeding is to get rid of them altogether.

Do the existing laws contain such powers as would enable the Government to get rid of them as speedily and as advantageously as possible?—My own opinion is that the reservation of wild lands is precisely the most inconvenient provision for a clerical body in Canada that ever was imagined, and that both the clergy and the colonists at large would be benefited by disposing of them entirely, and at once, and by substituting some other mode of provision.

Do you recollect to what extent that Act gives a power of exchange?—The power is given without any restriction as to quantity.

How would you propose otherwise to provide for the clergy?—I would provide for them by granting wild lands subject to small quit-rents. Those rents I would not actually levy for a considerable length of time. I would allow the parties ample leisure to cultivate their lands, and to invest capital upon them. When this was effected you would have an adequate security for the punctual payment of the quit-rents. Ten or perhaps 20 years might first elapse, but at the expiration of that time the quit-rents so reserved would be sufficient for the sustentation of as many clergy as the province could require. I do not see no distinct prospect that this wilderness, so long as it is held in mortmain by a clergy totally destitute of funds, or leisure or skill for its improvement, will ever yield any revenue adequate for their support. In the mean time it remains the subject of discontent, and the source of innumerable inconveniences.

Upon what ground do you understand that the clergy objected to a fair sale of their lands?—Their objection was that the valuation was too low.

Did that appear to you to be so when you compared it with the market price of land?—On the contrary, my opinion, after a frequent and most laborious study of the subject, was that the valuation was too high. In confirmation of that opinion I refer to the fact, that persons conversant with the subject, and deeply interested in the welfare of the clergy of Canada afterwards advised the Crown to grant to the Canada Company a block of land on Lake Huron, not at 3s. 6d. an acre, the price at which the clergy reserves had been valued, but at 2s. 9d. an acre, and of this 2s. 9d. a large part was to be returned to the company on their effecting certain improvements on the territory.

Is not that less valuable as being in a large block?—I apprehend it is more valuable, because the company will have the entire and undivided benefit of every shilling they expend upon it. In improving the vicinity they will be improving their own property. In improving detached lots the benefit would in part have accrued to their neighbours. I should observe also, that only the worst parts of the clergy reserves were comprised in the valuation. The best had been previously culled.

Has any other mode of providing for the clergy been under consideration besides that of reserving quit-rents on the clergy reserves?—I apprehend not; I have heard of none. Are you aware what portion of the clergy reserves have been actually sold under the provisions of the late Act of Parliament?—There is as yet no report of any sale.

What, in your opinion, would be the law which in Lower Canada would regulate the inheritance of land held in free and common socage; if an owner of such land died without a will, leaving children, how would it be distributed among them?—The question, I presume, refers to the state of law as it stood before the enactment of the Canada Tenures Act, 6 Geo. IV. c. 59. The law since that statute is quite clear. My opinion is, that before the enactment of the Canada Tenures Act, lands held in free and common socage in Lower Canada would have descended in the same manner, and according to the same rules, as seignories holden of the Crown. The grounds of that opinion are, that the words "free and common socage," in their proper and legal sense, are always used in contradistinction to the ancient tenures in chivalry. The essential quality of a free and common socage tenure is, that the services to be rendered by the tenant are definite and certain. In tenures in chivalry they were fluctuating, and depended on many accidental events. Such is the case at this day with the feudal tenures subsisting in Lower Canada. Therefore the provision in the statute of 1791, that lands in Lower Canada might be granted in free and common socage to those who should desire it, meant, as I conceive, only that the lands should be holden, not upon those varying services which the ancient feudal tenures of the province would have imposed upon the tenants, but by services fixed and certain. The policy of this enactment was obviously to promote cultivation and improvements, and to relieve the agriculturist. What is essential to that end is enacted, and nothing more. The rule of law established by the Act of 1774, that in all matters of civil right, resort should be had to the laws of Canada, was invaded so far, and only so far, as was necessary for giving effect to this general policy. The departure from the ancient code was precisely co-extensive with, and limited by, the motives which required it.

You are probably aware that subsequent to the enactment of that law the courts of justice in Canada, and the people in Canada, both seem to have concurred that the old French law should be applicable, in all its parts, to those lands that had been granted in free and common socage, and those lands have therefore descended from that time to the present according to the principles of the old French law. Does it occur to you that that circumstance of the courts of justice having governed themselves upon the principles of French law, does not give validity to those titles which have been thus conveyed?—My own opinion is, that the courts were right in those decisions. And at present the only doubt is as to the effect of the Canada Tenures Act upon the question. That Act recites that doubts have arisen whether lands granted in the Province of Lower Canada in free and common socage will be held and alienated, and will descend according to the Canadian or to the English law; and proceeds to enact that such lands may and shall pass, by conveyance or descent, according to the law of England. But the statute does not contain any retrospective language. I suppose the Legislature to have meant to legislate only for the future, leaving the past to be regulated by judicial decisions.

Then with that view you do not think it would be desirable to pass an Act to quiet titles, and to confer on those individuals that have acquired property under the French forms an undoubted right?—It would first be necessary to ascertain with great exactness to what extent the grievance really exists. It would scarcely be wise to pass an Act of Parliament to provide for an insulated case or two. At present your statute prevents the Canadian Assembly from legislating on the subject. I think it would be far better to impart the necessary powers to them. They are incomparably more competent to pro-

vide for the real exigencies of the case that Parliament can be. If an Act were passed for the single purpose of erecting a legislative body properly constituted, and fairly representing the inhabitants, I would expunge from the Statute-book every single enactment respecting the internal concerns of the province, and leave them to make laws for themselves.

Do you know what difficulties have prevented the exchange of land from the French tenure to the English, under the powers contained in the Canada Tenures Act?—The Canada Trade Act was defective, inasmuch as it did not impose upon the seigneur obtaining a commutation the obligation of making a corresponding commutation in favour of his censitaire. That defect was supplied by the Canada Tenure Act.

Has any land been emancipated under the powers of those two Acts?—I apprehend not. Do you know what has prevented them?—As far as I am informed, the difficulty has arisen from the terms which the Governor in Council required from the only applicant for a commutation, and which that gentleman thought too high.

Is there, in fact, a value attached to the right of the Government, the extinction of which would make Government practically a loser?—I apprehend that the value is considerable; but the rights of the Crown are not to be estimated on the same principles as those of a private person. The Crown holds this property in trust for the public; and as the public interest would greatly be promoted by these commutations, I think that the Crown would act wisely in making a large immediate pecuniary sacrifice in order to promote them. To tempt others to follow the example, I would, if necessary, give the earliest applicants a decided advantage. If I could not effect a sale of these rights of the Crown, I would even surrender them gratuitously, on condition that the seigneurs should emancipate their censitaires on the terms of the statute. I am persuaded that before long the revenue would be benefited by such a concession. You would increase the taxation, by increasing the value of all taxable property.

Would any inconvenience, in your opinion, arise from the circumstance of one mass of land being held in one tenure, and another mass of contiguous land being held on a tenure totally different?—The single circumstance of the difference of tenures would not, I think, produce any material inconvenience. In every part of this country are to be found contiguous tracts of land held on different tenures, and descending according to different rules. Some are freehold, others copyhold, others are held in gavelkind, or in borough English. An universal identity of tenure would of course be more convenient; but the difficulties which arise from the variety are not found in the administration of justice to be very formidable. Still, however, I should apprehend that serious impediments to the right execution of the law would arise in a country like Canada, when to the differences of tenure you superadd all the consequent varieties between the modes of conveyancing, and between the rules of law applying to a French fief and an English freehold.

If you are right in saying that the French law is properly applied to the free and common socage lands after they are once granted, does any inconvenience afterwards arise with respect to descents?—The question is without reference to the Declaratory Act?—Supposing the Canada Tenures Act not to have been passed, and the law to revert to the state in which I suppose it to have stood before the enactment of that statute, I do not understand what difficulty on the subject of descents could, on that hypothesis, be proposed for consideration. The French law of descents, whether convenient or otherwise, is at least intelligible and well known. Supposing, on the other hand, that the English law respecting real property, in all its strictness, has been induced upon the socage lands in Canada by the Tenures Act, the difficulties will, I apprehend, be found quite insuperable unless some modification of our English rules be made. I suppose that the courts in Canada would be somewhat perplexed if they had to try a real action, or to apply the law of contingent remainders to the lands in these townships. There is no end to the illustrations. What would they make, for example, of a term of years in trust, to attend the inheritance.

Would it be necessary, if the English tenure of land is established, to adopt the mode of conveyance in practice in England; would it not be possible to adopt a more simple form, one resembling that which exists in Upper Canada, or in the United States?—I think there would be no insuperable difficulty in superseding altogether the English law of conveyancing, and borrowing the simple forms of the Roman law. Our English forms are peculiarly inappropriate to the circumstances of a colony, and most of all to those of a newly settled colony. Wherever English colonists have been unfortunate enough to find any of the continental codes in force respecting the conveyance of land, they have clung to it with great eagerness, and have congratulated themselves in their deliverance from a heavy burthen. This is especially the case with the Dutch law in Demerara, the Spanish in Trinidad, and the French in St. Lucia.

Are you acquainted with that particular tenure of the French law called the *Franc Aleu*?—I am not so well acquainted with it as to give any useful information about it.

Can you say whether you consider it more burthensome to the proprietor than the English tenure of free and common socage?—I apprehend it has the essential qualities of the free and common socage tenure; certainly, of services.

Do you consider the French system of tenure in Lower Canada as burthensome to the proprietor or not?—That it is burthensome in one sense of the expression is plain enough, inasmuch as the tenant owes various dues to the lord. Of course there can be no question as to the relative freedom of a holder of land who is exempt from all such obligations. As a question of general and public good, I could never bring myself to doubt that it were better that all lands in Canada should be holden in free and common socage, than in fief and *rôture*.

In those colonies where the Dutch law and different foreign laws exist, do they exist concurrently with English law?—No; all lands in Trinidad are holden under Spanish law; and in Demerara and the Cape under Dutch law. This applies even to lands granted by the King of England.

Is there any colony in which the same courts decide upon questions of English form, and upon questions as to the form of any other country?—I do not think there is any colony in which the English law exists concurrently with a foreign law. Each form may come into question in their courts incidentally and indirectly, but never as an established part of their judicial system.

Is it your opinion that upon all those questions, complicated as they are with regard to the tenure and transmission of property, the Colonial Legislature, with the advantages of their local knowledge, are much more competent to decide than the British Legislature?—I cannot suppose any man at all conversant with the subject hesitating respecting the answer to that question. Except there be a well-founded distrust of the disposition of the Colonial Legislature to do right, no plausible reason can, I think, be suggested for taking this work out of their hands. They are incomparably better qualified for it than you can be. What should we think of the Canadian Assembly passing acts for the improvement of the law of real property and conveyancing in this country! Yet I suppose they understand our system of tenures at least as well as we do theirs.

Then the remedy which you think ought to be applied to this state of things is rather some change in the Local Legislature than any change in the law upon that particular subject?—Yes; establish a proper legislature, and you may safely repeal every Act in your Statute Book respecting the internal concerns of Canada.

Have you any doubt that if the regulation of the tenure of land was left to the Colonial Legislature they would entirely get rid of the English tenure?—That depends upon the constitution of the Local Legislature. If you leave the Assembly in its present form, the French members, if left to themselves, would infallibly get rid of the English tenure.

If the lands now granted in free and common socage continued to be held on that tenure, and subject to the English law of descent, is there any thing which makes it necessary on that account to adopt the inconvenient forms of English conveyancing?—As I have already said, I think there would be no formidable difficulty in superseding the English method by forms borrowed from the French, or any other foreign code. In legislating for these two countries you have a *tabula rasa* before you, and are free from the many difficulties which impede such improvements in an old settled country like this. Do

Do not you conceive that as the law stands at present the Provincial Legislatures have the power of modifying even the English law, as applicable to free and common socage lands?—I should have said so, but for the last Act of Parliament which, while it authorizes the *adaptation* of the law to the free and common socage tenures, prohibits any modification which would abrogate their tenures altogether.

Have you any reason to believe that persons of English origin are deterred from settling in Lower Canada by the prevalence of the French law, with which they are not acquainted?—I have reason to believe it, because I have heard the statement made by many persons intimately acquainted with the country.

Is it not necessary, in your opinion, if it is thought desirable to introduce persons of English descent to settle in Lower Canada, to establish, with reference to real property, though not with reference to personal property, some law with respect to the possession of that property, so far similar to the law of England as to get rid of the inconvenience they complain of?—I apprehend that so long as the law respecting notarial registries, and the law respecting the legal consequences of marriage on the property of the parties, remains unaltered, the English will be deterred from settling in the country. I am aware of no other rule of law on the subject of civil rights which would deter them.

Do you think that persons with English ideas and habits prefer the mode of distributing land after their death equally among their children, and that they have no opinion in favour of the right of primogeniture?—In new countries, where there is no aristocracy of birth, and where the opinions or prejudices which flow from that institution are scarcely known, the law of primogeniture of course has a very weak hold on public opinion.

May not those consequences of marriage that you have alluded to be barred by marriage settlement?—They may be barred by an ante-nuptial contract; but the settlers are generally ignorant persons, who marry with very little attention to the consequences of the contract upon their present or future property.

Supposing a person with considerable property, real and personal, goes to Canada, becomes domiciled there, makes a marriage, and settles his property, real and personal, and afterwards comes back to England, do you know what inconveniences, if any, would follow from that arrangement?—Of course the effect of the settlement, as it respects real property, will always depend upon the *lex loci rei sitæ*.

Might not a settlement of that description be as valid and beneficial to him after his change of place from Canada to England, as if it had been made under the English law?—A man resident in Canada may, in Canada, make a marriage settlement, which upon his return to England shall, in England, be just as effective as though it had been executed in the city of London.

Supposing a person marries in England, and goes to Canada, having made no marriage settlement, acquires property in Canada, and dies there, by what law is his property in Canada to be administered?—It would depend, I think, upon the place of his settled domicile at the time of his death.

Supposing he becomes domiciled in Canada?—If he becomes a settled inhabitant of Canada, and acquires a domicile there, then I suppose that the consequences of a marriage previously contracted in England without any ante-nuptial contract, must depend upon the law of Canada. I conceive this to be the general international law of Europe, I should rather say of Christendom. The general principle may perhaps be superseded by some positive law existing in Canada. But in the absence of such positive law, I should in the case supposed, look to the *lex domicilii*. I mean of course to be understood with many limitations, which I could not state without a large demand on the time of the Committee, even were I prepared to state them.

In any other colonies are you aware that the obstacles to the settlement of Englishmen have arisen from their not finding the English laws in force?—I am not aware that the want of English laws has ever formed an effectual obstacle to the settlement of Englishmen in the other colonies; but I am well aware that after they have settled, the want of so much of the English law as respects political and civil liberty has been the subject of the most constant and bitter complaint.

Do you consider that is a discouragement to settlement in other colonies as well as in Canada, that they do not find the English law to be the law of the land?—I do not think it prevents any man going there, but it makes many men discontented when they get there.

Is it any practical discouragement in other colonies, or is there any reason to presume that it is a practical discouragement in this colony?—It is a greater discouragement in Canada than any where else. The United States present at once an invidious contrast, and a place of easy migration. If a settler at the Cape of Good Hope be discouraged, he has at least no inducements to remove to Caffreland.

Do you apprehend that there is more difficulty in the same judge to deciding in civil actions, both upon the English law and the French law, than there is the English House of Lords in the same judges deciding similar cases both on Scotch and English law?—The English and Scotch codes are much less remote from each other than are the codes of England and Canada. The Peers in Parliament have many aids in learning the Scotch law upon each subject as it arises, to which, in the case supposed, nothing parallel would be found in Canada. Persons intimately acquainted with Scotch law argue at their Lordships' bar. The whole law has been previously discussed by the advocates and judges of the Court of Session. There are Scotch digests and indexes at hand, and there are some peers who have been trained to Scotch law.

Can the difficulty of language be a great one to any educated man?—I apprehend there are few English gentlemen, whatever may be their familiarity with the French language, who would easily understand a French law-book, or an oral argument on a question of French law.

Does an English lawyer opening a book of Scotch law understand it at first perusal?—He understands it with little comparative difficulty, because the derivation of the technical words suggest their probable meaning, and because there is a general and prevailing analogy between the Scotch law and the law of England.

Are not the French and the Scotch laws equally founded upon the Roman law?—I do not pretend to the knowledge requisite for drawing that comparison; but in general I conceive that the law of Scotland has deviated much farther from the original stock than the law of old France.

If the lands now held in free and common socage are to continue to be held on that footing, and the existing laws regulating that tenure are to continue in operation, would it not be desirable to have separate courts in which the law respecting real property held on the tenure of free and common socage should be administered?—Perhaps that is a mere question of economy. If you can afford the English a separate court, with competent English judges, it is of course desirable that you should do so. It appears to me, however, that without any additional expense, the object might be obtained by a modification of the present system. There are now nine judges, four at Quebec, four at Montreal, and one at Three Rivers. This is a very ample establishment for 500,000 persons. The nine might be easily so stationed and selected as to administer justice to both the races.

If a court for the administration of the laws relating to real property, under the tenure of free and common socage was established in Montreal, might there not be circuits into the townships, and courts held from time to time in particular districts, in which causes might be tried arising out of matters connected with property held on that tenure?—There may be conclusive objections to that scheme arising from localities, of which I know nothing. I can perceive no technical objection, or at least none which could not be readily removed.

When it is considered that the French law in Canada is applicable to all personal contracts and all personal property, could it be worth the expense to have any courts established for the administration of those few cases in which the law of England, as applicable to real property might apply?—The more closely you can bring the administration of justice home to the doors of the people the better. A man living in the townships has much to do, and would have a formidable journey to take for the redress of his grievances, or to give his evidence, if the only courts were established in the three towns on the Saint-Lawrence.

Supposing that state of things to exist again which did exist previous to the passing of the Canada Tenures Act; in that case would there be any necessity for any new courts to administer English law as applicable to real property?—On that supposition the nature of the law to be administered would create no such necessity. But the topographical circumstances of the country would create it. A court of justice, easily accessible, is a matter of the first and most urgent importance in every society. Even if the same law prevailed over every acre of land in the province, the remoteness of the courts, and the difficulty of approaching them, would be a serious evil to the inhabitants of the townships. As the communications improve, that evil will be diminished; but till then it must be felt very sensibly.

Must not the instances be extremely few in which it would be necessary to administer the English law with regard to real property, if a state of things existed in which the French law was applicable to all lands in free and common socage after the first grant of the lands?—If that state of things did exist, I cannot perceive how any question upon the English law could arise for decision.

Then your opinion is, upon the whole, with respect to that subject, that either an enactment placing the law upon the footing upon which you suppose it to have stood before that Act, or a declaration of the law upon the subject, would be beneficial?—My opinion is, that the only reasonable course of proceeding is to create a legislative body in which you can repose confidence; and having done so, to leave them to make such laws as they may think necessary. It is vain to attempt to establish laws of minute detail on subjects of this nature by acts made on one side of the Atlantic which are to operate on the other.

Would it not be necessary to infuse into the Representative Assembly a larger portion of persons representing the interests of the townships, in order to secure the enactment of such laws as they desire?—My opinion is that you must very greatly alter the constitution of the Legislature of that country before you can implicitly trust it with carrying the necessary forms into effect. What the proper alteration would be is a question on which it would probably not be required of me to express any opinion.

What would be the consequence of introducing a larger proportion of representatives returned by the English townships?—The consequences will be so numerous that it is impossible to advert to them all, and it is difficult to make a selection. One obvious result would be the excitement of new and bitter controversies between the French and English parties in the Assembly. If the members were returned with reference to population, the French would be powerful enough to carry all their measures, and you would have more violent conflicts, and probably still greater discontents, than at present. If indeed the two parties in the Assembly approached to an equality, the Governor, by the sagacious, just and temperate use of his powers, might so moderate between them as to produce comparative repose.

Where there are conflicting interests in a population like that of the Canadas, does not it appear reasonable that those conflicting interests should each of them have representatives to support those interests?—It seems to be a very bad system of government to be making a studied provision for conflicts between opposite parties in the state. The great object is to secure tranquility and peace; and I think you secure them best by that sort of balancing of parties which, as we see in this country, leads to mutual concessions, by producing in each party a wholesome dread of its antagonist.

You are aware that in this country it is supposed by some that there is a conflict between the commercial interest and the agricultural interest; would you think it desirable for the sake of peace that one of those interests only should be represented?—Certainly not.

Can you inform the Committee what system prevails in Upper Canada for the purpose of increasing the number of representatives in that province?—In Upper Canada the Representative Assembly consists of the representatives of counties and of towns; and each county containing 1,000 persons sends one member; when it contains 4,000 persons, it sends two; but however much the population may increase beyond 4,000, there is no further increase in the number of members for the county.

Is a large portion of the surface of Upper Canada parcelled out into counties?—A considerable portion.

Are there many counties in existence in which there is this latent right, which have not yet acquired population enough to give them one member?—I cannot answer that question with accuracy. Whenever there is a county in that predicament it is thrown into the next least populous county of the district, and votes with it. Thus if there is a county possessing only 900 inhabitants, those persons would vote as freeholders of the least populous county in the district containing above 1,000.

Can you state whether that system is found to operate well, or whether it affords a subject-matter of complaint?—As far as my knowledge extends, no party in the province, (and parties there are in violent opposition to each other), has ever complained of it.

Do you happen to know, whether, in the United States, any similar system exists?—I believe, but am not certain, that it exists in the States of Vermont and New York.

Is it within your knowledge that the Legislative Assembly of Lower Canada at one time passed a bill, the object of which was to provide for the increase of that Assembly?—Yes.

That bill stopped in the Upper House?—It was rejected by the Council.

Do you know for what reason it was rejected?—It is stated to have been rejected upon the ground that it was improperly framed. The imputed impropriety, as I am informed, was, that instead of diminishing the inequality between the French and the English interests in the Assembly, it tended to increase it in favour of the French.

If in adding to the number in the Legislative Assembly in Lower Canada the principle of population is alone looked to, must it not necessarily follow that the influence of the French Canadians will be constantly increased?—Supposing the French race to increase with the same rapidity as the English, there will always be a great preponderance of the French interest if population be made the single basis of the representation, because at the present time the French are about 400,000, and the English cannot exceed 80,000.

Do you believe that any scheme of representation can be adopted which shall not give a great preponderance to the French interest?—I can suppose a scheme of representation which at some remote period would deprive the French of that preponderance. The territory occupied by the English is more extensive, and is capable of sustaining more inhabitants than the territory occupied by the French. If then, in the scheme of representation, you have regard to the extent of territory as well as to the extent of population, a day will at length arrive when the French and English members will be equally balanced.

What are the instances that occur to you in which the French population of Canada have interests distinct from those of the English population?—I conceive that their divisions do not originate in any real contrariety or incompatibility of interests. Large bodies of men are seldom much moved by a mere computation of interest, and still more seldom have any clear view of what their interest really is. The contest is not upon any questions of political arithmetic; it has much deeper roots; it grows out of national prejudices, and is a matter of pride, passion and sentiment. The interests of the two races, rightly understood, are the same; but they feel too warmly to understand those interests correctly.

Do you know, of your own knowledge, that the law which was proposed for altering the representation would have had the effect of diminishing the English interest in the Assembly?—I know it only from the information of other persons.

Are you aware what number would have been returned in the English interest under the new law, and what number is returned under the present law?—The calculation is, that there would be nine new French, and two English representatives, which, being added to the existing state of things, would make about fifty-three French to about seven or eight English.

Would not that have been rather more than the existing proportion of English?—The proportions fluctuate so continually that you cannot compute them with any exactness. Men are occasionally changing their parties; and one movement of that kind will in this case largely affect the population.

Do you think it would be desirable to apply the system acted upon in Upper Canada in any alteration that may take place in Lower Canada, in the election of the Representative Assembly?—If I may express my own opinion as to what alteration should be made, I should say that the two Canadas ought to be re-united. If that plan be rejected, the next best measure would, I think, be the introduction of the Upper Canada law.

What steps ought to be taken in order to carry the Upper Canada law into effect; in what way could it best be ascertained into what portions Lower Canada ought to be divided?—Of course it can only be ascertained by persons resident there; and there must be a new Act of Parliament.

Must it be passed by the English Parliament?—Yes; because the existing division of the country, with a view to representation, depends upon the proclamation issued under the authority of the English statute; and because this is an innovation which the existing Assembly will not voluntarily introduce.

Do you consider the inconvenience arising from having two systems of descent of real property in one province a sufficient ground to overturn the system of legislature of the province, for the purpose of removing that inconvenience?—To the question proposed in that abstract form I should answer no. If that were the single inconvenience, I would not alter the legislative system in order to remedy it.

Was it not upon that ground principally that you rested your wish to have the legislative system altered?—My reasons for wishing to have the legislative system of Canada altered are many, but chiefly this: If you persevere in the present system, I fear it is but too evident that you are sowing the seeds of separation between the Canadas and this country.

In what way would the continuance of the existing state of things unaltered be likely to lead to a separation between the Canadas and this country?—I cannot too anxiously disclaim the intention of impeaching the loyalty of His Majesty's subjects in the Canadas; it would be the height of impropriety were I to suggest a doubt of their fidelity to the government under which they live. I have no reason to doubt it; and on the contrary, have many reasons to know that a spirit of cordial affection to His Majesty's person and government has been very recently manifested in those provinces. I speak only of what is future and probable. Consider then what is the situation of the Upper Province, and of the English part of Lower Canada. The colonists occupy a territory imbedded among foreign states: on the one side are the Americans, on the other the French Canadians, who though living under the same sovereign are essentially foreign to the Upper Canadians in language, laws, institutions, habits and prejudices. Nature provided the Hudson to the south, and the St. Lawrence to the north, as the great channels of communication between the English territories and the rest of the world. But the people of New York command the Hudson, and the people of Lower Canada the St. Lawrence. The city of New York on the one stream, and of Quebec on the other, are outposts interdicting all commercial intercourse with English Canada, except on such terms as the Legislatures of New York and Quebec are pleased to prescribe. Is it reasonable to think that the people of English Canada will permanently acquiesce in this exclusion? Is it good policy to make them continually feel that a union with the great republic to the southward would open to them channels of commercial intercourse, from which your laws have interdicted them?—Can it be supposed that they will always be content to lose the vast commercial advantages which they would derive from their unequalled inland navigation if their intercourse with the ocean were unimpeded? A capitalist in Upper Canada can employ his property only in agriculture. If he engages in trade, it must be either in the United States as an alien, or in Lower Canada under all the restraints which a French Legislature may impose on him. I recommend a union, therefore, as the only effectual mode of rescuing the Upper Province and the English townships from disadvantages to which I think it is neither just nor safe to subject them. But I advise it also on this further ground: It is vain to conceal the fact that the Act of 1791 has established a monarchical government without securing any one means of authority or influence to the monarchical branch of it. The Government can neither control by its prerogative, nor influence by its patronage. The ties by which the people are bound to their Sovereign are not of the same strong and enduring character as the corresponding obligations between the King and the people in the old European States. It is impossible to suppose that the Canadians dread your power. It is not easy to believe that the abstract duty of loyalty, as distinguished from the sentiment of loyalty, can be very strongly felt. The right of rejecting European dominion has been so often asserted in North and South America, that revolt can scarcely be esteemed in those continents as criminal or disgraceful. Neither does it seem to me that the sense of national pride and importance is in your favour. It cannot be regarded as an enviable distinction to remain the only dependent portion of the New World. Your dominion rests upon the habit of subjection; upon the ancient affection felt by the colonists for their mother country, upon their confidence in your justice, and upon their persuasion, that they have a direct interest in maintaining the connection. I fear that all these bonds of union, and especially the sense of interest, will be greatly weakened if you persist in excluding them from all control of the navigation of the St. Lawrence. But even if all these ties remain, they are not the surest supports of empire. When thinking, as I have often thought, on the apparent fragility of our tenure of the Canadas, one, and only one, mode of strengthening it has occurred to me. I would bring the French and English representatives with an equality, or some approach to equality of numbers, into the same Legislature. I would appoint over them a governor possessing temper and wisdom enough to moderate between the two parties. By maintaining a severe regard to justice, and to the constitutional rights of the King's subjects of every class, he might acquire a large and legitimate influence. This I know is a task not to be committed to vulgar hands. But I am much mistaken if a great and permanent accession of power to this country would not be derived from the mild, firm and just management of the two great parties, equally balanced and counterpoised in the same assembly.

If the state of colonial dependence is so injurious to the commercial interests of the Canadas, is it evident that a union would improve their condition?—I do not apprehend that the commercial dependence is injurious to their interest; on the contrary, as the law of England now stands, it is highly advantageous to them. They have privileges in the English markets which other nations have not. What I said rather was, that the English population of the Canadas are so surrounded by foreign nations that in fact all commerce is interdicted to them, except on the most inconvenient terms.

Have they not a great advantage over the states of North America by having a free access to the trade of Great Britain?—I think they have.

Does not that more than counterbalance any disadvantage that they are under from their exclusion as colonies from a free trade with other countries?—A dry and accurate computation would, I believe, prove it; but large bodies of men are not much governed by calculations of any kind. You must address their affections or their imagination if you desire to move them.

Did you in your answer mean to refer to the inconvenience which arises to the Upper Province, from the circumstance of the Lower Province being interposed between them and the port of entry?—From the circumstance of the Lower Province legislating for the navigation of the St. Lawrence, and imposing, at its discretion, all the duties payable there. The English Canadians stand towards the Lower Province in a relation not dissimilar to that in which they stand to the State of New York. That state legislates for the trade of the Hudson; the Province of Lower Canada legislates for the trade of the St. Lawrence. On either side the outlet is barred by laws which they have no share in making.

Is there no mode of reconciling that but by a union?—I can imagine none.

Is there any risk under such a system of the party who is not favoured by the Governor looking to foreign aid?—I assume, as a postulate, that you have a Governor who will have magnanimity and discretion enough to favour neither party, but who will maintain a just, an equitable, and a benignant mediation between both.

Do not you see very great inconvenience in the circumstance of the immense distance of different points of the Canadas from each other, along a line of country extending no less than 1,500 miles; do you not think that that circumstance would present the greatest difficulties to uniting them in one Legislature?—In the first place there is not a line of inhabited country extending 1,500 miles; it scarcely reaches 1,000. In the next place the country is intersected by great navigable waters, and the steam-boats would convey the

legislators backwards and forwards readily enough. But the difficulty anticipated probably is, that a Legislature sitting at Montreal or any other central place, would be inconveniently remote from the different parts of the country, and that the members could not be adequately acquainted with the localities. Now I assume that at the Legislature would be disposed to delegate a part of its own powers to various local and subordinate authorities, such as quarter sessions, corporate towns, and justices of the peace. It would reserve for its own interference only the great and more important questions. Just as in this country Parliament does not make laws for every hundred or parish, but establishes a kind of county and parochial legislation throughout the kingdom.

Are you not aware that in the United States the disposition has constantly been in favour of subdivision rather than in favour of amalgamation?—The circumstances of the United States and of Canada are so different, that analogies of this kind must be admitted very cautiously. The motives, which in my judgment should lead to a legislative union between the Canadas, could not operate on any of the states composing the great American Union.

Do you not consider, that as the whole English population of the Canadas is about 26,000, while the French population is about 400,000, that the disadvantage would be greater than the advantage, in disaffecting so large a proportion of the population as would be disaffected by the union?—I hold it as a settled point, that whatever you do, or whatever you decline to do, you must reckon upon a great mass of discontent and uneasiness. The measure I propose would at least conciliate many. If you leave things as they are, I believe that no one will be gratified; some change seems to me inevitable.

Do you not consider that part of the discontent and inconvenience that have arisen may be attributed rather to the administration than to the constitution itself?—Some part has probably so arisen, but comparatively a very small part. The great source of these controversies is the difference of the two races, combined with the differences between the territories on which they are settled. Their national antipathies are whetted by many accidental contrasts between their respective situations. Bad government may exasperate these evils, but the most perfect government, without a radical change in the system, could never cure them.

Do you consider that the difference arising between two nations are better healed by bringing them face to face in the same Assembly than by keeping them apart?—You cannot avoid bringing them face to face in the Assembly, for that is the present system. Upon the plan I propose there would, it is true, be a greater number of opposing faces, but then the number so opposed would be in more equal equality. They will learn to respect each other's power, and will become comparatively quiet.

Do you suppose that the Act of 1791 is founded upon false principles?—I do. The Act of 1791 was, I think, in effect an Act to create two new republics upon the continent of North America. It contains no one effectual provision for supporting the monarchical power.

Supposing the measure you contemplate to take place, do not you think one of its effects would be to render Upper Canada much more physically powerful?—Yes, I should think it would.

Would not it also have a tendency to depress the French population of the province who are not commercial men, and people of different habits?—I think that the comparative depression of the French, at no very remote period, is inevitable. They will sink under the weight of the English, or of the Anglo-American influence in these provinces.

Have you had any means of forming an opinion of what the sentiments of Upper Canada are upon the subject of the Union?—I apprehend them to be in favour of that scheme. I cannot doubt their concurrence in a measure by which their great object of legislating for the Port of Quebec would be secured. There is also this negative proof of their approbation of it, that when the scheme of the Union was agitated the Upper Canadians never concurred in any of the protests against it.

Do you think it would be desirable for the Government of this country to propose that or any other great alteration in the fundamentals of the constitution of the Canadas, without giving that country full time to express its opinion upon the subject?—Extreme measures of that kind are only to be justified by an extreme and evident necessity. If the extreme necessity could be made out, I would not hesitate to take the extreme measure. It is just reduced to that question; and there are many persons intimately connected with the Canadas who are greatly alarmed as to the consequences of postponing this measure, even till the 1829.

Do you apprehend no danger from giving the French Canadians so extensive an influence over Upper Canada as they must necessarily acquire if the provinces are united? I believe the danger will be wholly in the opposite direction. In a Legislature which is to debate in English, to make laws in English, and to proceed according to English parliamentary rules, the English influence must necessarily predominate. Besides there is a peculiar aptitude in the English character for success in this species of controversy.

If an alteration was made in the Assembly of Lower Canada, by laying out, for the purpose of representation, divisions of the townships, and such portions of the country as were likely to be settled by the English, do you think that the change thereby effected in the Legislative Assembly of Canada would be likely to lead to an union, and to diminish the objections made to it?—You will never have a voluntary union until there is a majority of English to carry the question of Union; but up to that point you must proceed through a series of conflicts which would tear the province in pieces.

Supposing a union to take place, and that the English interest should become quite paramount, and the Canadians quite depressed, do you consider that this country would have a stronger or weaker hold over the country on that account?—I can hardly anticipate the possibility of such a total depression of the French interest as the question supposes. I would legislate from the commencement upon this principle, that the representatives shall be drawn equally from the two races; of course I do not mean with precise numerical equality. But if provision were made for equalizing the two races in the Assembly, then on might, I suppose, calculate with great confidence upon either party retaining considerable strength for a great length of time to come.

Do you mean that they should be equalized in point of numbers?—I would have a legislature (assume for example's sake) of 100 members, of whom I would propose that 50 should be French and 50 English, and I should expect that under the mediation of a wise government they would proceed amicably by compromises, as other legislatures proceed.

Do you think that the habits of the English population, and their tendency to commerce, make it likely that they will have a superiority over the French population?—I think they will always form the commercial part of the society, and having the superiority of wealth, and probably of intelligence, they will gradually obtain (as on that hypothesis they ought to obtain) a superiority in all other respects.

Are you acquainted with the Act called the Sedition Act in Upper Canada?—I am acquainted with it by having read it some years ago.

Do you know the circumstances under which it was passed?—It was passed in the year 1814, soon after the commencement of the late war with the United States of America.

Do you know the powers it gives?—It gave very ample powers: it suspended the Habeas Corpus Act, and it gave the governor and members of council a power of imprisonment in all cases of treason or suspicion of treason.

Is that Act still in force in Upper Canada?—No, it expired at the end of the war.

Have there not been several bills from time to time which have passed the Legislative Assembly, and have been rejected by the Upper House in Lower Canada?—Several.

Can you give the Committee any information as to the reasons for which those bills were rejected?—The bills that have been rejected, so far as I have any knowledge of them, are these. First, various bills of supply were rejected on the ground that the Assembly asserted by them the right of appropriating the whole revenue of the province. Secondly, a bill for enabling the inhabitants of Canada to maintain suits against the Crown was rejected, because as that suit would have been tried before the Governor and Council, the same object could be more readily answered by a petition addressed at once to that body. Thirdly, a bill for regulating fees of offices was rejected because the Council did not think the offices useless or the fees improper. Fourthly, bills for establishing corporate bodies for the government

of the cities of Montreal and Quebec were rejected as not having been properly framed so as to promote the interest of those places, but as tending to promote the private advantage of particular individuals. Fifthly, some bills for improving the administration of justice were rejected under the following circumstances. In the years 1819, 1821 and 1823, bills for the same purpose were sent from the Council to the Assembly and rejected by the Assembly. In 1824 the Assembly sent a bill to the Council, which was lost, because the Council had not time adequately to consider it before the close of the session. In 1826, another bill transmitted from the Assembly underwent great amendments in the council, but failed from the lateness in the period at which it was sent up. In 1827, a bill for the administration of justice was read a second time in the Council, but the prorogation of the House prevented any further proceeding upon it. Sixthly, a bill for regulating gaols was rejected on the ground that the object ought to have been provided for by a local rate, instead of the charge being thrown upon the public revenue. Seventhly, a bill to regulate the office of justice of the peace was rejected, because it fixed the qualification at 100*l.* per annum of freehold estate, and the Council were of opinion that this was unsuited to the circumstances of the country, and would have excluded a great many useful men. Eighthly, the Militia Act was amended by the Legislative Council and returned by them four days before the prorogation in 1827, but never came back to them from the Assembly. Ninthly, the bill for increasing the representation of the province was rejected for the reason I have formerly mentioned. Tenthly, a bill for securing public monies in the hands of the receiver-general was lost, because it deprived the executive government of their authority over that officer, and did not require that the public money should be accounted for to the Lords Commissioners of the Treasury. Eleventhly, a bill for the independence of the judges was rejected because the effect of this bill would have been to render the judges subservient to the Assembly by exposing them to impeachment and trial before that tribunal. Twelfthly, the bill for appointing an agent was rejected because it was intended to establish a distinct correspondence between the Assembly and the agent of the colony, in which the Governor would not have participated. I should state that in assigning the reasons for the rejection of those bills, I am taking upon me to speak on subjects of which I know nothing except from inquiry and hearsay; I cannot pledge myself to the accuracy of this account. I can only say that such is the account received in the Colonial Department.

What are the usual powers of colonial agents?—There are two classes of colonial agents. In those colonies which we call (the phrase is an unfortunate one) "*Conquered Colonies*," where there is no legislative assembly, the agent is appointed by the Governor, and corresponds with the Governor. There is no other constituted authority competent to make the appointment. In colonies where there are representative assemblies the agent is appointed by an Act of Assembly. He is so appointed by name, and a salary is granted to him in the Act itself. The Act usually constitutes a joint committee of the Assembly and of the Legislative Council, to correspond with the agent. That officer is in habitual communication, on the affairs of his constituents, with the Colonial Department. Making all due allowance for the disparity of the two offices, the agent of a colony is accredited in the Colonial Department in the same way in which a foreign minister is accredited in the Foreign Department. Of course the analogy is very imperfect, but the duties have a general resemblance. Canada is the only colony having a representative legislature in which there is no agent appointed by the Legislature.

Does the sort of agent which the two provinces of Canada desire to have differ in any remarkable degree from the sort of agent you have described to exist in the other provinces? It differs, as I believe, only in the circumstance, that the Assembly in Canada wish to conduct the correspondence entirely to themselves, and to leave the Council out of it.

Should you see any objection to the Canadas having an agent in this country in the same manner that other colonies having legislatures have agents?—On the contrary I should see great advantage in it; I apprehend that the appointment of an agent for any colony is attended with the greatest advantages both to the government and the colonists. The only objection I can state is, that such an appointment would disturb the existing agent in his office. I do not mean to say that this should weigh as a senior objection, but it is an accidental inconvenience.

Has not the ground on which the appointment of an agent has been resisted in Lower Canada been, that the Governor always said that he was the only proper medium of communication between the Government and the colony?—I believe the Governor has said that he was the representative of the colony. Language of that kind has perhaps been thrown out without much consideration, and ought not, I conceive, to be very closely criticised.

In those colonies which have agents, is there any check by the Governor upon the money voted as the salary of those agents?—Of course the Governor must assent to the Act appointing him.

Has any practical inconvenience arisen from that where the agent has been obliged to put himself in opposition to the Governor in any respect, that there has been any difficulty with regard to the voting of his salary?—Never, in my recollection. Acts appointing agents arrive from year to year constantly.

Is not there an Act of the province of Upper Canada of a late date repealing the power to appoint an agent?—I think not of a very late date. I have read very diligently through the Acts for the last fifteen years, and I do not, at present, recollect such an Act.

Is not the salary of the present agent, appointed by the Governor, one of those salaries that is always made a matter of difficulty with respect to the appropriation in Lower Canada?—It is.

Does it occur to you that it would tend in any degree to promote peace in the provinces, if a power of appeal to the King in Council were given?—There is at present a power of appeal to the King in Council in all judicial matters, and all legislative matters. The King in Council acts as the ultimate judge, and as the ultimate legislator.

Is not the Executive Council the ultimate court of appeal in the Canadas?—The Executive Council, with a president appointed for the purpose by the Governor.

For the purpose of trying appeals from the courts?—From the courts of Quebec, Montreal, and Three Rivers; from their decision there is an appeal to the King in Council.

Why should the appeal not be at once from the courts of Montreal and Quebec to the King in Council?—In all codes founded on the civil law a double or appellate jurisdiction is an essential part of the system of jurisprudence; a French process always supposes a power of appeal; it would have very greatly deranged the ideas and habits of the whole society to have refused it.

Is the Executive Council calculated as a court of appeal to give satisfaction to the province?—It contains all the judges in the country, except the judge against whose decision the appeal is brought; I suppose it to be the best constituted tribunal which the province affords.

Do you happen to know what regulations have been made in the Canadas for the making or maintaining of roads in those provinces?—What may be called the General Road Bill of Lower Canada is the 36th of Geo. 3, c. 9. The effect of that bill is to put all public roads under the direction of the grand voyer of each district. The occupiers are bound to keep the roads in repair. If a new road is wanted application is to be made to the grand voyer, a public meeting is to be held at a place which he is to appoint by advertisement; he is to hear the parties, to visit the proposed line of road, and to make an order granting or rejecting the application. From his order there is an appeal to the quarter sessions. Various grants have been made in the province for the improvement of internal communications; I have made a list of some of them; it is as follows. In 1815, 8,000*l.* were granted for roads and bridges. In the same year 25,000*l.* were granted for the La Chine Canal. In 1817, 55,000*l.* were voted for internal communications by land and water. In 1821, a further grant of 10,000*l.* was made towards the La Chine Canal; 12,000*l.* more were granted in 1823 for the same purpose. In the same year 50,000*l.* were voted for Chambly Canal. In 1824, a loan of 20,000*l.* was raised for the La Chine Canal; and in 1825, various sums amounting to 2,590*l.* were voted for roads.

Do you know any thing about the application of those monies?—They are applied by commissioners appointed by the Governor.

Do you know whether that expenditure of money has been attended with any good results?—It is not in my power to give any information on that subject.

Do you think that an improved system might be adopted with regard to roads?—I apprehend it would be desirable that matters of that nature should be done by the vicinage, and under their immediate direction.

Would it not be desirable that an officer should be appointed in each township or each sub-division of the province, who should have power to provide for the making of roads?—That depends on many local considerations, which I cannot estimate; I can only say, that I think it would be desirable to act upon the principle of leaving the local districts as far as possible to regulate their own local concerns.

Do you know what bills have been passed, the object of which has been to regulate the education of the people?—The bills for regulating education are the 41st of George the 3d, c. 17, by which the Governor was authorized to incorporate certain persons as trustees of the schools of Royal foundation. A president was to be appointed by him. Free schools were to be erected in each parish, which were to be governed by rules to be made by the corporation. That body was to buy the land, the parishioners were to build the school-house, and the Governor was to appoint the school-master. The statute 4 Geo. IV. c. 31, declared every *fabrique* or vestry in the province capable of holding land for the support of an elementary school. One school was to be established in every parish having 200 families. The schools were to be under the same administration and inspection as the *fabrique*, and the *fabrique* was at liberty to employ one-fourth of its income in supporting the school. The Assembly have made various grants for the support of schools, 400*l.* were granted for the support of schools at Quebec and Montreal, and one of 18,000*l.* in 1826 for the support of schools generally; besides four other grants which were made for the same purpose in the same year.

Is that system in operation which was enacted by those bills?—I apprehend that the first Act has not been enforced; the Act erecting elementary schools I believe to be in operation.

Do you know any thing of the system of education pursued in those schools?—Not at all.

Is it complained of at all on the ground of its religious character?—I have never heard of any such complaint.

Do you know whether there is much conflict in Lower Canada, upon the subject of education, between the two denominations of Christians?—I understand that there has been. I believe that much controversy arose respecting the Act for erecting the corporation. The Roman Catholics were afraid that their children would be exposed to some temptation to change their religion, and did not choose to send them to those schools.

Are you acquainted with the steps that have been taken for the apportionment of the revenue between the two provinces? In the year 1793 commissioners were first appointed to treat with Upper Canada respecting the collection of duties, and the payment of drawbacks. An agreement was accordingly made between the two provinces, to the effect that Upper Canada was not to impose duties on goods imported into Lower Canada; and that one eighth of all duties levied in the Lower Province should be paid to the Upper Province. This contract was to be in force till December 1796. In 1796 a second commission of arbitration with Upper Canada was appointed. In the year 1799 the powers of this commission were prolonged, and its number increased. In next year, 1799, they completed a contract, the terms of which I do not very exactly understand; but I think it continued in effect the former agreement. In the year 1800 commissioners were again appointed. In the year 1801 they a third time revived the old contract. In 1804 there was another appointment of commissioners; and in 1805 the contract was again confirmed. In 1811 the agreement was continued till 1814; in that year it was further prolonged till 1816. In 1817 commissioners were again appointed to meet; and in the interval 20,000*l.* was paid to Upper Canada on account. In 1818 a new compact was made with Upper Canada; the effect of which was that one fifth of all duties was to be paid to the Upper Province, and that no import duties were to be levied there. The provinces could not afterwards come to any agreement; and the Act was passed by which the Parliament gave the Upper Province one fifth, till the arbitrators should have investigated the case. The result of that investigation has been to give to Upper Canada one fourth.

In the Act of the 31 Geo. 3, giving the constitution, there is a clause which enacts that when the provincial legislature enacts any thing respecting the church-lands, modifying either the state of those lands or affecting to regulate the appointment to benefices, such acts must be laid before the British Parliament, and if the British Parliament disapproves of those acts of the Colonial Legislature, the British Parliament is empowered to petition the King to withhold his assent. Do you think there is any possibility of extending that kind of remedy to any of the matters which have been the subjects of dissension between the two legislative bodies of Canada?—I think that would be nothing else than to transfer to Parliament the duty which at present belongs to the ministers of the Crown. Instead of those controversies being agitated in Downing-street, they would be carried on in one of these committee rooms. The plan suggested, as I understand it, is this: supposing either House of General Assembly to pass a bill, and the other to reject it, that Parliament should decide whether the bill was properly rejected. If you adopt such a measure, I think that in that case you must appoint a standing Canada committee here; and I am well convinced that the two Houses of General Assembly would provide that committee with such abundance of occupation, that its duties would be of the most formidable nature. I confess I think the present constitution in that respect is incomparably better.

Your opinion upon the whole is that nothing of that kind would be practicable?—Yes; the practical objection is that they would give you more to do than you would ever get through with.

Jovis, 26^o die Junii, 1828.

Mr. William Hamilton Merritt, called in; and Examined.

Are you a native of Upper Canada?—I am.

Are you a proprietor in that province?—Yes.

Are you at all acquainted with the disputes now going on in that province, respecting the clergy reserves?—I am not particularly acquainted with them. I know the situation of the clergy reserves, and the way they are held.

Is the improvement of the country materially retarded by the manner in which the clergy reserves have been laid out?—Yes; their being separated and distributed through the country proves injurious to the settlement of the remainder, as they do not equally contribute to the general improvement.

Do you think it would be possible to sell any large portion of the clergy reserves in the course of a few years?—I think it would, if the country was properly improved; but in the present situation of that country it is impossible to sell land at any thing like its real value; and to this subject I am particularly desirous to draw the attention of the Committee, to show the relative value of property in Upper Canada compared with the state of New York, and the price of land in the two countries.

To what causes do you attribute the difference in the value of land in Upper Canada and in the state of New York?—The principal cause is in the present boundary line or division of the country, which excludes us from the advantages we should derive by participating in the commercial wealth of the country, and enabling us to improve its internal communications. Lands in Upper Canada are not one-fourth of the value they are in the state of New York, and property not one-tenth.

To what particular districts of country do you allude?—I allude to the whole extent of both provinces, with the exception of 150 miles on the St. Lawrence in Upper Canada,

between the boundary line and Kingston; in this distance we possess equal advantages in our internal communications, and property is equally valuable on either side, according to its local situation.

Will you point out some particular part of Upper Canada to which your observations apply?—From Kingston upward; particularly on Lake Erie or above the Niagara river.

In what way does the want of a sea-port town affect the value of land in Upper Canada?—By excluding us from any participation in its wealth. The capital of all countries centres in its cities; for instance, the wealth of the state of New York centres in the city of New York, and the wealth of Upper Canada centres in Montreal; they bring a portion of that wealth back from New York to improve the country by building mills, making roads, canals, &c. &c. in consequence of which, together with the cheapness, facility and regularity in their communications, they can employ capital once a month during the navigable part of the season in converting grain into flour, and sending it to market. Wheat always brings a better price with them, although the market may be better with us at Montreal than with them at New York; this has a tendency to make property more valuable, and to change hands readily; whereas with us there is not a single instance of a Montreal or Lower Canada merchant ever expending a farthing in Upper Canada. It is true they possess large tracts of land in that province, which they have been under the necessity of taking in payments of bad debts, but never lay out in improving them for the general advantage of the country. We have not five flouring mills which can be considered mercantile within 60 miles of the Niagara frontier, while the Americans have upwards of 50; the consequence is, while wheat always commands cash with them it can only be bartered with us, and instead of once a month we cannot employ capital in purchasing grain to make a remittance oftener than once a year. Property is merely nominal, it cannot be turned into money. We think by possessing a sea-port we would improve the interior, make it an object for individuals to invest money, create business, and produce an entire change, and place ourselves in full as good a situation as our neighbours.

If a merchant in Montreal had capital to dispose of, and had an opportunity of employing it advantageously in Upper Canada, would he be prevented from doing so by the circumstance of the territory lying under a different jurisdiction?—No; but we know Upper Canada is not now in a situation to have capital advantageously employed, and we think it never will as long as that unnatural territorial line exists. Almost every British merchant, for years past, has been dissatisfied with the country; and a great portion of the capital accumulated in Montreal has been sent either to this country or the United States. We hope to place it in a situation to induce the inhabitants to look forward with a view of making Canada their permanent residence, and produce a favourable change even in this feeling.

Is it solely with the view to the probable return of capital into the country that is amassed at Montreal, that you recommend this measure, or is it with a view to any commercial object?—It is with a view to the general interests of the country in every respect, the accession of both capital and credit, that port would give us, would enable us at once to set about the improvement of the St. Lawrence, by following the example of the state of New York. Within three years we would make a sea-coast of all those upper lakes, and possess nearly the same natural advantages over the Americans, in our access to the ocean, we did before the completion of their canals, relieve ourselves from paying a tax of 4l. 10s. sterling per ton on all our imports, 1l. 4s. on our exports; save the country from 100,000l. to 200,000l. per annum; materially promote the agricultural and commercial interest of that country, as well as the mercantile, manufacturing and shipping interest of this, and enhance the value of all property fully equal to what it now is in the state of New York.

Then your complaint is that the Assembly of Lower Canada does not improve Montreal as you would improve it?—Our complaint is not with respect to the city of Montreal, but the whole country; the improving of the one part will benefit the remainder; they have only one general interest.

Is your complaint then that the Assembly of Lower Canada does not meet you in improving the navigation of the St. Lawrence between Montreal and your limits?—When we see a neighbouring state, without the aid of any revenue from foreign commerce, or duties on imports of any description for its own use, connect lake Erie with the Hudson, from Buffalo, Lake Ontario, from Oswego, and lake Champlain from White Hall, by canals; to construct which they had to ascend high summits and surmount the most formidable obstacles; while the natural outlets of all those lakes are in the St. Lawrence and could have been connected with the ocean in Canada, by a steam-boat or ship canal, for one-fourth of the money it required to construct their boat-canals, we have reason to think there has been at least a very great want of attention to the subject. At the same time I have much satisfaction in stating that the Legislature of Lower Canada contributed to the connection of Lakes Erie and Ontario, by taking stock to the amount of 25,000l. in the Welland Canal Company, and manifested at the time the best disposition to promote any useful improvement, and many individual members since then have expressed their readiness to assist in the improvement of the St. Lawrence, although it is not reasonable to suppose on general principles the people of Lower Canada can feel the same interest in improving the country above them, as those who have to pay for every barrel of flour they send to Montreal; one-third of its value for freight, and on our heavy and most useful articles from Montreal, such as English iron, one-half the amount of its cost. I will mention a case in point to prove this. Every member from the city of New York opposed the appropriation of money for the construction of the Erie canal; it was carried by the influence and number of the western members, who felt the same interest in the undertaking we do in this; and although it has proved equally beneficial to the city, they would not have had a canal to this day if the state had been divided or separated as we are in Upper and Lower Canada above Montreal.

How can a line which only separates two jurisdictions prove such an insurmountable barrier to the wealth of Upper Canada?—The reason is simply this: Upper Canada cannot participate in the commercial wealth and advantages of a sea-port, the same as it would be in the state of New-York if there was a line drawn across the state above Albany, and it was laid out into two separate states; the upper could not participate in the wealth of New York, and would remain poor. The main cause of the prosperity of that state is in having capital returned from the city, and the Legislature possessing power to command the credit and capital of the whole for their mutual benefit. So satisfied are they that their boundaries could not be bettered, that with all their propensity to changes and to try experiments, no man ever dreams of cutting the state into two parts; they change the constitution, cut it up into counties, and create as many new offices as they can, but the natural boundaries of the state remain untouched, although their population is about 2,000,000. Every state in the union, where an angle can by possibility be run to the ocean, possesses a sea-port; and it so happens that the money to effect the internal improvements in those states is always provided in those very cities.

When we see two countries lying side by side, as the western part of the state of New York and Upper Canada, possessing equal advantages in soil and climate, and find the one increase in the most astonishing manner, while the other, comparatively speaking, remain stationary, our attention is naturally drawn to discover the true cause. The whole country, within near 300 miles of the Niagara river, 46 years since, was a perfect wilderness. Our side of the Niagara frontier settled and improved full as fast as theirs, until the late war, since which their rapid increase has taken place. They borrowed 9,000,000 of dollars on the credit of their state, constructed their canal, added 100,000,000 of dollars wealth to the state by the increase in the value of property. The tolls now pay the interest of the money, and will redeem the principal in a few years. It is impossible to conceive the effect opening those communications produce in a new country unless they are witnessed. This is the true cause of their prosperity, which they could not have effected without the aid of the city of New York; and I maintain we only want the city of Montreal to enable us to produce similar results on a much greater and more beneficial scale.

Do you contemplate as necessary for the attainment of that object the union of the two provinces, or do you think that your object would be sufficiently attained, if the division of Upper Canada were to extend as low as Montreal?—I think that would be sufficient without a union.

Do you conceive that such a division would answer all the purposes of commercial intercourse, and would be more advantageous than an incorporation of the two provinces into one?—I think that ultimately a union would be more advantageous, but we would avoid all the difficulties that the people of Upper Canada anticipate if a union was to take place: they think they would be under the influence of a majority in Lower Canada.

Would it be possible to make such a geographical division of the provinces by running a line down the river Ottawa, and then passing north and west of Montreal, so as to include in the Upper Province none of the seigneuries of the Lower Province?—No, it would not; there are four or five small seigneuries between Montreal and the present boundary line.

Supposing a similar line were run from La Prairie, on the other side, to the river Richelieu; are there any seigneuries south and west of such a line?—Yes, there are four or five.

Is not a great proportion of the English population in Lower Canada included within the town and seignory or island of Montreal?—Yes.

Do you conceive that the majority of the property and wealth of the town of Montreal is in the hands of the English or of the French Canadians?—The numbers are in favour of the French, but I should think the commercial property is in favour of the English.

Were not the whole of the seigneurial rights of Montreal in the hands of the seminary?—Yes, I understand they were, but the Government had a claim to them.

Are you aware that the Government have come to an agreement by which they have in their power those seigneurial rights, with the intention of making a mutation of the tenure?—No, I was not aware that they had.

Would the commercial object of the Upper Province be answered by annexing Montreal to it?—Yes.

In what way can goods be carried to Montreal?—Any vessel of 400 tons can go direct from this to Montreal; and as I before mentioned, although the distance is 3,200 miles, the freight is only £1 2s. 6d. per ton; whereas the next 400 miles it is 6l. 12s. 9d.

Do you think, if you had the town of Montreal as a port of entry, you would be able to control your own imports, and levy your own duties?—Yes, without any difficulty.

Without interfering in any manner with the province of Lower Canada?—Yes; the inhabitants of each country should be allowed to purchase freely in the other.

Supposing a vessel bound to Upper Canada were to pass through the St. Lawrence, and no duties were to be collected upon her at Quebec, would it not be possible for her, in her passage up the St. Lawrence, to smuggle those goods into Lower Canada for consumption there?—They could not smuggle into Lower Canada between Quebec and Montreal with any greater facility than they can now smuggle between Quebec and Anticosti. There is no smuggling now, that I am aware of; and it would be much against the interest of this country, as well as Canada, to put on such high duties as would tempt smuggling. We are not, and should not be put on a footing, or considered as two foreign nations with separate interests. A manifesto, or clearance, is put on board the vessel in this country; they would enter at Quebec or at Montreal, as they pleased.

Do you know any thing of that district of country below Quebec?—No, I merely passed down on the river once.

Do you object to the arrangement that has been made with regard to the division of the duties between the Upper and the Lower Province?—No; I do not think the division of duties important; it is of very little consequence to the general prosperity of the country, whether a few pounds, more or less, are paid either to Lower or Upper Canada; their general interest is, or rather should be the same. I am warranted in my opinion respecting the effect of duties by witnessing their proceedings in the state of New York, from which I draw my inferences. She derives no particular advantage from the revenue of her imports; they are exclusively under the control of the general government; still she is enabled to appropriate large sums annually for education; pays her civil list, and accomplishes the most extensive internal improvements, without any aid from the general government; while we, with a revenue of 90,000l. per annum, cannot pay even our civil list.

The principal object and the greatest advantage the provinces will derive by the accession of Montreal to Upper Canada is, that by placing the internal wealth of the country at her own disposal, she will be enabled to appropriate a portion of that wealth in the improvement of the interior, and make the country rich enough to defray its own internal expenses, and not depend wholly on taxing British commerce for every local purpose.

Do you apprehend that there would be any serious objection, on the part of the French Canadians of Montreal, to be transferred to the Upper Province?—I cannot say. My own opinion is, if they had an opportunity to compare their present situation, with the advantages they must derive by the change, they would not; and I know that every man in Upper Canada would be in favour of it.

Do you think it would be just to introduce among that population a new law, with all its incidents?—I do not see the necessity for altering the law as it at present stands. The French law, I have no doubt, would be gradually altered, as changes might seem advantageous. If the accession takes place, they would rapidly become English, if we can judge from the result at New Orleans, and as this state of things, from our local situation must take place, I think it just and politic to bring it about as soon as possible, that we may be one people.

What is the law that prevails with respect to personal property in Upper Canada?—The same as here.

Does it differ in any way from the administration of the law, as to personal property in Lower Canada?—I am not acquainted with the administration of the law in Lower Canada.

Is there, or is there not, any difference with respect to the law of personal property in Upper Canada and in Lower Canada?—I cannot say.

It has been stated by some of the witnesses before this Committee, that it would be easy in practice to establish such a system of custom-house regulations, at the present point of division between the two provinces, as to enable the inhabitants of Upper Canada to impose what taxes they please upon goods coming into that province, and to levy them without any danger of smuggling from the Lower Province, in case of any variation of duty between the two provinces; is it your opinion that that would be a practicable arrangement?—No, I think it quite impracticable.

Will you state why you think so?—There are many reasons. If a temptation was offered for smuggling it could not be resisted; for instance, in the winter the country is covered with snow, and they could go into Upper Canada whenever they pleased; they might enter in various ways, by boats, sleighs, waggons, &c. as they formerly smuggled between the United States and Canada.

What is the extent of the frontier between Upper and Lower Canada, throughout which smuggling might be carried on?—Many miles, from St. Regis, opposite Cornwall, near the whole length of Lake St. Francis, thence along the boundary to the river Ottawa, and so on all the line of that river.

Supposing Montreal was the port of entry in the Upper Province, what would prevent smuggling from the Upper Province into the Lower Province?—There would be no necessity for that. The inhabitants of Lower Canada might go and buy from the port of Montreal, and the inhabitants of Upper Canada might go and buy from the port of Quebec the same as they do now; they pay no duty on crossing the line between Montreal and Upper Canada.

Supposing an inequality of duty in the two provinces, and that no article were to pay a less duty in Upper Canada than it paid in Lower Canada, what would there be to prevent that article from being smuggled into Lower Canada in consequence of that inferiority of duty?—If either province were impolitic enough to put a higher duty on any one article than was paid in the other province, the consequence would be, that every body would go and buy in the place where it was lowest; but as I have before mentioned, there should be no second duty after goods are once landed, either at the port of Quebec or Montreal.

Supposing

Supposing that Lower Canada imposed a duty upon rum, and that the Upper Province imposed no duty upon rum, would it not be the interest of the inhabitants of the Lower Province to buy their rum in Montreal, and to bring it into consumption in the Lower Province?—It would.

Do you suppose it possible that there should be different scales of duties in the two Canadas under any circumstances?—I do not. The duties at present are regulated by the Trade Acts; and if a much higher duty on any one article were imposed, it would prove injurious to ourselves as well as the grower or manufacturer. For instance, rum, coffee, sugar, to our West India colonics, who receive our flour in exchange, and on goods to the manufacture here. The cheaper these can be introduced into Canada the more will be disposed of, and we will obtain a much greater revenue from lower duties than high ones. If Lower and Upper Canada were two distinct countries, with separate interests, like the United States and Canada, some restrictive measures, in crossing the boundary line, would be necessary, as they are, it is not.

You are aware that by the schedule of the Trade Act in 1824 and 1825, various duties were imposed upon articles which might be imported from the United States into the two Canadas, do you conceive that in Upper Canada the payment of those duties is avoided in consequence of the difficulty of preventing smuggling?—Not in general; there may be some articles smuggled in consequence of the duties upon them being too high, but in general they are not.

Mention the articles upon which you conceive smuggling to take place;—I cannot mention any particular articles.

Are you of opinion that in consequence of the nature of the frontier, between the United States and Upper Canada, it never would be practicable to enforce the payment of duties upon articles which can be afforded cheaper from the United States to Upper Canada than from England, including the expense of freight?—No, I think not; if you place a higher duty upon articles from the United States than will pay the expense and risk, they will smuggle them in, and it will be impossible to prevent it. For instance; the whole of Upper Canada was supplied with tea from the United States, before the India Company sent their ships to Quebec direct (although the article was prohibited altogether). Now the tables are turned, the Americans will be supplied through Canada with British manufactures, because we take less duty than they do; they will smuggle one hundred to one more than we do. The British manufactures will be sent in by the St. Lawrence, and if we improve the facilities, they will be carried to the remotest part of Upper Canada, and they will be smuggled in great quantities into America along that line.

Can you inform the Committee how far the English law of descent prevails in Upper Canada? has it been modified by local statute?—It has not; a bill was passed in the Lower House, but not in the Upper.

Can you inform the Committee of the modification which that bill proposed?—It was making a certain distribution of the property when a person died intestate, but I do not know exactly what the division was.

With respect to the law of mortgage in that colony, can you state precisely how that law stands?—A mortgage is given as a security upon property, any person can foreclose it and sell it.

Is money in point of fact lent upon the security of mortgage?—It is.

Is there a general system of registration?—Yes, the registration is very simple, each county has a register office; if a person wants to buy property, he goes and pays 1s. 6d. and he finds immediately whether it is incumbered or not; for if the person had incumbered it and not registered it, the person who bought it and registered it would hold it.

Then all mortgages must be registered in order to be effectual?—Yes, every thing affecting the conveyance of land.

Is that system found to work well?—It is universally approved of; there is not a person in the country who does not feel the advantage of it.

Do you know in what form marriage settlements are drawn?—There are no marriage settlements there that I know of; it is very seldom that any thing of the kind is entered into.

Is there any system of entail of property?—No.

How do they provide for widows?—They get one-third at the death of the husband; they are entitled to dower according to the English law.

Do they get one-third both of all the original landed property of the husband and of all after acquired land?—Of all that he has at the time of his death; if he sells any property, she bars her dower on the deed.

Can you state what is the prevailing practice in Willing; is it the practice to make an eldest son as it is called, or to leave the property equally distributed?—That depends altogether upon the wish of the person.

Have you known instances of both?—No; if a person does not wish to divide his property, he does not make a will, because it then goes to the eldest son.

Which is the more frequent occurrence of the two?—The general practice is to make wills.

Do you conceive that the American settlers who have settled in Upper Canada are attached to the laws of Upper Canada, or that they have a preference for the laws of the United States?—I think they are decidedly attached to the laws of Upper Canada, which are very similar to those of the United States. The inhabitants of Upper Canada are more attached to the present form of government than they are to that of the United States. They gave the most convincing proof of it by their conduct during the late wars, at the commencement of which there was but one regiment of soldiers, the 41st, on the whole frontier between Kingston and Sandwich. The country was repeatedly invaded during that year; and to its inhabitants, as then composed, is its defence during that period principally to be ascribed. Those people were admitted into Canada on the most liberal principles before the war; and the most impolitic and injurious measure the Government of this country ever adopted towards that was in excluding them since. Many people, to my certain knowledge, sold their property in the state of New York, where they were dissatisfied in paying heavy taxes for the support of what they conceived an unjust war, with a view of settling in Upper Canada, came to the frontier, found a restriction, and proceeded on with their capital to the state of Ohio, to the unexampled increase of that state. We most materially contributed to the very great injury of Upper Canada, and the depreciation in value of property. The Americans are the most useful and enterprising people which can settle a new country; and their principle is to defend the country they live in, not the one of their birth and many who had not settled in Canada one year were as faithful to it as any native.

However loyal the general character of the American settlers might have been, were there not some exceptions?—Yes, there were a few; but full as many among Europeans, in proportion to their number.

Are you a native of Upper Canada?—I am not a native of it; my father was an American loyalist, and I happened to be born in the state of New York; but I have lived all my life in Upper Canada, and my feelings are wholly Canadian.

Do you consider it to be the prevailing wish of the Upper Canadians to remain connected with this country?—Yes. There never was a country more happily situated than Upper Canada in her connection with this country. From her soil, climate and situation she must be wholly agricultural; you receive her produce on more favourable terms than the produce of the Americans; we receive your manufactures on paying a moderate duty of about two and a half per cent, while the Americans are now paying from 50 to 100, consequently we must obtain our supplies at a much cheaper rate. Every person will not only see but feel this advantage, so that by securing our interest you have the best guarantee of our attachment and connection. We are naturally rivals to the Americans; we grow the same articles, seek the best markets, and endeavour to draw the products of each other through our different communications. The only thing we require as before stated, to place Upper Canada in the most enviable situation, is unrestricted immigration, an uninterrupted communication to the ocean, and the possession of a commercial port. Independently of the advantages they derive from the trade of this country, do you

conceive it to be their wish to continue a province of this country?—Yes. The only measure adopted by our Government, that I know of, which gave general dissatisfaction, was in placing restriction on emigration. The reason I heard assigned for this measure immediately after the war, when it took place, was that the admission of American settlers would be a means of disseminating democratical principles, although no evil had arisen from those who came before the war; on the contrary, they proved equally zealous in its defence. If, in truth, their form of government is better adapted for our country, it is quite impossible, from our continual intercourse with them, to prevent our imbibing those principles; and any attempt to prevent it conveys an admission that we think it the best, and does far more injury than service. That portion of the inhabitants of the United States who would settle in Canada would give a decided preference to our Government, and would make the best subjects and settlers, upon the same principle, and for the same cause, that the great majority of English, Scotch and Irish who settle in America become the most vile democrats in that country; for neither party would go and settle under any government without being predisposed in its favour. The only difference in the form of government in the state of New York and Upper Canada, consists in the appointment of Governor, Upper House or Legislative Council, and magistrates: the former, with us, is appointed by the Crown during pleasure, the Upper House for life, (independent of both Crown and People,) magistrates, &c. by the executive; our parish officers elected by the people. They in New York elect the whole, and in this only do we differ. We have the full benefit of their democracy without its attendant evils. They are continually electioneering and changing every officer in the state, from a governor to a constable; constitution and all. In a late change in their constitution they adopted universal suffrage as it is termed, paying no regard to property. This is found on trial to create much dissatisfaction among themselves. A man in office being dependent on popular favour, (if he wishes to retain his situation,) makes it a study to please the majority, right or wrong, and cannot act independently. Many of them feel the effect of this, and we see it; and I am sensible but few, if any, in Canada desire a change. Therefore independent of our interests, which is the governing motive, we have good reason to be satisfied with our form of Government.

Then you think it the prevailing wish not to make the Government more democratic than it is at present?—I do.

Are they satisfied with the constitution of the Legislative Council as it at present exists?—They are so far as I have any knowledge; it would be better if they appointed, in the Legislative Council, men more generally distributed over the province instead of so great a proportion being resident at York, as it would add more weight to the body; and I think late appointments have been more distant. They were at an early day.

Are they satisfied with the constitution of the clergy corporation?—Those that do not belong to the Church of England are not. The Church of Scotland want to get a share of the property, and if they were to get it, and it was only between those two churches, I think the people in general would be more dissatisfied than they are now, because all the other denominations would lay claim to it.

What is the prevailing religious belief in the Upper Province?—They are divided among a number; I think the Methodists are the prevailing opinion, and I think they have done more good than any others.

Do you mean the Wesleyan Methodists?—They are of the same faith, but belonging to a conference established in the state of New York; they came into that country when it was very new.

Do they connect themselves at all with the Church of England?—No, they are quite separate.

Are their ministers generally Americans or Englishmen?—They are divided; there are a number of Upper Canadians among them.

Have you any reason to believe that persons of different religious persuasions are in the habit of conforming to the worship of the Church of England when churches are built and clergymen provided?—I do not think they are; I do not think they like the form of it generally; my reason is, that there are more of other persuasions than of the Church of England.

What persuasion do you belong to yourself?—I belong to the Church of England.

Do you happen to know how many members of the Assembly in Upper Canada are members of the Church of England?—I do not.

Are the churches fully attended as far as you know?—In some places they are; it depends altogether upon the situation of them.

Are you acquainted with the Act by the name of the Sedition Act?—Yes.

Do you know the history of that Act?—It was an Act passed a long time ago, during the troubles in Ireland, in order to prevent Irishmen, who might be conceived to entertain dangerous principles from coming into the country; the only instance I know of its ever being acted upon, was in the case of Mr. Gourlay.

What are the powers that it gives?—It gives power to a commissioner of the Court of King's Bench to order a person out of the country; if I go and take an oath that I believe that such a person has not taken the oath of allegiance within a certain time, and that he is a dangerous man, the Commissioner orders the person out of the country, if he does not choose to go, he is then confined.

Is there no appeal?—No. Mr. Gourlay is a case in point; he was ordered to leave the country, he would not, and was put in gaol.

Has the House of Assembly repeatedly passed bills to do away with that Act?—It has.

Have they been constantly rejected by the Legislative Council?—They have.

It is then in existence at this moment?—It is.

Do you happen to know by what majorities in the House of Assembly those Bills were carried?—They were carried almost unanimously in the House of Assembly.

Has it not been for some time past the first bill that the House of Assembly always passed before it proceeded to other business?—Yes.

Do you know upon what principle the Legislative Council refused to repeal the Bill?—I have heard the Bill was rejected because they conceived no evil had arisen from the existence of the Act, and they did not conceive it necessary to repeal it; but, in my opinion, it would be a good thing if it was done away with, it is a useless law, and it gives needless dissatisfaction.

Do you follow any profession in Canada?—No, I do not.

Do you hold any situation under the Government?—Nothing but an honorary one, I am a commissioner of the peace.

Are you a holder of land in Upper Canada?—I am.

You state that a law was made for preventing Irish from coming into Upper Canada, is there any prejudice at this moment against the introduction of Irish emigrants?—On the contrary, they conceive it very beneficial.

Is it the general opinion in Upper Canada, that their interests and their resources would be materially advanced by the increase of their population?—Certainly, the interests and resources of Upper Canada would be materially advanced by the increase of population.

Do you think the Legislature of Upper Canada would be prepared to concur in any measure for the introduction of population into that country?—I think they would, but it would depend upon what footing their concurrence was required, they could not contribute money just now, if their natural situation is improved in the way I have mentioned, they will be able to assist in any thing.

Do you think that if they had the means of assisting they would be disposed to assist in it?—Yes, if we are placed in the situation that the state of New York is, by possessing a part of our own, we will be enabled to contribute to any measure for the advancement of the country.

What part of Upper Canada do you reside in?—In the district of Niagara.

Do you know any thing of the administration of justice there?—Yes.

Is it in a respectable state, or is it disapproved of?—It is in a respectable state.

Samuel Gale, Esquire, again called in; and Examined.

YOU have already stated to the Committee that you attend here with a view to represent the feelings and the opinions of the inhabitants of the townships of Lower Canada; the Committee wish to ask you, with respect to the tenure of lands in the townships of Lower Canada, and particularly with respect to the laws which are held to be applicable to it; the Committee are informed that in the opinion of many persons, although the land is held in free and common socage, yet nevertheless all the French laws apply to it, both with respect to dower, alienation, descent, and giving security for money borrowed; what is your opinion upon those subjects?—I consider the Canada Tenures Act not to have established a new law, but to have confirmed the law which pre-existed for township lands. I consider the Canada Tenures Act to be inshert no more than it purports to be, namely a declaratory Act. My opinion upon those subjects, even antecedently to the passing of the Canada Tenures Act was that English laws alone were legally applicable to the lands in free and common socage.

Do you mean with all the incidents?—All the incidents relating to land in free and common socage in the townships of Lower Canada I have supposed to be the same as those which, derived from the English law, have been always held applicable to land in free and common socage, upon the establishment of other English colonies.

Is that the general opinion entertained in the townships?—That I know to be the prevailing opinion in the townships, and I can state that I have understood it to be the opinion of gentlemen of the highest consideration in England at the time that the Act of 1791, giving a constitution to Lower Canada, was passed; I have understood also that Mr. Grenville sent out to Lower Canada a draft of the Act of 1791, upon which draft it was distinctly stated by him in a marginal note, that, as under the Act of the 14th George the Third (1774), socage lands were exempted from the French laws, they were considered as falling under English laws. In 1804 I believe the opinions of some of the Judges in Lower Canada were taken upon this subject, and as far as I understand there was some difference of opinion among them upon that point; but I always conceived, in common with almost all whom I have heard discuss the subject (except the French Canadians) that the Act of the 14th Geo. 3, (unless one of its most important clauses was to be blotted out, and considered a perfect nullity and a dead letter,) intended to assure to the socage lands, in other words, to the townships, the English laws. The clause must be so interpreted, or it could have no meaning at all; it is as follows: "Provided always that nothing in this Act contained," (namely the Act of 1774, which established French laws for the seigniories,) "shall extend or be construed to extend to lands granted or to be hereafter granted in free and common socage." If that clause was intended to have any meaning at all, it was intended to exclude absolutely the French laws from operating upon socage lands, and this was obviously the interpretation given to the Act of 1774 in England, as well as by the English generally in Lower Canada. The laws of England were assured to Canada by His Majesty's Proclamation of 1763; they were acted upon under this Proclamation. The right to English laws was therefore considered universal in Canada when the Act of 1774 was passed. And that Act, not as a right but as a boon to the seigniories, established French laws for them, but declared that their operation should not extend to socage lands. The former right to English laws out of the seigniories was therefore still maintained even by the Act of 1774. The Canada Tenures Act was only confirmatory of this right. It would be somewhat strange, and not very just, if what was given as a boon to the seigniories should be allowed to destroy the right was reserved to the givers and their descendants in the lands granted or to be granted in the socage tenure.

Though that matter appears so clear to you, and though you state the authority of Mr. Grenville, confirming your view of the subject, does it appear that the Judges of Lower Canada unanimously concurred in that view of the subject, or that others have the same view?—I have stated that I have understood that there was a difference of opinion among the Judges on that subject before the passing of the Canada Tenures Act. The French Canadians of the seigniories and their adherents I believe interpret the matter differently from the English inhabitants of the townships. The French desire the extension of French laws and institutions, the English of English laws and institutions. The French law was given by the Act of 1774 to the seigniories, although England was bound by no pledge or promise to do so; it was probably meant as an act of favour to the French Canadians, because they formed the majority in the seigniories. The English constitute a greater proportionate majority in the townships than the French do in the seigniories. The same claims to favour in the establishment of their laws, which can arise from their constituting the majority, the English possess in the townships as the French do in the seigniories, even if that were all; but the English Government and English Parliament are bound, by repeated and solemn pledges and promises, to confirm English laws to the townships. The townships are entitled to English laws as a right, and must have them, unless indeed it shall please the parent country, after doing more for one portion of the population than it promised, not only to do less, but even to break its faith to the English portion; a course of conduct which will not tend to render the wild lands in the townships of Lower Canada a fitter home for English emigrants, nor much accelerate the progress of improvement, nor consequently much advance the interests or character of Great Britain.

In point of fact, from the time of passing the Act of 1774 to the time of the Canada Tenures Act, was there any descent in the townships according to the law of England, or was not it uniformly according to the law of Canada?—I have not heard of any contest raised upon that point in a court of justice, but I have known instances where the whole of the township lands of the father were taken by the eldest son, with the assent of the whole of the rest of the family, they considering that to be the law; they would not have acquiesced in their own exclusion had they supposed that they possessed claims which the law would enforce.

Were you present at those agreements?—I was not; but I have understood so from the different branches of the family.

Is it not even within the seigniories a common arrangement that the younger branches of the family waive their right under the law, and permit the eldest son to take it?—I have never known any thing of that kind, and it is not very consistent with the common habits of mankind to give up the rights which they possess to property without compensation or equivalent.

Has there ever been a decision of a court of justice determining that the law of England prevailed within the townships, and not the Canadian law, between the year 1774, and the passing the Canada Tenures Act?—I have heretofore stated that I am not aware of any legal contest having been raised and decided upon those specific points in a court of justice.

What has been the practice with regard to the descent of land held in free and common socage?—With respect to township lands, I do not know an instance of division in cases of intestacy, where there has been a son, although I cannot take upon me to state that a division may not sometimes have been voluntarily made; but I have known instances where the eldest son has taken all.

If you have never known an instance of the Canadian law applying in cases of intestacy, what law has applied?—I have known parties take according to the English law, which I think to be Canadian law for socage lands, as the French law is Canadian law for the seigniories.

Do you mean that the general custom has been within the townships, that the eldest son has taken to the exclusion of all the rest of the family?—I have never known an instance of the contrary, where wills have not been made; but I believe that people generally make wills in the townships if their property be of much value.

Do you believe that state of things to be agreeable to the wishes of the people?—No; I believe that the majority of the people there would prefer to have a law making that distribution which they themselves probably from parental affection would make, that is an equal division; I believe such to be their feeling, but at the same time they consider that the English law secures them from so many disadvantages in other particulars (besides its being a law of which they know something, or can learn in their own language) that they would willingly receive it even with what they consider an imperfection in the law of succession

to an intestate's lands, because those who dislike that law of succession can obviate its effects by making a will whenever they please.

When you say that the other institutions connected with the English tenure are advantageous, can you confidently state it to be the wish of the inhabitants of the townships, that they should not have the French laws applicable to the land held in free and common socage, but that they should have the principles of English law as they affect the several points of the security for money borrowed, the conveyance of land to persons purchasing it, and dower, and the law of descent?—I am perfectly confident that almost all the English inhabitants who constitute nearly the whole of the population of the townships, desire to have the foundation of English law applicable to those lands, in like manner as the same foundation exists in other English colonies, and not to have those lands subject to the liabilities of the French law, that is to general mortgages, tacit mortgages of every description, the French dower, and a variety of incumbrances, many of which there are no means of ascertaining, and which operate against the freedom and safety of mutations and destroy confidence in titles and securities, thereby obstructing commerce and improvement. The townships wish, besides, for register offices to record transfers and incumbrances upon lands, as in Upper Canada, because, as the inhabitants of the townships have stated in some of their petitions to the Assembly, they cannot otherwise have certainty in transactions regarding real estate, nor can parents be satisfied that they do not leave their children a bequest of law-suits instead of property; and they have further stated, that from want of register offices their lands are much depreciated in value, there being no security in the title; and that the establishments of such offices would remedy that evil, and be attended with no expense to Government, as the fees of office, as established in the sister province, would amply repay the register.

If you are right in your interpretation of the law, that the English law does exist in the townships, and if you are also right as to the fact that the practice of the English law has prevailed in the townships, where is the grievance, and how does it happen that those persons who desire the prevalence of the English law, should never have tried the question in a court of justice?—I have not stated the English law has been carried into general operation in the township lands: one of the difficulties they complain of is, that they have not had courts among them to establish what should be practised, that they have been kept as it were out of the pale of the law: I have merely stated that in the townships real property upon the death of an intestate proprietor, in such cases as have come to my knowledge antecedently to the passing of the Canada Tenures Act, has been taken, and that transfers are often made according to the English law. But I believe in some instances, where lands in the townships have been sold under sheriff's sales, the money arising from those sales has been distributed by orders of courts of justice as if the tacit and other mortgages applied to those lands. It is true that in those instances I have not known that the matter was contested in the courts of justice, upon the ground that, under the English law, those mortgages did not apply; where the parties acquiesced, whether to avoid law expenses, or for other causes, they would have little right to find fault: but I know that there were numbers of persons prepared to contest on that ground, in the first case in which they were concerned, and if the decision had been against them in the Canadian courts, they would have brought an appeal to England. As to the grievances of the townships they are contained in the petitions before the Committee, which set forth not only the matters alluded to in my answers of this day, but also the want of adequate road laws, the want of representation and other evils.

Then, in point of fact, as far as the courts of justice have decided any thing upon the subject, they have decided that the Canadian law prevailed?—It cannot be said that the Judges have decided upon the subject, where the subject has not been contested; they would of course heretofore in the courts in the seigniories apply the French law to the distribution of monies arising from sheriff's sales of lands, if it were not urged that the lands producing the monies were situate in the townships, and the application of the French law resisted on that ground.

Is there any thing in that answer inconsistent with the statements you have previously made?—Not in the slightest degree, as I conceive.

Can you undertake to say that you know what the actual state of the law was in the townships of Lower Canada previous to the passing of the Canada Tenures Act?—Before that period I have already stated there were two opinions upon the subject; and there never have been courts in the townships having jurisdiction over real property. The only courts having jurisdiction over real property in Lower Canada have been in the seigniories.

Were you distracted between two opinions?—There were some that were distracted between the two opinions antecedently to the passing of the Canada Tenures Act, but others had but one opinion both before and since.

What was the actual practice with respect to the law in the Townships?—The practice where no courts exist to constitute a practice it may not be easy to state; I suppose it was according to what might be expected from entertaining different opinions upon the subject; those who supposed the English law prevailed there would probably endeavour to regulate their transactions in accordance with it, and those who supposed the French law prevailed there would probably act in conformity to their own views.

Can you state what was generally the conduct of individuals with respect to applying the law to their property in the townships in Lower Canada?—It is probable, although I cannot assert it, that some may have divided property as they would have done if the French law had existed, but others have allowed it to descend as if the English law prevailed there.

Are you able to state what was the prevailing habit in that respect?—I am only enabled to state, that I believe a vast majority of the inhabitants of English origin have considered the English law to prevail there, and that prudent persons have governed themselves accordingly.

Why do you confine that to the inhabitants of English origin?—Because the others no doubt are not desirous of seeing the English law prevail there.

You have just stated that there was a diversity of practice in the townships with respect to the descent of property, you stated before that you never knew an instance of property having been equally distributed; how do you reconcile those statements?—I stated not that there had been, but that there might have been; but I state again that I know no instance of the distribution of an intestate's real property in the townships according to the French law.

What opportunity have you of knowing what has been the practice in the townships with respect to property?—I resided there some years, and since that period I have, in the course of my practice, been applied to by a number of individuals who have asked me what I considered to be the law in the townships, and I have told them, that I considered the English law to be in force in respect to real property there.

When you state what has been the practice in the townships with respect to the descent of property, you refer to those cases in which you have yourself advised parties upon the subject?—Yes, in part; but I know some similar instances in which I did not give any advice.

Do you recollect the doctrine of the English law with respect to entails ever having been acted upon in the townships?—No, I do not.

Was any such thing ever heard of, to your knowledge?—I do not recollect ever having seen a will that established an entail in the townships.

Do you recollect ever to have heard of any case arising and brought before the courts of justice in which that question, or any thing like that question, has been discussed?—I do not recollect.

Do you recollect any instance in which any point of English law applicable to real property in the townships has ever been discussed and brought before a court of justice in that country?—I do not recollect any instance where the question whether English or French law prevailed upon those lands was made the subject of litigious controversy, as I have very frequently stated.

Do you recollect any instance in which it has been made the subject of amicable arbitration even?—No, I do not.

Then

Then does not it follow from what you have said that all you have said about the English law prevailing in the townships is a mere matter of opinion, unsupported by any proof?—There have been no courts in the townships to determine matters of real property, nor are any likely to be established by the Seigniorial Assembly. I have stated what is thought and what is done; I have stated instances. But whether all these amount to any proof or not, is not for me to determine. But I can add, that I have had in my possession hundreds of deeds which have transferred large tracts under English forms, and I know those who hold thousands of acres under such deeds; nor is it my own opinion merely which I have given; I have heard similar opinions expressed by thousands. The full proof can only be obtained from the laws themselves which relate to the subject; and if they have been of doubtful import, the uncertainty, I take it, has been removed by the Tenures Act, of which the townships desire the continuance.

In cases where you have given it as your opinion that the English law prevailed, and where your opinion has been acted upon, have you known any attempt to reverse that opinion?—No, not that I recollect.

It has been stated to the Committee that the French tenure of *franc alev roturier* is practically the same as the tenure of free and common socage; is that your opinion?—It would be by no means practically the same, supposing the French tenure of *franc alev* to be subject to the encumbrances and liabilities sanctioned by the French law, and the English tenure of free and common socage to be subject only to those established under English laws.

Will you explain how those liabilities affect the question?—The French tenure would be subject to the liabilities of French law, such as general and tacit mortgages or *hypothèques*, peculiar marriage rights of *communauté*, and dower, and various other contingencies, that place the inhabitants of the seignories of Lower Canada in a situation not to know whether they are secure in many transactions.

Supposing that land is mortgaged for any given sum, and that that land is to be divided under the French Canadian law amongst all the children, how would such a division be consistent with the security of the mortgage, and what is the operation or nature of the mortgage?—The mere division of land under the French law among children is not inconsistent with the security of a mortgage under that law, because the creditor's right would extend to each and every portion; that right could only be defeated by claims superior in privilege, or, if of the same nature, prior in date. What, however, the English in Lower Canada commonly know and call by the name of a mortgage is rather the *hypotheca* of the Roman or civil law, and the French style it an *hypothèque*. It establishes a right to be paid out of the real estate the sum stipulated or due, for which purpose all lands may be brought to sheriff's sale. It is the privilege of notaries and certain official characters, that whatever acts are passed before them, (supposing these acts to be even no more than a simple acknowledgment of a debt, or an engagement to be security,) shall produce a mortgage or *hypothèque* upon all the real property of the obligor; nor is this *hypothèque* confined to the real property which the obligor possesses in the district where the notary officiates, but extends to all the real property of the obligor in other jurisdictions and districts as far as the French tenures extend; nor is this mortgage confined to the property which the obligor possesses at the time of passing the Act, but it attaches to all the real estate which he may afterwards acquire in the French tenures, and remains attached to all and every portion of the property during many years, even though it should have passed into the hands of *bonâ fide* purchasers. Real property, by merely coming into the hands of those who are debtors under Acts passed before such official characters, although it may be immediately transferred to others; is enthralled, and stands charged with all such debts, for which it will remain liable for years, or until payment, into whatever other hands it may pass. As acts passed before notaries are to be paid *in toto*, by preference, according to the order of their dates, creditors are always desirous to have them so passed, because although they have no means of knowing by how many previous creditors they have been anticipated, they wish to avoid being anticipated by subsequent creditors. The want of information in the generality of the people also compels them to have recourse to notaries. Almost all the legal instruments in seigniorial Canada are therefore passed before notaries. The giving bail before a Judge, the becoming tutor or curator, the being executor to a friend, and various other matters, produce also tacit and general mortgages; and if a notarial mortgage or *hypothèque* be given only on a particular piece of land in the seignories, the law nevertheless makes this also a general mortgage, and extends it over every county, district and jurisdiction throughout the French tenures of Lower Canada; and from all these causes the property of immense numbers is therefore liable, in a manner of which themselves have often no idea. Some of the consequences of such a state of things may not be difficult to be imagined, although it could be hardly possible to state them all. I may suppose a case: A. B. C. & D., like most others in Lower Canada, may have respectively passed notarial acts, or otherwise constituted general and tacit mortgages or *hypothèques* in any of the various modes in which they can be effected. A. sells a farm to B.; the farm is liable for years to be brought to sheriff's sale, not only for the hypothecary or mortgage-claims constituted by A., but also for those constituted by B. B. sells the farm in a few months to C., and it becomes further liable to the hypothecary claims against C. C. in a year or two sells the farm to D. The farm has gone on with increasing burthens, and is now charged with all the claims against A. B. C. & D., when perhaps a British emigrant purchases, pays for it, and after increasing its value by the outlay of money and labour, is called upon to pay some of the claims, and in consequence abandons the property. The case supposed is not fancy, but fact: I have known even a lawyer purchase property, which, after making payments to the vendor and creditors, he afterwards abandoned to the claims of other creditors, whose demands he had previously no means of knowing; and I have known lawyers lend money on mortgage or *hypothèque*, and after a lapse of eight years be deprived of principal and interest by an unsuspected claim of twenty years standing. I have been in this predicament myself. Sheriff's titles are indeed held to bar all hypothecary claims except the French dower, and I have sometimes, for this object, obtained a sheriff's title. On one occasion it cost me upwards of 30l., and on another upwards of 25l., which last was more than the land for which I obtained the title would sell for. It is not surprising if the townships should be desirous to avoid the introduction of these tacit and general mortgages, and should prefer the English laws, which, whatever may be their imperfections, and they are not denied, have nevertheless carried colonies forward in wealth and improvement with a rapidity unexampled under other institutions.

Is it possible that any system of registry could make manifest every security of this description, so as to enable a lender or a purchaser to know what encumbrances exist on the land?—I should consider it extremely difficult, if not impossible, (unless some changes be made in the laws which now exist in the seignories, whereby almost every act passed before a notary carries a general mortgage, like a judgment of court in Canada, public functionaries constitute similar tacit and general mortgages,) to establish for the seignories a system of registry sufficient to enable persons to know whether they are secure or not in making purchases, or in lending money on mortgage. The objections made by many French Canadians to the establishment of registries in the seignories is, that they could not be rendered efficient without producing alterations in their French laws. Now this is an objection which cannot hold in the townships if the English laws alone affect real property there; and this is one among other reasons why the inhabitants of the townships, and all who desire the improvement of the country, are so anxious that the lands in the townships should only be subject to English liabilities, because then registries may be established, as they are established in Upper Canada, without interfering with the French laws in the seignories, which the Canadian leaders wish to maintain and extend; besides, if any portions of the English law should occasion inconveniences in their operation, fears are not entertained that the seigniorial legislators would be withheld by any fondness for such laws from altering them when desired.

In what form is security given for money borrowed on land in Upper Canada?—It is granted by a mortgage of a description similar to the English mortgage, but shorter, which sets forth the specific property, and this mortgage is registered. There are registers, I

believe, in each of the counties. These matters are there attended with no difficulty, although the inhabitants are more scattered than they are in Lower Canada. Enregistration in Upper Canada gives publicity to every deed or encumbrance on land, and a prior instrument, not registered, would not affect a subsequent one which is registered; so that a prudent man in Upper Canada can always ascertain whether he is secure, which in Lower Canada he cannot do.

Can you say, of your own knowledge, whether persons who have accumulated money in that country are more willing to lend on mortgage on the security that exists in Upper Canada than that which exists in Lower Canada?—I do not reside in Upper Canada; but I should take it for granted that they must be more willing to lend where they can ascertain their security than where they cannot.

Will you be good enough to explain why, in your opinion, the law of registry is more easily and more effectually applied to lands held in Upper Canada than to those held upon the French tenure in Lower Canada?—Because in Upper Canada there is no such doctrine of general mortgages affecting property acquired and to be acquired without specification. The notarial or official mortgage, or *hypothèque*, is not known there. The mortgages there are special, and they may be drawn and passed before any persons. Property not described is not bound; and the registry of the land described, which is what gives effect to the mortgage, must take place in the county where the land is situate, to which registry all may have access.

Cannot you register a general mortgage as well as a particular or special one—must not there be an act done in order to create a general mortgage as well as a special one?—There must of course be an act before a notary, or some official act, in order to effect a mortgage in the seignories of Lower Canada; but almost every notarial act does constitute a general mortgage or *hypothèque* upon the whole property which the person has or may afterwards acquire in all the French tenures, throughout every district and county in the province. These acts remain with the notary, and he is legally bound to keep them secret: the law in Lower Canada requiring those things to be concealed which for the interest and safety of the community the laws of many other countries have required to be made public.

Supposing this consequence to follow from the institution of a registry; that every act of that kind would be bad unless it were registered, would not that cure the evil?—I should conceive that the evil could not be cured without abolishing general mortgages or *hypothèques*, and rendering all mortgages special, and confining them to the particular lands they described. But it might be effectually cured if that were done, and registers established.

Why do you think so?—It seems evident that mortgages or *hypothèques* of the number and description which have been stated must destroy the beneficial effects of registers, or that registers must abolish the principles of such mortgages. The land which is not mentioned in the mortgage cannot be specified in the register. The land which is not yet acquired by the debtor cannot be mentioned in the register.

You are aware that a judgment, or any security of that kind, affects not only the property that a man has *in present*, but the property that he acquires *in futuro* in this country?—I am not aware that a judgment for a sum of money would in this country affect and enable to be brought to sale, like an *hypothèque*, all the land belonging, or which might afterwards belong to the debtor.

Does not the whole of the difficulty, as you state it, arise from the trouble and inconvenience of registering a great number of transactions?—By no means. That would doubtless be an inconvenience, but the principal utility of registers must depend upon the property being designated or specified.

Has any bill for establishing a registry ever passed the Assembly of Lower Canada?—No.

Did any bill upon that subject go from the Upper House to the Lower?—Yes; I have brought a copy of such a bill passed in the Legislative Council before the passing of the Canada Tenures Act, and wherein care was taken that all mortgages should be special.

Can you state what form of security is given in Upper Canada when money is borrowed upon land?—It is substantially like the English mortgage, but shorter, as I have already stated.

What may be the expense of it?—I suppose it may cost about 1l.; but I dare say the expense may depend a good deal upon the person who is employed. One individual may probably be got to draw an instrument of that kind for half the sum which another would charge.

Do you happen to know what form of security is given in the United States?—I know that they in some measure resemble the English, only they are much shorter, because all unnecessary repetitions and prolixity are avoided.

You have spoken of the English law as applicable to free and common socage lands; according to your notion, prevailing in the townships; has there been any such thing as a court of English equity established there to modify the strict severity of that law?—No court at all, except the inferior of the district of Saint Francis recently established, which has only a trifling jurisdiction in personal causes.

Is there any court of English equity in either Canada?—Yes, I have understood that there is one in Upper Canada.

What is the constitution of it?—It was only established shortly before I left Canada, as I have heard, and I know not its constitution.

Do you conceive that wherever the English law prevails, as applicable to real property, it is almost indispensably necessary that there should be a court of equity?—I conceive that unless there be some modification of the law, it might become necessary that there should be a court of equity; but it was taken for granted, that after the English law was declared all other necessary concomitants would be established in due time.

If you wish to get possession of an estate in the townships, what form of action would you adopt; is there any court in which you could bring an action of ejectment?—There are no courts at present constituted for the townships.

Then how can the English law be said to prevail?—I looked upon the right to the English law, and its being put into actual practical operation, as being two different things?—I never said that the English law had been rendered efficient in the townships; I should state, as my opinion, that the English law was, as near as might be, the law of the Hudson's Bay territories; yet I doubt whether it has ever been carried into practical operation there.

Supposing that previous to the passing of the Canada Tenures Act you had had to advise upon a marriage contract, would you have guarded against the incidents that would follow from the French law, or against the incidents that would follow from the English law?—I would have endeavoured to have framed it so as to have guarded against the incidents of either that it was wished to guard against; but to many the incidents of the English law without contracts would not be so unpleasant with respect to marriage, because they are by no means so burthensome as those of the French law; and they do not interfere so greatly with the right of the husband to the disposal of his property.

Then you would have framed the contract of marriage upon the notion that the French law was the prevailing law, the effects of which were to be guarded against?—I should undoubtedly have endeavoured to guard against the possibility of misinterpretation with regard to the provisions of either law, which might be disagreeable to the parties.

Is there any doubt that the French law applies to personal property and contracts?—I have mentioned that I have heard a difference of opinion expressed on the subject, as to what ought to apply; but if I am asked my own opinion, I believe that the French law, with regard to personal property and contracts, does apply, except that the mere employment of an official character, such as a notary, to pass the contracts, would not produce a mortgage or *hypothèque* upon socage lands, as it would upon seigniorial lands.

Do you happen to know upon what clause in any Act that difference of opinion rests?—It is, I suppose, upon the same clause in the Act of the 14th of Geo. 3, before cited, and upon the circumstance of the English law having been considered antecedently the

law of the country. It was supposed that a change was introduced for a part of the country only, and that that part did not include the seccage lands.

In a marriage settlement which included the settlement of land held in free and common socage, in what manner do you think that settlement would most conveniently and most properly be drawn in Lower Canada, supposing the English law is held to apply to such law?—I should presume that the English forms of settlement would be adopted, or so much of them as might be deemed advisable.

Could they be simplified?—Possibly they could be simplified, or reduced in prolixity. I have seen deeds of moderate compass transferring land according to the English form; I have seen numbers passed for 10s. each.

Supposing the Canada Tenures Act to be in full force, and that a person about to marry, being possessed of real property in the townships, were to call upon you as a professional man to prepare a marriage settlement, and that he stated he wished to have a life-estate for himself, and to have his property secured for his eldest son, and so on, would you create in that settlement an estate-tail, with all its incidents, with remainder over?—I am not prepared to answer that question, as my professional pursuits have been almost wholly limited to French civil law. Before I attempted to draw an instrument of that description, I should have to consult authorities.

Supposing that, according to the English law, the proper course would be to create an estate-tail, by giving the life-estate to the first son and his issue, and upon failure of his issue to the second son and his issue, would you adopt that practice, and create an estate-tail?—I might perhaps do so; but I am not prepared to answer.

Are you aware that by doing that you would bind up the property for ever, unless there were some court in which that entail could be barred by fine and recovery?—As I have said, I should have consulted authorities, and have endeavoured to avoid inconveniences. If I had felt myself sufficiently aware of consequences, such consideration and consultation would have been unnecessary.

Supposing a proposition was made to you to make such a marriage settlement as has been referred to, would you or would you not adopt that mode by which the property should be bound up for ever, or would you not endeavour to create some other mode of securing that object, without binding the property for ever?—I should endeavour to avoid whatever the parties might consider an inconvenience that would be likely to arise under the English law.

If you found that the French law afforded an opportunity of doing it without inconvenience, would not you in that particular instance rather adopt that than the English law?—I should very readily adopt the forms of the French law, as often as I considered them more convenient, and equally valid.

Can you say whether it would not be very easy to make a settlement according to the French law, without incurring that difficulty?—I think it could easily be done.

When you have used the word prevail in your evidence, have you used it in the sense of actually prevail, or legally prevail?—I have commonly meant legally prevail.

In your former examination you said that the mode you recommended to convey property in the townships was by lease and release?—Yes.

What was the reason of your adopting that least convenient form of conveyance?—It was considered necessary that there should be a tradition, or as it is called in the English law, livery of seisin under some modes of conveyance; whereas the lease and release were considered to render that unnecessary, the lease giving the possession, and the release the property.

Then you thought that all the niceties and the technicalities of the English law must, as a matter of course, be transferred to Canada?—No, I did not think they all must, because the English laws, when they are introduced into any of the English colonies, are considered to be introduced in so far only as they are applicable to the state of the country. The English criminal laws are introduced by statute into Lower Canada; yet there are many parts of those not considered applicable. The cutting a tree or a sapling would hardly be considered the same offence in a country where the grand object is to clear away the forests, which it would be in England.

Why could not you take the simple mode of conveyance by bargain and sale?—Because doubts were suggested; and I considered that where it was easy to avoid any doubts or difficulty it was better to do so.

What difficulty did you avoid by that mode?—If it should be held, even unreasonably as to the townships, that other modes of conveyance under the English law required tradition or enrolment, such doubts or difficulties it was presumed would be avoided. The parties to the deeds were generally at a great distance from the lands transferred, and it seemed well to adopt the form of lease and release, as conveying possession and property at once. It seemed an act of prudence, and arose from motives like those which have induced several individuals to take deeds with respect to lands in the townships, in two modes, that is, both according to the French law, and according to the English law.

Are there not local rates paid in Upper Canada of the nature of county rates?—I have understood that there are county rates and taxes, and they build gaols and court-houses in every county by those local rates.

Is there any arrangement of that sort in Lower Canada?—None; almost all the gaols and court-houses have been built out of money arising from duties upon English merchandise and manufactures. The expense of the gaol at Sherbrooke in the townships was indeed, as I believe to be, defrayed by a tax upon the law proceedings; but the expense of building the gaols at Quebec, Montreal and Three Rivers in the Seignories, was provided for out of the duties.

They have been built out of the public revenue?—They have.

Where are those duties imposed?—At Quebec.

Has there been any attempt in Canada to establish turnpike-roads?—There have been a number of petitions for turnpike-roads within the last 18 years, which have been all uniformly rejected; and the state of the roads in some instances, even very near the cities, is extremely bad, and sometimes dangerous.

Where are the roads situated that it was wished to establish turnpikes upon?—Near towns, or in places where there was a great deal of travelling.

Have those bills or applications been rejected in the Lower House?—They have, as I understand.

Can you inform the Committee what were the grounds generally pleaded for their rejection?—The Canadian inhabitants of the country do not like them, and they consider them a species of taxation.

And they would rather be without the road than have that taxation?—Yes, I have known a number of carriages broken down from the badness of the roads even in the vicinity of the towns. The English inhabitants were the general petitioners for turnpikes, and they would have subscribed money for that purpose.

Do you know anything of the law of descent to landed property in Upper Canada?—The law of descent in Upper Canada, I believe, is the English law of primogeniture; but I believe the mass of English inhabitants there would desire that law to be altered.

Is there not some local statute which has modified that law?—A local statute has either been passed, or has been attempted to be passed, but I cannot say which.

Is it, or not, the prevailing opinion in both provinces that the law of primogeniture is not suited to those colonies?—I believe that the inhabitants in general would prefer a law making an equal division, which would save them the trouble of making a will.

Do you think that the inhabitants of Upper and Lower Canada would not be perfectly satisfied with having it in their power to distribute their property as they please by will?—They possess that power already, but they would prefer that without the trouble of making a will the law should distribute it as they wish.

Does it suggest itself to you as a possible mode of remedying the inconveniences arising out of the present division and distinction of the two provinces of Upper and Lower Canada, that Montreal and the district immediately around it should be transferred to Upper Canada, thereby giving Upper Canada the benefit of a sea-port, and the consequent power of regulating the duties upon her imports?—There is no doubt that a sea-port would be highly advantageous to Upper Canada; and I think that province will not be satisfied until it has a sea-port, unless there be a union of the two provinces.

Mr. James Charles Grant, again called in; and Examined.

WHEN you were last before the Committee you stated that you had reason to believe that some Act had passed the Legislature of Upper Canada, altering the law of primogeniture, have you since obtained any information upon that subject?—I have made inquiry upon the subject, and found that although a bill to that effect was introduced into the House of Assembly more than once it never became a law.

Is there any thing that you wish to state to the Committee in addition to your former evidence?—I am desirous of communicating to the Committee all the information which I possess respecting the religious statistics of the provinces of Upper and Lower Canada, and with permission of the Committee I shall proceed to make the following additions to the statement given in my former testimony.

In the western district of Upper Canada there are two Roman Catholic chapels and one church, four Episcopal Churches, viz. one at Sandwich, one at Chatham, one at Amherstburgh, and another at Colechester; the service at these churches is regular, with the exception of Colechester, where it is occasional; the number of attendants at Chatham is from 20 to 30, and at Amherstburgh and Chatham 50 to 60. There are five Episcopal Churches in the district of Niagara. The number of attendants at the church in the town of Niagara does not exceed 90, the average number at Queenston and Chippawa, and the other churches, is but 15; the Episcopal Churches at Queenston and St. Catherine's were originally built by Presbyterians, who by some unjustifiable means (it is said) were deprived of them. The Presbyterian congregation at St. Catherine's are about to build another. The names of the clergymen of the Scottish Secession having congregations in the district of Bathurst are Mr. Bell, at Perth, Mr. Buchanan, at Beckwith, and Mr. Gemmil, at Lanark. A church has been built at Lanark for a clergyman of the Church of Scotland. There are 590 Presbyterian communicants in Perth, Dalhousie and Beckwith. We have only received returns from four townships out of 17 in this district, viz. Drummond, Beckwith and Dalhousie, which contain a Presbyterian population of 2,903. At Bytown a lot of land has been allotted for a Scottish Church and minister's house, and where a congregation of not less than 300 could be formed at present. There are two Episcopal Churches in the district, one at Perth, the other at Richmond; the number of communicants at the former (in the town of Perth) is about 20, and at the latter about 10; but the mission of each, I believe, embraces several townships. Presbyterian Churches are required in every township. There is only one clergyman within the district of Gore in communion with the Church of Scotland; altogether there are eight congregations in the district. Answers have been received from some of the townships showing a population of 2,200.

The following statement has been communicated from three other townships in the same district. In the townships of Trafalgar, Nelson and Flamborough East, there are 250 heads of families attached to the Church of Scotland; about 15 Episcopalians, 75 of the Church of Rome, and the remainder of the population are Methodists and Baptists; in these townships the number of souls attached to the Presbyterian Church exceeds 1,300. There are several other townships in this district from which no returns have been obtained. In the town of Guelph there are upwards of 100 families, and several more in the adjoining township of Aramora attached to the Presbyterian Church. In Streetville the number of Presbyterians exceeds 300 heads of families, representing 1,263 souls. The church at Ancaster, which Dr. Strachan describes in his chart as being episcopal, in which he states the service of the Church of England is regularly performed, is a free Protestant Church, and the only service regularly performed in it is by Mr. Sheel, a Scotch Presbyterian minister. The church in Barton was built conjointly by the Presbyterians and Episcopalians in the neighbourhood, and is open to the clergymen of either denomination. In Woolwich there never was a church, nor service of any denomination. There is not an Episcopal Church at Dundas, nor has service of the Church of England been performed there for the last four or five years. In the Indian village on the river Ouse there is an Episcopal Church, which in fact is the only one of that denomination in the district: This exhibits a state of things different from the Doctor's representation.

Although the Presbyterians in the Newcastle district exceed 2,000, there is not a clergyman of that church within it. The following has been furnished as exhibiting an aggregate account of the religious sects in the townships of Hope, Haldimand, Ramach, Percy and Murray: 225 Presbyterians, 133 Episcopalians, 57 Roman Catholics, 361 Methodists, 296 Baptists, 18 Universalists, besides 1,186 who are not attached to any particular church, but are understood to prefer the following religious persuasions in the following proportions, viz. 227 Presbyterians, 98 Episcopalians, 485 Methodists, 301 Baptists, 75 Quakers.

There is not a clergyman of the Church of Scotland in the district of Johnstown, but there are two of the Scottish Secession, viz. Mr. Smart, at Brockville, in the township of Elizabethtown, and Mr. Boyd at Prescott, in the township of Augusta. There are 1,177 souls of the Presbyterian faith in Elizabethtown, which is only one out of ten townships in the county of Leeds, forming the western section of the district. The number of communicants in Mr. Smart's Church is 115. There are two Episcopal Churches in the township of Leeds, one at Brockville, and another at Bastard; the hearers at the former vary from 40 to 60, the communicants not exceeding 20; at the latter the hearers are from six to eight, the communicants four or five. No answers have been transmitted from the other townships of this district, but the petition on the table has received the signatures of 203 persons in the township of Augusta, in the county of Grenville and eastern section of the district, principally heads of families, representing a Presbyterian population of 804 souls.

The total population in the township of Finch, in the eastern district, is 222, of which 216 are Presbyterians.

No answers have been received from the London, Home, or Ottawa districts. There has never been any clergyman of the Church of Scotland in the London or Home districts, although it is believed that many of the inhabitants are of the Presbyterian faith.

In Lower Canada about five sixths of the population is Roman Catholic. At Coteau du Lac the Presbyterian population exceeds 400 souls; there are very few (if any) members of the Church of England, or Dissenters, in that vicinity. The township of Grenville, in the district of Montreal, contains 600 souls attached to the discipline and government of the Church of Scotland, about 120 Episcopalians, 100 Roman Catholics, and a few families of other denominations.

In the townships of Lochabar and Buckingham, on the north bank of the river Ottawa, the population is composed as follows: Church of England 10 persons, Church of Scotland, 250, Church of Rome, 30, and other denominations, 20. There is not a Presbyterian Church or clergyman within any of those townships. The inhabitants are extremely desirous of having clergymen of the Church of Scotland.

In the parish of St. Therese (a French Canadian settlement), there are 97 individuals, principally heads of families, attached to the church of Scotland, a Presbyterian church has been built by voluntary contributions, in which service is regularly performed by a minister of the Scottish Secession, who also officiates occasionally at St. Eustache and New Glasgow, at the request of the Presbyterians in those places; there are about 40 Presbyterians at St. Eustache. New Glasgow, a settlement which has been formed within the last six years, contains as many Presbyterians as St. Therese and St. Eustache together. There is another Presbyterian settlement at Paisley, adjoining New Glasgow. The persons within these settlements, professing to belong to the Church of England, constitute about a twelfth part of the Protestant population.

No answers have been received from St. Andrews, but our petition is signed by 147 heads of families resident there, representing 819 souls of the Presbyterian faith.

The following is the census of the township of Rawdon, (a settlement recently formed) 92 Presbyterian families, 72 Roman Catholic, and 20 Episcopalian. There is a minister of the Church of England established in this township. The village and neighbourhood of La Chine contains about 239 Presbyterians and 70 Episcopalian. From the village of Laprairie and the surrounding country the petition has received the signatures of 163 heads of families representing 600 souls. There is a Scotch settlement at St. Peter's, and another about 16 miles from Laprairie, chiefly composed of Scottish Presbyterians. From the

the seignior of Beauharnois the petition before the Committee has been signed by 188 individuals, principally Scotch, representing a population of 791. In the settlements of North and South George Town, and part of William's Town, there is a population of 366 Presbyterians of the church of Scotland. A Presbyterian church has been erected at South George Town, but it is not provided with a clergyman. In other parts of the same seignior and the adjoining one of La Salle, the Presbyterian population exceeds 500 persons, 92 heads of families, representing 477 souls, in the township of Dundee; and 70 heads of families, representing 431 souls, resident at Isle-aux-Noix, have also signed the petition.

There are comparatively few Protestants in the district of Three Rivers. It is believed that the Presbyterians in the town of Three Rivers and at Nicolet are at least equal in number to the Episcopalians, notwithstanding that a minister of the Church of England has officiated at the former place since the cession of the country. There is an Episcopal church at Rivière du Loup, in which service is regularly performed by a minister of the Church of England; the total Protestant population within the parish consists of three Episcopalian and twenty Presbyterian families. There is another Protestant settlement on the borders of Lake Masquinongé, computed at 30 families, the majority of whom are Presbyterians; and it is supposed that that denomination is also the most numerous in the townships in this district.

From some of the Protestant settlements in the district of Quebec the following information has been collected:—At Lake Beauport there are 92 persons, at St. Patrick 45, and at Valcartier 100, who profess to be Presbyterians in communion with the Church of Scotland; the seignior of St. Giles contains 110 Presbyterians of the Church of Scotland and 23 Episcopalians; in the township of Leeds there are 70 persons who would prefer the ministrations of a clergyman of the Church of Scotland, and five families of the Church of England; the township of Inverness contains between 50 and 60 Presbyterians and 15 Episcopalians; in the township of Frampton there are 100 Presbyterians; at St. Charles Belle Alliance settlement, as well as in the seignior of Metis, there are few inhabitants who do not profess to be Presbyterians.

No answers have been received from the district of Gaspé; but I am warranted in stating, upon the authority of the Crown agent, that the great majority of the people are Presbyterians.

None of the townships or settlements I have named are provided with clergymen except those particularly mentioned. The Presbyterian inhabitants are all extremely desirous of having ministers and teachers of their own persuasion.

The Presbyterian congregation in the city of Montreal, under the charge of a minister in connection with a presbytery in New York, consists of between 600 and 700 persons, while the two others, under the ministration of clergymen of the Church of Scotland, are composed of between 800 to 1,000 persons each; the number of communicants in one of the latter is 335, in the other 170. Dr. Harkness's congregation in the city of Quebec is constituted of about 1,200 or 1,500 persons; the number of communicants about 300. There is also another congregation in the city of Quebec under the ministration of a clergyman, a native of England, but who had resided as a clergyman in the United States of America. In these towns, where there have been Episcopalian clergymen since the conquest and cession of the country, and one of them the residence of the Lord Bishop for the last 35 years, the Presbyterians are more numerous than the Episcopalians.

This assertion is made, as well from personal knowledge, as far as respects Montreal, as upon certain data relating as well to Montreal as Quebec. The following is an account of the number of marriages, &c, performed by the clergymen of the English and Scotch churches, including the chaplains to the forces in Quebec and Montreal, taken from the registers of the different ministers, which are deposited annually with the prothonotaries of the Courts of King's Bench, as required by law. The garrison at Quebec generally consists of two regiments, besides artillery, engineers, commissariat and other departments; at Montreal of one regiment, less one or two companies, artillery, engineers, staff corps, commissariat and other departments, who are attended by chaplains to the forces, and the services performed by such chaplains are registered with those of the Episcopalian clergy:—

In Quebec for 11 years, up to 31 December 1821,

Episcopalians :		Presbyterians :	
Marriages	340	Marriages	555
Baptisms	1099	Baptisms	966
Funerals	1626	Funerals	698

In Montreal, for 12 years, up to 31 December 1821.

Episcopalians :		Presbyterians :	
Marriages	377	Marriages	735
Baptisms	900	Baptisms	1744
Funerals	1261	Funerals	1022

The disproportion between funerals and baptisms, may be accounted for from the numbers of persons belonging to the military who died in the hospitals, of sickness and wounds, during the late war.

At the town of Kingston, in the province of Upper Canada, where an Episcopal minister has resided since the peace 1783, a Presbyterian minister began his ministry in a church built by subscription about five years ago, and his congregation is at present more numerous than that of the Church of England.

The foregoing particulars are not offered as exhibiting a complete statement of the relative numbers of the whole Protestant population professing different forms of religion, and much less as containing a census of the total number of Presbyterians in the Canadas. These particulars have been extracted from information received only from some parts of those provinces, while there are whole districts and numerous extensive settlements in both, particularly Upper Canada, from which statements have not been furnished. It is also necessary to bear in mind that five-sixths of the population of Lower Canada are French Canadian Roman Catholics. I have been enabled to furnish a statement of the Presbyterian population only in the towns, some of the French Canadian settlements, and in few of the townships near the St. Lawrence, where settlements have recently commenced, without comprising that in the townships of Lower Canada beyond the French Canadian settlements in the seigneuries on the south side of the St. Lawrence, many of which have been long settled, and contain a Protestant population estimated at 30,000 souls; and, considering that those townships and other Protestant settlements in Lower Canada, as well as the other inhabited parts of the Upper Province, (from which no returns have as yet been received,) have been peopled by persons who have emigrated from Scotland, Ireland, and the United States of America, it may be inferred that there also Presbyterians bear the same relative proportion to Episcopalians. The great sources of emigration to Canada are Scotland and Ireland, and there can be little or no doubt that among the new settlers the numbers of the Church of England will continue to bear but a small proportion to the numbers of the Church of Scotland. That more ample information has not yet been received must be ascribed to the causes I have already mentioned, and the short interval of time employed in collecting it. The Church of England has at all times possessed the means of extending herself by increasing the number of her clergy, who are supported as missionaries by a salary of 200l. sterling, paid to each minister by the Society for Propagating the Gospel in foreign Parts, in aid of which annual grants have been made by the Parliament of Great Britain. On the other hand, the Church of Scotland has been left to contend, unsupported, against every difficulty; and although a few congregations in the large towns and in some of the old and extensive settlements have, by means of voluntary contributions, procured for themselves the services of clergymen of their own persuasion, in general the inhabitants are too poor to support clergymen, having to struggle hard for their own maintenance. They cannot have a regular minister of their own, as no Presbytery will ordain one unless some permanent

provision is made for him. Under such circumstances, it may have happened that some individuals educated in the Church of Scotland have joined the Church of England in those townships and settlements where establishments have been formed by that church, but their numbers are very inconsiderable; and even where such establishments have been formed the Presbyterians, accustomed and attached to a different mode of religious worship and instruction, unite themselves in preference to other denominations whose doctrines and forms of worship are more congenial to their mind.

I cannot take upon myself to vouch for the accuracy of the foregoing statements, but considering the sources from which the information has been derived, I believe it to be (as far as it extends) as correct as could be obtained without enumeration under public authority.

I feel it my duty to bring under the consideration of the Committee some of the disabilities imposed upon the Church of Scotland in Upper Canada, which are considered by the clergy and members of that church as humiliating and degrading.

By a provincial statute, passed in the 38th year of the reign of his late Majesty, clergymen of the Church of Scotland, though regularly ordained by a Presbytery in Scotland and called to a congregation in Upper Canada, are bound, before they can solemnize marriage, to apply to the court of Quarter Sessions for a license, and to submit to forms extremely grating to their feelings. Constituted as the Legislature of Upper Canada is at present, it is not expected that a repeal of that Act can be obtained, and it is only to the Imperial Parliament that the petitioners can look for redress.

None of the Presbyterian churches in Lower Canada are incorporated, nor are there any in Upper Canada, to the best of my belief, although applications have been frequently made to the Provincial Government for that purpose.

The clergy of the Church of Scotland have in both provinces been excluded from any share in the instruction of youth. Within every district of Upper Canada there is a grammar-school, to each of the teachers of which a salary of 100l. is paid out of the funds of the province. The further sum of 2,500l. is appropriated for the encouragement of common schools.

In Lower Canada all the schools established by the authority of Government are under the direction of a corporation, styled "The Royal Institution for the Advancement of Learning," composed of the Protestant bishop, clergy, and members of the Episcopalian church, one or two Presbyterian, and three Roman Catholic members. The Roman Catholic clergy having no share in the nomination of the masters to, or any right of superintendence over these schools, have withheld their countenance and support from them; and the progress of education under this system has hitherto been slow. In the year 1827 it was in the contemplation of Government, with the co-operation of the bishop and clergy of the Roman Catholic church, to form a separate committee of this institution, for the exclusive regulation and superintendence of Roman Catholic schools; but this project has not yet been carried into full operation. Such an arrangement would have the effect of preventing the Church of Scotland from having any share in the direction of the education of youth, even of those of their own persuasion, although a bill putting that church on an equal footing with the Churches of Rome and England in respect to education has been repeatedly passed by the representative body of the province since 1817.

From the facts which I have stated, it is obvious that the number of clergymen does not afford a standard by which an estimate can be made of the proportion which the members of each religious denomination bear to the general population of the Canadas. Without presuming to offer any opinion upon the construction of the Act of Parliament by which those reserves have been set apart for the support of a Protestant clergy, I beg leave to state that the petitioners rest their claim of right, to a full and unrestrained exercise and enjoyment of their religion in those colonies, upon the 5 Anne, c. 8. The Canadas were acquired by Great Britain after the kingdoms of England and Scotland became united; and the members of the Church of Scotland conceive that their church has an equal right with that of England to enjoy any advantage or support which may be derived from the territory so acquired. Nor can they suppose for a moment that at the time of the passing of the Act, by which those reserves have been made, when the greater part of Upper Canada, and a large proportion of Lower Canada, was still ungranted, and a wilderness, the King and both Houses of Parliament intended to appropriate one-seventh of all the lands still to be granted for the support of the clergy of the Church of England, before it was known whether the country would be settled by members of that church or by Presbyterians. Many grants of those lands have been made to Presbyterians, the very men and their descendants who earned laurels on the plains of Abraham, and in other honourable feats both by sea and land, as rewards for faithful services. Presbyterians have also been encouraged by His Majesty's Government at different times to emigrate from Scotland and other parts to settle in the Canadas, and those persons cannot imagine, that it was intended to give the reserves in townships settled by them to the clergy of their fellow subjects south of the Tweed, and to leave the clergy of their church altogether destitute; on the contrary, they have always conceived that under the general words "a Protestant clergy," used in that Act, provision has been made as well for the clergy of the Church of Scotland as for that of England.

But as the Act in question has been interpreted by some persons in a narrow and unfavourable manner, and the provisions made thereby have been claimed and enjoyed exclusively by the clergy of the Church of England, His Majesty's Presbyterian subjects in the Canadas hope, that through the interposition of Parliament all doubts respecting the appropriations intended by that Act may be removed, and that their church may be endowed with an equitable proportion of those reserves, or the proceeds which may arise therefrom, should it be deemed expedient to dispose of them; and as the provision contemplated by those reserves is still only prospective, the petitioners pray that some further provision be made in aid thereof (or otherwise), until the revenue arising from such lands shall be sufficient for the maintenance of a number of clergymen of their church, proportionate to the extent of the Presbyterian population. They disclaim any desire to encroach upon any rights which may have been secured to the Church of England, and they would regret to see her clergy deprived of any support that might add to their usefulness and respectability.

They only claim that measure of support and protection to which their proportionate number and importance in the general population of those provinces may entitle them. Considerations of equity, and the soundest policy, demand the repeal of the provincial statute of Upper Canada, 38 Geo. 3. c. 4, and a recognition of the Church of Scotland, as well in that province as in Lower Canada, and that a suitable provision be made from the clergy reserves, or some other fund, for the maintenance of the clergy of that church. And as the attachment of the Presbyterians in those provinces to their own church has been called in question, and their numbers represented as inconsiderable, they are perfectly willing that the conditions on which any provision or aid, to be afforded to them for the support of their clergy, shall previously require a certain amount of voluntary contributions from the members of every congregation claiming such assistance, as well as that such a number of heads of families as may appear to His Majesty's Government sufficient to constitute a congregation. I take the liberty of handing to the Committee a copy of the resolutions adopted by the Presbytery of the Scottish secession of Upper Canada, in the month of January last.

"At a Meeting of the United Presbytery of Upper Canada, held at Brockville, on Wednesday the 23d day of January 1828, the following Preamble and Resolutions were considered and adopted :

"Whereas, at a meeting of the General Committee of Presbyterians in Montreal, held on the 10th December 1827, the following Resolutions were passed: (Vide Resolutions of Montreal Committee of 10th December.) These Resolutions of the Montreal Presbyterian Committee being communicated to this Presbytery, and maturely considered, it is thereupon resolved,

"1st. As the opinion of the Presbytery, that the Presbyterians in this province are agreed on all essential points of doctrine, worship and discipline, having for their common standard the Westminster Assembly's Confession of Faith. "That

"That the causes of difference which have divided Presbyterians in Scotland being locally inapplicable to this country, may here be obviated in such a manner as to render a general union of Presbyterians in this province practicable without any sacrifice of principle.

"3d. That such a general union of the Presbyterians in this province is in the opinion of this Presbytery highly desirable, as it will tend to strengthen the Presbyterian interest, and subserve the cause of true religion and promote the peace and prosperity of the province.

"4th. That the Presbytery receive with satisfaction the proposition of the Presbyterians of Montreal in communion with the Church of Scotland, and are disposed and ready to unite with them upon fair and practicable terms.

(Signed "Geo. Buchanan, Modr.
"Wm. Bell, Clk.")

Sabbati, 28^o die Junii, 1828.

John Neilson, Esq. again called in; and Examined.

Are there any points upon which you wish to give any explanation in addition to the statements you made when you were last before the Committee?—I wish to give explanations upon certain points noticed in a memorandum I have given in.

The first point noticed in that memorandum is, that some copies of bills given in by you are not in the state in which they were actually sent up to the Council; will you state whether the bills as they are now before the Committee differ in any important particulars from those which were sent up?—I apprehend not in any important particulars; but I got the copies from one of the clerks of the House of Assembly, and he was not able to get copies of them all from the Council, just as they had gone up: he either gave the printed copies that were in his possession, or copies that had been used for engrossing the bills from. It is possible that, in one or two instances, an unimportant alteration may have occurred between the time they were printed and the time when they were passed in the House and sent up to the Council; I am, however, not aware of any.

Did any doubts exist heretofore as to the laws of England with respect to real property being in force in Canada between 1764 and 1774?—Yes; since I was here I have consulted some papers, and I find that in a Report laid before the House of Assembly by the Land Committee in 1824, there are the opinions of the law officers of the Crown in England and in the colony, which say that there were doubts on the subject, whether the English law, with regard to property, was in force or was introduced into the colony by the King's proclamation in 1763.

Have any instances come to your knowledge in which what you have considered as the laws of Canada with respect to real property have been applied in the province to lands held in free and common socage?—I cannot state the instances having come to my knowledge, but I never conceived that any other law was applied at all.

Have you known any instances of persons holding lands in free and common socage dying intestate, and their property being equally divided amongst their children, or have you known the contrary that in such case the right of primogeniture has been acted upon?—The right of primogeniture was never thought of as being in existence in the colony. I purchased some land granted on free and common socage, I purchased it according to the laws of Canada, and from persons who were entitled to hold it by the laws of Canada. A deed was passed according to the laws of Canada, and I examined into the title of the holder; according to the laws of Canada, whenever you purchase there, you look at the title of the person from whom you purchase; and in doing that I was guided entirely by the laws of Canada.

Was that property situated within the townships?—It was situated in the township of Stoneham, within 30 miles of Quebec.

Can you inform the Committee in what mode security is given for money borrowed on land held in free and common socage in Lower Canada?—The security is given in the same manner as it is given generally throughout the country by notarial deed, by what English lawyers, I have understood, call a *lien* upon the land; it is what they call in that country an *obligation*; it is in fact authenticating a debt upon the property, and it stands according to its priority.

In your opinion, does any indisposition exist among the French Canadians to see British settlers fixing themselves in the lands of Lower Canada?—I have stated before generally that I did not believe there is any such indisposition, but I have recollected facts, which in my mind prove that there does not exist amongst the peasantry of Lower Canada, who form the body of the population, any such feeling. In 1816 I began, with three others, two of whom were natives of Canada, of French descent, a settlement, to be composed of people from Europe, in one of the seigneuries in the county which I represent. I have been by that means more instrumental in introducing people from Europe than any body else in Lower Canada. I have been, I may say, the cause of upwards of 1,000 of those persons being settled in the county which I represent and in the adjoining county; I have continued actively employed in that for the last ten years, to the knowledge of the whole county.

Will you state how you settled them?—It would be a long detail, but in the Seventh Land Report (Assembly's Journal, 1824) there is an account of it.

—Have you found that European population to be generally contented?—Very contented, and they agree remarkably well with the Canadian population; and so far from the Canadian population being in any way dissatisfied with me, who was the active person in introducing those people in the county, I never have felt any diminution of their confidence; on the contrary, I believe it stands higher than it did 10 years ago.

Were those people settled in a seignury?—They were settled in a seignury just at the back of the people by whom I am elected, and the new settlers pass through the Canadian settlements every day in going to and coming from market.

Do they hold under you as seigneur?—No, I hold no lands in seignury; the reason why I made the settlement there, was, that it was near Quebec, and that it is only in the seigneuries that you can get any extent of land lying in a lump; the township lands are all divided into reserves and other grants lying waste, in the possession of absentees and persons that you cannot find out; therefore I fixed upon that spot: there were two Canadian gentlemen, an advocate and a notary in Quebec, and an English advocate and myself engaged in the project; we took from the commissioners of the Jesuits estates about 75 lots lying together on the usual conditions by the old laws, and we determined upon having settlers there. Nobody thereabouts would go upon these lands, because they said the climate was too severe; it was too much to the north, and we could not get any body from the vicinity to commence the settlement, but we got people from the river St. Francis, people in fact from the state of Connecticut; we opened the settlement, we gave them the lands upon the same condition that we had obtained them ourselves, without any payment to us, and we advanced them sufficient to subsist one year; there were three of them; the moment that opening was made there came people from Scotland and Ireland, and we gave them lots, and they settled on the land likewise; and now that settlement and the vicinity contains about 500 souls; they are all Scotch or Irish, with perhaps a few English and one or two Americans.

To what circumstances do you attribute the preference that is shown by the persons emigrating to Lower Canada to settling in the United States or in the Upper Province?—The real cause of the preference is the want of a nucleus, a settlement of people connected with them. The reason why that does not take place is that you cannot get any extent of land in such a way as to commence a settlement; whoever commences a settlement in Lower Canada, even under the most favorite circumstances, is almost a ruined man, unless he can spare the money and throw it upon the waters in fact.

Is there not a large Irish settlement called St. Patrick's, to the north of Quebec?—That is contiguous to the one that we made; the lands belong to a Canadian seigneur, it rose in consequence of our settlement; we were the first that penetrated the swamps at the

back of the seigneuries and opened the settlement; that gave them an idea that the thing could go on, because our people seemed prosperous; there is one Scotchman from Penicook, near Edinburgh, that to my knowledge sold in the market of Quebec during the last year to the amount of about 300l.

Do you attribute the unwillingness to settle in those places to the effect produced by the clergy reserves?—Yes; The great cause of people coming from Europe not settling in Lower Canada is because there is no place for them to go to; generally speaking, every man that comes from Europe comes to somebody; he has his sixteenth cousin, or somebody from the same parish or neighbourhood, and from whom he has heard by letter, and he goes and sits down beside them if possible; but in Lower Canada there are none such; and there can be none such, because the lands are cut up in such a way, that you cannot get a contiguous tract in any direction. The length of the winter and its severity are also subjects of great dread to the new comers, and real disadvantage to all.

Did not your English connection aid your settlement?—No, the whole of the concern was rather a Canadian concern than a British concern, for the whole of the gentlemen that were engaged in it were of what they call the Canadian party.

Do the French Canadians experience any obstacles in their attempts to get possession of new lands?—Very great indeed. The laws which provide for and regulate concessions or grants by the seigneurs to the actual settlers, have, since the conquest, been suffered to be nearly a dead letter. The attorney-general ought to see that they are executed. The King is authorized by law to grant to real settlers, upon the seigneurs refusing. Nothing of that kind has been done since the conquest; the consequence is, that the English seigneurs particularly have imposed onerous conditions upon the settlers, conditions that they are not authorized by law or usage to impose, and which a fresh settler is unable to satisfy. They dare not venture to take up the lands, and are confined in a narrow limit. There is hardly any difference between the system that was introduced after the settlement in Canada under the French Government, and the system that was introduced under the English Government in the old English colonies: it was always granting away lands to any man that would actually settle upon them, or cause them to be settled, and taking care that those that got possession of any quantity of land did actually sit down upon it and settle (*tenir feu et lieu*.)

Would not a French Canadian living in the country naturally settle upon the lands granted to him?—The seigneur is like any other man: if people are not looked after they will take advantage of it, and they have taken the advantage of it, particularly the English seigneurs, for they are the worst of all. When they are placed in the shoes of a Canadian seigneur they think that there is no limit to the raising of rents, and every thing burthensome to the settler; and they have not been compelled to observe the laws, the laws have not been enforced that were intended to preserve the advantages and encouragement to the actual settlers; and that has kept the people from extending themselves. The Assembly passed a bill twice or thrice to produce a remedy, and that failed in the Council.

What difficulty is there in the way of a seigneur buying lands in Canada extending his settlement?—He may buy as many seigneuries as any body will sell to him; but where the lands are waste he holds them upon the condition that he will grant them to actual settlers upon payment of certain dues; and instead of the dues and the regulations being adhered to according to the old laws, the laws have been suffered to be extinct, and the people cannot get land at any reasonable rate.

You mean that the landlords insist upon too much?—They insist upon what they have no right to, so much that the people cannot pay it; the people could pay it during the war, when wheat was selling at a high price, but now they cannot pay it.

Then the landlord is ultimately the loser?—He is not a landlord in the usual sense in this country, but a person to whom lands have been granted on condition that settlers should be put upon them as proprietors, on their paying certain customary dues. He is certainly ultimately the loser, because instead of joining with the people in selling the lands and making them ultimately valuable, in consequence of *moutures* and *lots et ventes*, he by his extravagant demands prevents the settlement of the lands. This is the effect of that blind greediness, which, in a thousand instances, leads to a violation of law and justice, and sets a man in his own light.

You have said that the lands were so cut up that the settlement of the country is prevented; in what way are they cut up?—I explained that in my former evidence. In the townships they are intersected with clergy and crown reserves, and with lots, the titles of which are in persons that cannot be found; they are perhaps living in England, Scotland, or some other country; and now it is impossible to tell who is the proprietor of a lot of land in the townships of Lower Canada.

Do you conceive that a tax upon waste land, such as is raised in the United States and in Upper Canada, would tend to remedy that grievance?—I have no doubt that it would tend to remedy that grievance, but it is a power which is very liable to be abused; for I conceive that it is almost a spoliation to say that you will put it in the power of residents to tax the lands of non-residents.

The question had reference to the idea of a general law, which shall impose a general land-tax upon all land lying waste, without reference to whether they are the lands of residents or of non-residents?—That would be safer, because then the residents would have their lands taxed too.

Do you conceive that a law of that nature would remove, in a great degree, the grievance of those lands which are lying waste if a tax were imposed; and in default of payment of that tax, the land was forfeited?—I conceive that would be one way of remedying it; it would have exactly the effect which the rents of the seignorial grants have at present. The seignorial grant is conditioned, with the payment of a small annual rent, which every one is bound to pay. It is considered that it cannot lawfully exceed a penny a superficial acre, and every one who may like to settle has a right to an unoccupied grant on demand. This rent, however, compels a man to relinquish his land or to settle it; because if it is standing wild he gets nothing from it, and he has ever year this rent to pay; besides the visits of the road officers under the existing laws, which puts him in mind that he is a proprietor of land. He gets angry with always paying and never receiving; and at last he says, "I wish to be rid of it," and he gives it away to any body that will settle; that frequently occurs in the seigneuries. The seigneuries in fact do not want any tax of that kind, because they have got it already in the shape of *redemptions*. If the grants of the crown lands had been accompanied with such annual payment, to be looked after by an interested individual, you would have found that there would be very little monopoly of wild land, the most pernicious of all monopolies, as it costs nothing to persevere in it.

Would not the remedy that has been suggested be an effectual remedy against waste lands, namely, that a general tax should be imposed upon all waste lands, and that if that tax was not paid, the lands should be forfeited?—All that I can say is, that it would tend to remedy it; but it is impossible for any body to say what would be an effectual remedy in colonies under all the circumstances.

Can you suggest a remedy more likely to be effectual?—I think not; I think it is likely to be effectual.

Do you see any disadvantage in it?—I do not see any disadvantage, except that I think it would not be executed; there are too many powerful men interested in the non-execution of it.

Are the Committee to understand then that it is an irremediable evil?—No; the remedy that was proposed in the House of Assembly in 1824 I have already explained, and it was adopted in a law passed in 1825 in this country; it was getting back those lands into the possession of the Crown, to be given to persons that would actually sit down upon them, or rather sold near the spot to the best bidder for cash.

Did that produce any effect?—It has produced no effect, because they passed a law here which cannot be executed; they are not aware of the circumstances of those countries.

To what class of individuals did you allude as being so powerful as to be above the law? Those who administer the law are so sometimes.

Do they possess land to a great extent?—Yes, they do.

Are those grants from the Crown?—Mostly grants from the Crown.

Are they of a recent date?—From the commencement down to a few years past. There has been a great noise made about it during the last four or five years, and I believe that the thing is stopped to a great degree. Besides, the value was spoiled by too many grants.

Is there no condition as to cultivation made in those grants?—There is an absolute condition to that effect attached to all grants. The King never granted an acre of land, even as a reward for services in America, without the condition of actual settlement and cultivation being entailed upon it: those lands are quite a different thing from the Crown lands here; it is an important part of the administration, enabling the people to settle and spread over the country, the only thing that has made the countries in America valuable.

It has been suggested to the Committee that many of the difficulties which exist between the two provinces as to commercial and financial matters, might be adjusted by annexing Montreal as a port to the Upper Province, what in your opinion would be the effect of such an alteration?—The effect of such an alteration, in fact, would be to annihilate Lower Canada as a separate government. If the town and island of Montreal are to belong to Upper Canada, and they are to impose duties upon goods that are imported there, as all goods coming into that part of the country will go to the principal city at the head of the navigation, the people will go to that common centre to buy the goods they want, and pay the duties upon those goods, and those duties will go to the Government of Upper Canada, and the Government of Lower Canada, instead of having a revenue such as it has now, would in fact have a revenue of only one third, the population of Lower Canada resorting to Montreal, being two thirds of the whole population; and the Government of Lower Canada would be a useless piece of machinery altogether, and could not be supported.

How do you consider that Montreal is the centre of two thirds of the population of Lower Canada, since it lies nearly upon the extreme boundary between Lower and Upper Canada?—It is the centre of the population of the district of Montreal, and the population of the district of Montreal is about two thirds of the whole province; it is to that centre, which is the head of the ship navigation, that all the people living in the district of Montreal naturally go, and must go to buy all the goods that they consume; whoever consumes the goods pays the duties, and those duties would go away to the Upper Province.

What effect in your opinion would be produced, by the annexation of Montreal to Upper Canada, upon the means which would exist on the part of this country of defending the Provinces in case of an attack by the United States?—Of course, if the United States ever put forth their means for the conquest of Canada, England cannot meet them upon equal terms, or at least upon terms which this nation would be willing to submit to, that is, without undergoing an expense beyond all calculation, unless it be where the naval power of Great Britain can easily penetrate without danger from the land: there the power of England in reality does extend, in spite of the United States of America, and in spite of every transatlantic power. No part of the St. Lawrence below the Richelieu Rapids, 45 miles above Quebec, can possibly be out of the reach of her power; but it is understood that the navigation can be interrupted by fortifications at that place. If you take the means of two thirds of the population of Lower Canada, and combine them out of the reach of the power of England, I think that it very much tends to diminish the means that this country may have against the United States in a future war: where the Government is, there will be the power, and for the safety of the country it seems to me that that power ought always to be within the reach of the effective power of Great Britain, her naval power, which is that upon which her military operations beyond the Atlantic must always be based.

Do you suppose that depriving Lower Canada of Montreal would excite great dissatisfaction in that province?—There is no doubt about it.

As regards a union of the two provinces?—It seems to me that it would be worse, both as regards the interests of this country, and the interests of Lower Canada.

How does it affect the interests of this country?—By removing nearly the whole power of that country out of the reach of this country, and placing that power within the reach of the power of the United States of America.

Have you given much attention to the state of the clergy reserves in the province of Lower Canada?—Yes, I have given a good deal of attention to it, for since 1817 the matter has been particularly under my consideration; I recollect, in 1817, being employed by the people of a township near Quebec to draw up a petition against those reserves; it was brought to this country by Sir John C. Sherbrooke, governor in chief.

Do you consider the state of those clergy reserves as a great impediment in the way of the settlement and of the prosperity of the country?—I suppose there is not any person connected with Canada that can have any doubt upon that subject.

Do you consider the present state of the clergy reserves as having had a very unfortunate effect upon the religious peace, and the general harmony and good will of the population of Canada towards one another?—Yes; if that were the only cause things would not have been so bad as they are; they no doubt are the present bone of contention, but a contention connected with religion has been going on a considerable time, and it originated altogether, in my opinion, in the pretension which has been set up by the church of having an exclusive establishment in Lower Canada.

Are the clergy reserves managed at this moment by a corporation composed exclusively of members of the Church of England?—Yes, nearly the whole government is composed of members of the Church of England.

Have you any means of forming an estimate of the relative numbers of members of the Church of England compared with the whole population in Lower Canada?—There has been no enumeration, and every one of course will be inclined to make his own party the most powerful, but if you wish to know the real proportion of the different religious denominations amongst Protestants in the Canadas you may judge from what it is in the United States of America; there is in fact no difference as to the countries from which they come and the causes of their coming, and the division amongst them with respect to religion.

Judging from your means of observation, do you think that a tenth of the Protestant population of Lower Canada are members of the Church of England?—I should suppose of the Protestant population in Lower Canada they may be more than a tenth.

Should you say they are one eighth?—I cannot say; perhaps they may be a fifth of the Protestant population.

Are you a member of the Church of Scotland?—I am.

What proportion of the Protestant population of Lower Canada do you conceive to be members of the Church of Scotland?—I should conceive that there are more members of the Church of Scotland than of the Church of England, but there cannot be a very great difference between them; I speak of those that are actually born and brought up in the Church of Scotland; members of the persons who belong to the Church of England have come from the old colonies, from the United States of America.

Do you think that the majority of the Protestant population in Lower Canada is connected either with the Church of England or with the Church of Scotland, or that the majority is unconnected with either of those churches?—I think the majority does not belong to either one or the other. I do not think that there is more than 50,000 Protestants altogether in Lower Canada, and I should suppose that the Church of England may contain about one fifth, and the Church of Scotland another fifth; the rest are Congregationalists, or Presbyterians, from the United States, Wesleyans and others.

Do you think the principle of providing for the clergy from the proceeds of land a convenient principle in a country situated as Lower Canada is?—Any thing that will produce dissension or jealousy among the different denominations is fatal altogether. I do not see how you can provide for them all by land; and if you provide for any by land there will be a jealousy against those that are so provided for; and there will be religious dissensions, which I think is a greater curse than any thing we have had yet.

Do the members of the Church of Scotland consider that they have an equally good claim with those of the Church of England to a share of the proceeds of the clergy reserves?—They surely do conceive so.

Would dissenters that do not belong to either the Church of England or the Church of Scotland acquiesce in any arrangement that went to give the proceeds of those lands to the members of the Church of England and the Church of Scotland, to their own exclusion?—No; all over America there is a jealousy against any church that is connected with temporal power.

How are the clergy of the Church of Scotland provided for?—By their own people; by voluntary contributions.

Are they respectably provided for; and are they a respectable body of men?—They are a respectable body of men any that we have; but we have only regularly ordained clergymen of the Church of Scotland in the cities of Montreal and Quebec; these are the only places that could secure a sufficient stipend, as required in the Church of Scotland.

Are the Committee to understand that the religious wants of the Presbyterian population of Lower Canada are not adequately provided for upon the present system?—Certainly not. It is a cruelty, when people are encouraged to go out to those new countries to settle in the wilderness, dispersed as they must be all over that wilderness, not to give them some kind of assistance to procure religious instruction; and I do think that there might be something done in favour of those who have been born and brought up in the National Churches, without exciting jealousy on the part of others; but if it were to excite jealousy on the part of others, I would say, away with it! for if there is to be jealousy in this matter, we shall have no rest till we fall into the arms of the United States, where such jealousies are effectually prevented.

What do you conceive would be the best way, under all the circumstances of the colony, of dealing with this question, and of providing for the religious wants of Lower Canada?—It is very difficult to find out what is the best way. The law has certainly made a provision in land for a Protestant clergy. I am always very dubious of interfering with what is established by law. If you give people any thing, it seems to be given; and I do not know how far your right extends of taking away what you have given; but I should say the country will be ruined altogether, it cannot be settled, nor can any thing be done, till such time as those reserves are done away with, or till those who hold them are compelled to do exactly what every other holder of land in the country is bound by law to do, to sit down upon it, and cultivate it; if they reside and cultivate, it is no matter who holds the land.

Are you sufficiently acquainted with Upper Canada to know whether the same causes in that province have produced the same results, in impeding the prosperity of the country, and in producing religious and political dissension?—Yes, I know from my own observation in Upper Canada, that a great deal of the difficulties there have arisen from the abuses in the land-granting department, and from the impediments put in the way of settlement, in consequence of all those reserves.

If some means of setting this question at rest is not taken by the Government at once, do you think that those dissensions and animosities will increase or not?—Surely they will increase.

You have stated that the Scotch Church is supported by voluntary contribution; has no part of the proceeds of the Jesuits estates been supplied to the Scotch Church?—I am one of the trustees of the Scotch Church in Quebec, and I have heard that 300l. out of that estate was given to the Scotch Church; we subscribed about 2,000l. for the building of our church in the first instance; we enlarged it, and raised about 2,000l. more by actual payments and loans; there was some deficiency, and we got 300l. from the Government, but the whole might be said to be done at our expense. I have heard it asserted that the money was out of the Jesuits estates, and that the Church of England in Quebec was paid about 6,000l. from the same estates.

Was not there also an annual stipend granted to the Scotch minister at Quebec?—Yes, there has been from the commencement; I believe the Scotch ministers were the first that were in Canada; when there was no minister of the Established Church they attended the troops, and still do attend some of them; and there was an allowance of about 50l. given to one of them out of the military chest.

Are there any religious animosities between the Protestants and Catholics in Lower Canada?—No, not among the people generally; but there has been a good deal of apprehension on the part of many Catholics since 1817; the whole Government and the Legislative Council being in the hands of Protestants, and particularly of one church; the corporation that was to manage the schools happened to be of the same description, and they attempted to establish those schools all over the province; some of the Catholics imagined that it was a kind of proselyting plan, and it raised some jealousy.

Are the Committee to understand from what you have said that if both the Protestant and Catholic religions are protected in their establishment in that country, and there is no appearance of any design on the part of Government to infringe on the rights of one or the other, that you do not apprehend that there will be any religious animosities between Protestants and Catholics in the province of Lower Canada?—I should think so. It was not till 1821, upon the rejection of the school-bill sent up by the House of Assembly giving the direction of the schools severally to the clergy of all religious denominations, that there did seem to break out any great jealousy on the part of the Roman Catholics. That confirmation of them in the jealousies which they probably had internally before, on account of certain instructions already mentioned; but then they burst forth to a great extent; since that time they have gone on increasing, but they did not believe, nor do they yet believe, that the Government of this country was at the bottom of it; they generally thought that it was something started in the colony, and it has not, in consequence of that, got to so great a height as it would otherwise have got; for amongst the body of the people at this present moment, no man asks whether his neighbour is a Catholic or Protestant; there are Catholics and Protestants in the same family and neighbourhood, and all living in perfect harmony. In truth, no country was ever more exempt from religious animosities than Lower Canada has generally been during the 37 years I have resided there.

Are there any attempts to proselyte on the part of the Catholic Church?—No; I think they are the least proselyting people that ever I have seen. I have been frequently at the houses of the clergy, and they never talk to you about religion; generally the Canadian Roman Catholics shun every conversation about religion.

Are the Catholic clergy much respected by their flocks generally?—They are respected, I believe, by every body in the country; I have never heard any body speak ill of them generally.

Do they mix themselves up in the general politics of the province, or in matters disconnected with their own religion?—No, they never have interfered with politics to any extent; they generally have kept away even from appearing or voting at an election; they do not think that it is consistent with their interest and religious duties to have any thing to do with politics.

Did not they materially assist the Government in the defence of the province during the war?—That is with them a religious duty. In the war in 1775 they took a very active part in encouraging the people to defend the country; and in the war of 1812 they also took an active part; but the whole body of the people took an active part at that time; they were opposed to the Americans, and they were strongly attached to a connection with this Government.

Generally is not the idea of the people of the Lower Province that any measures that have come from this country, of which they may have thought they had reason to complain, have proceeded very much from the imperfect information which the framers of those measures have had of the situation of the Canadas?—Yes; there is nobody in that country that ever conceived that this country can have any interest in doing an injury to any living soul in the colonies.

Has not that feeling tended very much to soften any feelings of irritation which such measures may have produced?—Surely it has. I should conceive that after the imprisonments and dissolutions in 1810, had it not been for the confidence the people then reposed in the justice of this country, we should have in 1812 had a deal of difficulty in getting them to come forward with the spirit they shewed in defence of the country; but they said that "the King would do us justice;" (*"Le Roi nous fera justice."*)

How are the Catholic clergy paid?—By the people.

Are tithes levied?—I believe there has been hardly an instance of a compulsory levy of tithes; no man is bound to pay tithes unless he belongs to the church; if he declares off from the church he is exempt from paying tithes.

Is not the amount that is payable fixed by an ordinance of the King at a twenty-sixth part of the grain raised?—One twenty-sixth part of all grain is to be delivered into the

priest's house; that is the tithe fixed by the ordinance of the French King, and they claim nothing else, and that only from those that belong to their church.

What do you suppose to be the average amount of the receipts of each of the Catholic clergymen, according to that system?—I should suppose the average will not exceed from 100l. to 150l. a year, taking the whole together. I know that the clergyman in the parish in which I live has not more than about 50l. or 60l. a year, but that is a very poor parish upon a high spot of ground; there are some that I dare say have got 300l. or 400l. a year even at present, although the times are bad.

Is that exclusive of any Easter offerings, or fees paid upon marriages and baptisms?—I believe that the clergyman gets nothing of all those, excepting 5s. on marriages. The rest generally goes for the use of the church.

Is an income of 100l. to 150l. a year one upon which a clergyman can support himself with decency, and live in a manner consistent with his station in society?—They do support themselves with decency; they are most highly respected by the people: if they did not support themselves with decency they would not be so respected.

To what purpose are the fees applied which go to the church?—For the small repairs of the church; for furnishing the linen and the wine, the plate and the lamps, and all those things. There are assessments for building or heavy repairs of either church or parsonage house.

In the settlement you spoke of as having directed yourself, which consisted of about 500 persons, how are the religious wants of that society provided for?—They can hardly be said to be provided for at all. The Roman Catholic clergymen come there occasionally, and the Irish Catholics have only six or eight miles to go to the parish church of Saint Ambroise. The Scotch seldom see any body, excepting some travelling Methodists, and sometimes a minister of the Church of England, who occasionally comes out from Quebec; the Scotch minister has also been out. There are there, I should suppose, 20 or 30 Scotch families, and they do attend to such preaching and praying as they can get; but they are all steadfastly attached to their own church.

Is there any regular Protestant service in the settlement?—No. I gave to the bishop of the Church of England a lot of land upon which to build a school house, and in that school house the Church of England minister comes out occasionally and reads the service, and preaches; and others come out and get into any house that they can, and they give notice to the people to come and attend prayers, psalm singing and preaching.

Is the result that on Sundays there is generally Protestant worship of some kind?—No; but whenever there happens to be service, when I am there I attend, and I have always found that there will be about 100 persons attending service: in fact there is not any new settlement where the people are not desirous to have religious instruction, generally according to the form in which they have been educated.

Do you find that in that new settlement there is a great eagerness for education?—In the school house that was erected upon the lot of ground that I gave to the bishop there was a schoolmaster placed, and he had a small salary that was paid out of the provincial funds; he began shortly after to require the children to learn the catechism of the Church of England; before that the children had all attended the school; the moment that happened they nearly all withdrew, and he remained with two or three scholars. The people then joined together, those belonging both to the Protestant and to the Catholic Church, and employed an old soldier to be their schoolmaster; this old soldier was a native of England, and a member of the Church of England; the person that actually served as clerk when the Church of England minister came out to officiate. They took this man and paid him for teaching their children. The Catholics, Scotch and Dissenters sent their children to him without the least hesitation; but they would not let their children go back to the school in which they had attempted to teach them the catechism of the Church of England.

Do they read the Bible in that school?—In all the schools in America they usually read the Bible or Testament.

Both in the Protestant and the Catholic schools?—No, the Catholics will not allow any Bible but the Bible that is sanctioned by their own church.

Is the Bible that is allowed by the Catholic Church generally read in the Catholic schools?—No; there is what they call the *Epistles and Evangelists*, and a History of the Bible, consisting of extracts from the Gospel and Epistles and some other books, which contain large portions of the Scriptures which are read in the Roman Catholic schools; but generally speaking they do not go through with the reading of the Bible the same as they do in the schools in Scotland. A translation into French of the New Testament is frequently found in families; but I believe not used in schools.

Has any attempt ever been made by the Assembly of Lower Canada to provide more liberally for the Catholic Church?—No.

Which is considered the better provided for of the two, the Catholic Church or the English Church?—The English Church have more pecuniary emoluments than the Catholic Church. The duties of the Catholic clergy in Canada do not leave them a day in the week to themselves.

Have you any doubt that when the population increases to a certain extent, and when there is a greater degree of wealth in the country, there will be always a clergy ready to administer the duties of religion to the population?—I have no doubt that in every country in North America they will have a clergy of one description or another, that is, such a clergy as is most to their liking, to teach religion and perform public worship; but at the present time the settlers from this country, particularly those that belong to the national churches, I conceive to be rather destitute; for the Dissenters are much more active than those of the national churches, who have been in the habit of being provided for. Dissenting teachers are going backwards and forwards constantly. I conceive there ought to be some assistance given to the emigrants of the national churches for the present. I have made out a statement of the numbers of the clergy of the different churches in the two provinces; the Catholics are counted from a list given by the secretary of the Roman Catholic Bishop of Quebec, the Church of England by the Archdeacon of Quebec, and the denominations by the clergymen of the different denominations.

How did you obtain that statement?—It was obtained for a publication at Quebec. Can its correctness be relied upon with respect to the various denominations?—I have no doubt of it. The number of the clergy of the different denominations are as follow:

Religious Teachers in the Canadas, 1827.

Roman Catholics:		
In Lower Canada	-	275
Upper Canada	-	10
Other parts of the Diocese	-	27
		<hr/> 312
Church of England:		
In Lower Canada	-	34
Upper Canada	-	32
Army Chaplains	-	6
		<hr/> 72
Church of Scotland:		
In Lower Canada	-	7
Upper Canada	-	6
		<hr/> 13
Seceders from the Church of Scotland, or other Presbyterians:		
In both provinces	-	12
Wesleyans, or other Methodists:		
In Lower Canada	-	11
Upper Canada	-	39
		<hr/> 50
Baptists:		
In Upper Canada	-	41

Besides Independents, Congregationalists, Moravians, Quakers, Jews, &c. The clergy-men of the Church of England alone are provided for from public funds.

What is your opinion with respect to the conduct of the Church of England clergy; are they zealous and successful in the discharge of their duties, or the contrary?—I conceive them to be a very respectable body of men.

Are they adding to the number of the established church?—If things go on as they do at present they will diminish very much the number of the established church, for any thing like irritation will take away from an establishment. Protestants formerly had no animosity against any church in Canada; they aided one another, and went to that church which happened to be the most convenient. The exclusive claims now openly announced by the English church in Canada will set all others against it.

The Revd. Harry Leith, called in; and Examined.

You are now the minister of Rothemay, in Scotland?—I am.

What acquaintance have you with the province of Upper Canada?—I was resident in that country for nearly four years and a half, from September 1822 till about the end of January 1827.

Are you connected with the Church of Scotland?—I am.

In what capacity were you in Canada?—I officiated as a clergyman, and likewise had charge of the eastern district public school.

Are you acquainted with the wish that has been expressed by the members of the Church of Scotland, to obtain a portion of the proceeds of the clergy reserves?—I am.

What have you to state to the committee on that subject?—That they consider they have an equal claim with the Church of England to a share of those reserves, on two grounds: 1st. As members of one of the Established Churches of Great Britain; and also as the Members of the Scotch Church in Canada are by far more numerous than those of the Church of England. They consider that, on both these grounds, they have a claim to a participation in those reserves, which were set apart for the support of a "Protestant clergy."

Is it their opinion that their right arises out of the Act of 1701?—It is their opinion that it was the intention of the framers of that Act, that the Scotch as well as English Church should be comprehended in its provision.

Can you give the committee any information as to the number of the members of the Scotch Church in Canada, and the proportion they bear to the numbers of the Church of England?—In the district in which I resided during those four years there are four congregations in connection with the Church of Scotland, and two in connection with the Church of England. In one of the churches in connection with the Church of Scotland, namely, that at Williamstown, the average number of communicants is from 450 to 500; at Martin town the number was about 250, and at Lochiel I think about the same number; at Cornwall the church was only erected a few months before I left that, so that the sacrament had never been dispensed there; but I am fully convinced that it is at least equal to the Episcopal congregation, both in numbers and respectability. The number of communicants in the Episcopal Church Cornwall averages, I think, about 40; and the number of hearers, from 80 to 40. The only other Episcopal congregation in the eastern district is at Matilda. I have never understood it to be more numerous than that at Cornwall. There is no Episcopal Church at Osnabrock, as stated in Dr. Strachan's Ecclesiastical Chart. There was a Presbyterian clergyman from Ireland, who resided there, preached once a fortnight, and performed all the duties of a minister. I have, however, understood that the Episcopal clergyman at Matilda used to officiate in the same church occasionally; it may be once a fortnight, or once a month, I cannot state the interval exactly. In the Ottawa district, which has been but recently settled, a Mr. McLaurin has been officiating for three or four years as a minister of the Church of Scotland to two or three congregations; I cannot state their numbers, but think they must be considerable, as I have understood from Mr. McLaurin that a Mr. Hamilton was almost the only Episcopalian in that quarter. At Kingston, in the midland district, there is a highly respectable Scotch congregation; it has only been organized for about six years, and the number of communicants already amounts to 112. In the districts of Niagara and Gore, where, according to Dr. S.'s chart there are no Presbyterians at all, I am able to state that there are at least 16 Presbyterian congregations; that the number of communicants in all the Episcopal Churches of these two districts does not exceed, 40: this has been ascertained from authentic sources. In one case, viz. Fort Erie Church, the communicants are eight in number; in another ten, and the average number in all the Episcopal Churches of the four districts, Niagara, Gore, London and Western District, amounts to no more than 25. The state of the English Church in the Gore district is so grossly misrepresented in Dr. S.'s chart, that I cannot refrain from pointing out a few of its inaccuracies. It is stated, in said chart, that there is an Episcopal Church at Ancaster, and Divine Worship regularly performed in it. There is, I believe, but one church at Ancaster, and in it there is Divine Service regularly performed by a Mr. Sheed, who was ordained to that charge in April 1827 by the Presbytery of Aberdeen. At Burlington, where Dr. S. states there is an Episcopal Church and Divine Service regularly performed, there is only what is called a *free church*, i. e. a church erected by the united subscriptions of Episcopalians and Presbyterians, &c., and in which ministers of both these denominations have an equal right to officiate. At Dundas there is a Catholic Church building, but there is no Episcopal Church; neither has the worship of that church been performed there for four or five years. At Woolwich there is no church, neither has religious worship been ever performed there. At the Indian village there is a church which was built by Government for the Indians, and which is in fact the only place in the district where there may be said to be an Episcopal Church.

Do you believe that many persons originally connected with the Scotch Church conformed to the worship of the Church of England, where a church is established in that communion?—Where no Scotch Church has been established, those who were members of that church have been in the habit of attending the worship of the Church of England and some may have thus from necessity become members of the Church of England; but that some a much greater proportion of them prefer remaining unconnected with that church, is obvious from the numerous bodies of Dissenters that are invariably found in those districts in which there are no Scotch clergymen, or where they have been but recently settled.

Are not the members of the Church of Scotland in the habit of attending the worship of the Church of England, though without becoming communicants?—Many do, in places where there is no clergyman of their church.

Have you ever known an instance in which a Presbyterian Church was opened in Upper Canada, and the members of the Church of England attended worship in it, although they did not cease to be attached to the Church of England?—Episcopalians do occasionally attend Divine Service in the Scotch Church. In Kingston, where, if I mistake not, there was only one sermon delivered in the English Church, and there were two delivered in the Scotch Church, several members of the English Church attended the afternoon service in the Scotch Church. It is also, I think, very probable that in such churches as those at Burton in the Gore district, and Osnabrock in the eastern district, which are *free churches*, many of both denominations will attend the services of the different preachers that may officiate.

Have those unsettled and contending claims of different religious sects tended to produce feelings of animosity, political and religious, in the province of Upper Canada?—They have; and there is every reason to expect that the same feelings will continue to distract the province till such time as the Scotch Church obtains that recognition and support from Government to which it considers itself equally entitled with the Church of England. There are also other circumstances which tend very much to keep alive, if not to increase, those feelings. Scotch clergymen in Upper Canada are subjected, by provincial enactments, to disabilities in the discharge of their ministerial functions. A clergyman, after having been regularly ordained and appointed by a Presbytery in Scotland to a particular charge in Upper Canada, finds on his arrival there, that before he can legally solemnize marriage he has to intimate, at a meeting of quarter sessions, his intention of applying to next meeting of quarter sessions for a license to solemnize marriage as the clergyman of —, and soon after he has waited these three months, and obtained this license, or rather certificate, he will still find that he can only solemnize marriage when either of the parties has been

months a member of his congregation. So that should any of his brother clergymen become sick, go to assist some other clergyman in dispensing the sacrament, or be otherwise prevented from solemnizing the marriage, he cannot officiate in his brother clergyman's stead; and the parties wishing to contract marriage must either wait till their own clergyman recovers from his sickness, or if absent, returns home, which from the great distance they have sometimes to go, may not be for several days, or else they must submit to be married by an Episcopal clergyman, who happily labours under no restriction or limitation whatever, but can legally marry any parties upon their producing a license, whatever their church or length of residence may have been. This disability may at first sight seem unimportant, but is indeed far otherwise, as will appear when is considered the situation of the country, that there are in every part of it new settlers almost daily arriving, and frequently applying for marriage before a residence of six months; and that there are many extensive settlements of Presbyterians who, unable to support a clergyman of their own church, and from their great distance from a place where there is a Scotch clergyman, unable to connect themselves with any congregation in connection with the Church of Scotland; and that these latter have not only to depend for their religious instruction on the public ministrations of itinerant preachers, principally American, and of all denominations, but after they have travelled 40 or 50 miles to have their marriage solemnized by a clergyman of their own church, are informed by him that he is disqualified by a provincial statute from the solemnization of their marriage, and that they must apply to an Episcopal clergyman for its solemnization. These disabilities do not exist in Lower Canada, nor any other British colony. A repeal of these statutes by the Provincial Legislature amounts almost to an impossibility. The House of Assembly would pass no Act for their repeal which did not include all sects and denominations; and the Upper House would with difficulty be brought to pass an Act in which the Church of Scotland was alone included. Relief can be had from an Act of the Imperial Parliament alone, placing the Scotch Church in the North American provinces on an equal footing with the Church of England, and conveying to its ministers full power to exercise all the functions of their sacred office, as ministers in connection with one of the Established Churches of Great Britain. And as the Scotch clergymen in Canada have not received power to form themselves into a Presbytery, so as to be enabled officially to examine the credentials of those professing themselves clergymen of the Church of Scotland, should it be deemed prudent, in order to prevent imposition, that their credentials should be subjected to examination in Canada, this might be done, if not by the Scotch clergymen already acknowledged in the country, by the Government, by the Governor in Council, which would enable clergymen regularly ordained to enter immediately upon their arrival in the country, on the full discharge of all their ministerial duties. The disabilities laid on the Presbyterians naturally produces discontent and jealousies. The Government of Upper Canada places its chief dependence on the loyalty of those districts that are most numerous settled by Scotch; but as the Scotch are strongly attached to their National Church, no course of policy could tend more effectually to alienate their loyalty, and lead to a revolt, than a perseverance in the policy hitherto pursued with respect to the Church Establishment.

Are you acquainted with all parts of Upper Canada, or with the most populous districts of it?—Not with all the province, but with the most populous districts.

Have you been able at all to ascertain the total number of Presbyterians of the Church of Scotland in that province, including the Seceders and others?—I have not, unless in perhaps four or five districts.

In the districts with which you are acquainted, can you state what were the general proportions of the different religious sects?—They vary very much. With respect to the Church of England and the Church of Scotland, I should think that the members of the Church of Scotland are, to those of the Church of England, at least as ten to one.

Do the grounds of difference which exist in Scotland between the congregations of Seceders and the congregations of the Church of Scotland exist in North America?—I think not.

What are the circumstances under which Presbyterians, living in North America, will remove from them the ground of difference which is found to separate them in Scotland?—The difference in Scotland is principally on the ground of patronage, which cannot be said to exist in Canada. When any Presbyterian settlement becomes sufficiently numerous to be able to support a minister of the Scotch Church, they usually appoint a committee to draw up a bond and call, and to transmit them to some Presbytery in Scotland, or else to some private friend, to whom they may intrust the nomination of their minister. If they are either personally, or by report, acquainted with any young clergyman in Scotland, they may insert his name in the call, or name him to the individual to whom they transmit their papers.

Is there any difference in doctrine between the Church of Scotland and the Seceders, so as to prevent them being united in the same Church in Canada?—I am not aware of any; and I can state, from my own personal knowledge, that there is not a Scotch congregation in Canada in which there are not several of the members who were Seceders in Scotland, previous to their emigrating to Canada, and that there are not now more zealous supporters of the Established Church of Scotland than these individuals. In farther proof of this I may state, that the congregation to which I was appointed at Cornwall had previously been under a dissenting clergyman; that of Mr. Connell at Martintown, and Mr. Mathieson at Montreal, were both connected with the Dissenters, and had ministers from them. In the eastern district, where the Presbyterian population are better supplied with Scotch clergy than in any other district, there is not now one dissenting clergyman, although there were formerly two. And I have little reason for doubting that, with the exception of perhaps the towns, the same would be the result from having Scotch clergymen placed in all the different Presbyterian settlements.

Practically speaking, from your knowledge of Canada, do those two bodies of Presbyterians act with good understanding towards one another?—One of the most respectable of the dissenting clergymen applied, nearly six years ago, to the Scotch ministers in Canada to recommend to the General Assembly the receiving of him and some others of that body into connection with the Church of Scotland. The congregation at Niagara, to which Mr. Fraser was lately appointed by a dissenting body in Scotland, previously applied to the Scotch ministers in Canada for advice how to proceed in order to obtain a clergyman in full connection with the Church of Scotland; but they could not give a bond for such a provision as would authorize any Presbytery to grant ordination, and the application was in consequence dropped. I am acquainted with two other congregations that have expressed a similar wish, and that will in all probability be supplied after the present incumbrances by ministers of the Scotch Church.

Was there any collision or misunderstanding between them?—I am not aware of any.

Are you acquainted with the manner in which the churches in Upper Canada are built?—Those built by Presbyterians are built entirely by voluntary subscriptions.

How are the ministers supported?—While I was in Canada they were supported entirely by the voluntary contributions of their respective congregations.

Are those churches of the Presbyterians as large structures as the churches of the Church of England?—In some instances they are larger, and in others not so large.

Do you know what the average expense of building one of those Presbyterian churches is in Canada?—I should think from 500l. to 700l.; I know that the church that was built at Cornwall cost about 500l.; it is a frame building. Those built of stone or brick will cost from 900l. to 1,000l.

The Rev. John Lee, D. D. again called in; and Examined.

The Committee are informed that you are desirous of adding some explanations to the evidence you gave upon a former occasion. The thing that I was most anxious to state is this, I find it represented in a speech published, I believe, by Doctor Strachan, that his letter to Mr. Wilmot Horton was written hastily in consequence of having learned that some members of the House of Commons had received letters from me, stating that there were 30 organized congregations in Upper Canada in communion with the Church of Scotland. Now I beg leave to state, that prior to the time when Dr. Strachan's letter was written and printed by order of the House of Commons, I had never written any

letter on the subject, and on the contrary, my letters relating to that matter were written in consequence of the printing of his letter, which appeared to me, and to every member of the Committee of which I am convener, as well as to every member of the Church of Scotland with whom I had any conversation, to contain very great misrepresentations; my letters were written, I believe, about a month after Doctor Strachan's letter, and what I did state was to this purpose, that it was a thing that could not be denied that there were 30 congregations in Upper Canada professing to adhere to the doctrine and to the worship of the Church of Scotland, at the same time I did not state that they were organized or that they had ministers ordained by the Church of Scotland; but I stated at the same time that only five or six had ministers who were ordained by the Church of Scotland.

Have you a copy of that letter?—I cannot say that I have a copy; but I stated in my letters exactly what is in the memorial which I laid before the Committee; the letters that I wrote were chiefly to Lord Binning, now the Earl of Haddington; Sir Henry Moncrief, I believe; likewise wrote to Mr. Kennedy and Mr. Abercrombie upon the same subject, and I think that he enclosed one or two letters from me to himself upon the subject. The information which I had received ought to have been correct, for I had been in communication with many individuals connected with Upper Canada; three or four persons who either were or had been ministers there, and several other people who had been in the country, and I am quite confident that I could have even given the names of the individuals that I mentioned.

Will you have the goodness to explain in what way this bears upon the subject under the consideration of the Committee?—This letter of Doctor Strachan's professes to give a representation not only of the state of the Church of England in Upper Canada, but of the ministers and members in communion with the Church of Scotland, and also the ministers of other orders; now it is very material to us to establish that those statements of Doctor Strachan's have been hastily and inadvertently drawn up.

Will you state what are the inaccuracies in his statement and the ground upon which you hold them to be inaccurate?—First of all, with regard to the Church of Scotland, he allows only two ministers of the Church of Scotland to be in that province. Now, at that time I named five, and I believe there was at least one other whose name was not known to me; I have also to state that Doctor Strachan allows only six other congregations instead of the number which we had reason to represent to exist, and those he states to be of the Independent or Presbyterian order.

How many do you believe there were?—I believe there were fully 20 ministers.

How many congregations were there?—The number of the congregations, according to our information, was at least 30. We have also now this information with regard to two of the districts, which Doctor Strachan takes notice of as containing no Presbyterian congregations, with regard to Niagara and Gore; there are eight Presbyterian congregations in each, 16 in all, although Dr. Strachan does not admit one.

Are there any other points upon which you wish to make any statement to the Committee?—I trust it will not be irregular to take this occasion to represent to the Committee that it is very easy to account for the increasing number of clergymen of the Episcopal persuasion, as the encouragement they have received is so much greater; and, according to the information the General Assembly have received, a number of persons that have gone out as schoolmasters, some of them being licensed preachers in the Church of Scotland, have been prevailed upon to become Episcopalians, and have received orders. I find that in one district, the western district, three are mentioned as having in a short period become Episcopalians, and received orders in the Church of England. But although those individuals, who have had presbyterian education, may be induced to change in this manner, it has not been found so far as we can learn that their congregations are disposed to go along with them; but on the contrary, that the congregations are more disposed to adhere to that doctrine and worship, and church government, which they prefer. Dr. Strachan himself was a schoolmaster, and educated for the Church of Scotland, and the circumstance of his having gone over to the Church of England, so far as I can learn, has not at all tended to increase the number of proselytes among the laity.

Will you have the goodness to state to the Committee what are the grounds upon which the Seceders have separated from the Church of Scotland, and whether those grounds exist or not in the province of Upper Canada?—The fact is, that among the original grounds of separation of the Secession from the Church of Scotland, the strongest was the revival of the law of patronage; there were some other grounds which certainly are admitted by many members of the Secession not to exist now to the same extent as formerly in Scotland. It was alleged, by many of the earliest seceders, that the Church of Scotland had separated in some measure from the doctrine of the Confession of Faith, but I rather believe that they are now convinced that a vast majority of the Church of Scotland entertain the same views of doctrine which they themselves do.

Is the ground of difference which still separates them confined solely to what you call patronage, or to the mode in which their respective ministers are appointed?—I conceive that to be the chief ground; and indeed I may state that in Scotland a very great proportion, at least in large towns, of those that attend the places of worship in communion with the Secession, are compelled to do so by the impossibility of obtaining accommodation in the parish churches; the lower orders of people find it impossible to find accommodation.

What is the rule held by the members of the Secession with respect to the patronage of the ministers?—That rule is, that the people must elect their own pastors, and there was a period in the Church of Scotland when that was the law.

In what way is the right of patronage, which you describe as being denied by the Secession, admitted by the congregations of the Scotch Kirk?—At present in the Church of Scotland the ministers in general are appointed either by private patrons or by the Crown.

Can there be in the state of the Presbyterian church in Upper Canada ministers appointed either by the Crown or by private patrons?—There is a possibility of the thing existing, but the thing does not exist at present.

Are the ministers actually elected by the people?—I believe not. I understand that this is the practice generally adopted with regard to those who are in connection with the Church of Scotland; a number of people, feeling that they are capable of contributing in some measure to the maintenance of a minister, write to Scotland requesting some ministers in whom they have confidence, or in some instances requesting of the Presbytery to appoint a minister to be sent out to officiate among them, engaging that they will give an adequate maintenance, to that minister; and I rather believe that something like the same rule is observed in the Secession, although I have likewise reason to believe that some of those who call themselves Presbyterians in Canada are persons who have gone out on their own adventure, probably have gone out as teachers, having previously received an education qualifying them to be ordained, and they have come home and been ordained by the religious body with which they were previously connected.

Are the Committee to conclude from the answer you have given that in point of fact, neither can the right of election exercised by the seceders, nor can the right of patronage in the congregations of the Church of Scotland, be acted upon in Canada in the same way as they are in Scotland?—No, I would not exactly wish that that should be inferred; for in the case to which I have last adverted, there is probably an election. I shall state one case; there is in connection with the Church of Scotland a Mr. Sheed, now at Ancaster; that gentleman went out to that country, I believe, five or six years ago; he was licensed as a preacher in the church of Scotland, but not in full orders; a chapel was built and it is one of the churches which Dr. Strachan, as I am assured, mentioned as one of the established churches; but a church was built at Ancaster; this Mr. Sheed was in the habit of preaching there for some time, and at last the people united to call him to be their minister, to support him adequately; and in consequence of this he came to Scotland, nearly two years ago, and was ordained to the charge by the Presbytery of Aberdeen; in that case there was an election.

Was that a congregation of Seceders?—Not of Seceders, but of persons in connection with the Church of Scotland; so that even in the Church of Scotland there is nothing to prevent

prevent a minister being elected by the people; and there are parishes in Scotland where the minister is elected; there is one of the most populous in Scotland which is vacant at this moment, North Leith.

If that point is settled, are there any grounds of difference left between the Established Church of Scotland, and the Seceders?—The fact is, that we of the Established Church of Scotland feel that there is some difference between the education of the one class and of the other; not that I would in general say that the education of the Seceders is inferior to that of the Established Church, for in many cases it is fully equal, but it is not necessarily so strict as ours.

Are you aware that the *regium donum* which is given to the members of the Presbyterian Church in the north of Ireland is distributed equally to the ministers of the Secession, and to those of other congregations?—Probably it is; but none of those congregations, so far as I know, are properly speaking, in communion with the Church of Scotland.

If it were stated to you that the two descriptions of Presbyterians that have been alluded to, consisting of the Church of Scotland and the Seceders, though differing in Scotland, were willing to reconcile their differences in Canada, in order that they might obtain a portion of those reserves which by some are supposed to belong exclusively to the Church of England, what answer would you give to that statement?—I may be allowed to state, that so far as regards the information which the General Assembly of the Church of Scotland has received, many of the congregations, although served by ministers who are not in communion with the Church of Scotland, have really been long desirous of being connected with the Church of Scotland; and I know that there are other congregations, at least I know of one other congregation, whose minister is at present connected with the Secession, but who are determined to have their next minister of the Church of Scotland; and in such cases as I have now described, I should think it exceedingly hard if the members of the Church of Scotland are at all admissible to the benefit of a share in those reserves, that persons who really have long been attached to the Church of Scotland, although from circumstances which they deplore they have not had ministers of that church, should be deprived of that benefit. I may take the liberty of stating further, that although I know that it has been recently represented that those ministers and people in Upper Canada, who hitherto have been differing about matters of doctrine and worship, are now willing to unite, for the sake of receiving a share of those clergy reserves, I know that a vast number, and I believe the greater part of those who now profess their willingness to be connected with the Church of Scotland, have long been making the same profession. I have in my possession a number of memorials and petitions which were sent to the General Assembly of the Church of Scotland, some of them six, some of them seven years ago; they have no reference whatever to any share of the clergy reserves; and many of those persons state that they have not ministers at all; others say that they are supplied in some measure with religious instruction, but that they are particularly anxious to be connected with the Church of Scotland. I conceive that those persons have been quite disinterested in that profession, and there can be no greater mistake than to represent that this is done from any view to spoliation, or to taking what is not legally their own.

Supposing that a portion of those reserves were to be made over to the Church of Scotland, have you any definite idea of the manner in which that church would propose to deal with them so as to make them beneficial and useful?—I cannot venture to say that any plan has ever been proposed.

Is it your belief that a portion of that unanimity that has appeared lately between the Seceders and the Scotch Presbyterians has arisen from the wish to share in that provision which is alleged to have been made for the established clergy?—I cannot take upon me to answer for the ministers at all, but I do admit in the fullest extent what they represent, that the grounds of difference are very inconsiderable there, and I can sufficiently account for this unanimity without any reference to the prospects that have been held out to them; but at the same time I would hope that this distinction shall be kept in view; whatever may be the case with regard to the ministers who may have an interested motive in joining in this solicitation, assuredly the same motive cannot extend to the laity, who, as I have already endeavoured to represent, have for many years past professed a strong desire to be connected with the Church of Scotland, and to have ministers of that communion; and for that reason I think there is little ground to question the sincerity of the professions of those persons.

Are you sufficiently acquainted with the tenets of the Seceders to be able to say whether in case a provision was for the Presbyterian ministers, and their appointment placed in the hands of the Crown or vested in the General Assembly of the Church of Scotland, those Seceders would concur in those appointments?—I cannot venture to say that they would, I can only answer that from the petitions and returns the Assembly has received from many quarters, it appears that there are a vast number of persons in every corner of Upper Canada who would wish to have ministers in connection with the Church of Scotland, and as we are led to believe the majority of them would; it is not stated whether they are at present Seceders or no.

How are the ministers appointed among the Presbyterians of the Church of Scotland?—I believe by election.

By whom is the jurisdiction of the Presbytery exercised in the Canadas?—I am not aware that, properly speaking, there is any Presbytery; there is what is called a Presbytery in connection with the Secession, but there is no Presbytery in connection with the church of Scotland, and I do not think that the Church of Scotland consider themselves as having the right of establishing Presbyteries beyond the bounds of the kingdom of Scotland.

Is not the Scotch clergyman at Calcutta in connection with the General Assembly of Scotland?—There is something anomalous in that constitution, and it is rather conceived to be departing from the strict practice of the church.

Murtis, 1^o. die Julii, 1828.

The Rev. Robert Alder, called in; and Examined.

You have acted as one of the missionaries of the British Wesleyan Conference in Canada?—I have.

Are you acquainted with the circumstances of the Wesleyan Methodist connection in Upper and Lower Canada?—I am very well acquainted with their circumstances in Lower Canada, and partially acquainted with their state in Upper Canada.

Can you state what the number of Wesleyan ministers at present in Lower Canada is?—There are nine.

Are those all of them natural born subjects of the King?—They are all natives of the United Kingdom of Great Britain and Ireland.

By whom are they employed, and under whose direction do they act?—They are employed by the British Conference, a body that is recognized in a deed enrolled in the High Court of Chancery in England, and they continue to act under the direction of that Conference during the whole period of their missionary labour. From the peculiar nature of our discipline, the conduct of every minister abroad is as well known to the Conference at home as is the conduct of any of our ministers in England.

In what way are the Wesleyan Missionaries in Lower Canada set apart to the work of the ministry?—By the imposition of hands and prayer, after they have been examined three several times respecting their general knowledge and theological attainments, &c.

Are they entirely devoted to their profession as Missionaries, or are they engaged also in any secular employment?—They are wholly devoted to the work of the ministry; they

are not allowed even to keep a school for their own private emolument, whatever instruction they give to the rising generation is wholly gratuitous.

From what sources do they derive their income?—From the voluntary contributions of the people amongst whom they labour, and the British Conference.

What is the average amount of income of each minister, and upon what principal is it regulated?—A married Missionary is allowed a furnished dwelling-house, and a sum of about a hundred guineas per annum; if he have three children he is allowed 35l. additional for his children, and so on in proportion to the number of his family.

Then are the Committee to understand that the British Conference annually expend a sum to cover the deficiency of the voluntary contributions of the people in Canada?—They do.

Can you state what sum is generally expended by the British conference for the support of the mission in Canada?—From 500l. to 700l. in support of our mission in Lower Canada.

Have each of those ministers a chapel at which they perform service?—Yes; and with the exceptions of the ministers stationed at Quebec and Montreal, whose labours are chiefly confined to those two places, our Missionaries in the country preach on the average to five congregations weekly, and frequently travel from 50 to 70 miles.

What is the number of chapels or school-houses in Lower Canada, which are used for the purposes of public worship in your connection?—I think we have 10 chapels in Lower Canada, and probably between 40 and 50 other places in which we usually perform Divine Service.

Can you state the number of the members in your societies, and the number of those who generally attend your congregations?—We have about 1,500 members in our societies in Lower Canada, and our congregations probably amount to between 5,000 and 6,000.

Do you find that considerable numbers, exclusive of those 5,000 or 6,000 attend occasionally, though belonging to other denominations?—They do occasionally.

In what manner are the chapels and places of public worship erected?—By the voluntary contributions of the people who sometimes involve themselves in pecuniary difficulties in erecting places of worship, our chapel at Montreal cost between 4,000l. and 5,000l. and the expense was defrayed entirely by the people there.

Do you conceive there is an abundant supply of religious instruction for the demands of the people?—No, I do not conceive there is a sufficient supply; there is not a sufficient supply of Wesleyan Missionaries in Lower Canada.

What do you conceive to be the reason of that?—The want of pecuniary means. The monies raised by the Methodist connection in England for missionary purposes are appropriated for the support of Missionaries in Ireland, in Western and Southern Africa, and in the East and West Indies, as well as in North America. The reason why we wish to obtain a portion of the clergy reserves is not for our private emolument; but that we may be enabled to extend our missionary operations in Lower Canada.

Have not the Wesleyan ministers been particularly active in the eastern townships of Lower Canada?—Yes, and with the exception of the clergymen of the Church of England, there are no other ministers connected with any ecclesiastical body in England that preach in those townships.

Do you conceive that if the Wesleyan ministers were withdrawn from the townships, the Church of England would be capable of supplying them with clergy?—No, I think not, and this is the opinion of the Governor General, from whose letter to me, which I received a few days before I left the province, I beg permission to read an extract:—"We all know, (as Lordship observes,) that the Established Church cannot provide clergymen at all places where they are required and desired, in that difficulty the Wesleyan ministers have rendered most valuable services, and I think they are qualified and capable to render much greater services under the protection and encouragement which they desire from His Majesty's Government."

Are there no Presbyterian ministers of the Kirk of Scotland in the eastern townships of Lower Canada?—Not one.

What other religious communities are there besides the Church of England and the Wesleyan Methodists having ministers in the country parts of Canada who act under the direction of ecclesiastical authorities in Great Britain?—None; there is not a minister in any of those townships, with the exception of the clergy of the Church of England, and our own ministers, who acts under the direction of any ecclesiastical authority in Great Britain.

You have stated the number of Methodist ministers in Lower Canada, and the number of their congregations; will you give the Committee the same information with regard to Upper Canada, so far as you are acquainted with it?—In Upper Canada there are 46 Methodist ministers; there are 66 chapels, and about 530 other places in which Divine Service is regularly performed.

What do you consider to be the number of your members, and the number of your regular hearers, in Upper Canada?—The number of members of the Methodist Society in Upper Canada is 9,000; the number of regular hearers is 37,000, making one fifth of the whole population of the province.

In addition to those you have mentioned, is there not also a Methodist mission among the Missisagua Indians?—There is; and according to the testimony of the venerable Archdeacon of Quebec, the labours of the Wesleyan ministers amongst those Indians have been of great advantage to them, in a social as well as in a religious and moral point of view.

Are the Methodist congregations in Upper Canada under the direction of the missionaries sent out by the British conference?—They are not; hitherto they have been under the direction of the Methodist conference of the United States; that connection, however, is now dissolved, and we expect that an arrangement will soon be made, by which the Methodists of Upper Canada will be brought to act under the direction of the British conference, as the Methodists of Lower Canada have done for several years.

Is there any point of difference, either in doctrine or discipline, between the British and American conference?—Not any of importance. We consider ourselves to be one body; but we do not deem it right that the Methodists of Upper Canada should be under the jurisdiction of a foreign ecclesiastical authority.

Then are the committee to understand that there would be no objection, on the part of those congregations, provided you had the means of furnishing ministers, to receive those ministers sent by the British conference fully as readily as those sent by the conference of New York?—The conference of the United States does not now send any ministers to Upper Canada. The people are very anxious to be supplied with ministers from this country; and we have the most pressing petitions sent to us annually for English ministers.

By whom has the supply of Wesleyan ministers from the United States been prohibited?—By an agreement between the Methodists of Upper Canada and the Methodist conference in the United States.

Then you consider that it is the desire of the methodists in Upper Canada rather to have ministers furnished by the British conference than by the conference of the United States?—Yes, I have reason to believe that is the case.

And that it is from the wish of the people themselves that the Methodist ministers of the United States are now prevented from coming into Upper Canada?—Yes, from the influence of British feeling.

Do you conceive that the Colonial Government in Upper Canada has manifested any desire for the extension of the British Wesleyan Methodists in that province?—I believe there are documents in the Colonial Office addressed to Earl Bathurst and to Mr. Huskisson from Sir Peregrine Maitland, which will show that His Excellency is very anxious that the number of British Methodist ministers should be increased as far as possible in Upper Canada; and I understand that he wrote home, a short time ago, recommending that pecuniary aid might be allowed us for that purpose.

Do you consider that under the 31st of the late King the Wesleyan Methodists have any claim, according to the letter of the Statute, to any share of the clergy reserves, or are they only desirous of obtaining a portion of them, in case the Statute should be altered?

tered in that point?—There is a difference of opinion amongst us on this subject; but the general opinion of our ministers in Lower Canada, I believe, is this, that if the revenues be appropriated to the sole use of the Church of England, we shall offer no objection to it; but that if the Presbyterians are to have any part of those reserves, then we conceive that we have at least an equally good claim with them; and we should be very much dissatisfied if our claims were disallowed.

Do you mean then to found your claim to a share in the clergy reserves only upon a principle of equity as being one of the most numerous bodies of Protestants in that country, and not upon the principle of the precise construction of the law?—As I have already stated there is a difference of opinion upon that subject, some of our friends think we have a legal claim, and others think that no other denomination has any claim in law but the Church of England; however, the general opinion amongst us on the subject is what I before stated to the committee.

Suppose there were an alteration to take place in this respect, by which you were enabled to make good your claim to any portion of the reserves, upon what principle would you exclude other denominations of Protestant Dissenters?—We do not wish to exclude them, but we conceive that we are placed in totally different circumstances from Dissenters in Lower Canada, because the British conference of the Wesleyan connection is accountable to Government and the Public of Great Britain, for the good behaviour of all their missionaries, whereas the ministers of the dissenting churches can only give their own personal security for their good behaviour; we conceive that on that ground our claim is much better than theirs. The Wesleyan conference also, as I have stated, expends a considerable sum annually in support of our mission in Canada. We rest our claim also on the good that has been effected in the Canadas through the instrumentality of the Methodists, and their present numbers and respectability.

Has there been any dissatisfaction felt among the Wesleyan Methodists in Lower Canada at their not being allowed to keep a register of their births, marriages and burials?—Very great dissatisfaction, for although we are of opinion that a refusal so completely opposed to every thing like toleration does not at all lessen us in the estimation of the people of Lower Canada, we feel it to be a degradation to the community to which we belong; besides, either the children of our members must grow up without receiving from us Christian baptism, and the bodies of our deceased friends remain without the rite of Christian burial, or we must expose ourselves to a very severe penalty in performing those duties.

Is there any provincial statute which, according to your interpretation of it, would give you the right of registry?—There is.

Has there been a difference of opinion among the Judges as to the explanation of that statute?—There has. Judge Sewell, the chief justice of the Province of Lower Canada, has put such a construction upon the law as has been the means of depriving us of a legal register; he has decided that the Methodists and Dissenters are not Protestants, and that as the Act merely provides for the celebration of those services by Protestant ministers, we are not entitled to perform them. Judge Reid and his associates of the Court of King's Bench in the district of Montreal, are of a different opinion; as a proof of which Judge Reid for some years granted our missionary in Montreal a legal register.

Was there not a bill passed in the Provincial Legislature for the purpose of remedying this inconvenience?—There was.

Are you aware of the grounds on which the Royal assent was refused to that bill?—I believe it was not on account of any objection to the principle of the bill, but on account of some informalities connected with it.

Would it be satisfactory to the Wesleyans in general if a short Act were passed, being a declaratory Act of the intentions of the disputed statute of the 35th of George the 3d?—It would.

Upon what footing does this matter stand in England?—We are allowed to administer the sacrament of baptism, and to bury the dead in England; and we keep regular registers of our baptisms and burials.

Have you similar rights in the other North American colonies?—In all the North American colonies we are allowed to administer the sacrament of baptism, and bury the dead; and in the province of Nova Scotia we are allowed also to solemnize marriages; we have always enjoyed this privilege in Nova Scotia as all other ministers of the gospel do there.

Do you know whether the law is different, or whether the construction put upon it is different?—The law is different.

Have there been any disputes with regard to burial-grounds in Canada, between the Church of England and the Wesleyan Methodists, as to solemnizing the rite of burial, as there have been between the Church of England and the Presbyterians?—No, we have not been involved in any such controversy.

You have stated, that the Wesleyan Methodists in Canada, would be dissatisfied if any portion of the clergy reserves should be applied to the Presbyterians; are you not of opinion that they stand upon a different footing with yourselves seeing that they are one of the churches established and recognized by law?—We know nothing of the Presbyterian Church of Scotland as an Established Church out of Scotland; we view it as a strictly local establishment, and we think that its ministers have no right to enjoy any peculiar privileges in any of His Majesty's colonies because they belong to the Church of Scotland.

Do you consider it as confined to Scotland?—Yes.

In what light do you view the Presbyterian Church that is established in Ireland?—I am aware that there are a few Presbyterian Churches established in the North of Ireland, but I am not aware that the Presbyterian Church is established in Ireland generally.

Are you aware that at one time they had possession of the tithes in the North of Ireland?—Yes; but they never were in possession of such a privilege in Canada, nor in any of the North American colonies; it would be felt as a grievance if we were to have two ecclesiastical hierarchies endowed in the colonies.

In what way do you suppose that that burthen would press upon you?—We mean, that if the Presbyterian Church, as well as the Church of England, were to be established and endowed in the colonies, there would be two ecclesiastical establishments in the country, which other denominations would be very much dissatisfied with.

You are aware, that in case those two establishments were erected they would not be paid out of the taxes upon the country?—No, they would not; but the Wesleyan denomination has a much greater number of ministers and of organized churches in Canada than the Presbyterians have, and at least done as much to promote the religious and moral improvement of the people; their loyalty is well known, it is acknowledged in this letter, and has been acknowledged upon various occasions by the different Governors in British North America; and we should be dissatisfied if the Presbyterians were to be placed in more favourable circumstances than we are, as we cannot conceive of any good claim that they have to the enjoyment of any privilege in the colonies to which we are not entitled.

Are there any members of your persuasion in either of the Legislative Assemblies?—There are in the Lower House of Upper Canada; and several of them are in the commission of the peace, and hold commissions in the Provincial Militia.

Are any of them either in Legislative or the Executive Councils?—I believe not.

Are there any Presbyterians in either Council?—I do not know; I should wish to state, that we consider ourselves as a branch of the Church of England both at home and abroad.

The Right Honourable Robert John Wilnot Horton, a Member of the Committee examined:

ARE you of opinion that under the Act of 31 Geo. 3 c. 31, the Assembly of Lower Canada were legally entitled to appropriate the duties collected under the 14 Geo. 3, c. 88?—I am of opinion that they were not legally entitled, for the following reasons; first, there were two Acts passed in the year 1774, relating to the Government of Canada,

the one the 14 Geo. 3, c. 83; the other the 14 Geo. 3, c. 88; the Act, of the 31 Geo. 3 c. 31 commonly called the Quebec Act, specifically repeals so much of the Act of 14 Geo. 3 c. 83, as in any manner relates to the appointment of the Council for the affairs of the said Province of Quebec, &c. it appears to me to be conclusive that that partial repeal involved the continuance in full force of the remainder of those Acts, the latter of which imposed the duties in question.

Secondly, the 46th clause of the 31 Geo. 3, c. 31, which is mainly founded on the 18 Geo. 3, c. 12, commonly called the Declaratory Act, enacts, "That nothing in this Act contained shall extend or be construed to extend to prevent or affect the execution of any law which hath been or shall at any time be made by His Majesty, his heirs or successors, and the Parliament of Great Britain, for establishing regulations or prohibitions, or for imposing, levying or collecting duties for the regulation of navigation, or for the regulation of the commerce to be carried on between the said two provinces, or between either of the said provinces and any other part of His Majesty's dominions, or between either of the said provinces, and any foreign country or state, or for appointing and directing the payment of drawbacks of such duties so imposed, or to give His Majesty, his heirs or successors, any power or authority, by and with the advice and consent of such Legislative Councils and Assemblies respectively, to vary or repeal any such law or laws, or any part thereof, or in any manner to obstruct the execution thereof;"—a reference to the rates contained in the 14 Geo. 3, c. 88, will show that they regulate the commerce to be carried on between the colony and other parts of the world, according to the phrase employed in the 46th clause, they impose a duty of 3d on every gallon of brandy and other spirits, of the manufacture of Great Britain; 6d. for every gallon of rum or spirits imported from any of His Majesty's sugar colonies in the West Indies; 9d. for every gallon of rum imported from other colonies in America; 1s. for every gallon of foreign brandy or other spirits, of foreign manufacture, imported or brought from Great Britain, and so on; thus presenting a graduated scale of duty, having a reference to the commercial interests of the country. If the Committee will then refer to s. 47, I think they will be convinced that it was intended to maintain this Act in force, and not to repeal it; the section runs thus—"Provided always and be it enacted by the authority aforesaid, that the net produce of all duties which shall be so imposed," (making no allusion whatever to the duties which have been so imposed) "shall at all times hereafter be applied to and for the use of each of the said Provinces respectively, and in such manner only as shall be directed by any law or laws which may be made by His Majesty, his heirs or successors, by and with the advice and consent of the Legislative Council and Assembly of such province."

Thirdly, because if reference be made to the case of other colonies which possessed Legislatures at the period of passing the Declaratory Act, it is perfectly notorious that not a single year has elapsed since that Declaratory Act was passed, in which duties have not been levied, and even remitted to this country, and deposited in the Exchequer, which have been raised under British Acts passed prior to the Declaratory Act. I beg leave to call the attention of the Committee to the case of Jamaica. The Commissioners of Customs in Jamaica have annually remitted to this country, duties levied under the following Acts; I take the schedule as it appears in the year 1822; duties per Act 25 ch. 2, £31 18s. 6d.; ditto, 6 Geo. 2, and 4 Geo. 3, £3,252 8s. 13d.; if the construction contended for by the Assembly of Lower Canada be legal, it is quite clear that all these duties have been illegally transmitted from the period of the Declaratory Act.

Fourthly, because the Colonial Acts which were in force prior to the Declaratory Act, and which directed the appropriation of monies other than by the Legislature, have still continued in force, notwithstanding the Declaratory Act; this fact appears to me to afford by analogy a proof in defence of the construction for which I contend. I would call the attention of the Committee to the Bahama Act, passed in the 8th Geo. 2, for levying divers sums of money for the payment of Officers salaries, defraying the expense of holding Assemblies, and other contingent charges of Government; not only has this Act been in force since the period of the Declaratory Act, but law officers of the crown gave an opinion in February 1821, that as certain suspending Acts had terminated, under which, this Act had been repealed, it must be considered to have revived, and that His Majesty might apply the monies levied under it, without the intervention of the House of Assembly, and without any other specific appropriation by the Legislature of the Bahamas. For these reasons I am decidedly of opinion, that the construction contended for by the Colonial Assembly of Canada, namely, that they have a legal right to the appropriation of the revenue raised under the 14th Geo. 3, is a construction not to be maintained.

I would now beg further to explain to the Committee, that the disputes arising between the Executive Government and the Assembly, have mainly arisen out of this construction. From the year 1813 up to the year 1825, difficulties constantly occurred in consequence of the maintenance of that opinion by the Assembly; but in 1825 an Act was passed during the Administration of Sir Francis Barton, (5 Geo. 3 c. 27.) in which is the following passage:—"Whereas, by the message of His Excellency the Lieutenant Governor, bearing date the 18th day of February 1825, laid before both Houses of the Legislature, it appears that the funds already appropriated by law are not adequate to defray the whole of the expenses of your Majesty's Civil Government in this Province, and of the administration of justice and other expenses mentioned in the said Message: and whereas it is expedient to make further provision towards defraying the same," &c. It is evident here, that the validity of the 14th Geo. 3, is admitted under the phraseology of this Act, it has admitted that the funds raised under it are legally appropriated; and under this Act of the local Government no difficulty whatever existed, except that they practically reduced the estimate of the charges placed by the Executive Government upon the Crown revenue, by diminishing the proposed grant of £65,002 1s. 8d. to a sum not exceeding £61,611 7s. 11d. thereby leaving a deficiency of £3,390 13s. 9d.; this sum of £3,390 13s. 9d. had reference to certain items specifically objected to by the Assembly, which items had been specially charged upon the Crown revenue; but as the Assembly voted this sum collectively, and not by items it was necessarily left to the discretion of the Lieutenant Governor to deal with that deficiency as he might think best. The simple fact being, that under that Act, £3,390 13s. 9d. deemed to be necessary for the public service, as would appear by the Lieutenant Governor's estimate, was not voted by the Assembly. With respect to the manner in which that deficiency was practically met, the Secretary of State (Lord Bathurst) abolished some of the Offices included in this £3,390 and transferred others to the territorial revenues of the Crown, over which the Assembly did not so directly, at least, claim to have any jurisdiction; it is perfectly true that in the first instance, Lord Bathurst remonstrated against the conduct of the Lieutenant Governor in having sanctioned this Act; but it was under the impression that the words of the Act did not maintain the integrity of the Crown revenue, and consequently that it was contrary to the Royal instructions. In the succeeding year 1826, the Assembly, with a view of obviating the construction of the Act of 1825, as sanctioning the integrity of the Crown revenue, passed the following resolutions before they commenced the vote of supply for that year.

Resolved, first, That the appropriation of any sums of money already levied, or which hereafter may be levied on His Majesty's subjects in this Province, otherwise than such application is or may be directed to be made by the express provisions of law, is a breach of the privileges of this House, and subversive of the Government of this Province as established by law. Secondly, That no law imposing duties or taxes on His Majesty's subjects in this Province, providing funds for the defraying the expenses of His Majesty's Civil Government, and those of the administration of justice, or of the Legislature in this Province, can be held to confer upon any person a power or right of applying the monies thence arising, or making a special appropriation and distribution thereof, without the consent and authority of the Legislature. Third, That the sums granted and appropriated for any special service should be applied by the Executive power only to defray the expenses of that service, and that the application of any surplus or funds to uses for which they were not appropriated, is a misapplication of the public money, a breach of public trust, a violation of the rights and privileges of this House, and subversive of the Government of this Province as established by law. Fourth, That this House will hold personally responsible His Majesty's receiver general of this province, and every other person or persons concerned, for all monies levied on His Majesty's subjects in this province

vince, which may have legally come into his or their hands, and been paid over by him or them, under any authority whatsoever, unless such payments be or shall be authorized by an express provision of law. "I am not enabled to state to the Committee whether the bill of 1826 was *verbatim* the same as the Act of 1825, because the bills are not sent over to this country; but that bill was amended by the Legislative Council for the purpose of unequivocally maintaining in its terms the integrity of the Crown revenue raised under the 14 Geo. 3; and the consequence of that amendment was, that the Assembly refused to proceed with it upon its return from the Upper House, and the supplies were in consequence not voted. I must not omit to represent most distinctly to the Committee, first, that the manner in which the proceeds of the 14 Geo. 3, were disposed of, were uniformly laid before the Assembly, who had consequently the power to remonstrate against any of the items included therein, or by diminishing the general supply, practically to affect the appropriation of that revenue; but the Assembly were determined to do nothing less than contend for the legality of the appropriation of that revenue by themselves, and that construction was considered as one to which His Majesty's Government, consistently with the maintenance of the interests of the Crown, could not consent.

I have thus endeavoured to afford accurate information to the Committee upon this point, and beg to remind them that there never was an indisposition to give the Assembly the absolute appropriation of this revenue, provided they would consent to vote the existing Civil List for a term of years, or for the period of the King's life; and it was considered in the state of collision of feeling between the Assembly, as those representing the French interest, and the Legislative Council as representing the English interest, that if the Civil Government was dependent annually upon a vote of the Legislature for its support, there was little chance of the public service being carried on in that colony. It appears to me impossible for any person to form a just view of the case in dispute between the Colony and the Executive Government, without ascertaining whether the charges which were made by the Executive Government upon the Crown revenue, were such as ought, or ought not, in fairness to have received the sanction and approbation of the Colonial Assembly.

On what ground is it stated that in the 11 years that elapsed between 1773 and 1774, the English law prevailed in the Townships of Lower Canada?—A Royal Proclamation was issued in 1763, of which the preamble was in the following words: "Whereas We have taken into Our royal consideration the extensive and valuable acquisitions in America, secured to Our Crown by the late definitive treaty of Peace, concluded at Paris, the 10th day of February last; and being desirous that all Our loving subjects, as well of Our Kingdoms as of Our Colonies in America, may avail themselves with all convenient speed of the great benefits and advantages which must accrue therefrom to their commerce, manufactures and navigation, We have thought fit to issue this Our royal proclamation." In the body of the proclamation there is the following passage: "And whereas it will greatly contribute to the speedy settling Our said new Governments, that our loving subjects should be informed of our paternal care for the security of the liberty and properties of those who are and shall become inhabitants thereof, We have thought fit to publish and declare by this Our proclamation, that We have in the letters patent under Our great seal of Great Britain, by which the said Governments are constituted, given express power and direction to Our governors of Our said colonies respectively, that so soon as the state and circumstances of the said colonies will admit thereof, they shall, with the advice and consent of the members of Our Council, summon and call general assemblies within the said Governments respectively, in such manner and form as is used and directed in those colonies and provinces in America which are under Our immediate Government; and We have also given power to the said governors, with the consent of Our said Councils and the Representatives of the people, so to be summoned as aforesaid, to make, constitute, and ordain laws, statutes, and ordinances for the public peace, welfare, and good Government of Our said Colonies, and of the people and inhabitants thereof, as near as may be agreeable to the laws of England, and under such regulations and restrictions as are used in other colonies; and in the mean time, and until such assemblies can be called as aforesaid, all persons inhabiting in or resorting to Our said colonies may confide in Our royal protection for the enjoyment of the benefit of the laws of Our realm of England; for which purpose we have given power under Our great seal to the governors of Our said colonies respectively, to erect and constitute, with the advice of Our said councils respectively, courts of judicature and public justice within Our said colonies, for the hearing and determining all causes as well criminal as civil according to law and equity, and as near as may be agreeable to the laws of England, with liberty to all persons who may think themselves aggrieved by the sentence of such courts, in all civil cases, to appeal, under the usual limitations and restrictions to Us in Our Privy Council."

In what respect do succeeding Acts of Parliament affect the proclamation of 1763? The Act of the 14th Geo. 3, c. 83, was intitled, An Act for the making more effectual provision for the Government of the Province of Quebec in North America. Under the 4th Clause of that Act all former provisions made for that province were to be null and void after the 1st of May 1775; and with reference to the proclamation of 1763, that clause proceeds as follows: "and whereas the provisions made by the said proclamation in respect to the civil government of the said Province of Quebec, &c. &c. have been found upon experience to be inapplicable to the state and circumstances of the said Province, &c. &c.; Be it enacted, That the said proclamation, so far as the same relates to the said Province of Quebec, and the commission under the authority whereof the government of the said province is at present administered, and all ordinance and ordinances, &c. &c. and all commissions, &c. &c. be hereby revoked, annulled and made void." The clauses of the Act from four to nine, contain provisions affecting the French Canadians; and then the ninth clause is as follows: "Provided always, that nothing in this Act contained shall extend or be construed to extend to any lands that have been granted by His Majesty or shall hereafter be granted by His Majesty, his heirs and successors, to be holden in free and common socage." It appears to me, therefore, that as far as affects the English population resident in the townships, the proclamation of 1763 was to be in full force as respected them. In the Act of the 31st Geo. c. 31, commonly called the Quebec Act, the Act of the 14th George 3, c. 83, just quoted, was only repealed as far as relates to the appointment of a council for Quebec, consequently the rest of its provisions must be considered to remain in force, and the 43d clause of that Act is as follows: "And be it further enacted by the authority aforesaid, that all lands which shall be hereafter granted within the said Province of Upper Canada shall be granted in free and common socage in like manner as lands are now holden in free and common socage in that part of Great Britain called England; and that in every case where lands shall be hereafter granted within the said province of Lower Canada, and where the grantee thereof shall desire the same to be granted in free and common socage, the same shall be so granted." The concluding part of this clause provides for any alteration to be made by local laws in the Canadas, and proceeds as follows: "But subject nevertheless to such alterations with respect to the nature and consequences of such tenure of free and common socage as may be established by any law or laws which may be made by His Majesty, his heirs or successors, by and with the advice and consent of the Legislative Council and Assembly of the Province." The next reference to this subject which appears in legislation is in the eighth clause of the 6th Geo. IV. c. 69 commonly called the Canada Tenures Acts, which declares that lands holden in free and common socage in Lower Canada are to be subject to the laws of England, as it appears to me in the strictest accordance with the 43d clause of the 31st of the late King, when that clause is taken with reference to preceding legislation; which clause as already cited provides absolutely that grants in Upper Canada, shall be made in free and common socage; but with respect to Lower Canada there was a power to the local Legislature to modify that enactment if it should be deemed expedient by the Legislature and by the Crown.

What is the substance of the Act which has provided for an increase in the number of representatives in the Legislative Assembly of Upper Canada?—The preamble of this Act, passed 7th of March 1820, is to the following effect; "Whereas from the rapid increase of the population of this province the representation thereof in the Commons House of Assembly is deemed too limited, so much of the several laws now in force as regulate the number of representatives to serve in the Provincial Parliament are repealed." It then proceeds to enact that counties containing 1,000 inhabitants should be

represented by one member; when they contained 4,000 inhabitants, by two members; that certain towns, when they contained 1,000 souls, should be represented by one member; that the population should be ascertained by the returns of the several town-clerks; that whenever a university should be established in the province it should be represented by one member. The governor to issue writs of election, as provided, by the 31st of the late King. The Act not to lessen the number of any members now returned for any county, nor to make it necessary to issue any new writs of election on account of any increase of inhabitants since the last election. Counties containing less than 1,000 souls to be attached to the next adjoining county, having the smallest number of inhabitants. No person qualified to vote in a town to be allowed to vote for a count. In respect of the same property. Inhabitants of towns sending a member not to be included among the inhabitants of counties, for the purposes of this Act.

What was the substance of the bill for uniting the Legislatures of the Provinces of Upper and Lower Canada, which which was brought in and withdrawn in the session of 1822?—So much of the 31st Geo. c. 31, was repealed, as provides a Legislature for each of the Provinces of Upper and Lower Canada, henceforth to be one joint Legislative Council, and one joint Assembly for both provinces. The joint Legislative Council was to consist of the existing members of both Councils, with a power for His Majesty from time to time to summon such other person or persons as His Majesty, his heirs and successors, should think fit. Such summons to be carried into effect under the enactment of the 31st Geo. 3. The governor was to have the power of appointing and removing the speaker of the Legislative Council; the joint Assembly was to consist of the present members of the assemblies of Upper and Lower Canada, and continue till the 1st of July 1824, unless sooner dissolved. The Act of Upper Canada of the 6th Geo. IV. was to continue in force, and to be applied, subject to any alteration in the Union Bill, to the representation of the said province of Upper Canada in the joint Assembly, in like manner as it had been applicable to the special representation of Upper Canada, prior to the passing of the Act. The governor of Lower Canada was authorized to erect new counties out of the townships, such counties to be represented in the Assembly, or any old county now returning one member to be represented by two members. It was provided at the same time that no sub-division of any counties now erected, or to be hereafter erected within either of the said provinces, except as hereinbefore provided with respect to the townships, shall extend or be construed to extend to increase the number of representatives for such counties. It was also provided that the number of representatives for each province should not exceed 60. No Act to alter the number of representatives was to be passed unless sanctioned by a majority of two thirds of the Legislative Assembly, as well as the Legislative Council. The provisions of the 31st Geo. 3, respecting elections were to remain in force. The qualifications for a member was to be of the value of £500 sterling of real property, and an oath was prescribed to ensure that qualification, and persons swearing falsely to be guilty of perjury. The trials of contested elections were to be the same as under the 31st of the King. The Governor was to have the power of summoning two members of the Executive Council in each province to the Assembly, who were to sit with power of debating therein, and with all other powers and privileges and immunities, except that of voting. The united Legislature was to meet once in every twelve months, and to continue for five years, till the period of a general election: majority of votes to decide. The oaths prescribed by the 31st Geo. 3, for the members of the Council and Assembly, to be taken; the declaration of the Royal Assent to be regulated by the enactments of the 31st of Geo. 3; all laws in force at the time of the passing of the Act within the said provinces, or either of them, or any part thereof, to be unaltered, and the privileges of members to continue precisely the same. It was further enacted, that from the period of the passing of this Act all written proceedings whatever should be in the English language, and at the end of 15 years after the passing of the Act, all debates in either House to be carried on in English, and in no other language; that nothing in this Act, nor any Act to be passed by the joint Legislature, nor any resolution or other proceeding of the Legislative Council or Assembly, was to affect or be construed to affect the free exercise of the religion of the Church of Rome, or to prejudice such accustomed dues and rights as the clergy of the said Church might hold, receive and enjoy, subject to the King's supremacy as recognised in the Act of the 31st of Geo. 3, and the clergy and curates now performing clerical duties, or who hereafter, with the approbation and consent of His Majesty, expressed in writing by the governor, &c. should be duly collated, appointed or inducted to any parish, were to continue to hold, receive and enjoy their accustomed fees and rights as fully as they were entitled to do under the Act of the 31st of the King. All the remaining provisions of the Act of the 31st of the King were to be in force.

Were the objections that were made to that bill chiefly to the principles of the bill, or to a part of the details?—There were objections made from both the Canadas, but more especially from Lower Canada, against the principles of the bill; there were also objections made to some of the details.

Will you have the goodness to point out to the Committee what parts were objected to? It was objected that the principle prescribed for the representation would necessarily give a greater proportion of representation to Upper Canada, inasmuch as the Act for increasing the representatives of the commons of that province according to the scale of population, was to be still in force; whereas no Act existed in Lower Canada to the same effect; consequently the enactment of any legislation to that effect in Lower Canada would depend upon the united sanction of the two Assemblies after the period of union. There was also an objection also made to the qualifications, and to the introduction of two members of the Executive Council, as debaters and not as voters; but the enactment which prescribed that all written proceedings were immediately to be in the English language, and that after 15 years, all debates were to be in English, was considered as affording a pretty conclusive indication that it was intended progressively to render the united province English as to its institutions.

Have you any observation to make upon that provision of the bill?—It is impossible to deny that the intention of that bill was to realize the expression employed by Mr. Pitt in 1791, namely to assimilate the Canadians to the language, manners, habits, and above all the laws and institutions of Great Britain.

Did not Mr. Pitt accompany that declaration by saying, that he only looked forward to such an assimilation taking place, if it could take place with the free will of the French Canadians, and was not the very ground on which he separated the colony into two provinces in order to ensure the French Canadians from the possibility of the Government attempting to produce such an assimilation without their entire assent and concurrence?—The Union Bill was considered to be necessary in consequence of the inherent defects in the bill of 1791, which placed the two provinces in a state of perpetual collision, from which no escape was anticipated at that time, except through the medium of a Legislative union; and consequently whatever abstract objections there might have been to that measure it was considered as one of permanent public necessity.

But the Committee are not to understand that you represent Mr. Pitt as having desired to assimilate the laws and habits of the two populations in Canada upon any other ground than the entire concurrence of the French population in such assimilation?—I only mean to imply that Mr. Pitt contemplated from the Legislation of 1791 that such assimilation would take place. I think the Union Bill of 1822 was defective in not more explicitly securing the rights, privileges, immunities and advantages enjoyed by the French population under their own laws, and making such laws so far permanent as to be incapable of repeal by the operation of this united Legislature.

Do you think that any bill could now be framed, the object of which should be uniting the two provinces, which could be made free from objection by the inhabitants of both provinces?—I am satisfied that no bill could be made which would be free from objection, but I am convinced that that bill of 1822 might be so materially improved as to remove a great part of the objections which were not unjustly preferred against it, and I do not myself see any alternative between the proposition of transferring to the province of Upper Canada a Port which shall enable her to maintain her communication with the sea, and thereby affect her independence of the Lower Province, with respect to revenue arising from duties on goods imported seawards, or on the other hand, the carrying into effect the provision of a Legislative Union. Could

Could a Port be given to Upper Canada by any other means than by annexing Montreal to that province?—I am not aware of any other geographical facility of accomplishing that object.

Do you think that the objections to the latter arrangement on the part of the Lower Canadians would not be almost as strong as to an incorporating union of the two provinces?—I entertain no doubt that very strong objections would be made by the Lower Canadians against such a proposal, but I repeat, that under the relative circumstances of the two provinces, and the bounden duty of the mother country to act justly between them, I do not myself perceive any other than these alternatives. I cannot, however, avoid remarking, that should considerations of mutual defence, and a sense of common interest, create a growing opinion in favor of a Legislative union in the two provinces, there does not appear to me to be any conclusive mode of adjusting their interests, with respect to the appropriation of their common revenue, other than by an identification of interests, involved in the measure of union; but, at the same time, of a union which should guarantee to the French population their laws and institutions in the seigneuries, to the extent of preventing the combined Legislature from voting away those laws and institutions, and at the same time should reserve space enough in the unsettled part of the province, so as to allow the French population to spread itself within the sphere of the operation of the French law.

Can the difficulty which arises in adjusting, collecting and distributing the customs revenue of goods imported into the St. Lawrence, in your opinion, be better provided for than by the provisions which are contained in the Canada Trade Act?—I do not imagine that, under the present circumstances of the two provinces, any mode can be suggested more likely to accomplish this object than that which is prescribed under the provisions of that Act.

Several witnesses have stated to the Committee that, in their opinion, a system of duty and drawback might be adopted, and that a system of warehousing, in Lower Canada, goods which should be afterwards imported into Upper Canada and pay duty there might be adopted, and that either of them would be preferable to the course which has been enacted by law; were those modes under the consideration of the Colonial Department at the time that that measure was decided upon?—A variety of suggestions were made to the Colonial Department at that period, and it was found then, as I believe it will be found now, that the Lower Canadians were disposed to think that those facilities might exist, and that the Upper Canadians were almost unanimously of a contrary opinion.

Mr. Ellice in his evidence alludes to certain obstructions which prevented the provisions of the Act called the Canada Tenures Act from being carried into effect, and he refers to instructions which were sent to the local government to carry into effect the provisions of the Act of 1822; can you inform the Committee of the nature of those instructions?—The Executive Council considered the question only in the abstract, and simply with reference to an equitable valuation of the rights of the Crown, which the seigneurs might wish to redeem; but the great object of the clause was not only to relieve the seigneurs from the feudal dues payable to the Crown, but also to enable them to free their *censitaires*, or sub-tenants, and thereby to introduce generally a system of tenure more favourable to agriculture and to the general improvement of the province. Lord Dalhousie was therefore instructed to give every encouragement to the seigneurs to free those who hold under them, and to make it known that in the event of any seigneur distinctly engaging to free his *censitaire* on a principle of equitable composition whenever any of them may demand it, the Crown will in that instance free the seigneur at the rate of 5 per cent, or in other words, one twentieth instead of one fifth of the value.

The Committee have been informed that a large portion of the land in Lower Canada has been granted in such large masses to persons who are not resident, and can hardly be found; have the goodness to state what, in your opinion, would be the best mode of removing the difficulties which now retard the cultivation of those lands?—I should be prepared to concur with Mr. Ellice in opinion, that if a taxation of the waste lands could be carried into effect, it might be as convenient a mode of remedying that defect as the remedy of escheats; but, at the same time, I do not at all concur with Mr. Ellice in his opinion of the practical difficulties of carrying a practical system of escheat into effect. It has been practically carried into effect in New Brunswick to the extent of a million of acres; and I see no reason why, under proper regulations, it might not be equally carried into effect in Lower Canada. It would be necessary for this purpose that time should be given to enable parties to execute those stipulations of settlement duty, which hitherto they have omitted to execute; as it would be unfair to visit upon them suddenly the consequences of that omission which has been tacitly submitted to by the Executive Government. There is one mode by which this principle of escheat may be carried into effect, which is, the forfeiting a certain portion of the land itself to the Government as a penalty for non-improvement, such forfeiture to take place periodically until the whole would be forfeited, supposing the party not to carry the stipulated improvements into effect. Instructions were sent out from Lord Bathurst, of the date of 1826, for the purpose of forming a commission of escheat, and of considering the best practical remedy of applying the principle; but nothing is more certain than that unless some practical remedy be supplied, either of taxation or of escheat, the granted lands which are now in a state of waste in Lower Canada, must effectually prevent all improvements upon an extended scale in that province.

Would the operation of a tax on land remaining waste conflict in any way with the system of escheat that is directed to be carried into operation?—I should think the principle of escheat might be carried into effect by the Crown simultaneously with any tax which the Legislature might impose upon uncultivated land. Lord Dalhousie's states, in a letter addressed to Lord Bathurst, of the 5th of April 1825, that with respect to escheat and forfeiture of grants of land for non-performance of conditions of settlements stipulated in the letters patent, he has to observe, that of two and a half millions of acres granted in this manner in Lower Canada, not less than seven-eighths remain uncultivated, and therefore liable to resumption by the Crown. It is supposed that six millions of acres held under seigneurial tenure are under similar predicament, but with respect to this description of lands it is doubtful how far the Crown will have a right to resume them if the proposed conversion of tenure should take place to any extent. Lord Dalhousie adverts to the expedience, as well as the right of recovering such immense tracts of lands for the settlement of emigrants. He adds, the obsolete course of proceeding which the ancient law of Canada points out for the resumption, but of seigneurial lands, is so incumbered with difficulties, and so inapplicable to the present state of the province, particularly with regard to grants in the townships, that it is next to impossible for the Crown to resume its just rights. In consequence of this suggestion of Lord Dalhousie, that clause was introduced into the Canada Tenures Act which provides for the formation of courts of escheat.

What steps have been taken by the Colonial Office to remedy this evil?—In the 6th Geo. 4. c. 56, commonly called the Canada Tenures Act, the 10th clause provides, that courts of escheat shall be constituted in the province of Lower Canada to try forfeitures of uncultivated lands liable to escheat to the Crown. In the year 1826, Lord Bathurst sent instructions to Lord Dalhousie to appoint one of the Inferior Judges to act as commissioner of the court of escheats under the clause of the Act of Parliament. Lord Dalhousie replied, that the judge had not time to execute the duties, and that some other person must be appointed, upon which Mr. Huskisson wrote out instructions to him, authorizing him to appoint a person competent to perform the duty. It is to be recollected that no fund whatever exists, unless voted by Parliament, for carrying into effect this principle of escheat. The difficulties attached to carrying into effect a satisfactory principle of escheat were considered so great, that when Colonel Cockburn was sent out inspector and commissioner, he received separate instructions to communicate with the Governors of all our North American Colonies, and especially with Lord Dalhousie, for the purpose of reporting to the Government at home the best practical method of carrying the system of escheat into effect at the earliest possible period. I beg to express my opinion, that unless a system of escheat be carried completely into effect, there can be no possible improvement for those colonies, and that I have every reason to believe that the information in the hands of Government is such as will enable them at an early period to execute such a system.

Is the system upon which land is now granted in Canada such as to prevent the probability of a recurrence of this inconvenience?—Entirely; but a statement of the system upon which it is granted may be given in to the Committee. The system upon which it is

now granted is, it is granted precisely in proportion to the capital which the individual has to lay out upon it.

Is adequate security insisted upon for the expenditure of capital upon the land?—I consider that such security is involved in the prescribed regulations.

The Committee were informed by Mr. Ellice, that he had found great difficulty in effecting a commutation of the tenure of his land from seigniorial into free and common socage, under the provisions of the Act for that purpose; will you state in what mode the difficulties may be removed?—The first arrangement that was made by Government, with respect to the change of the tenure from the feudal tenure to free and common socage only, provided for the release of the immediate tenant under the Crown. The consequence was, that the purposes of that change of tenure were not carried into effect. The seigneur became released from his engagement to the Crown, but was not commuted to release his sub-tenant from similar engagements. The Canada Tenures Act provided, that in cases where the Crown thought fit to remit its rights to the seigneur for a consideration of five per cent on the estimated value, that the seigneur on his part should be compelled by law to submit to arbitration as between himself and his sub-tenant, so that the sub-tenant could claim from him the same change which he had effected in his own case with the Crown.

What are the difficulties which prevent that arrangement being carried into effect?—I consider the difficulties that interpose upon that point are the entire indisposition of the French population to avail themselves of this permission, and in point of fact it is a permission which is only available on the part of the English.

But Mr. Ellice, who was very anxious to avail himself of it, found so many difficulties in his way, that he was obliged to give it up; and one of the difficulties that he states is, the very large fine of one fifth of the value demanded by the Crown?—The original claim of the Crown, was one-fifth, but the Crown, in consideration of the advantage which was expected to accrue from a change of tenure, remitted that one-fifth, or 20 per cent for five per cent.

Do you think it advisable, seeing the difficulties that still exist, for the Crown to contract its demands still more?—If the seigneur would contract his demands upon his sub-tenant at the same time that the Crown contract its demands with respect to himself, I might be disposed to answer that I think it would be very desirable; but I do not understand upon what principle of fairness it is, that while the Crown on the one hand is to release the seigneur, the seigneur is to maintain his full rights with respect to his sub-tenant. It was considered at the time, by all the information which could be obtained by Government, that a much greater sacrifice was made by the Crown to the seigneur, than the seigneur made to his sub-tenant; and it did not follow, that supposing the Crown had remitted altogether its demand, that that would have facilitated in any degree the conversion of the tenure on the part of the seigneur with respect to his sub-tenant.

Do you think it advisable for the Crown still to contract its demands in order to facilitate the improvement of the colony by the change of tenure?—If it were proved by presumptive evidence that the effect of a contraction of the demands of the Crown would be practically to effect the release of this sort of property, in that case I should say that it would be worth while for the Crown to make a sacrifice; but it was considered that the arrangement was as fair and equitable, and as likely to produce the effect, as any arrangement could be; it is impossible not to perceive that if this change of tenure were to take place extensively in the seigneuries, and the consequence of it were to be to introduce the English law into those lands of which the tenure was commuted, it would produce a great deal of confusion in having property intermixed alternatively as it were, and having a different law applied to it.

Do you think that any instructions could be given to make this change of tenure more practicable?—I certainly am not aware that instructions could be given to make it more practicable.

Could the Act be so amended as to facilitate the exchange?—I have only to repeat, that I consider that the advantage of this permission will only be taken by the English possessors of property within the seigniories; and I do not imagine that any greater facilities can be given than what are now given under the instructions, as combined with the provisions of the Act.

Mr. Ellice mentioned that an English receiver is appointed for the province, insufficient security being taken in England; what regulations do you think may be applied to remedy this for the future?—The appointment of the receiver rests exclusively with the Treasury, and consequently I have no detailed knowledge upon the subject, which would enable me to give any specific suggestions upon it. At the same time, I would observe that, in my opinion, it is expedient that the most unqualified publicity should be given, both in the colonies and in the mother country, to all pecuniary accounts, appropriations and matters of finance. If this principle be fairly acted upon, it will in my judgment, effectually prevent for the future all serious difficulty upon such subjects.

Mr. Ellice stated that the Governor of Lower Canada has been instructed to remedy the difficulty arising from the Assembly not voting supplies by his own warrants on the receiver, to whom the taxes are paid, under the provisions of the Canada Trade Act; have you any information to give to the committee upon that point?—The Governor did not receive instructions to appropriate any duties received under the Canada Trade Act; but under the emergency in which he has been not unfrequently placed, from the total cessation of all supplies, to carry on the government of the colony, he has drawn upon the unappropriated revenue, and such a proceeding is necessarily to be justified only from the extreme difficulty and embarrassment of his situation; the discretion which he has been compelled to exercise on such occasions has received the sanction of the Secretaries of State.

Will you have the goodness to state to the Committee, the circumstances that attended the introduction of the Alien Bill?—The object of the Upper Province, in desiring that the Alien Bill should be passed, was for the purpose of enabling aliens (in the strict sense of the term) to sit in the Legislature, and of quieting titles; no person could be legally entitled to the possession of land who was not a natural born subject, or who had not taken the oath of allegiance, and there were a great many persons who were not qualified under those restrictions.

Are you aware what proportion of the population of Upper Canada were so situated?—A very considerable proportion of the population of Upper Canada were subject to this restriction; and it was necessary to have an Act passed in this country, in the first instance, to give effect to any local Act that might be passed in the province for remedying this inconvenience respecting elections.

With respect to the provisions of the local Act, which the Lieutenant Governor in Upper Canada was directed to have introduced into the Assembly, its provisions were framed with the anxious desire to produce a measure of entire conciliation; and with respect to the conduct of the Colonial Department, it is necessary to mention that these instructions, which Lord Bathurst sent out to the colony for the passing of a local bill, and which excited dissatisfaction, were regulations which had received the approbation of a member of the Legislature, who was over in this country more or less in the character of an agent for the province, with respect to certain grievances complained of. When those objections which were unexpectedly found to exist in the Legislature were made known to the Colonial Department, Lord Goderich sent out instructions, upon which a bill was brought in, which has finally settled the question.

Were there any essential differences between the bill as proposed by Lord Bathurst, than that which was proposed by Lord Goderich, and accepted in Canada?—Undoubtedly; the principal distinction was this, that by the bill suggested by Lord Bathurst, all parties however long they might have been resident, were required to resort to the same means of establishing their titles as those who were comparatively late residents; and the distinction taking by Lord Goderich, was to put a limitation to the time for which this was necessary, and to consider possession prior to the year 1820 as itself constituting a title; but I repeat that it was not expected that any reclamation would have been made by the province against the absence of such limitation, or against the appointment of a registry, which was also made a subject of complaint.

Do not you consider the Colonial Office as responsible for any line of policy long continued by any Governor of a colony?—Undoubtedly, in cases which can be characterized as involving a line of policy.

With a view to judge what measures should be adopted by the Government, is it not necessary that the Colonial Office should be well aware of every thing which passes between the Assembly of the province and the Governor?—It certainly is, and for that purpose the Journals of the Assembly are transmitted, accompanied by such comments as the Governor may think right to add; but it does not follow that bills rejected by the Legislative Council should necessarily be made matter of observation.

Are the measures that have been taken for disposing of the crown reserves such as in your opinion are likely to effect the object that is desired?—I differ very much in opinion from Mr. Ellice with respect to the course that has been taken by the Government for disposing of the crown and clergy reserves to the Canada Company; he states that "an attempt was made by the Government to dispose of all this property to the Canada Company, but the church, always careful of their interest, did not approve of the price awarded by the commissioners, and which was in fact greatly exceeding its present value, and that chance of removing part of that nuisance has passed away, and it is impossible to avoid observing on the vacillating policy of the Colonial Office, which did not insist upon the arrangement being carried through." The principle upon which those lands were disposed of to the commissioners was a principle of general average, and the church, who was bound to consult their own legal rights, complained, as I consider justly, that whereas the clergy reserves were the more valuable lands, the average that was taken upon their lands necessarily gave per acre a less amount to them than they would have done if the clergy reserves had been taken specially.

Is there any reason to believe that the clergy reserves are more valuable per acre than the crown reserves?—All the reports that have been made to the Colonial Department go to prove that the clergy reserves, which always have been most carefully selected, are in fact more valuable than the crown lands.

In the laying out of a township, who has the selection of the clergy reserves?—The Governor and Council. It is necessary to observe that the seventh appropriated to the clergy is appropriated by a statute; the seventh appropriated to the Crown is merely at the discretion of the Crown.

In your opinion will the steps that have been taken to provide for the alienation of the clergy reserves be sufficient for that purpose?—The committee are aware that a bill has passed, enabling the Governor and Council in Upper Canada to settle 100,000 acres of clergy reserves every year, in my opinion that bill is insufficient to effect the remedy which is so imperiously called for, because I think it would be extremely expedient to allow portions of the clergy reserves to be sold for the purpose of giving value to the remainder for the purpose of making roads, and performing settlement duties, and preparing them for cultivation, and I am of opinion that if those duties were done, and the clergy reserves improved to a certain extent, there would be no difficulty in leasing them on long leases, so as to make them productive at a much earlier period than might be expected. The proceeds of the sale of those reserves, as directed by statute, are to be impounded, and the rents and profits applied to such purposes as the Act of the 31st Geo. 3 directed, whatever those directions may be; but I am alluding to an absolute alienation of part of those reserves, for the purpose of applying the money for which those reserves are sold towards the improvement of the remainder, thereby making that remainder more valuable than the whole was prior to such alienation.

Is there any thing in the Act of 1791 that appears to contemplate the expenditure of a sum of money upon those reserves for the purpose of improving them?—There does not appear to be the slightest allusion to the necessity of capital being laid out upon them before they could be made productive. It is evident that the object of those who framed the Act of 1791, as well as the regulation respecting the crown reserves, was founded upon the expectation that at civilization would surround those waste lands, and give value to them in consequence of that circumstance, whereas the actual effect has been, that the existence of those reserves has prevented that very civilization from taking place.

It appears that out of the Crown lands granted to the Canada Company, a reservation of £750 a year has been awarded for the Scotch Church, with what view was that award made?—It was considered highly expedient that the Scotch Church should have a provision, and whatever might be the adjudication with respect to the clergy reserves, it was quite evident, that even if a principle of dividing the profits of those reserves between the two churches had been adopted, it would have yielded only £200 per annum to the Scotch Church, which would be insufficient to meet the demands for their pastors, and consequently the Secretary of State recommended the appropriation of a part of the proceeds of the payments of the Canada Company, to the payment of the Scotch clergy.

How long is that £750 to be continued to the Presbyterian Church?—The £750 is necessarily at pleasure; but it is to continue as long as the payments are made from the Canada Company, which involved a period of 15 years absolutely, and a probability of a much longer period. Mr. Ellice observes that "the clergy reserves are either kept in a state of wilderness, no person being liable for road duties through them, and the industrious settler being exposed to all the inconvenience of large tracts of forest intervening between his settlement and a market, or persons have occupied the more improved and accessible parts of them without title." I am of opinion that much of this inconvenience, if not all, would be removed by the principle of alienating a portion of the clergy reserves, for the purpose of applying the proceeds of them for the formation of roads, and in the general execution of what are called settlement duties; and that the effect of this would be, not only to improve the general condition of the province, but to make, as I have already observed, the remaining part of those reserves immeasurably more valuable than they are in their present state.

What has been the method of disposing of the Crown reserves in all those districts?—It is perhaps unnecessary to remark that the Crown, having the undisputed appropriation of the six-sevenths, after the subtraction of one-seventh for the purposes of the clergy, there could be no motive in separating one-seventh from the remainder, except a motive founded upon the expectation already adverted to, that some peculiar value was to attach to this reservation. In consequence of the settlement of the surrounding country, and the quantity of ungranted land in Upper Canada having been so great, it has never been necessary, for the purpose of satisfying the demands of settlers to appropriate those crown reserves; and therefore they have remained upon the same principle as the clergy reserves, practical nuisances in the province.

Has the attention you have paid to this subject led you to doubt of the policy of providing for the religious wants of the community in such a country as Canada, by a permanent revenue derived from the appropriation of any portion of the soil?—In answering that question, I would beg to draw a distinction between glebe appropriated for the actual use of a clergyman, and large masses of land set aside to provide a revenue for the church; I think, that the first is in the highest degree expedient; I think the other necessary, presents practical difficulties, which it would be very desirable to remove; and it appears to me that the practical remedy in the present instance is to appropriate glebe land, when circumstances require it, for the use of clergymen of the Church of England; and with respect to the general revenues of the church, to apply the proceeds of the sale of those revenues as they are progressively released from mortmain. I would wish to explain that when I allude to appropriating glebe specifically to a clergyman of the Church of England, I do not mean necessarily out of any lands reserved by the Act of 1791, but out of lands at the disposal of the Crown, if such were more conveniently situated, which could be exchanged for lands so reserved.

From the opportunities you have had of ascertaining the feelings and opinions of the people of Canada on this subject, should you not be disposed to say that Government and the Legislature of England should be very cautious of doing any thing which could give rise to the slightest suspicion that there was any intention of establishing a dominant church in that country?—The Act of 31st Geo. 3, c. 31, clause 36, established the clergy reserves, that is directed that one-seventh part of the grants of land should be allotted and appropriated for the support and maintenance of a Protestant clergy within the colonies; and it is stated that this is done for the purpose of making the best arrangement,

with a view to the due and sufficient support and maintenance of a Protestant clergy within the said provinces. The 37th clause enacts, "that at all and every the rents, profits or emoluments which may at any time arise from such land so allotted and appropriated shall be applicable solely to the maintenance and support of a Protestant clergy, and to no other use or purpose." Up to this point therefore no reference is made to an endowed church; but the 38th clause proceeds to enact, "that it should be lawful for His Majesty, &c. &c. to constitute and direct within every township or parish, which now is or hereafter may be formed, constituted or erected within either of the provinces of Lower or Upper Canada, one or more parsonage or rector, or parsonages or rectories according to the establishment of the Church of England, and from time to time, by an instrument under the Great Seal of such province, to endow every such parsonage or rectory with so much or such part of the lands, &c." meaning the clergy reserves, as it might be judged to be expedient under the then existing circumstances of such township or parish then to appropriate." The next clause attaches the same terms and conditions to those parsonages or rectories, and the same performance of duties, as are incident to a parsonage or rectory in England. The next clause places them under the jurisdiction of the bishop. The 41st clause gives a power and a most important one, to the local legislature, of varying or repealing several provisions there recited in any Act or Acts which, being passed by the two Assemblies, should receive the consent of the Crown. In answer therefore to the inquiry, whether I should not be disposed to recommend caution, lest any suspicion should arise that there was an intention of establishing a dominant church in that colony, I beg leave to be permitted to make the following observations: It is perfectly clear to me, that the framers of that Act entertained the erroneous impression that this system of reserved lands would in a short time, comparatively speaking, produce a fund which might be generally applicable for the purposes of furnishing income to the clergy of the Established Church, whether of England or of Scotland, as I conceive the words "Protestant clergy" to refer to clergy of the two recognized establishments; and it appears to me, from the construction of those clauses, that a special endowment of land, in cases where there was a demand, for the Church of England was provided for, whereas there was no such provision made for the Scotch Church: I consequently consider that I am justified in inferring that the Church of England was intended to be so far a dominant church as to have the advantage of lands specifically appropriated for its maintenance, as contradistinguished from the Scotch Church, which was to have such proportion of the profits, rents and emoluments of those reserves as, under the discretion of the Executive Government, it might be expedient to allot to them. But it appears to me quite conclusive, that there was no intention of necessarily establishing the Church of England as a dominant church, inasmuch as the 41st clause gives a power to the local legislatures, with the consent of the Crown, of altering all the provisions which are contained in the 36th, 37th, 38th, 39th and 40th clauses.

Would the measures you have suggested go to affect the appropriation of the clergy lands when they become improved, according to your plan?—If the committee will allow me to re-state my suggestion, it is this: that for the purpose of relieving the province from the practical inconvenience of those portions of reserves which impede the general cultivation and civilization of the province, I propose that part of it should be alienated for the purpose of making roads, in preparing them for cultivation, and for settlement. At present there is no power under any Act of effecting this purpose, inasmuch as the law only allows of their being sold; and the proceeds of such sale being impounded for future appropriation. If those reserves were to be retained for any very extended period, there can be no doubt that ultimately, after the lapse perhaps almost of centuries, they would acquire very great value; but if they are sold at an early period, it appears to me that the money for which they may sell may legitimately be applied for the purposes contemplated under the Canada Act, namely, the support of a Protestant clergy, including under that term the clergy of the Established Church; and I do not perceive what detriment can possibly accrue to the colony (provided those lands are progressively released from mortmain) in consequence of the interest of the money for which they may be sold being applied for that purpose. I should propose that all the better portion of the clergy reserves, which have already acquired a value from their proximity to cultivated lands, should be first subjected to sale, and so on till the whole are disposed of. Mr. Ellice states, in his evidence with regard to these reserves, that there is no hope of their being sold to the extent of 100,000 acres annually, or even of 25,000 acres being so sold. He adds, "They do nothing to encourage settlers; they neither make roads, build mills, nor lay out one shilling of capital." Now I propose to remedy those defects, by allowing the absolute alienation of part of those very reserves for the purpose of making those very improvements.

What has been the object of limiting the quantity of clergy reserves than can be sold in one year?—From the supposition that there would be no demand for their sale beyond that amount, considering the quantity of land that the Canada Company has to dispose of, and the mass of land that is ungranted.

Would not that state of things make the limitation unnecessary?—The reason is this: if it were not limited, 500,000 acres might be brought into the market and sold for nothing, and therefore it was to prevent the reserves being hastily and improvidently brought into the market that limitation was made; but if there was any chance of effecting a sale of those reserves at an early period I should consider the limitation as most impolitic.

The Committee have been informed that the establishment of the University of Upper Canada, from the government of which all denominations of Protestants, except those that belong to the Church of England, have been excluded, has materially tended to increase the jealousy that already existed in Upper Canada, with regard to the Church of England; can you inform the Committee under what instructions that University was so founded?—It was founded by a charter under the Great Seal, and it relieved the students from an obligation to subscribe to the Thirty nine Articles, which had been an obligation imposed by the constitution of the other North American provinces.

In what way is it endowed?—It is endowed with land, and an appropriation made to it from the proceeds of the Crown reserves sold to the Canada Company.

Has not the Council the appointment of the professors?—Undoubtedly.

Are not all the members of the Council required to be members of the Church of England?—Yes.

Have the Crown reserves been effectually disposed of, so as to prevent the inconvenience continuing which has arisen from them?—All the Crown reserves in Upper Canada have been disposed of to the Canada Company, with the exception of those in new townships, which have been laid out since the 1st of March 1824.

On what footing do they stand in Lower Canada?—They still remain unsettled; in fact, the quantity of land that is settled is so much less in the Lower than in the Upper Province, that there is a much smaller proportion of Crown reserves in the one than in the other. But nothing in my opinion can be more impolitic than to make any distinction in the six-sevenths that belong to the Crown. I consider the principle of reservation of a seventh for the Crown to be an erroneous one, as the first object should be the entire settlement of particular districts, rather than a partial and general settlement.

Will you inform the Committee of the sums that have been paid by the Canada Company and their appropriation?—The sum which the Canada Land Company is actually bound to pay in 16 years in annual instalments amounts to £301,367 6d. They are compelled to lay out on the improvement of the block of a million of acres, given in lieu of the clergy reserves, a sum amounting to £43,000. On the 1st of July 1826, the first payment commenced of £20,000; that payment exceeded some of the subsequent years, in order to cover the expenses of the arrangement. In 1827, £15,000; in 1828, £15,000; in 1829, £15,000; in 1830, £16,000; in 1831, £17,000; in 1832, £18,000; in 1833, £19,000; in 1834, £20,000; and £20,000 every succeeding year to the end of the term, it being at the option of the Company to increase the annuity payment as it may seem fit, it being provided, that in the last year the account shall be completely settled, that is on the 1st of July 1834. The appropriation which the Secretary of State recommended to the Lords of the Treasury is as follows: first, the sum of £8,500 per annum for the Civil establishment of Upper Canada, which till that year had formed an item in the estimate annually voted by Parliament; secondly, £1,000 as an annual grant towards the building of a college for the province;

province; thirdly, the sum of £400 as an annual salary to the Roman Catholic Bishop resident in that colony; fourthly, the sum of £750 as an annual provision for Roman Catholic Priests in that Province; fifthly, the sum of £750 as an annual provision for the Presbyterian Ministers in connection with the Church of Scotland; having stated congregations in the province; sixthly, the sum of £400 as a pension to Colonel Talbot, as a reward for the services of that officer, and the sacrifices he had made in settling the London and Western districts; the sum of £2,566 as an annual compensation for the period of seven years to those officers of the land-granting department in Upper Canada, who by the adoption of the new regulations for granting lands are deprived of their emoluments. The sum total of those appropriations amounts to £14,766; which leaves an unappropriated balance of £733 per annum.

Mr. Ellice has stated that there was no occasion for the Government applying this money to the payment of the civil list in Upper Canada, as the ordinary revenue received on the trade of Canada is perfectly adequate, or might be made perfectly adequate, to the discharge of the civil lists of both provinces; do you concur in that opinion?—I am at a loss to understand upon what data Mr. Ellice gives that opinion. I believe nothing can exceed the economy with which the Legislature of Upper Canada dispenses the finances under their control; and I know no fund from which the payment of the £8,000 annually voted by Parliament could be forthcoming.

How is the clergy corporation appointed?—The clergy corporation was established at the recommendation of the Governor and Executive Council, and appointed by instructions sent out to the Governor of Canada to appoint a Committee of the clergy, of which the Bishop should be at the head, for the purpose of considering the most productive mode of dealing with the lands set apart for the clergy, under the 31st of the King, such disposition being necessarily limited to leasing, as there is no power of alienation under the Act.

By what instrument has that corporation been appointed?—Such an appointment would be made under the great seal of the province, under instructions from the government at home.

Is there a copy of that instrument in the Colonial Office?—I believe not, the instrument having been prepared in the colony.

Is there in the Colonial Office any copy of the instructions which directed the Governor to issue such an instrument?—There is.

You are aware that Mr. Ellice has stated his opinion that blame ought not to be imputed to any persons connected with the Executive Government in either province, but that the dissensions in Canada were the inevitable consequences of a determination on the part of the Government at home to persevere in a wrong system?—I find great difficulty in reconciling Mr. Ellice's evidence on this point. He states that the great object of the Assembly of Lower Canada is to retain their separate institutions, their laws, their church, and their condition as distinct from the people of America, and that though much may be done by mutual concession, all their objects can only be effected at the expense of the interests of the English population, and by the retardation of all improvement in the country. The Committee are aware that this is precisely the language which is maintained in the petitions from the townships, which have been presented to Parliament, and especially in those which are laid before this Committee, from the townships to the Governor General in the year subsequent to the proposition of the Union. Those petitions distinctly express the gratitude of the petitioners to the Legislative Council, for having resisted the attempt of the Assembly to prejudice the English population and to retard improvement.

Whereas the Legislative Council is complained of, on the part of the French Canadians, as being the main source of all the dissensions existing in the province. Mr. Neilson employs these words: "The laws that are conceived by the people to be necessary for the common welfare are rejected by the Legislative Council, that being chiefly composed of persons who are dependent on the Executive Government of the province." The object of the opposition of the Legislative Council to the measures of the Assembly, if Mr. Ellice's view of the purposes of that Assembly be correct, is to maintain the interest of the English population, and to prevent that retardation of the improvement of the country which Mr. Ellice states the French Canadians to contemplate. I would wish to show that the opinion of the English population is such as I describe, by reference to the following paragraph, which appears in the petition to the House of Commons from the townships: "That while your petitioners waited patiently the effect of the repeated solicitations for redress of grievances, to be administered by the Provincial Legislature, the Legislative Council, in the session of the year 1825, by recommendation of His Excellency the Governor in Chief, passed a bill of the most salutary description, introducing into those townships the English law of dower and conveyance, and making incumbrances special, establishing also public offices therein for the enregistrement of all mutations of real property and of all mortgages on the same; that though this bill, carefully abstaining from every unnecessary innovation, neither disturbed the routine nor touched the customs of the French Canadians in the seigneuries, the House of Assembly, evincing its characteristic disregard for the claims of your petitioners, neglected to proceed upon the same bill when sent down for concurrence, &c. And Mr. Robert Gillespie, one of the witnesses before this Committee, being asked in what manner the dissensions between the different branches of the Legislature obstructed the operation of commerce and the improvement of the Canadas, answers in these words, "By preventing the enactment of laws necessary for the security of trade, there is no such thing as knowing at present when real property is mortgaged or not?" and so on. On the other hand, Mr. Neilson states, "that no change which will be for the general good of the country will be resisted by the Assembly, for the Assembly are the true representatives of the people, and must do what will be for the good of the people; if they do not, they had better go home and mind their own business." The Committee cannot fail to observe that the question turns upon, whether the good of the people is to be promoted by approximating their institutions towards the English system, or by not only maintaining the French institutions in their present integrity, but by extending it over all that portion of the Lower Province which is inhabited by an English population. This is the real key to the dissensions which have existed in that province, and which I consider to have grown out of the short-sighted legislation of 1791; in proof of this I would remind the Committee that Mr. Viger adverts in his evidence to the improved condition of Lower Canada, which would have taken place if a proper system of conduct had been followed with regard to the Canadians. This question is then put to him: "When you say a proper system, do you mean if the French system and the French law had not been obstructed in its operations?" He answers, "So far as this, that they should have continued to let the French law prevail all over the country." In point of fact, nothing can be more discrepant than the views which are entertained by the agents for the French population of Lower Canada with respect to the functions and duties of this Legislative Council, which one party supposes to be the source, and the other the prevention of all mischief. Mr. Neilson says, "that an independent Legislative Council would give to Canada something like a British Constitution, in that case there would be a body that would have a weight in the opinion of the country when the Governor and the Assembly were at variance, and on which ever side they declared they would incline the balance; whereas Mr. Viger is asked, "Is it not the wish of the Canadians to change the structure of the Legislative Council, and to take measures for ensuring its formation in such a way as to make it likely that it would agree with the Legislative Assembly?" He answers, "I am sure that we must wish that the Legislative Council should be composed of men who would side with the mass of the people."

Mr. Neilson states that in Nova Scotia, where things go on very well, the revenue depends upon an annual vote of the Legislature, so that not only the appropriation of the money, but the very collecting of the money is dependent upon an annual vote of the Legislature, and there the Government and the Assembly go on very well in concert; can you inform the Committee whether that is correctly stated?—Mr. Neilson totally omits to state that the civil list is voted by the British Parliament; and that consequently the same cause of collision does not exist there would exist in Lower Canada. It is unnecessary for me to explain to the Committee that this is the case in all our North American Provinces, with the exception of Upper Canada, the expenses of whose civil list however are defrayed from proceeds of funds belonging to the Crown, and are not dependent on a vote of the local Legislature.

You have heard much observation from the witnesses respecting the constitution of the Legislative Council; have you any remarks to offer to the Committee on that subject?—Here again I would call the attention of the Committee to the different evidence which is received on such points; Mr. McGillivray, states that those who are opposed to the measures of Government complain of the Legislative Council, who generally have sided with the Governor when there has been any question in difference between them; but he adds, "I have not heard of any complaint of the composition of the Council; where there are parties, however, there will always be complaints." I have no hesitation in expressing my concurrence in the abstract opinions respecting the composition of the Legislative Council which have transpired during this enquiry, but I doubt extremely whether, under the circumstances of Lower Canada, it is possible to bring this Legislative Council to that state of theoretical perfection which is looked for by some members of the Committee; at the same time, with respect to this Council, as well as to all other points where an improved system can be applied, it is necessarily the duty of Government so to apply it.

You are aware that Mr. Neilson has given evidence respecting the dismissal of Militia Officers by Lord Dalhousie; have you any information to give to the Committee on that point?—The following general orders, which were issued at two different periods by Lord Dalhousie's directions, will explain the grounds which his Lordship assigned for the measure in question. The Committee will perceive, from the general tenor of those orders, that it was for conduct connected with their duty as Militia Officers that His Lordship was mainly induced to dismiss the individuals in question. "Office of the Adjutant-General of Quebec.—Quebec, 12th of September 1827.—General Order of Militia.—His Excellency the Governor and Commander in Chief takes an early opportunity to express to the battalions of militia in Lower Canada his sentiments on certain recent proceedings which nearly concern their loyalty and honour. It is well known that the laws under which the militia force has been regulated for many years have been enacted for short periods, and have been repeatedly renewed as a substitute for the permanent laws passed in 1787 and 1789. Those temporary Acts, however, not having been rehed in the last Session of the Provincial Parliament, expired on the 1st of May; and it was immediately notified to the militia by His Excellency's directions, that under the existing circumstances the old permanent ordinances came into force. Evil disposed persons were not wanting to spread doubts on the subject, and to those were added gross misrepresentations and calumnies regarding the intentions of the Executive Government, all tending to create discontent and dissatisfaction in the province, but more particularly to induce the militia to object against and disobey the orders issued under those ordinances for the usual musters in summer. The Governor in Chief, has seen with great satisfaction that the utmost exertions of the ill disposed have totally failed to disturb the natural disposition of the people to order and obedience, with very few exceptions, and those chiefly of officers holding commissions. The musters in July and August have been unusually numerous and well attended. It is therefore an important and a most agreeable duty to His Excellency to offer his warmest acknowledgments in approbation of that conduct by which the battalions of militia have shown their loyalty and proper sense of duty; but while the Governor in Chief thus gives upon him at this time to deprive of the distinction of holding commissions in the militia all such persons as have neglected to attend at the musters required by law, or who by their conduct or language at public meetings have failed in that respect which is due to the representative of their Sovereign. This, however, is a work of time and investigation; which, though necessarily attended with some delay, will not fail to receive His Excellency's serious and deliberate consideration. By order of His Excellency the Governor General and Commander in Chief, F. Vassal de Monviel, Adjutant General M. F."

The other order is as follows: "Office of Adjutant General of Militia, 12th December 1827.—General Order of Militia.—The Governor in Chief having for some time past occupied himself in considering reports of reviews by officers commanding battalions of militia, has great satisfaction in again expressing his approbation of the general disposition and orderly conduct of this great national force. The reviews have been fully attended, and there are but few instances in which the Governor in Chief would think it at all necessary to express censure; his Excellency therefore conveys to all, and to each battalion, his thanks for their conduct, trusting that the next summer he shall find no cause to repeat the only disagreeable part of duty which remains for him to perform, that is, to publish the names of those officers who can offer no sufficient apology for their neglect of duty and absence from muster."

I have only further to explain that Lord Dalhousie states that His Majesty's Attorney General in the Province of Lower Canada, gave an opinion that the old ordinances of 1787 or 1789 had revived, and certain militia officers having impeached Lord Dalhousie's consequent judgment upon this occasion, founded, as it was, upon the opinion of the Attorney General, not only refused to attend the summer musters, but otherwise exhibited a spirit of disobedience to orders; in consequence of which Lord Dalhousie dismissed those persons, the circumstances of whose conduct and situation made such an example necessary; and on the grounds stated His Lordship's conduct received the sanction of the Secretary of State.

Mr. Cuvillier in his evidence states, that Lord Dorchester, in his Message to the Legislature in 1794, in the name of the King, gave the casual and territorial revenues to the Province of Lower Canada, towards the support of its civil government; hence, he says, the control which the Assembly has over those revenues. It is in consequence of this gift on the part of His Majesty to the Province, for the public uses thereof, that the Legislature has a right to appropriate them. He is then asked, "In what form was that gift made?" and he answers, "By message." Again he is asked, "Did that message of Lord Dorchester say that the King would appropriate those revenues for the use of the Province, or that he made them over to the Legislature, to be appropriated by them for the use of the Province?" he answers, "That he does not recollect the precise words of the message, but that he does recollect that the casual and territorial revenue was given to the Province in aid of its civil government."

Can you supply the Committee with any decided information upon this point?—It appears in the Journals of the House of Assembly of the 29th of April 1794, that "a message from his Excellency the Governor, signed by his Excellency, was presented to Mr. Speaker, which message was read in English and repeated in French, all the members of the House being uncovered, and the same is as followeth:—Dorchester, Governor.—The Governor has given directions for laying before the House of Assembly an account of the provincial revenue of the Crown, from the commencement of the new constitution to the 10th of January 1794: first, the casual and territorial revenue, as established prior to the conquest, which His Majesty has been most graciously pleased to order to be applied towards defraying the civil expenses of the province." The Committee will not hesitate to admit that an expression, on the part of the Crown, that orders have been graciously given to apply the territorial revenue towards defraying the civil expenses of the province, cannot, in reason or in justice, be considered to be agift to the Legislature, by which the Legislature obtains the right of appropriation. I would beg leave to lay before the Committee, in illustration of this distinction between applying the local revenues at the discretion and under the sanction of His Majesty's Government for the benefit of the colonies, and the surrendering them to the colonies for their absolute appropriation, by the following letter, which was addressed by Lord Bathurst, as a circular letter to the colonies having local Legislatures, on the 8th of October 1825, and which appears to me to express most clearly the reasons why an annual vote of the Civil List is less preferable to a more permanent arrangement.—Downing-street, 8th October 1825.—Sir, You are aware that in all discussions which of late years have taken place in Parliament on the subject of the Colonial Estimates, it has been objected that the North American Colonies ought to take upon themselves those permanent and necessary expenses of their civil government which have hitherto been charged upon the revenue of this country. I have always felt unwilling to enter upon this subject until the period should arrive when, from the growing prosperity of those colonies, and from the condition which they had, in fact, attained with respect to their population and resources, I could press it with the conviction that the proposition was not only one which ought to be entertained by the Legislature, but one which would be met by a most anxious

anxious disposition to comply with the wishes of Government. I also deferred pressing this point until Parliament has actually removed those restrictions to which the commerce of the colonies had hitherto been subject; because, though it might not have appeared unreasonable to have made the extension of a policy so liberal towards the colonists, in some measure dependent upon their assuming upon a just footing the charges of their own Government, yet I felt it a more pleasing course, (and one which I trusted would be found not less effectual) to rely rather upon the disposition of His Majesty's subjects in the colonies to evince a just sense of these advantages after they should have been conferred upon them, than to have attempted to induce them to a compliance with the proposition by any promise of consequent concession and advantage. By the measures which Parliament has recently adopted the restrictions I have referred to are removed, and the colonies now enjoy, under the protection of His Majesty, the same freedom of trade with the parent state and with foreign countries as if they constituted, in fact, integral parts of the United Kingdoms. Such a state of things, it is confidently hoped, cannot fail to produce an increase of prosperity that will either enable the colonists to bear the charge of the Civil Government without necessity for imposing additional taxes, or will make the increased taxes, which it may be necessary for a time to provide, less burthensome than those which they are now obliged to sustain. I have had frequently on occasion to regret the inconvenient consequences which have arisen in some of His Majesty's colonies, from the practice of providing by an annual vote for those charges of the Civil Government which are in their nature permanent, and which therefore ought not, consistently with those principles of the constitution common both to the United Kingdom and to the colonies, to be classed with those contingencies of the public service which, being necessarily fluctuating, may be fitly provided for as the occasion appears to demand. In point of fact, the necessity of an annual vote for the maintenance of a fixed and permanent establishment is only calculated to embarrass the public service, and to disturb the harmony which ought to exist among the different branches of the Legislature; it even tends to impair that confidence between the Government and the inhabitants of a colony, which is equally necessary to the just support of the former and to the happiness and prosperity of the latter. In the practical execution of this proposition, it cannot fail to be satisfactory to the Legislature to observe, that it is not intended that the provincial revenues should be charged with any excess beyond the long established and ordinary charges, unless a further increase should by them be deemed expedient. The charges of which the present estimate consists being all strictly of a permanent description, I should propose that the Act, which will be necessary to make provision for their assumption by the colony, should continue in operation for the space of ten years. The cordial adoption of this proposition on the part of the Legislature cannot fail to draw still closer the ties which so happily subsist between the mother country and her dependencies, and to induce a favourable disposition on her part to apply her capital for colonial purposes. And when it is considered how heavy an expenditure is necessarily incurred by Great Britain in the military defences of her colonies, it would seem unreasonable, under present circumstances, to question the readiness of the latter to provide in a proper manner for the necessary charge of their civil government. You will explain in the fullest manner to the Legislature, in the course of the next session, the expectations of His Majesty's Government upon this subject, and you will at the same time inform them, that whatever funds may be raised or received within the province, such funds not being under the control of the Legislature, will be appropriated for the benefit of the province, at the discretion and under the sanction of His Majesty's Government."

Martis, 15^o. die Julii, 1828.

John Neilson, Esquire, again called in; and Examined.

A PETITION, signed by yourself, D. B. Viger and Austin Cuvillier, has been referred to this Committee; from which they perceive that since you left Lower Canada the Government of that colony has committed certain other acts of which you complain; the Committee are desirous of hearing any thing you have to say in support or explanation of your complaints?—I know nothing of what has occurred in Lower Canada since my departure but by private letters and newspapers, and certain resolutions that have been forwarded to Messrs. Viger, Cuvillier and myself, containing complaints, to be added to those that were contained in the Petition presented to the House of Commons some time ago. Those Resolutions are now in my possession.

Have the goodness to deliver them in?—

[The witness delivered in the following Papers:]

PROVINCE OF LOWER CANADA.

At a meeting of Landholders and other Proprietors, composing the committees appointed at the general meetings of proprietors held for the purpose of petitioning His Majesty and both Houses of Parliament against the present administration of the Provincial Government, and for furthering the said Petitions, assembled at the House of Louis Roy Portelance, Esq. in the City of Montreal, 17th April 1828;—

Present, François Ant. Larocque, Esq. in the Chair;—Members of the Committee of Montreal: Frans. Ant. Larocque, the Honourable P. D. Debartzch, Member of the Legislative Council; Louis Roy Portelance, James Leslie, Robert Nelson, Jules Quesnel, F. W. Desrivières, Hertel de Rouville, Jo. Waller, Chs. F. Roy, Frans. Picard, Roch de St. Ours, F. A. Quesnel, F. Peltier, jun., L. M. Viger, D. Mondelet, M. F. Valois, J. D. Bernard, Joseph Allard, Jos. Roy, Michel Vian, R. J. Kimbert, And. Papineau, Jos. Valois, P. Richot, Ales. Berthelot, U. Desrochers, J. B. Lebourdais, Louis Barré, Jq. Bertrand, sen., Frans. Roy, Simon Valois, L. Bouton dit Major, Frans. Desautels, André Jobin, A. N. Morin;—of the General Committee of the District of Three Rivers, J. E. Desmoulin, J. Desfossés;—of the Committee of the County of Richelieu, the said Honourable P. D. Debartzch, M. L. C., the said Roch de St. Ours, W. Nelson;—of the County of York, Ignace Razienné, J. B. Dumouchelle and Alexis Demers;—of the County of Effingham, the said André Papineau, Frans. Coyteux;—of the County of Kent, R. Boucher de la Bruère, René Boileau, jun., Pierre Papineau, Augustin Blais, Jos. Bresse, Jos. Demers, Timothée Kimbert, P. C. B. de la Bruère;—of the County of Surrey, Joseph Allard;—of the County of Bedford, the said Hertel de Rouville;—of the County of Huntingdon, Eustache Masson, Esquires;—

The following Resolutions having been severally read, were unanimously adopted:—

Resolved, 1.—THAT it is expedient that the central committees of the district of Montreal and Three Rivers, and the other committees, and the people of the province in general, express their sentiments and opinions on the subject of certain acts of the administration of his Excellency the Earl of Dalhousie, and on certain proceedings and decisions in the courts of justice in support of that administration, and tending to impair the liberties and security of the people, which acts, proceedings and decisions have taken place since the departure of the agents for the petitioners for England, and justify and support the charges contained in the Petitions to His Majesty and the two Houses of Parliament, transmitted by the said agents against His Excellency the Governor in Chief, his administration, and the system of government followed in this province.

Resolved, 2.—That His Excellency and his administration have avowed, by public acts, their intention of destroying the liberty of the press, and to prevent public discussion of

the acts of his administration, unless it should be favourable, and to inflict punishments for the exercise of the inherent right of British subjects to assemble and declare their opinion on acts of administration considered as unjust and oppressive, and to take the necessary steps to make known these acts, and their opinion thereon, by petition to His Majesty and the authorities in England.

Resolved, 3.—That in furtherance of these intentions, His Excellency, since the departure of the said agents, has, under colour of certain militia Laws, of which the legal existence is contested on strong grounds, insulted several respectable gentlemen, natives of the country, extensive landholders, and enjoying the general esteem; among others, Hertel De Rouville, R. Boucher de la Bruère, Francis Legendre, Ant. Poulin De Courval, and J. M. Raymond, Esquires, lieutenant-colonels and major of divisions of militia in the districts of Montreal and Three Rivers, in depriving them of their rank for having assisted at meetings held in their respective counties for adopting resolutions on the subject of their grievances, and petitioning thereon to His Majesty and both Houses of Parliament, against his Excellency and his administration of the government.

Resolved, 4.—That His Excellency caused the first notice of their dismissal to be given to these respectable individuals by publication in his official journals, without having at any time previously communicated any complaints against them; that the arbitrary order merely because they had acted with their fellow-subjects in a measure concerning the common weal of their native country, in which they have a deep and permanent interest, of "having been active instruments of a party hostile to His Majesty's Government;" thus resorting to his official paper and the newspapers for defaming loyal and respectable subjects and the whole country; and that the said order expressly avowed and acted upon the ill-respect for military authority require that militia officers and militia-men should not participate in public meetings, in a country where every proprietor from the age of 18 to 60 is a militia-man, and all the male inhabitants of that age are militia-men; thus attempting to prohibit the inhabitants of the country from all discussion of public affairs and the misconduct of the administration, and from petitioning the King and Parliament; virtually subjecting them to martial law.

Resolved, 5.—That two meetings of landholders and other proprietors, composing the committees of petitioners in the district of Three Rivers, named at a general meeting of petitioners to further their Petition against his Excellency and his administration, and other matters connected therewith, for the information of their agents, passed certain resolutions on the subject of the said defamatory and unconstitutional order so published by His Excellency, which said resolutions contained in substance, that the said individuals so attempted to be disgraced and insulted had lost nothing in the esteem of their fellow-citizens; that the attack made by his Excellency on their loyalty and honour was unmerited; one of the said committees having also expressed their opinion that those who would accept of the situations of which these respectable individuals had been thus deprived could not be considered as friends of their country; which said resolutions were ordered to be transmitted to the Agents of the petitioners, to obtain the recall of His Excellency and a change in the administration of the government.

Resolved, 6.—That these resolutions so taken in defence of the reputation of individuals attacked by a public document, and put into general circulation by the journals of the administration, were also published in the Quebec Gazette by order of the said committees, and signed by the secretaries, Charles Mondelet and Ant. Zéphirin Leblanc, Esquires.

Resolved, 7.—That in the last term of His Majesty's Court of King's Bench for the district of Quebec, James Stuart, His Majesty's Attorney-general for the said province, who is also one of the executive councillors for the said province, and one of the advisers of the present administration, and a violent opponent of the Representative Assembly of the province, presented to the grand jury five bills of indictment against the said Quebec Gazette, for publications relating solely to public measures in the said province; two of which were for publishing the said resolutions; four of which bills, including the two for publishing the said resolutions were found by the grand jury; and the said Attorney-general also presented two bills against the said Charles Mondelet, Esquire, one of which was for having signed and communicated the said resolutions, and the other for having addressed to his Excellency a letter on the dismissal of the said Charles Mondelet from the militia, which said bills were also found by the grand jury.

Resolved, 8.—That a criminal term of the said court had just then been held at Three Rivers, where the said Charles Mondelet resides, and where the acts of which he was accused, however innocent and praiseworthy they may be, were committed; that the said Attorney-general might and ought to have proceeded against him at Three Rivers, but instead of following this equitable and legal mode of proceeding, he, for the purpose of better succeeding in his designs against the said Charles Mondelet, and in a vexatious and oppressive manner, proceeded against him at Quebec, to which place he also compelled five other individuals to attend as witnesses, at the distance of 90 miles from their homes, and in another district, and at a time when it was dangerous to travel, when the lives of several of these witnesses were actually put in peril; when Mr. Mondelet was withdrawn from the most busy time of his profession as an advocate: that the compelling an individual to answer for a simple misdemeanour out of his district, where he might have been accused and judged, and compelling him to appear 90 miles from his residence, is an arbitrary act, tending to vex and injure His Majesty's subjects who are not the devoted instruments of the present administration.

Resolved, 9.—That the said Attorney-general who laid the said bills before the grand jury at Quebec, is an executive councillor, and a component part of the administration which is complained of by the petitions of the people of the province; that the Chief Justice of the province, Jonathan Sewell, Esquire, presiding in the said Court of King's Bench at Quebec, before whom these individuals are to be tried, is also an executive councillor, and a principal adviser of the present administration; that the sheriffs, who arbitrarily empanel the juries in this province, are officers depending entirely on the pleasure of the administration for the enjoyment of their lucrative offices; and that the sheriff for the district of Quebec is the son of the said Chief Justice so presiding, and zealous in the support of the administration, the suppression of complaints against it, and preventing them from being made known.

Resolved, 10.—That the influence of the foregoing circumstances are sufficiently proved by the composition of the aforesaid grand jury; of which several members hold offices during pleasure, and of which 14, or more, were drawn from the small party which is violently opposed to the general opinion of the country, and are impelled by the same passions and opinions as the executive authority; and that all the said grand jurors of the district of Quebec, with the exception of one, were summoned from the City of Quebec alone.

Resolved, 11.—That in the Court of Oyer and Terminer, held for the district of Montreal in the month of November last, and in the term of the Criminal Court for the said district, held in March following, three bills of indictment for libel were returned by the grand jury against Jocelyne Waller, Esquire, and Ludger Duverney; and one against James Lane, for innocent, and in the opinion of this committee, praiseworthy publications; being all articles on the public affairs of this province, and the misconduct of the provincial administration; entirely free from any thing prejudicial to the laws or to public order, but on contrary, replete with uniform loyalty and attachment to His Majesty's Government; and that the said publications have been made the subject of complaint on the part of the Attorney-general, only because they contained the free, legal and constitutional expression of the opinion of the great majority of the people of the province on the public measures of the administration; and that the said publications, as well as the aforesaid resolutions adopted in the district of Three Rivers, are not different in substance from the matters of complaint against the present administration contained in the Petition of 87,000 of His Majesty's subjects in this province, forwarded, to be laid before His Majesty and the Imperial Parliament.

Resolved, 12.—That the sheriff of the district of Montreal, Louis Gury, Esquire, is an alien born, and a member of the Legislative Council of this province, and holds a lucrative situation during the pleasure of the executive, of which he adopts the opinion and passions.

Resolved,

Resolved, 13.—That Juries arbitrarily chosen by officers dependent on the administration, do not inspire sufficient confidence in an equal dispensation of justice and law; that the two grand juries in particular, who returned the said bills at Montreal, and which were chosen by the said Louis Gagy, were, for the most part, composed of violent partisans of the provincial administration, and notoriously hostile to the opinions of the great majority of the inhabitants of the country, whether considered as landholders and proprietors, or in respect to numbers; that the said grand jurors were conspicuous for violent prejudices, and were chiefly drawn from the small fraction of the inhabitants who had signed virulent addresses against the representative branch of the Government.

Resolved, 14.—That the said Attorney-general obtained a rule to try some of the said indictments by a special jury, at Montreal, in the ensuing September Term, although it may be held that the rules by which special juries are granted in certain cases in England, do not apply here; and that the juries termed special here, being selected under a law to try certain civil causes, from a small class of individuals, the selection of the mere special juries, as well as the grand and petty juries, depends entirely on the said sheriffs, so that, far from affording additional protection to the subject, they are much less favourable to impartial justice than those called common juries; and it is in the power of the Attorney-general to bring on the trial before jurymen selected from a small portion of the district, who may be biased in their judgment by preconceived antipathies and notoriously violent prejudices, however honest and respectable they may otherwise be; and that there is reason to fear that a special jury may be so biased in their decision on the said indictments.

Resolved, 15.—That the said James Stuart, Esquire, in speeches delivered before His Majesty's courts has falsely accused divers loyal subjects of His Majesty in relation to the publications of which he complained, by asserting that they had a seditious tendency, and were seditious libels against His Majesty's Government; and that the said James Stuart has exercised his official duties in these causes with extraordinary rigour and violence, subjecting the accused to hardships and inconveniences unnecessary for the due administration of justice in cases of alleged offences against the Government, namely, the administration, of which the said James Stuart is a member.

Resolved, 16.—That the choice of the grand juries on the three occasions before mentioned, at a time when offences of a political nature were to be laid before them, and the conduct of the Attorney-general in relation to the said prosecutions, have inspired a strong suspicion concerning the principles and opinions of the said Attorney-general, as well as of those public officers therein concerned, and weakened the public confidence in the administration of criminal justice in this province.

Resolved, 17.—That Charles Richard Ogden, Esquire, Solicitor-general for this province, is also one of the principal advisers of the present administration, and has on various occasions manifested violent prejudices against the opinions of the inhabitants of this province, particularly on the 15th December last, when the freeholders and other electors of the County of Montreal were about to meet legally to discuss the measures of the administration, the said Charles Richard Ogden did, with an intent to prevent the said meeting, and suppress the expression of its opinions on the said public measures, cause to be arrested the said Jocelyn Waller and Ludger Duverney for the said alleged libels, with a view to alarm and intimidate His Majesty's loyal subjects.

Resolved, 18.—That if any other proof were wanting to persuade the inhabitants of this province that the processes of the criminal courts therein are in the hands and under the influence of the provincial administration, and that the prosecutions before mentioned have been directed to hinder or prevent the expression of the opinions of His Majesty's subjects on the measures of the present administration, they could not fail to find ample proof of such a state of things in the avidity with which the Attorney-general lays before the grand juries bills against the publication of the constitutional proceedings of the inhabitants of the country, and other writings equally innocent, while he suffers the journals and newspapers published under the authority and control of the administration to indulge in the most violent and insulting abuse of the country and its inhabitants, tending manifestly to inspire them with prejudices against His Majesty's Government, and particularly as they see these writings altogether overlooked by the Attorney-general in his proceedings before the courts of justice.

Resolved, 19.—That since the commencement of the administration of His Excellency the Earl of Dalhousie, and particularly for some years past, the newspapers under the control and patronage of his administration, and especially "The Quebec Gazette," published by authority, "The Quebec Mercury," printed by His Majesty's printers, and "The Montreal Gazette," published by authority, by Robert Armour, also printer to His Majesty, have been made the vehicles of the most odious calumnies and low abuse of the representatives of the province, its inhabitants, their laws, religion and manners, attacking the rights and privileges granted to them by the most solemn acts and the laws of the Imperial Parliament, and tending to the subversion of the established constitution; that similar writings have also been issued from other presses patronized by the administration, the whole under the eye of the said Attorney-general, who has suffered them to proceed unnoticed, while he prosecutes officially, with great warmth, expressions on the part of the country unfavourable to the administration of the government.

Resolved, 20.—That this conduct on the part of the Attorney-general is equivalent to a full protection by the administration and the courts of justice to whatsoever opinions, calumnies and insults the partisans of the present administration may publish in its organs, and that the conviction is becoming universal on the part of the inhabitants of the province that the false and abusive writings of which these papers are the vehicles, counselling and exciting to the subversion of the social order, the institutions and constitutional privileges of the people, are nothing but the expression of the opinion and wishes of the present administration, its chief, and members; and the people, the public bodies, and the individuals so insulted and vilified can hope for no redress within this province from the courts of justice, the said Attorney-general and other officers equally dependent on the administration, being the sole channels through which an attempt could be made to obtain it.

Resolved, 21.—That the said Jonathan Sewell, Esquire, Chief Justice of this province, has declared that any justice of the peace might lawfully arrest the printer or author of any writing which, in the opinion of the said justice, was a libel, and oblige such printer or author to give bail for appearance and good behaviour; and that the said Chief Justice and the Court of King's Bench at Montreal have decided that security for good behaviour may be required in cases of libel on indictment before conviction.

Resolved, 22.—That these doctrines excite the greater alarm, as in the commissions of the peace lately issued by His Excellency, a system of exclusion has been adopted, so as to leave out of the commission nearly all those justices of the peace who were not notoriously devoted to the views of the present administration; and that the commission is now nearly altogether composed of its decided partisans.

Resolved, 23.—That the foregoing proceedings, and the system now adopted, are destructive of the liberty of the press in this province, or subject it to incessant prosecution, unless it be agreeable to the provincial administration and its partisans.

Resolved, 24.—That His Excellency the Earl of Dalhousie, recently, and after he had official communication of the Petitions of the subject in this province to His Majesty, and both Houses of Parliament, in which they particularly complain of the intermixture of the legislative and judiciary authority in the person of several public officers, has issued a mandamus, appointing Jean Thomas Taschereau, Esquire, a member of the Legislative Council of this province, although the said Jean Thomas Taschereau is also one of the *Puisné* Judges of the Court of King's Bench for the District of Quebec, and without awaiting the decision of His Majesty on the said complaint.

Resolved, 25.—That His Excellency the Governor-in-Chief, by the abuses and maladministration more particularly complained of in the said Petitions, and by the general tenor of his administration, since the departure of the agents of the petitioners, has entirely forfeited all confidence on the part of the people; and is utterly incapable, in the opinion of this committee, of acquiring the confidence of the Legislative Body, should it be re-assembled under his Excellency.

Resolved, 26.—That the attempts and acts stated in the foregoing Resolutions tend to impede the exercise of civil rights, and subject the people to martial law:

To prevent public meetings for lawful purposes:

By defaming respectable individuals in documents officially published:

By prosecuting as libellous, the Resolutions taken on these documents by British subjects, for the purpose of repelling the defamation contained in the said documents:

By withdrawing the accused, in a vexatious manner, from their natural jurisdiction to another and distant district.

The connexion between the sheriffs and the administration, and their entire dependence on a Governor who has publicly announced, that every public officer should conform to his wishes on pain of dismissal; and at Quebec the relation of father and son, between the Chief Justice and sheriff, the former being a principal member of the administration:

The power held by these sheriffs of impannelling juries agreeable to their wishes and those of the executive:

The scandalous indications at the three last terms of an intention of using this power, by composing juries of violent and devoted partisans, predetermined to condemn every person and every act disagreeable to the executive; and of a character to express in their decisions merely the opinions and passions of a small fraction of the community:

The proceedings against the press, and the doctrines destructive of its freedom, promulgated under the sanction of Government:

The protection afforded to the abuse and calumnies of the journals and partisans of the administration, and the certainty that this abuse and calumny proceeds from the administration:

The suspension of the Session of the Legislature, and particularly of the influence and protection of the Representative Body, in violation of the Act of the British Parliament, 31 Geo. 3. c. 31:

The insufficiency of public opinion to restrain a hostile administration, which has corrupted and usurped all the powers of law and the magistracy:—

Have alarmed the country, and kept it in a state of great agitation, under the intimate conviction of its dangerous and unprotected state, exposed to the passions of a small but exasperated party, and an exasperated administration breathing vengeance. That the perversion of the noble institution of juries to the purposes of passion, leaves the inhabitants of the province without security for their persons or property.

Resolved, 27.—That the country cannot be restored to a sense of security and to quiet, but when his Excellency the Earl of Dalhousie shall have been recalled from his government, and his administration changed; when the places of the present Attorney-general, James Stuart, esquire, and the present Solicitor-general, Charles Richard Ogden, esquire, shall be filled by other persons; and the Representative Body of the province be assembled, and placed in a condition to proceed with all its privileges and just powers, for the safety of the people.

Resolved, 28.—That the agents of the petitioners be requested to make an immediate and pressing representation to His Majesty's Secretary of State for the Colonial Department, on the continued vexatious and unconstitutional proceedings of the administration of His Excellency the Earl of Dalhousie, praying his recall, and particularly the immediate meeting of the Legislature, which is become indispensable to the peace and security of the province; and also, the appointment of other persons in the stead of the present Attorney-general and Solicitor-general for the province; representing that under the present circumstances it would be conducive to the public welfare if these offices were filled by enlightened men sent from England, qualified by the liberality of their sentiments, and the absence of local prejudices, to discharge their public duties without being influenced by solicitations and intrigue.

Do you consider those Resolutions as expressing the opinions of that part of the population of Lower Canada for whose petitions you were the agent?—There is no doubt that they express the opinions of almost the whole of the population of the district of Montreal and Three Rivers; the district of Quebec, has not interfered on this occasion; there were committees appointed at the different meetings by the petitioners, and those committees the districts of Montreal and Three Rivers have met, and come to those resolutions.

Is not the Militia service in Lower Canada compulsory?—I have already stated here that every man from 18 to 60 has been held by the law of the country to be subject to militia duty when called upon according to law.

Those resolutions complain of the dismissal of militia officers; have there not been two classes of dismissals of militia officers in that colony lately, upon totally distinct grounds?—There have been a great many dismissals; by the official list that was published, there were between 50 and 60 dismissals, and about 200 *retraites*, mostly without consulting the parties. The dismissals may be divided into several classes; the first list were dismissals concerning electioneering meetings in the county of York; the next numerous class was for declining to attend at the reviews or parades required, under the plea that no militia law was in force; the next was the dismissal of Colonel Bourdages and M. Vallières, late speaker of the Assembly, shortly after the former had proposed Mr. Papi-neau as speaker, and the latter had moved the address, praying the Governor to confirm the choice of the House. The grounds alleged for the principal dismissals that have occurred since my departure, are to be found in the general order that has been entered upon the minutes already; it is for having "been active instruments of a party hostile to His Majesty's Government;" we know of none, nor does any body know of any act on the part of those individuals, other than attending and acting at those meetings that agreed to the petitions that were presented to His Majesty and to the House of Commons.

Those dismissals for attending the election meetings come within your own knowledge?—I was in Quebec at the time the order for their dismissal was published by authority; their colour, with a Mr. Simpson, was a candidate at the election, and they were supported on the part of the executive in Lower Canada; the gentlemen dismissed attended meetings that were in opposition to these candidates, and supported other candidates; some time after the election, I cannot say what number of them, but several of them were dismissed by a general order.

The resolutions you have given in, complain of political prosecutions that have lately taken place in Lower Canada; do you know what number of the newspapers of Lower Canada have been actually prosecuted?—There are three presses prosecuted, publishing five newspapers, the only ones, in fact, in the province who speak with any freedom of the administration of the government.

How many newspapers are there altogether in Lower Canada?—Twelve. And five have been prosecuted?—Yes; the prosecutions are against three presses that print five papers.

When will the trials come on of those persons so prosecuted?—The trials at Montreal are to come on in September.

When will those take place in Quebec?—I cannot say; probably in September.

The Committee observe that in these resolutions it is complained that these political trials at Quebec will take place before a special and not before a petty jury, and the resolutions state that this circumstance will act against the defendant; in what way is that the case in Lower Canada?—I believe that it is not determined how the trials at Quebec are to come on; but at Montreal it has been determined that the trials are to be by a special jury; the lists for the special juries are made out by the sheriffs, under an old ordinance passed before the existence of the present constitution, by the Governor and the Legislative Council, which relate to juries in civil causes.

Have you lately received any account of the political differences in the province of Upper Canada?—There is a misunderstanding between the Lieutenant-governor and the Assembly; the Assembly was prorogued rather unexpectedly after the imprisonment of some Gentlemen called upon to give evidence by order of the House of Assembly.

You know nothing upon that point, except what you have seen in the newspapers?—No;

No; except what I have seen in extracts from the journals of the House of Assembly published in the newspapers of Upper Canada.

The Committee observe that in the resolutions put in, it is complained that the commission of the peace has been new modelled throughout the colony of Lower Canada?—Yes, it has.

With a view to political purposes; has that been the case?—It is generally believed to be the case; a great many persons have been left out of the commission, and it has been publicly avowed by persons in the employ of the executive, that omissions have been made upon political grounds.

Have there not been many members of the House of Assembly excluded from the commission?—Yes, about six or eight.

It has been stated that an individual has been deprived of his commission, and reduced to the ranks in the militia; in what manner does the law enforce the performance of his duty as a private?—The law says that every able bodied man from 18 to 60 is bound to serve in the militia; and if he is not an officer, or exempt by law, he must serve as a private.

How is that enforced?—By imposing fines for non-attendance; there is a contest now in the courts of justice respecting the law; they are prosecuting the persons who exacted the fines under the old ordinances for damages.

Are the fines heavy?—The fines by the laws that existed were not heavy; but those by the ordinances of the Legislative Council of 1787, which the Governor pretends to be in force, are rather heavy; and what is worse, they are exacted by the sentence of a court-martial, instead of being exacted in a civil court.

Do you know any thing of the correspondence that took place between Monsieur Parant and Narcisse Duchesnay, Esq., Lieutenant Colonel?—I have seen it in the newspapers.

Do you know the parties?—I do.

[A newspaper is handed to the witness.]

Is that the newspaper you allude to?—In this paper is a translation, the original of which I have read in the French, of the correspondence between M. Duchesnay and Mr. Parant, who was an ensign in the militia of Beauport; these letters are correct translations of the originals I have seen in French.

[The same were delivered in, and are as follows:]

“ To Narcisse Duchesnay, Esquire, Lieutenant-Colonel, &c. &c.

“ Beauport, 28th January 1828.

“ Colonel!

“ Under the administration of a man never to be forgotten, and worthy of the love of all good and loyal subjects, I was honoured by being considered worthy of an ensign's commission.

“ But at this period, when being a commissioned militia-man prevents one from being a citizen, when persons a thousand times more respectable than I am have been displaced, and others, strangers and unknown, have been substituted in their place, I would consider myself dishonoured if I retain a commission which has nothing but what is degrading in my eyes.

“ However honoured I might be when I received that commission, I did not accept it until I knew that the duty it required was conformable to law; that conformity existing no longer, my commission ceases to exist. It is your's; dispose of it.

(Signed) “ M. PARANT.”

“ Adjutant-General's Office, Quebec, 22d February 1828.

“ Lieutenant-Colonel N. J. Duchesnay, commandant of the 5th battalion of the County Quebec, having transmitted to me your letter, dated the 1st of this month, I have submitted it to His Excellency the Commander-in-chief, who has ordered that your commission of ensign, which accompanied your insolent letter, should be burned, as a mark of his greatest contempt, and that Colonel N. J. Duchesnay should place you in the rank as a simple militia-man, that you may do duty as such.

“ Vassal De Monviel, Adj. Gen. M. F.”

“ To M. Parant, Militia-man.”

[Another newspaper was handed to the witness.]

Does that newspaper contain a correct copy of the Resolutions that were entered into at a constitutional meeting of the Three Rivers, on the 25th of February 1828, which are alleged to be the subject of a public prosecution at this moment?—Yes; the resolutions in French have been sent to us as agents.

Have the goodness to read them?—

[The witness read the same, as follows:]

Constitutional Meeting:—Three Rivers.

At an extraordinary meeting of the Constitutional Committee of the District of Three Rivers, held in the house of R. Kimber, esquire, Monday the 25th of February 1828:—present, René Kimber, esquire, in the Chair; M. M. Pierre Défossés, Jean Dornet, Etienne Tapin, J. Dubord Lafontaine, Jean Défossés, Louis R. Talbot, William Vondenvelde, Antoine Garceau, M. M. Joseph Douval, Etienne Leblanc, Pierre Blondin, Ls. Oliv. Coulombes, Laurent Craig, Charles Moudelet, Ant. Z. Leblanc:—Read the Militia General Order of the 21st instant.

Resolved, 1.—That the loyalty, the integrity, the firmness and the independence which have characterized all the public and private actions of François Legendre and Antoine Poulin de Courval, esquires, deputy chairmen of this committee, and especially the conduct which they have displayed in the crisis, which has rendered necessary, on the part of the inhabitants of this country, accusations against the Earl of Dalhousie, deserves the confidence and the respect of all their fellow citizens.

Resolved, 2.—That this Committee has learned by the Militia General Order of the 21st instant, that His Excellency George Earl of Dalhousie has dismissed from the rank of lieutenant-colonel in the militia these two gentlemen, alleging, “ that they have shown themselves active agents of a party hostile to His Majesty's Government.”

Resolved, 3.—That in the opinion of this Committee, that allegation on the part of His Excellency is entirely unfounded.

Resolved, 4.—That consequently this committee is of opinion, that these dismissals cannot prejudice the respectability of those who are the objects of them.

Resolved, 5.—That the following address to Messrs. François Legendre and Antoine Poulin de Courval, be adopted by this committee, and that a special committee, composed of four members, to wit, Messrs. Jean Doucet, Joseph Dubord Lafontaine, Etienne Leblanc, and Jean Défossés, do take measures for having the same presented to Messrs. Legendre and Courval.

(A true Extract.)

Charles Moudelet, } Secretaries.
A. Z. Leblanc, }

Are you certain that the prosecution was for the simple insertion of those Resolutions, or did any remarks accompany them?—I cannot speak very correctly as to what occurred; but I know this is one of the articles indicted in the bill presented by the attorney-general; it was published in French, this is a translation of that article; there are eight or ten, or perhaps twelve bills brought forward against those presses I have mentioned; and they are bound under heavy penalties to appear and be of good behaviour; I think, to the amount of several thousand pounds, 4,000l. or 5,000l.; there are other resolutions. I believe I could furnish copies of all the articles under indictment, if it was desired.

Has the language of the government papers been very temperate during the whole of this time?—No, by no means. It has been very violent sometimes; it is quite natural when parties run high at electioneering times, and soon after, that the papers should run high also. The first indictments for offences connected with local politics were shortly before the meeting of the Assembly, after the dissolution of 1827. The bills were thrown out at the regular term, and a court of Oyer and Terminer was held, at which new bills were presented for the same offences, and found:

APPENDIX.

APPENDIX, No. 1.

To the Honourable the Knights, Citizens and Burgesses, representing the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled.

The PETITION of the Subscribers, His Majesty's dutiful and loyal Subjects, of British birth or descent, Inhabitants of the Townships of Dunham, Stanbridge, St. Armand, Sutton, Potton, Stanstead, Barnston, Barford, Hereford, Farnham, Brome, Bolton, Hatley, Compton, Clifton, Granby, Shefford, Stukely, Orford, Ascott, Eaton, Newport, Bury, Hampden, Milton, Roxton, Durkam, Melborne, Windsor, Shipton, Stoke, Duds-well, Simpson, Kingsey, Grantlam, Wickham, Wendover, Brompton, and other Townships and Places situate in the Province of Lower Canada;

Humbly Sheweth.

That your Petitioners have learnt with the greatest heartfelt satisfaction, and the most profound gratitude, that a Bill was introduced into the Honourable the House of Commons, at the last session of the Parliament of the United Kingdom, for uniting the Provinces of Upper and Lower Canada under one Legislature; a measure to which the inhabitants of the Townships of Lower Canada look forward as the only effectual means of terminating the difficulties and troubles under which they have laboured in times past, and of preventing the evils with which a continuation of the present state of things would threaten them for the time to come.

That the situation of the inhabitants of the Townships is different from that of any other portion of the British empire, and is likely to prove most unfortunate and disastrous for themselves and their posterity, unless the legislative aid of the land of their ancestors be extended to relieve them; as will be briefly shown in the following statement:—The province of Lower Canada, according to its present condition, may be separated into two parts: viz.: first, the Seigniories, or French Lower Canada, which comprehends a narrow tract of land on each side of the river St. Lawrence, varying in breadth from ten to forty miles; and secondly, the Townships or English Lower Canada, which comprehends the remainder of the Province, and is more extensive, and capable of containing a far greater population than the Seigniories, or French Lower Canada. The Seigniorial part of Lower Canada, whose population may be considered as about half filled up, is inhabited chiefly by Canadians, whose origin and language are French; but contains, besides these, a population of about 40,000 inhabitants of British origin. The Townships, or English Lower Canada, are peopled wholly by inhabitants of British birth and descent, and American loyalists, amounting at present to about 40,000 souls, who have no other language than that of their British ancestors, who inhabit lands granted under the British tenure of free and common socage, who have a Protestant clergy, for whose maintenance a portion of those lands are set apart, and who, notwithstanding, are subjected to French laws, (the custom of Paris,) of which they know nothing, compiled in a language with which they are unacquainted.

In addition to the evil of subjection to foreign laws in a foreign language, the Townships, or English Lower Canada, labour under the further difficulty of having no courts within their own limits, for the administration even of those foreign laws, but are compelled, for the most trifling legal redress, to resort to courts established at the cities of Quebec, Montreal, or Three Rivers, in Seigniorial Canada, at a distance frequently from 100 to 150 miles, through a country where the travelling, by reason of the inadequacy of the laws regarding communications, is frequently difficult and dangerous; and to complete the measure of their grievances, the Townships are *de facto* without any representation whatever in the Provincial House of Assembly in Lower Canada. Their complaints to the Provincial Assembly have been always treated with contempt or indifference; nor can your Petitioners account for their being placed, as it were, almost out of the pale of civil government, by a neglect so different from the course pursued in the Legislature of other British provinces, except on the supposition that the French Canadian House of Assembly has not been desirous that emigrants from Britain or of British origin should have inducements to seek an asylum or become settlers in Lower Canada. If such indeed were the object, it has not failed of partial success; as of the many thousand emigrants who, within the last few years, have arrived from Great Britain, scarcely 1,000 have settled in the Townships of Lower Canada; but great numbers of them have gone into the United States, considering, possibly, that they should there find themselves in a less foreign country than in this British colony under its present circumstances, and under the foreign aspect of the representative branch of its Legislature.

Your Petitioners will not enlarge upon the general statement they have given of their condition, by entering into the detail of the numerous hardships and difficulties with which they have had to contend, although sensible that the recital would call forth commiseration. They will content themselves with stating, that as settlements under these English tenures have been commenced, as immense tracts still remain to be settled, and as the population of Lower Canada is trifling compared to the amount which it is capable of attaining, there can be no sound reason for rearing up any portion of the province so as, at its maturity, to constitute a nation of foreigners, or for continuing a system calculated to deter Britons and their descendants from settling upon the waste lands of the Crown. In the management of colonies, as in the management of youth, prudence would seem to dictate that the lasting interests of the future maturity, not the momentary inclinations of the present condition, should be considered of the deepest import. Already within a recent period, near 100,000 emigrants of British birth have made Lower Canada only a place of transit; who, if the foreign aspect of the Legislature had not urged them to take an abode elsewhere, might have augmented the strength and means of the English population in the province. But notwithstanding the past checks to colonial increase, unless similar causes are allowed to operate hereafter future emigrants, and

and their descendants, joined to the English already established here, may ultimately form a great majority of the inhabitants, and render the country in fact, as it is in name, a British colony. And in the attainment of this happy result, no injury could be done to the just rights of others; nor would even any prejudices be affected, except those delusions circulated and fostered by demagogues, "that the Canadians of French extraction are to remain a distinct people, and that they are entitled to be considered a nation;" prejudices from which it must follow as a necessary consequence, that the province of Lower Canada (of which not one-sixth part is settled) should be deemed their national territory, where none but those willing to become French ought to be allowed to establish themselves; prejudices which, however absurd they may appear, will obtain strength and influence if not speedily and completely discouraged, and will be found not only incompatible with colonial duty and allegiance, but also dangerous to the future safety of the adjoining colonies, and subversive of the rights of all the inhabitants of the Townships, as well as of all the English settled in seigniorial Canada, through whose hands the entire trade with the mother country is conducted.

Your Petitioners, the inhabitants of English Lower Canada, had always flattered themselves that no laws would be imposed or continued on that portion of the country, having a tendency to compel them to resemble a foreign nation, and to deprive them of the characteristics of their British origin; and their confidence on this occasion was increased by their recollection of the promises of his late Majesty, to give English laws to his subjects settling in Canada, and by the exception (an exception never yet enforced in practice) contained in the Quebec Act of 1774, declaring that the provisions of that Act, establishing French laws, "should not extend to lands to be hereafter granted in free and common socage," a tenure which exists exclusively in the Townships.

Your Petitioners felt, and they trust it is a feeling which cannot fail to meet with sympathy in the hearts of their countrymen, and the countrymen of their ancestors in Britain, that the knowledge of their native English language ought to be sufficient to enable them to learn their rights and to perform their duties as faithful subjects, while they resided under British tenures in what is, at least in name, a British colony. They felt that one great and glorious object of nations rearing up and protecting colonies, must be the establishment of a people who should perpetuate in after ages the honoured resemblance of the parent state; and they felt that it could neither be consistent with the dignity nor the interests of Great Britain, to rear up a colony to be hereafter in language and in laws a representative of France, while France was exempted from all the expense of its protection. They considered the Townships of Lower Canada, now inhabited solely by settlers of British birth and origin, speaking only the English language, and having a Protestant clergy upon whom one-seventh of the land is bestowed, as possessing a sacred claim upon the British Government for protection, against the painful and humiliating prospect, that their posterity might be doomed to acquire the language and assume the manners and character of a foreign people. And they also considered that the right of the Townships to a representation in the Provincial Assembly would not have been withheld from them in any other British colony, nor perhaps even here, had not their language and descent been British.

Your Petitioners would gladly limit their solicitations to one point—that of being allowed a representation in the Provincial Parliament, proportioned to the consequence and growing importance of the extensive districts they inhabit—if a sober view of their future safety would permit them to confine themselves to that object; but it is possible that even this sacred and inestimable privilege might, when accorded, be deprived of much of its advantages and inefficiency towards procuring the settlement of the wild lands by emigrants from Britain, in consequence of the influence of the majority of French Canadians, which would still be found in the House of Assembly of Lower Canada, who, in the midst of professions of attachment to the mother country, seek to preserve themselves a separate and distinct people. To secure and preserve to the colony, and to the mother country, the full benefit which would be likely to arise from the establishment of principles calculated to produce a gradual assimilation of British feelings among all the inhabitants of whatever origin, it would be essentially necessary that a legislative union between the provinces of Upper and Lower Canada should take place.

There are many reasons, in addition to the one your Petitioners have just assigned, which render the legislative union of the two provinces indispensable for their common prosperity, and which cause that measure to be most earnestly desired by all the inhabitants of both, who are not influenced by national prejudices, which ought to be extinguished, or by local or private interests, which are unworthy to be weighed against the general benefits to be obtained from the union.

Your Petitioners humbly represent, that no arguments can be urged against the union by the French Canadians, which will not, when analyzed, be resolvable into this real meaning, that they desire to remain a separate people, thereby ultimately to become a French nation, or as they have denominated themselves, the "Nation Canadienne." The Canadians, without owing any of their increase to emigration, have more than twice doubled their numbers since the conquest; and although they might, without any injustice or deprivation of actual rights, have been by this time assimilated to their British fellow subjects, they are nevertheless at this day, with but a few individual exceptions, as much foreigners in character as when that event took place; and must ever continue so, were the present state of things to be permanent. The present crisis therefore offers this alternative to Great Britain—either by uniting the provinces, to hold out inducements to the French to become English, or by continuing the separation, to hold out inducements to the English in Lower Canada to become French. And the question is not, whether a country already peopled is to renounce its national feelings and characteristics, as the French Canadians may endeavour to represent; but whether a country, for the most part waste, and to be hereafter chiefly peopled by a British race, is to assume the character, language and manners of a foreign nation. Should the latter course be preferred, Great Britain will be rearing up a people of foreigners, to become at no distant period from their rapidly increasing population, a scourge to the adjoining colonies; whereas, if the union be adopted, it would ultimately remove national prejudices and hostility, derived from difference of origin, and consolidate the population of both provinces into one homogeneous mass, animated by the same views for the public interest, and the same sentiments of loyalty towards their common Sovereign.

The geographical situation of the two provinces, and the relations which nature has established between them, absolutely and indispensably require their union under one Legislature, for they have but one outlet to the sea, and one channel of communication with the mother country. The only key of that communication, the only sea-port, is in the possession of Lower Canada, and with it the only means by which, for a length of time in a new country, a revenue can be raised for the support of Government. To place, or to leave, the only key of communication, the only source of revenue, exclusively in the hands of a people like the French Canadians, anti-commercial in principle, and adverse to assimilation with their British fellow subjects, must be extreme impolicy; nor can the checks upon the imposition and repeal of import duties, provided by the Act of the last session of the Imperial Parliament, be more than a temporary remedy, inasmuch as Upper Canada is thereby only entitled to a species of *veto* , and has no initiative or deliberative voice in the enactments; nor indeed can human wisdom be adequate to devise such a system of revenue upon imports, while the provinces shall remain separate, as will not give unfair and unequal advantages to the one or the other, and of necessity produce irritation and enmity.

Your Petitioners further humbly state, that the French Canadians have been long admitted to the enjoyment of the freedom and the rights of British subjects, rights far more extensive than the utmost they could have hoped for had they continued colonists of France; but rights and duties are reciprocal; whenever the former exist, the latter are obligatory; and while the freedom and protection of Britain are bestowed upon Canadians, it can neither be unfair nor ungenerous to require in return the existence of such an amended Constitution as shall encourage a portion of our brethren from Britain to establish themselves and their posterity upon the Crown lands in Lower Canada. From a union of the provinces, no individual could reasonably complain of injury, no right would be taken away, no just pretensions would be set aside, and even no prejudice would be molested,

save only such as might be found in those who cherish visionary views of the future existence of a Gallo-Canadian nation, which the union would at once and for ever dispel.

To discover with certainty what are the real feelings which excite opposition to the union, (however diversified the pretexts assigned may be), it would only be requisite to consider, whether, if the population were all of the same origin in provinces situated as the Canadas are with respect to each other, any objections to the measure would be made? The answer is obvious; there would be none. And if the real motives of opposition on the part of our French Canadian fellow subjects, whether openly avowed or speciously disguised, arise from the intention of continuing or constituting a separate people, which would perpetuate among us the disastrous national distinctions of English and French, they form the strongest possible reasons in favour of the union. Your Petitioners had humbly hoped that the guardian care of the parent state would, under Providence, secure her colonies in this part of the Globe from the ultimate danger of those national animosities and distinctions which have existed for so many ages, and proved such fertile sources of evil to Britons in Europe. And entertaining, as they do, the most perfect confidence that the salutary measure of the union of the Canadas would in the most equitable and beneficial manner secure their posterity from the evils they have mentioned, they humbly conceive that the honour, as well as the humanity of the mother country, require it to be effected while it is yet easily practicable, before the population shall be formidable in numbers, and before continually recurring exasperations shall have rendered animosity bitter and hereditary.

Your Petitioners therefore most humbly pray that an Act be passed to authorize the Provincial Executive Government to divide the townships of Lower Canada into counties, entitled to elect members, so as equitably to provide for the interests of their future population according to the extent of their territory, and also to unite the provinces of Upper and Lower Canada under one Legislature, in such manner as may allow of representation proportioned in some measure to territorial extent, which thereby will provide for the growing state of the country, and also of necessity be ultimately proportioned to wealth and population.

And your Petitioners, as in duty bound, will ever pray, &c.

The foregoing Petition was transmitted from the Townships in 1823, and signed almost unanimously by all the heads of families in the Townships: the number of signatures exceeded 10,000. This Petition, together with others, even from the Seignories of Lower Canada, as well as from Upper Canada, in favour of the union of the two provinces, can now be produced, if required.

APPENDIX No. 2.

PETITION of the Counties in the District of Quebec; and of the County of Warwick, District of Montreal.

To the King's most Excellent Majesty:

May it please your Majesty,

WE, your Majesty's faithful and loyal subjects, inhabitants of your province of Lower Canada, most humbly supplicate your Majesty to receive graciously this our humble petition, which we now lay at the foot of your Imperial throne, with hearts full of gratitude and unviolable attachment to your august Person and your Majesty's paternal Government. Amongst the numerous benefits for which the inhabitants of Lower Canada are indebted to your Majesty's Government, there is none that they more highly prize than the invaluable Constitution granted to this Province by the Act of the Parliament of Great Britain, passed in the 31st year of the reign of Our beloved Sovereign, your august Father, of ever-revered memory.

Called by that Act to the full enjoyment of British constitutional liberty, and become the depositaries of our own rights, under the protection of the mother country, we contracted the solemn obligation of preserving inviolate this sacred deposit, and of transmitting it to our descendants, such as it was confided to us by the great men who then presided over the destinies of your powerful and glorious empire.

Deeply impressed with a sense of this obligation, alarmed by the abuses which have crept into the administration of the Government of this province, and suffering under the evils which weigh on its inhabitants, we entertained an anxious hope that the House of Assembly, in the Session of the Provincial Parliament, called for the dispatch of business on the 20th November last, would take into consideration the state of the province, and adopt efficacious measures to obtain the remedy and removal of these abuses and evils. We had a sure reliance on the well tried loyalty and disinterested zeal of our representatives; but we have had the mortification of seeing our hopes frustrated by the refusal on the part of His Excellency the Governor in Chief to approve the Speaker elected by the Assembly, and by the proclamation of the 22d of the same month of November, proroguing the Provincial Parliament. In these circumstances, deprived of the services of our representatives, suffering under great evils, and threatened with others still greater, we humbly implore the protection of your Majesty, the source of all grace and of all justice.

The enlightened and patriotic statesman who devised our Constitutional Act, and the British Parliament by which it was granted, intended to bestow on us a mixed government, modelled on the constitution of the parent state; the opinions publicly expressed at the time in Parliament, and the Act itself, record the beneficent views of the Imperial Legislature; a Governor, a Legislative Council, and an Assembly, were to form three distinct and independent branches, representing the King, the Lords and the Commons; but the true spirit of that fundamental law has not been observed in the composition of the Legislative Council; for the majority of its members consisting of persons whose principal resources for the support of themselves and their families are the salaries, emoluments and fees derived from offices which they hold during pleasure, they are interested in maintaining and increasing the salaries, emoluments and fees of public officers paid by the people, and also in supporting divers abuses favourable to persons holding offices. The Legislative Council, by these means, is in effect the executive power, under a different name, and the Provincial Legislature is, in truth, reduced to two branches, a Governor and an Assembly; leaving the province without the benefit of the intermediate branch, as intended by the aforesaid Act; and from this first and capital abuse have resulted, and still continue to result, a multitude of abuses, and the impossibility of procuring a remedy.

We acknowledge that the Legislative Council ought to be independent; and if it were, we should not be entitled to complain to your Majesty of the repeated refusals of that branch to proceed upon various bills sent up by the Assembly, however useful and indispensable they might be; considering these refusals as the natural result of the composition of that body, and of the state of dependence in which the majority of its members are placed, we are compelled to consider its acts as the acts of the Executive Government; and we most humbly represent to your Majesty, that the Legislative Council of this province, the majority of which is composed of Executive Councillors, judges, and other persons dependent on the Executive, have, year after year, rejected several bills, refused and neglected to proceed on several other bills sent up by the Assembly, for the remedy of abuses, for encouraging education, promoting the general convenience of the subject, the improvement of the country, for increasing the security of persons and property, and furthering the common welfare and prosperity of the province; particularly—

Various annual bills granting the necessary sums for all the expenses of the Civil Government of the province, but regulating and settling limits to the expenditure. For affording a legal recourse to the subject having claims against the Provincial Government.

For regulating certain fees and offices.

For

- For enabling the inhabitants of the towns to have a voice in the management of their local concerns, and a check on the expenditure of monies levied upon them by assessment.
- For facilitating the administration of justice throughout the province, for qualifying and regulating the formation of juries, and introducing jury trials in the country parts, and diminishing the expenses occasioned by the distance of suitors from the present seats of justice.
- For providing a new and sufficient gaol for the district of Montreal.
- For qualifying persons to serve in the office of justice of the peace.
- For continuing the Acts regulating the militia of the province.
- For increasing and apportioning the representation in the House of Assembly equally, among the qualified electors throughout the province, particularly in the new settlements and townships.
- For the security of the public monies in the hands of His Majesty's receiver-general in this province.
- For the independence of the judges, by securing to them their present salaries, upon their being commissioned during good behaviour, and for providing a tribunal for the trial of impeachments by the Assembly, so as to ensure a just responsibility in high public officers within the province.
- For appointing and providing for an authorized agent for the province, to reside in England, and attend to its interests there.

It is with the most profound grief that we find ourselves compelled to represent to your Majesty, that during several years past the incomes derived from real estate in this province, the profits of trade and industry, and the wages of labour therein, have greatly diminished, and still continue to diminish; that under these circumstances it would not be equitable to impose taxes or new duties on its inhabitants for the public uses; and that there exists no other resource which can reasonably be depended upon, to aid in the diffusion of knowledge and facilitate the exertions of individual industry, than the proceeds of the existing revenues levied within the province.

Nevertheless, more than one half of the gross amount of all its public revenues has been applied, for several years past, in payment of salaries, emoluments and expenses of the officers of the Civil Government, exclusive of the usual and indispensable special appropriations; and our anxiety is the greater, as these salaries and emoluments and expenses have been greatly increased without the consent of the Legislature, and have in some instances been paid to persons who do not reside in the province, or have rendered no service therefore; and in other cases the said salaries and emoluments and expenses are excessive, when compared with the incomes derived from real estate in this province, and the usual recompense obtained therein by the individuals of talent, character and industry equal to those possessed by the persons to whom the said salaries and emoluments are paid out of the public revenue of this province; and lastly, in addition to those unnecessary and excessive salaries and expenses, your Majesty's subjects of this province are also burdened with various and increasing fees paid to the officers of the Civil Government, which are grievous to the subject, diminishing the protection of the laws, the benefits of government, and the resources of the country, for its necessary wants.

We are convinced, that besides the most perfect security of persons and property, one of the most efficacious means of promoting the public prosperity and preventing its decline, is to aid in the diffusion of useful knowledge, and the free exercise of individual industry and enterprise; and we have witnessed with satisfaction and gratitude that our Provincial Legislature has appropriated very large sums of money for these objects since the close of the last war with the United States of America; but we have to perform the painful duty of humbly representing to your Majesty, that the monies thus appropriated and applied under the direction of the Provincial Executive, have not produced the beneficial results that were to be expected from a legal and judicious application of them, and have been tardily or insufficiently accounted for.

It is with the utmost pain that we are compelled to represent to Your Majesty, that in this province of the British empire large sums of public money of the revenue levied within this province, have been applied, year after year, by warrant of the Executive Government, without any appropriation by the Legislature of the province, (at a time when the necessary appropriations were rejected in the said Legislative Council,) in payment of alleged expenses of the Civil Government, and other expenses for which no services were rendered to the province, or for new and increased salaries and allowances never recognized by the Legislature. Were we to refrain from complaining of such an enormous abuse, we should co-operate in consolidating our slavery, and we humbly implore your Majesty's justice.

Alike negligent in the preservation of the public monies and prodigal in their expenditure, the Executive Government of this province has not only suffered the dissipation of large sums of money in the hands of the receiver-general, and other depositaries thereof, then and still under its superintendence and control, but has appointed other officers in the stead of these faulty depositaries, without taking any sufficient security for the future; and having advanced to different persons large sums of money appropriated by the Legislature, the neglect of the Executive Government in this respect has been such, that several of those persons have not accounted at the time when they ought to have accounted; some have insufficiently accounted, or not rendered any account; and notwithstanding their negligence and default, some of those persons have been appointed by the Executive Government to offices of trust, honour and profit; and we most humbly represent to your Majesty, that the Executive Government of the province, by its negligent conduct in these respects, has exposed your Majesty's subjects in this province to heavy and grievous losses, dissipated and endangered the resources of the province, and subjected its inhabitants to unnecessary burthens.

Your Majesty's faithful subjects in this province have already forwarded humble representations to your Majesty's Government on the subject of the college and estates heretofore in the possession of the late order of Jesuits in this province, and while we deplore the unfavorable result of our past endeavours, we nevertheless continue to entertain the most perfect confidence; that so soon as the truth shall be fully known to your Majesty, justice will be rendered unto us; and we humbly represent, that as the said Order was never the proprietor of the said college and estates, but merely the depositary thereof for the education of youth of Canada, the extinction of that order could not confer on the Sovereign any other rights on that property than were possessed by the said Order; and that your Majesty succeeded to the possession of those estates, subject to their being applied to the education of the youth of this province, conformably to their primitive destination; and it is with the most profound grief that we find ourselves still deprived of the benefits which were formerly derived from the actual application of that property to these objects under the direction of the Jesuits, while education is languishing amongst us for want of those resources.

The settlement of the waste lands in this province, the importance of which has already, at various times, occupied the attention of your Majesty's Imperial Government, has been neglected in the most unaccountable manner by the Executive Government of the province, so that large portions of the said lands, granted or reserved by the Crown, have been long held, and continue to be held in the midst of, or in the immediate vicinity of actual settlement, without the owners or possessors thereof having been compelled to perform the duty of settlement upon which said lands were granted by the Crown, or any other duty in relation to the said lands, to the grievous burden of the actual inhabitants, the discouragement of new settlers, and the obstruction of the general increase and prosperity of the province.

But of all the abuses of which the inhabitants of this province have to complain, the most afflicting to your Petitioners is, that during the prevalence of the aforementioned and various other abuses and grievances, false representations and repeated attempts have been made by divers officers of the Provincial Executive, possessing the confidence of your Majesty's Government, to obtain from your Majesty's Government in England, and the Parliament of the United Kingdom, various alterations in the constitution of the Government of this province as established by law, without the knowledge of your Majesty's faithful subjects in this province, in contempt of their most sacred rights and

least interests; and this at a time when a majority of Executive Councillors, Judges and other officers in the Legislative Council, prevented the inhabitants of the province from having an authorized agent in England to watch over and support their interests, and enable them to be heard by the Government of the mother country; and it is under these circumstances that the Act of the Parliament of the United Kingdom, 4th Geo. IV. c. 6, reviving or continuing certain temporary Acts of the Provincial Legislature levying duties within this province, and the Acts affecting the tenure of lands therein, were passed, without the knowledge of its inhabitants, to the subversion of their rights and dearest interests, and particularly without the knowledge or consent of the proprietors more immediately interested in the last mentioned Acts. It is with the most afflicting sensations that we have witnessed the intrigues which have been in operation to despoil your Majesty's faithful subjects in this province of the rights and benefits which were granted and guaranteed to us by the supreme authority of a powerful and generous nation, under the auspices of its most illustrious citizens.

We most humbly implore your Majesty to take this our petition into your most gracious consideration, to exercise your Royal Prerogative, so that your Majesty's faithful subjects in this Province be relieved from the aforesaid abuses and grievances, and justice be done in the premises, that your petitioners may be maintained and secured in the full enjoyment of the constitution of government, as established by the Act passed in the 31st year of the reign of our late Sovereign, your Royal Father, without any alteration thereof of whatsoever.

And your Petitioners, as in duty bound, will ever pray.

December, 1827.

[N. B.—The Petitions to the Lords and Commons are the same as the above, with only the necessary change of style.]

Recapitulation of Signatures to the above Petition:

County of Cornwallis, - - - - -	3,583
Devon - - - - -	2,139
Hertford, - - - - -	2,394
Dorchester, - - - - -	4,157
Part of Buckinghamshire, - - - - -	1,532
Ditto of Hampshire, - - - - -	1,346
Quebec, - - - - -	5,870
Orleans, - - - - -	1,018
Northumberland, - - - - -	2,445
Total, District of Quebec, - - -	24,484
County of Warwick, - - - - -	4,904
	29,388

2nd. February 1828.

Resolutions on which the foregoing Petition was founded.

At a Meeting of the Electors of the City and Suburbs of Quebec, who approve of the conduct of the House of Assembly, called for the purpose of considering the expediency of submitting, by humble Petition to His Majesty and both Houses of Parliament, the present state of the Province, and the abuses and grievances which prevail therein and praying for relief and justice; held at Malhot's Hotel, 13th December 1827;—

Louis Abraham Lagueux, Esquire, in the Chair.

It was Resolved,

1st.—That there was reason to hope, that in the Session of the Provincial Parliament, assembled on the 20th November last for the despatch of public business, the state of the province would have been improved, and the evils which weigh on its inhabitants remedied, or put in a course to be removed, and its peace, welfare and good government promoted.

2nd.—That the said session has been interrupted by the refusal on the part of His Excellency the Governor-in-chief to approve, according to Parliamentary usage, the Speaker chosen and presented by the Assembly in the usual manner, and by the proclamation of the 22d November, proroguing the Provincial Parliament.

3d.—That it is expedient, under the foregoing circumstances, to submit, by humble petition to His Majesty and the two Houses of the Parliament of the United Kingdom, the present state of the province, and the evils to which its inhabitants are exposed, in the hope that in the exercise of the Royal Prerogative, and the justice of Parliament, a remedy may be applied, whereby the constitution of this province, as now established by Act of the Parliament of Great Britain, may be preserved and maintained unimpaired.

4th.—That for several years past the income of real estate in this province, the profits of trade and industry, and the wages of labour therein, have greatly diminished, and are still diminishing, with new and alarming features.

5th.—That besides the ensuring to the subject the most perfect security of his person and property, the aiding and facilitating the diffusion of useful knowledge, and the free exercise of industry and enterprise, are amongst the most efficient means of promoting the general prosperity, and preventing its decline.

6th.—That although large sums of public money have been appropriated by the Legislature of this province, since the conclusion of the late war, in aid of education, and for facilitating industry, by opening and improving internal communications, and that these appropriations have been applied under the direction of the Provincial Executive, they have produced no adequate advantages, while many of the persons entrusted by the said Executive with the expenditure of the said monies have tardily or insufficiently accounted for the same.

7th.—That under the present circumstances of the province, no taxes or new duties for the public uses thereof can equitably be imposed, and no dependence can be placed on any funds for aiding in the diffusion of education, and facilitating the exertions of individual industry and enterprise, other than such funds as may be derived from the existing public revenue of the province.

8th.—That more than one half of the gross amount of the said public revenue has been applied for several years past to the payment of the salaries, emoluments and expenses of the officers of the Civil Government of the province, exclusive of the usual special appropriations.

9th.—That the said salaries, emoluments and expenses have been greatly increased without the concurrence or consent of the Legislature for many years past, and are in several instances paid to absentees and persons who have rendered no service therefore to this province; and in other instances the said salaries, emoluments and expenses are excessive compared with the services rendered, and with the income derived from real estate, and the usual recompense obtained by individuals of talent, character and industry equal to those of the persons who hold the said salaries and emoluments.

10th.—That besides the unnecessary and excessive salaries, emoluments and expenses, fees increasing to a heavy and grievous amount are paid by the subject to divers officers of Government, whereby individuals are burthened, the protection of the law and the benefit of government are lessened, and the resources of the country for its necessary wants diminished.

11th.—That a majority of persons, chiefly dependent, for the support of themselves and their families, on the salaries and emoluments of public offices held during pleasure, have been placed in the Executive and Legislative Councils of this province, several of whom have

have a direct individual interest in maintaining and increasing the said excessive salaries, fees, emoluments and expenses, and perpetuating other abuses profitable to persons in office.

12th.—That a majority in the said Legislative Council, chiefly consisting of Executive Councillors, Judges and other officers so holding, during pleasure, have year after year rejected, refused or neglected to proceed upon various necessary bills sent up, by the Representative Assembly of the province, for the remedy of abuses grievous to the subject, for aiding in the diffusion of education, for furthering the general convenience and improvement of the country, for increasing the security of persons and property, and promoting the common welfare and prosperity; particularly,

Various annual bills, granting the necessary sums for all the expenses of the Civil Government of the province, but regulating and settling limits to the expenditure.

For affording a legal course to the subject having claims against the Provincial Government.

For regulating certain fees and offices.

For enabling the inhabitants of the towns to have a voice in the management of their local concerns, and a check on the expenditure of monies levied upon them by assessment.

For facilitating the administration of justice throughout the province, for qualifying and regulating the formation of juries, and introducing jury trials in the country parts, and diminishing the expenses occasioned by the distance of suitors from the present seats of justice.

For providing a new and sufficient goal for the district of Montreal.

For qualifying persons to serve in the Office of Justice of the Peace.

For continuing the Acts regulating the Militia of the province.

For increasing and apportioning the representation in the House of Assembly equally among the qualified electors throughout the province, particularly in the new settlements and townships.

For the security of the public monies in the hands of His Majesty's receiver general in this province.

For the independence of the judges, by securing to them their present salaries, upon their being commissioned during good behaviour, and for providing a tribunal for the trial of impeachments by the Assembly, so as to ensure a just responsibility in high public officers within the province.

For appointing and providing for an authorized agent for the province, to reside in England, and attend to its interests there.

13th.—That the repeated rejection, the refusal or neglect to proceed upon these and other necessary bills sent up by the Assembly to the Legislative Council, by a majority of the said Council, formed of Executive Councillors, judges and officers holding their commissions during pleasure, must be held to be the Act of the Executive Government of the province, and as such constitutes a public grievance, destructive of the ends of the constitution of the government as by law established in this province.

14th.—That large sums of money of the proceeds of the public revenue levied in this province, have been applied by warrant of the Executive Government, year after year, without any appropriation by the Legislative body therein (while the necessary appropriations were rejected in the said Legislative Council,) for the payment of alleged expenses of the Civil Government, and other expenses, for which no services were rendered to the province, or for new and increased salaries and allowances never recognized by the Legislature.

15th.—That large sums of monies of the proceeds of the public revenue raised within this province, in the hands of the late receiver-general, and other depositories of public monies, then and still under the control and superintendence of the Provincial Executive, have been dissipated, and other officers appointed in their stead, without any adequate securities being taken for the future, thereby occasioning and exposing the public to grievous losses, wasting or endangering the resources of the province, and subjecting its inhabitants to unnecessary burthens.

16th.—That various other sums of money appropriated by the Legislature have been advanced to divers persons appointed by the Executive, many of whom have not accounted for such advances in due time, have insufficiently accounted, or not accounted in any shape whatsoever, as appears by the statement laid before the Assembly, on address, in the session of 1826; and that persons then in default on the said statement have been appointed to other situations of honour, trust and profit.

17th.—That the college and revenues of the estates of the late order of Jesuits in this province, originally erected and formerly applied for the civil and religious education of the youth of this province, have not been so applied for many years past, and are in no way accounted for to the Legislature or the inhabitants of this province.

18th.—That large portions of the waste lands granted or reserved by the Crown in this province have been long held, and continue to be held, in the midst of, or in the immediate vicinity of actual settlements, without the owners or possessors thereof having been compelled to perform the duty of settlement upon which such lands were granted by the Crown, or any other duty in relation to the said lands, to the grievous burthen of the actual settlers, the hindrance of new settlers, and the obstruction of the general increase and prosperity of the province.

19th.—That during the prevalence of these and other abuses and grievances, false representations and attempts have been repeatedly made by divers officers of the Provincial Executive, to obtain from His Majesty's Government in England, and the Parliament of the United Kingdom, various alterations in the constitution of the government of this province, as established by an Act of the British Parliament, prejudicial to the rights and interests of this province, without their knowledge, and at a time when the said inhabitants were prevented by the said majority of executive councillors, judges and other officers in the Legislative Council, from having an authorized agent in England to attend to their interests, and enable them to be heard by the Government of the mother country.

20th.—That the revival or continuation, by the Act of the Parliament of the United Kingdom (4th Geo. IV. c. 6), of temporary duties imposed by the Provincial Acts, were so obtained, as well as the Acts affecting the tenures of land in this province, the whole prejudicial to the dearest rights and essential interests of the inhabitants of this province, and without the knowledge or consent of the persons chiefly affected by the said Acts.

21st.—That the aforementioned Application of monies levied in this province, without appropriations by the Legislature thereof,

The said advances of money to persons who have not sufficiently accounted for the same,

The said dissipation of public money, and appointment of persons to be entrusted with public monies without full security given,

The diversion of the revenues of the estates of the late order of the Jesuits from purposes of education of the youth of this province,

The inexecution of the conditions of the grants of the waste lands of the Crown, and aforesaid attempts on the part of the officers of the Executive Government to obtain alterations in England of the established constitution and laws of the province, without the knowledge of the inhabitants generally, and without their having had an opportunity of being heard,

Are grievances dangerous to the peace, welfare and good government of this province.

22nd.—That the prayer of the petition to His Majesty be, that He would take the premises into His most gracious consideration, and so exercise His Royal Prerogative that His subjects in this province be relieved from the said abuses and grievances, and that justice be done therein; that the inhabitants of this province be secured in the full enjoyment of the constitution of government, as established by the Act passed in the 31st year of the reign of His late Royal Father, of revered memory.

23d.—That the prayer to both Houses of Parliament be, that they would take the premises into consideration, cause an inquiry to be made, and the petitioners to be heard, that justice may be done thereon, and the subject in this province be secured in the full enjoyment of the constitution of government, as established by the Act of the Parliament of

Great Britain, passed in the 31st year of the reign of His late Majesty, without any alteration thereof whatsoever.

24th.—That a Committee of Thirty-five electors, duly qualified by law to vote for members of the Assembly of this province, be appointed to draft and prepare petitions on the foregoing resolutions, with full power to take all the necessary steps for submitting them for the signature of the electors generally, for causing the said petitions to be laid at the foot of the Throne and presented to the Lords and Commons, and also to give effect to and support the same by evidence.

25th.—That this meeting will contribute and assist in procuring voluntary subscriptions to cover the necessary expenditure for the aforesaid purposes.

26th.—That Messrs. Amable Berthelot, François Blaucliet, J. L. Borgia, J. B. E. Bacquet, Robert Blakiston, Michel Burne, J. Bigaonette, Michel Clouet, John Cannon, Joseph Dorion, Etienne Defoy, John Duval, John Fraser, H. G. Forsyth, Pierre Faucher, Joseph Gagné, A. R. Hamel, H. S. Huot, Louis Lagueux, Joseph Legaré, père, Louis Lagueux, fils, Jacques Leblond, Et. C. Lagueux, Jean Langevin, Ignace Legaré, J. L. Maret, Louis Massue, Joachim Mondore, John Neilson, Vallières de St. Réal, Pierre Pelletier, Joseph Roy, Augt. Gauthier, and Louis Fortier, do compose the said Committee, and that nine form a quorum; notices in writing of the time and place of meeting being previously left at the domicile of each of the said Committee.

27th.—That the said Committee have power to add to their number, and be empowered to aid in forwarding similar petitions from any other parts of this district, in cases where applications may be made to them to that effect, and where contributions may have been made to the funds of the said Committee in aid of the afore-mentioned expenditure.

28th.—That Joseph Roy, esquire, be treasurer of the said committee, and be held to account to the said committee, and a meeting of electors publicly called, and that all payments made by him be vouched by orders of the said committee, attested by the signature of the secretary.

LOUIS A. LAGUEUX, President,
H. S. HUOT, Secretary.

At a meeting of the Committee, Friday, 14th December 1827, the following officers were appointed:—J. R. Vallières de St. Réal, esquire, president; Henry George Forsyth, esquire, and Louis Abraham Lagueux, esquire, vice-presidents; Messrs. H. S. Huot and J. B. E. Bacquet, secretaries.

H. S. HUOT, Secy.

PROVINCE OF LOWER CANADA.

Petition of the Counties in the Districts of Montreal and Three Rivers.

[The Original of this Petition having been in French, it is given in preference to the English. The Petitions to the Lords and Commons are the same as the Petition to the King, with the necessary changes in the style.]

A la Très Excellente Majesté du Roi.

La Pétition des soussignés fidèles et loyaux Sujets de Votre Majesté résidens dans le Bas Canada.

Qu'il plaise à Votre Majesté.

Dans une partie éloignée des immenses domaines de votre Majesté, il existe un peuple peu nombreux, il est vrai, mais fidèle et loyal: il jouit avec orgueil et reconnaissance, sous la domination de votre Majesté, du noble titre de sujets Britanniques, qui lui a été conféré sous le règne de votre père de glorieuse mémoire, avec tous les droits qui font de ce titre un objet d'envie. Plus ce bienfait était grand, plus votre bon peuple du Bas Canada a cru devoir montrer de reconnaissance: l'histoire est là pour déposer en notre faveur: laissez-lui le soin de prouver que nous avons deux fois empêché ce pays de passer sous une domination étrangère.

Reconnaissons de l'inestimable présent que nous a fait la mère patrie en nous accordant notre constitution, convaincus qu'elle peut faire le bonheur de vos fidèles sujets en Canada, le premier de nos vœux est de la conserver intacte et de jouir librement des droits précieux qu'elle nous assure.

Parmi les droits inhérents au titre de sujets Britanniques, celui de pétition est un des plus importants et des plus sacrés: il assure au plus pauvre individu le droit d'être entendu et l'espoir de la justice lors même qu'il se plaint des personnes les plus élevées en dignité. La voix de tout un peuple sera sans doute encore plus puissante, lorsqu'elle parviendra aux pieds de votre trône, et qu'elle révélera à votre Majesté que l'oppression peut exister sous son Gouvernement paternel.

L'éloignement où nous sommes du siège de l'empire, et l'espoir d'un changement pour le mieux, nous ont engagés jusqu'à ce jour à un pénible silence; mais l'excès du mal nous force enfin à le rompre. Il ne convient pas au caractère de sujet Britannique de souffrir servilement l'oppression: la patience dans ce cas n'est une vertu que pour des esclaves.

Nous venons déposer à vos pieds nos justes plaintes contre Son Excellence George Comte de Dalhousie. Chargé par vous même de vous représenter dans votre Colonie, et de nous faire éprouver les bienfaits du Gouvernement de votre Majesté, il s'en faut de beaucoup, malheureusement pour nous, qu'il ait rempli la haute mission dont vous l'avez gracieusement chargé pour le bonheur de vos fidèles sujets Canadiens.

Il a, pendant son administration, commis différents actes arbitraires, tendant à aliéner l'affection des fidèles sujets de votre Majesté, et subversifs du Gouvernement tel qu'établi par la loi dans cette province.

Il a, par warrant ou autrement, tiré des mains du receveur-général de cette province, des sommes considérables sans y être autorisé par la loi.

Il a, volontairement et méchamment, tronqué, supprimé, gardé par-devers lui et soustrait à la connaissance du Parlement Provincial, divers documents et papiers publics nécessaires à la dépêche des affaires et au bon gouvernement de cette province, et ce au grand détriment du service public et au grand préjudice des sujets de votre Majesté en la dite province.

Il a volontairement et en violation de son devoir envers son souverain et ses fidèles sujets en cette province, conservé dans l'exercice de ses fonctions, John Caldwell, écuyer ci-devant receveur-général, entre les mains duquel le revenu public de cette province était versé, en vertu de la loi et des instructions royales, long temps après que ce fonctionnaire public avait avoué sa malversation et déclaré son incapacité de satisfaire aux demandes faites contre lui pour le service public; et ce au grand détriment des habitants de cette province, et au préjudice du service, et de la foi publique.

Il a en opposition à la pratique constante du gouvernement de votre Majesté, et en violation de son devoir comme administrateur du gouvernement de cette province, nommé John Hale, écuyer, pour remplacer le dit John Caldwell, comme receveur-général, sans exiger ni requérir de lui les sûretés ordinaires requises pour assurer la due exécution des devoirs de cette place.

Il s'est en différents tems servi de son autorité comme Commandant en Chef, pour influencer, intimider les habitans de cette province dans l'exercice de leurs droits civils et politiques.

Il a comme Commandant en Chef renvoyé et disgracié un grand nombre d'officiers de milice dans la province, sans cause juste, ou raison suffisante.

Il a sans cause, ou raison suffisante, arbitrairement et despotiquement, renvoyé et privé

privé plusieurs officiers civils des places de confiance et de responsabilité qu'ils occupaient, et ce au préjudice de ces officiers et du service public.

Il a maintenu et conservé, conserve et maintient en place, plusieurs fonctionnaires publics, après qu'il a été prouvé que leur nomination à telles places ou que leur conduite dans l'exercice de leurs fonctions était préjudiciables au service de votre Majesté et aux intérêts de ses sujets dans cette province.

Il a multiplié dans des temps de tranquillité, et sans aucune nécessité, des cours spéciales d'oyer et terminer, outre les termes réguliers et ordinaires des cours criminelles établies par la loi, imposant par là un fardeau considérable aux sujets de votre Majesté, et une dépense énorme à la province.

Il a, par des prorogations et dissolution subites et violentes du Parlement Provincial, nui aux intérêts publics de cette province, retardé ses progrès, empêché la passation d'actes utiles. Il a dans ses discours lors de telles prorogations, faussement accusé les représentants du peuple, afin de les décrier dans l'opinion de leurs constituans et dans la vue de créer auprès du gouvernement de votre Majesté des préjugés défavorables à la loyauté et au caractère des sujets Canadiens de votre Majesté. Il a toléré et permis que les Gazettes du Gouvernement publiées sous son autorité ou sous son contrôle, portassent journellement les accusations les plus fausses et les plus calomnieuses contre la Chambre d'Assemblée, ainsi que contre tout le peuple de cette province.

Il a parlé même menacé le pays d'exercer la Prérégative Royale d'une manière violente, despotique et désastreuse, c'est-à-dire, de dissoudre continuellement, ou selon l'expression insultante de ces menaces, de chasser le corps représentatif jusqu'à ce que les franc-tenanciers et les propriétaires se vissent obligés de choisir pour représentants, non plus ceux qui auraient leur confiance, mais ceux qui seraient disposés à tout accorder à l'Exécutif et à lui sacrifier le droit qu'a le peuple de cette province, agissant par ses représentants, de déterminer quelle somme des deniers publics l'administration aura le droit de dépenser, et d'assurer l'emploi fidèle de ces deniers; ou bien qu'il punirait la province en rejetant les bills passés par les représentants du peuple pour l'avantage général, jusqu'à ce qu'ils abandonnassent le droit de fixer et de contrôler la dépense; et que les magistrats et les juges du pays seraient, aussi bien que les bas officiers, destitués des hautes et importantes places qu'ils occupent, et qui, dans l'intérêt public comme dans l'intérêt des particuliers, exigent l'indépendance et l'impartialité la plus absolue, s'ils n'étaient pas agréables à la présente administration.

Il a, conformément à la politique vindicative ainsi avouée par ces écrivains par lui employés, puni en effet le pays, en ne donnant point la sanction Royale à cinq bills d'appropriation pour aider les progrès et l'amélioration du pays en 1826, auxquels votre Majesté a bien voulu depuis donner sa sanction, et en permettant à ses conseillers exécutifs et autres personnes sous son contrôle et possédant des places durant plaisir, de se servir de leur prépondérance dans le Conseil Législatif dont ils sont aussi membres, pour supporter cette politique vindicative et rejeter en 1827, tous les bills d'appropriation pour l'avancement de la Province et pour des objets de charité qui avaient été passés annuellement depuis un grand nombre d'années.

Il a violé les franchises électives des habitans de cette province, en essayant directement et indirectement d'influer sur l'élection des membres de la Chambre d'Assemblée de cette province.

Il a enfin, par tous ces divers actes d'oppression, créé dans tout le pays un sentiment d'alarme et mécontentement, déprécié l'autorité du pouvoir judiciaire dans l'opinion publique, affaibli la confiance du peuple dans l'administration de la justice, et inspiré dans toute la province un sentiment insupportable de méfiance, de soupçon et de dégoût contre son administration.

Nous osons donc supplier votre Majesté de vouloir bien prendre en sa Royale considération les vexations qu'ont éprouvées vos fidèles sujets dans cette partie éloignée de vos domaines. Pressés sous le poids de tant d'actes d'oppression nous avons cru devoir supplier votre Majesté de vouloir bien, pour l'intérêt de son service dans cette colonie, et l'avantage de ses fidèles sujets y résidans, rappeler pour toujours son Excellence le gouverneur en chef, comme ne pouvant plus jouir de la confiance publique dans cette province, ni en administrer le gouvernement avec honneur pour la Couronne où avec avantage pour le peuple.

Qu'il plaise à votre Majesté,

Privés comme nous le sommes maintenant, par la prorogation du Parlement Provincial, des services publics de nos représentants, des services que nous avons droit d'attendre de leur zèle connu pour les intérêts de la province, et de leur patriotisme éprouvé, nous sommes dans la nécessité de soumettre nous-mêmes à la bienveillante considération de votre Majesté, quelques objets que nous estimons de la plus haute importance pour le bien-être du pays, objets qui tendent également à assurer le bonheur du peuple, et à rendre cette colonie plus utile à l'Empire Britannique, ce qui ne peut qu'intéresser le cœur Royale de votre Majesté, sous le double rapport de père de son peuple et de chef suprême d'un puissant empire.

L'éducation est le premier des biens qu'un père puisse donner à son fils, le premier des biens qu'une législation éclairée puisse assurer aux peuples. En rendant justice aux efforts qui ont été faits dans ce pays vers cet objet important, par plusieurs corps et par un grand nombre de particuliers, on ne peut cependant disconvenir que l'éducation publique n'est pas encouragée dans ce pays en proportion de ses besoins. Et pourtant la province n'était pas dépourvue de moyens: la munificence des Rois de France et les bienfaits de quelques particuliers n'avoient rien laissé à désirer à ce sujet. Des fondations vraiment royales tant par leur objet que par leur étendue, assuraient à ce pays des ressources suffisantes pour le temps, et croissantes avec les besoins de la population. Depuis l'extinction de l'ordre des Jésuites en ce pays, ses biens sont passés aux mains du gouvernement de votre Majesté. Votre Majesté peut seule les rendre à leur première, à leur bienfaisante destination. Nous l'en supplions très-humblement. Qu'il ne puisse pas être dit que cette province a été privée sous le gouvernement du Roi constitutionnel de la Grande Bretagne, des bienfaits que le Roi absolu de la France lui avait conférés pour l'éducation de ses habitans.

Un des droits naturels, fondamentaux, inaliénables des sujets Britanniques, un des titres de leur gloire et de leur sûreté, c'est le droit de se taxer eux-mêmes et de contribuer librement aux charges publiques selon leur moyens. A ce titre naturel nous joignons encore les droits résultans de la loi écrite, des Actes du Parlement Impérial qui déclarent que l'Angleterre renonce à imposer des taxes dans les colonies, et qui donnent à cette province le droit de faire des lois pour sa tranquillité, son bonheur, et son bon gouvernement. Nous supplions humblement votre Majesté d'excuser notre témérité, ou bien plutôt d'approuver la confiance en votre justice et en celle du Parlement Impérial, qui nous engage à nous plaindre de ce que ces droits ont été lésés d'une manière grave par des Actes du Parlement Impérial. Nous faisons allusion surtout à l'acte de commerce du Canada, passé dans la troisième année du règne de votre Majesté, ch. 119, et à celui des tenures des terres, passé dans la sixième année du règne de votre Majesté, ch. 59, contre lequel nous avons déjà adressé par la voie de nos représentants à votre Majesté nos humbles réclamations: l'un établit directement des impôts dans cette colonie, et les rend perpétuels sans la participation du Parlement Provincial; l'autre touche à des objets de législation intérieure sur lesquels nous croyons humblement que la législature coloniale avait pleine juridiction.

Nous croirions, Sire, mériter bien peu les inestimables bienfaits que nous procure la constitution qui nous régit, si nous ne fussions tous nos efforts pour la conserver intacte. C'est prouver combien nous en sentons tout le prix.

La cumulation dans une seule et même personne de plusieurs places importantes dans ces colonies et qui nous semblent incompatibles, est un obstacle vivement senti, un obstacle considérable au bon gouvernement de cette province. Nous voyons dans ce pays les places de juges du Banc du Roi, de conseillers exécutifs et législatifs, possédées par la même personne. Nous croyons humblement que ces hautes fonctions devraient être exercées insolément au lieu d'être cumulées: que les Juges bornés aux importantes fonctions de leur état ne devraient pas siéger dans les conseils: que les conseillers législatifs

ne devraient pas être admis au conseil exécutif, et vice versa: qu'il serait convenable que les juges fussent plus indépendans, sujets seulement avec les autres grands fonctionnaires publics à un tribunal établi dans la province pour juger des *impeachments*. Nous avons déjà fait des représentations et des démarches concernant ces différens objets par le moyen de nos représentans dans la Chambre d'Assemblée. Les mesures par eux proposées ont échoué dans les autres branches de la Législature. Nous supplions humblement votre Majesté de vouloir bien prendre en sa considération royale les maux nombreux qui doivent inévitablement résulter de cette distribution impolitique, et peu sage de tous les pouvoirs du gouvernement afin qu'étant très-justement condamnés par votre Majesté, il vous plaise ordonner à vos Ministres de donner des instructions au gouvernement coloniale à ce sujet, de manière à autoriser la passation d'Actes par le Parlement Provincial, qui tendraient à corriger ces abus.

L'accroissement rapide de la population depuis la première démarcation des comtés, rendant nécessaire un changement correspondant dans la représentation provinciale, notre Parlement jugea prudent, comme mesure préliminaire, de constater l'état actuel de la population, par un recensement qui devait servir de base aux changemens à faire dans la représentation. La Chambre d'Assemblée passa ensuite à plusieurs reprises un bill pour augmenter le nombre des comtés et des représentans. Ces bills ont également échoué dans les autres branches de la législature.

Il est encore un objet qui intéresse vivement le peuple de cette province; c'est la nomination d'un agent provincial accrédité, auprès du gouvernement de votre Majesté, qui pourrait faire parvenir aux pieds du Trône, l'expression de nos besoins, fournir aux ministres de votre Majesté des renseignements utiles et veiller à nos intérêts particuliers. Cette province a déjà plus d'une fois éprouvé le besoin d'un semblable agent: ses représentans n'ont pas encore pu réussir à obtenir la passation d'un Acte à cet effet. Les accusations mal fondées portées par le Gouverneur-en-chef contre la Chambre d'Assemblée, dans son discours de prorogation du dernier Parlement, auxquelles la Chambre n'a pas encore eu occasion de répondre, démontrent la nécessité d'un agent; le Gouverneur qui accuse la Chambre ne pourrait guère être le canal de communication dont les plus accusés puissent se servir avec confiance pour défendre leur cause. Nous supplions humblement votre Majesté de vouloir bien ordonner à vos Ministres de donner des instructions au Gouvernement Coloniale, en vertu desquelles un bill pour l'augmentation de la représentation puisse être sanctionné, ainsi qu'un bill pour accorder à cette province l'avantage dont jouissent la plupart des autres colonies de votre Majesté, celui d'avoir un agent colonial, nommé et député par le peuple de la colonie, pour veiller à ses intérêts en Angleterre.

Le tout très-humblement soumis à la bienveillance et à la sagesse de votre Majesté, par les fidèles et loyaux sujets de votre Majesté dans le Bas-Canada, les Petitionnaires soussignés qui comme il est de leur devoir ne cesseront de prier.

Bas-Canada, Janvier 1828.

Recapitulation of Signatures, to February 6, 1828:

County of Montreal, - - - - -	7,753
Kent, - - - - -	2,163
Huntingdon, - - - - -	5,327
Leinster, - - - - -	6,192
Surrey, - - - - -	3,080
Bedford, - - - - -	1,342
York, - - - - -	4,199
Richelieu, - - - - -	8,175
Effingham, - - - - -	2,654
Total District of Montreal, - - - - -	40,885
Total District of Three Rivers, - - - - -	10,665
	51,550
District of Quebec, - - - - -	29,338
	80,888
Total to both Petitions - - - - -	80,888
Forwarded since, to 17th February 1828:	
Districts of Montreal and Three Rivers, and District of Quebec, 6,212	
Grand Total, 87,090	

Chairmen of the several county committees who have certified the appointment of the agents to the Petitioners, viz: Messrs. Neilson, Viger and Cuivillier, members of the Assembly of Lower Canada;—Fran. Desjardins, chairman of the petitioners in the county of Montreal; Frans. Ant. La Rocque, Montreal; René de la Bruere, county of Kent; Lnt. Le Roux, county of Leinster; Pierre Amiot, county of Surrey; Chs. St. Ours, county of Richelieu; P. D. Debartzch, county of Richelieu; Hertel de Rouville, county of Bedford; François Xavier Malhiot, county of Surrey; Ignace Raizenne, county of York; Louis Roy Portelauc, Montreal.

District of Montreal, February 1828.

APPENDIX No. 3.

To the Honourable the Knights, Citizens and Burgesses, representing the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled.

The PETITION of the Subscribers, His Majesty's dutiful and loyal Subjects, of British birth or descent, Inhabitants of the Townships of Dunham, Stanbridge, St. Armand, Sutton, Potton, Stanstead, Barnston, Barford, Hereford, Farnham, Brome, Bolton, Hatley, Compton, Clifton, Granby, Shefford, Stukely, Orford, Ascott, Eaton, Newport, Bury, Hampden, Milton, Roxton, Durham, Melborne, Windsor, Shipton, Stoke, Dudwell, Simpson, Kingsey, Grantham, Wickham, Wendover, Brompton, and other Townships and Places situate in the Province of Lower Canada;

Humbly Sheweth.

That the number of inhabitants, of british birth or descent, now residing in the province of Lower Canada, exceeds 80,000 souls, a greater amount than all the inhabitants of the country when it first became a colony of England.

That the townships of Lower Canada from a large portion of the territorial extent of the province, separate from the seignories or old French feudal grants thereof, and are inhabited by a population of upwards of 40,000 souls, almost wholly composed of persons of British birth or descent, whose numbers are continually augmenting, besides their natural increase, by the desirable accession of emigrants from the mother country.

That, so long as the year 1763, His Majesty's proclamation assured to his subjects, coming to settle upon the then ungranted lands in Canada, the benefit of the laws of his realm of England. That the assurances of this proclamation were as to them sanctioned and confirmed, by the exception contained in the Statute, 14th Geo. 3, which declared that the provisions of the said Act, establishing French laws, should not extend nor be construed to extend to lands to be granted in free and common socage, the exclusive tenure of the townships.

That no provincial enactments or provisions were made towards carrying into practical operation the valued privileges of the English laws, which had been as aforesaid assured to them.

them; although the wishes of the townships in that particular were loudly expressed and universally known. That in consequence, the Imperial Parliament, in its beneficence, was pleased in the sixth year of the reign of His present Majesty to pass an Act, not less called for by a due regard to national honour, than by a sense of justice to your Petitioners; wherein any doubts too scrupulously entertained in respect to the construction of the aforesaid statute 14th Geo. 3. have been happily removed, in relation to the townships and the English laws regarding tenures established therein.

That it hath come to the knowledge of your Petitioners that numbers of the inhabitants of the seignories, influenced by the French Canadian leaders of the House of Assembly, are now petitioning the Imperial Legislature for the repeal of the before-mentioned statute of the sixth year of His present Majesty, commonly called the "Canada Tenures Act."

That your Petitioners, for the blessing conferred by the said statute of the Imperial Parliament, in bestowing upon them the benefit of the laws of their parent country, and preserving the ties and character which connect them with the empire to which they belong, feel a weight of gratitude greater than they can express, and will at all times be ready to defend those ties against every invader or enemy either in Lower Canada or elsewhere. Their gratitude is also deeply felt on behalf of their countrymen the emigrants from Great Britain, who may now be induced in great numbers to settle among them, but who, without the benefit of English laws, would for the most part have been led to seek an asylum elsewhere, as they have unhappily for this province too often done in times past.

That in order to give practical effect and scope to the benefits conferred upon them by the recent Act of the Imperial Parliament, and also to prevent the machinations of the French Canadian House of Assembly to their ruin, it becomes necessary that the townships, which have never hitherto been represented in the Provincial Legislature, notwithstanding their repeated solicitations in that behalf, should be divided into counties entitled to send members to the Provincial Legislature, and that competent courts and jurisdictions should be established among them for the administration of justice in conformity to the laws which have been beneficently accorded to them by the mother country.

That while your Petitioners were waiting patiently the effect of their repeated solicitations for redress of grievances to be administered by the Provincial Legislature, the Legislative Council, in the session of the year 1825, by recommendation of His Excellency the Governor-in-Chief, passed a bill of the most salutary description, introducing into these townships the English law of dower and conveyance, and making encumbrances special, establishing also public offices therein for the enregistrement of all mutations of real property and of all mortgages on the same.

That though this bill, carefully abstaining from every unnecessary innovation, neither disturbed the routine not touched the customs of the French Canadians in the seignories, the House of Assembly, evincing its characteristic disregard for the claims of your Petitioners, neglected to proceed upon the said bill when sent down for concurrence; and they are therefore constrained to pray the interference of the Imperial Parliament for the establishment of register offices as aforesaid.

Your Petitioners therefore humbly pray that your honourable House will be pleased to pass an Act to authorize the erection of the townships into a competent number of counties according to extent of territory, to the end that the interest of the population of emigrant settlers may be provided for by a due proportion of representation equivalent to their just claims; and also to establish such competent number and description of courts and jurisdictions as the interests of these extensive sections of the province and the ends of justice may require. And further, to establish public offices of registry, for the enregistrement of all Acts and deeds conveying or encumbering real property therein.

And your Petitioners, as in duty bound, will ever pray, &c. &c.

unto the said and his heirs and assigns, free and absolutely clear, discharged and unincumbered, of and from all former and other titles, charges, estates or incumbrances, of what nature and kind soever, had, made, committed, done or suffered, or to be made, committed, done or suffered by the said

and or either of them, or their heirs and assigns, or by any other person or persons whomsoever, any thing having or claiming in the premises. And also, that the said and their heirs and all and every other person or persons whomsoever, lawfully or equitably deriving any estate, right, title or interest of, in or to the herein before granted premises by, from, under or in trust for them, shall and will, at any time or times hereafter, upon the reasonable request of the said and at the proper costs and charges, in the law, of the said

make, do and execute, or cause or procure to be made, done and executed, all and every such further and other lawful and reasonable conveyances and assurances in the law, for the better and more effectually vesting and confirming the premises hereby intended to be granted, in and to the said

as by the said counsel, learned in the law, shall be reasonably devised, advised or required: And the said and his heirs, executors and administrators, will warrant, and by these presents for ever defend the above described and released premises, and every part and parcel thereof, unto the said and his heirs and assigns, absolutely for ever.

In witness whereof, the parties to these presents, have hereunto interchangeably set their hands and seals the day and year first above written.

(Signed)

Signed, sealed and delivered in the presence of

INDORSEMENTS.

State of New York, ss: Be it remembered, that on the thirteenth day of May, in the year of our Lord one thousand, seven hundred and ninety six, personally appeared before me one of the Masters in Chancery of the State of New York, the within named and his wife, who severally acknowledged, that they respectively signed, sealed, executed and delivered the within deed and release as and for their voluntary act and deed, to and for the uses and purposes therein mentioned; and I having examined the said and the said the wife of the said separately and apart, and privately and apart from their said respective husbands, they severally confessed and acknowledged that they had executed the said deed freely and without any fear or compulsion of or from their said respective husbands, and there being no material rasures or interlineations therein, except the one noted, I do allow the same to be recorded.

(Signed)

Received this thirteenth day of May, in the year of our Lord one thousand seven hundred and ninety-six, the sum of three thousand and two hundred pounds from the within named the within grantee, being the consideration money within mentioned; in witness whereof we have hereunto set our hands.

(Signed)

Witnessed by

Recorded in the Secretary's Office of the State of New York, in book of deeds endorsed M R page 362, &c. this seventeenth day of May, one thousand seven hundred and ninety six.

(Signed)

D. Secy.

APPENDIX No. 4

INDENTURE for conveying a certain Tract of Land in the County of Montgomery, now the County of Herkimer.

This Indenture made the thirteenth day of May, in the year of our Lord one thousand seven hundred and ninety-six, between of the City of New York, counsellor of law, and his wife, and of the same place, counsellor of law, and his wife, of the first part; and of the city of London, in the Kingdom of Great Britain. merchant, of the other part; Witnesseth, that the said and his wife, and his wife, for and in consideration of the sum of three thousand two hundred pounds, lawful money of the state of New York, to them in hand paid, at or before the ensailing and delivery of these presents, by the said the receipt whereof is hereby confessed and acknowledged; and the said and his heirs, executors and administrators, for ever released and discharged from the same by these presents; Have granted, bargained, sold, aliened, remised, released, conveyed, assured, enfeoffed, and confirmed, and, by these presents, do grant, bargain, sell, alien, remise, release, convey, assure, enfeoff and confirm, fully, freely and absolutely, unto the said and his heirs and assigns for ever, all that certain tract of land situate in the county of Montgomery, now the county of Herkimer, being part of the Indian purchase made by and their associates, under a license

granted to and known and distinguished, in a division of the said purchase into townships, by the name of Township Number Forty, beginning at the most westerly corner of township Number Six, in the north east bounds of township Number Five and running thence along the said north east bounds of township Number Five, and the north east bounds of township Forty-one, north thirty degrees, west five hundred and twenty-five chains, thence north sixty degrees, east four hundred and eighty chains, thence south thirty degrees, east five hundred and twenty-five chains, and then south sixty degrees, west four hundred and eighty chains, to the place of beginning, (all which courses are run as the needle pointed in the year one thousand seven hundred and seventy-two), containing twenty-five thousand two hundred acres, granted by the people of the state of New York to letters patent, bearing date the fourteenth day of August, in the year of our Lord one thousand seven hundred and eighty six; subject nevertheless to the exceptions, reservations and conditions in the said letters patent contained: Together with all and singular the appurtenances, privileges and advantages whatsoever, unto the said above-mentioned and described premises in any wise appertaining or belonging, and the reversion or reversions, remainder and remainders, rents, issues and profits thereof; and also, all the estate, right, title, interest, property, claim and demand whatsoever, as well in law as in equity of the said parties of the first part; and also all dower and right of dower, of, in and to the same, and every part and parcel thereof, with the appurtenances: To have and to hold the above granted, bargained and described premises, with the appurtenances, unto the said and his heirs and assigns, for their own proper use, benefit and behoof for ever. And the said and his heirs, executors and administrators, do covenant, promise, grant and agree, to and with the said and his heirs and assigns, that the above granted premises, and every part and parcel thereof, with the appurtenances, now are and for ever hereafter should be and remain

APPENDIX, No. 5.

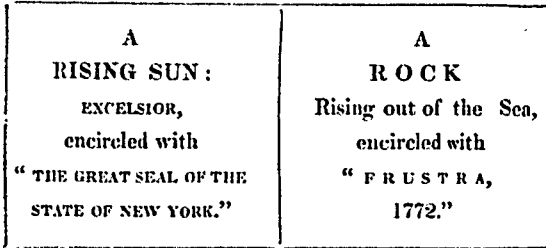
LETTERS PATENT to Township No. 40, in Purchase, in 1772, continuing 25,200 acres. THE People of the State of New York, by the Grace of God, Free and Independent: To all to whom these present shall come, greeting: Know ye, that we have given, granted and confirmed, and by these presents, do give, grant and confirm unto all that certain tract of land situate in the county of Montgomery, being part of the Indian purchase made by and their associates, under a license granted to and known and distinguished, in a division of the said purchase into townships, by the name of township Number Forty. Beginning at the most westerly corner of township Number Six, in the north-east bounds of township Number Five, and running thence along the said north-east bounds of township Number Five, and the north-east bounds of township Number Forty one, north thirty degrees, west five hundred and twenty five chains; then north sixty degrees, east four hundred and eighty chains; then south thirty degrees, east five hundred and twenty-five chains; and then south sixty degrees, west four hundred and eighty chains, to the place of beginning, (all which courses are run as the needle pointed in the year 1772), containing twenty-five thousand two hundred acres; together with all and singular the rights, hereditaments and appurtenances to the same belonging, or in any wise appertaining, excepting and reserving to ourselves all gold and silver mines, and five acres of every hundred acres of the said tract of land for highways: To have and to hold the above described and granted premises unto the said and his heirs and assigns, as a good and indefeasible estate of inheritance, for ever; on condition, nevertheless, that within the term of seven years, to be computed from the first day of January next ensuing the date hereof, there shall be one actual settlement made on the said tract of land hereby granted for every six hundred and forty acres thereof; otherwise these our letters patent, and the estate hereby granted, cease, determine and become void: Z in

In testimony whereof, we have caused these our letters to be made patent, and the great seal of our said State to be hereunto affixed. Witness our trusty and well-beloved Esquire, Governor of our said State, General and Commander in Chief of all the militia, and Admiral of the Navy of the same, at our city of New York, this fourteenth day of August, in the year of our Lord one thousand seven hundred and eighty six, and in the eleventh year of our independence.

Examined, approved of by the Commissioners of the Land office, and passed the Secretary's office, the 14th day of August 1786.

_____, Secretary.

SEAL:



APPENDIX No 6.

CONVEYANCE for 38,900 Acres of Land, in the Counties of Washington and Clinton, in the State of New-York; July 1796.

This Indenture, made the sixteenth day of June, in the year of Our Lord one thousand seven hundred and ninety five, between _____ and _____ his wife, all of the city and county of Albany, and State of New York, of the first part, and _____ of the city of London, in the Kingdom of Great Britain, of the other part; Witnesseth, that the said parties of the first part, for and in consideration of the sum of ten thousand pounds lawful money of the State of New York to them in hand paid, at or before the ensembling and delivery of these presents, by the said _____ the receipt whereof is hereby confessed and acknowledged; Have granted, bargained, sold, aliened, remised, released, conveyed, enfeoffed and confirmed, and by these presents do grant, bargain, sell, alien, remise, release, convey, assure, enfeoff and confirm, fully, freely and absolutely unto the said _____ his heirs and assigns forever, all those two certain tracts of land situate, lying and being in the counties of Washington and Clinton, in the State of New York, the first beginning at the north-west or most northerly corner of tract of one thousand acres of land granted to _____ the twelfth day of July one thousand seven hundred and sixty-nine, and running thence west four hundred and eighty chains, then south four hundred and eighty chains, then east two hundred and sixty-eight chains, to a tract of fourteen hundred and forty acres of land surveyed for _____ then along the same north fifty two degrees, west eighty-eight chains, north thirty-eight degrees, east one hundred and twenty chains, south fifty two degrees, east one hundred and twenty chains, and south thirty-eight degrees, west ninety-six chains, then east one hundred and twelve chains, to Lake George, then northerly along the same to a tract of six hundred acres of land granted to _____ then along the same north fifty-two degrees and twenty minutes, west eighty-four chains, and north thirty-seven degrees and forty minutes, east eighty chains, to a tract of land of eight hundred acres granted to the said _____ then along the same north fifty-two degrees and twenty minutes, west thirty-three chains and forty-five links, north thirty-seven degrees and forty minutes, east eighty-nine chains and forty-five links south fifty two degrees and twenty minutes, east eighty nine chains and forty five links and south thirty seven degrees and forty minutes, west eighty-nine chains and forty-five links, to the said tract of six hundred acres, then along the same south fifty-two degrees and twenty minutes, east thirty chains to the said lake, then northerly along the same to a tract of land granted to _____ then along the same south eighty-eight degrees, west four chains and north five degrees, east one hundred and fifty one chains, to a tract of land granted to _____ then along the same north eighty-five degrees, west eighty chains, and north five degrees, east eighty chains, to the said tract granted to _____ then along the same north sixty two degrees, west one hundred and ten chains, and north twenty eight degrees, east fifty-eight chains, to the place of beginning; excepting and reserving out of the same so much of the patents granted to _____ and _____ as is comprehended within the same, containing, exclusive of the said exception and reservation, twenty-two thousand and one hundred acres. The second tract, beginning at the south-east corner of the said first tract on the west shore of the said Lake George, and running thence west one hundred and twelve chains to the tract of fourteen hundred and forty acres of land surveyed for _____ then along the same south thirty-eight degrees, west twenty-four chains, and north fifty two degrees, west thirty-two chains, to the said first tract, then along the south bounds thereof, and the same continued west two hundred and eighty-eight chains, then south four hundred and eighty chains, then east twenty-one chains, to a tract of land granted to _____ then along the same north forty-two degrees and twenty minutes, east sixty-three chains, north twenty degrees and thirty minutes, east sixty-six chains, south seventy-four degrees and thirty minutes, east fifty chains, south twenty-three degrees and thirty minutes, west sixty-six chains, and south forty-two degrees and twenty minutes, west twelve chains, then east two hundred and sixty-five chains, to the said Lake George, then northerly along the same to lands granted to _____ then along the same north fifty-two degrees and twenty minutes, west one hundred and twenty-four chains, north thirty-seven degrees and forty minutes, east one hundred chains, south fifty-two degrees and twenty minutes, west one hundred chains, south thirty-seven degrees and forty minutes, west fourteen chains, and south fifty-two degrees and twenty minutes, east sixty chains, to the said Lake George, then northerly along the same to a tract of land granted to _____ then along the same, and along a tract of land granted to _____ north thirty-six degrees and thirty minutes, west sixty-six chains, south eighty-eight degrees and thirty minutes, west sixteen chains, north one degree and thirty minutes, west seventeen chains, and north seventy-one degrees, east sixty chains, to the said Lake, and then northerly along the same to the place of beginning, containing seventeen thousand and six hundred acres; which said two tracts of land were granted to the said _____ the said _____ and _____ by letters patent bearing date the third day of March, in the year of our Lord one thousand seven hundred and ninety five, herewith delivered up; also a deed of conveyance from the said _____ and _____ his wife, to the said _____ and _____ bearing date the twenty-second day of April, and twentieth day of May in this present year, likewise herewith delivered up, reference to the said patent and deed being had will more fully appear; and also excepting and reserving out of the said two tracts of land, one tract of six hundred acres conveyed to _____ and _____; also one other tract of two hundred acres conveyed to the said _____ and _____ subject nevertheless to the conditions, covenants and agreements expressed in the patent aforesaid: Together with all and singular the appurtenances, privileges and advantages whatsoever, unto the said above-mentioned and

described premises in any wise appertaining or belonging, and the reversion or reversions, remainder and remainders, rents, issues and profits thereof; and also all the estate, right, title, interest, property, claim and demand whatsoever of the said parties of the first part: To have and to hold the said two tracts of land with the appurtenances (subject to the exceptions, reservations and conditions aforesaid) to the said _____ his heirs, and assigns, for the only proper use, benefit and behoof of the said _____ his heirs, executors, administrators or assigns for ever. And the said parties of the first part for themselves, their heirs, executors and administrators, doth hereby covenant, promise and agree to and with the said _____ his heirs, executors, administrators and assigns, that they the said parties of the first part, at the time of the ensembling and delivery of these presents, are lawfully seized in their own right of in and to the said two tracts of land hereby conveyed, with the appurtenances, and have in themselves good right, full power and lawful authority to grant and convey the same (with the exceptions and reservations aforesaid) to the said _____ his heirs and assigns, as of a good, sure, perfect, absolute and indefeasible estate of inheritance in the law in fee simple, and also that he the said _____ his heirs or assigns, shall and may from time to time, and at all times hereafter, peaceably and quietly occupy, possess and enjoy the before-described premises, with the appurtenances, subject to the exceptions, conditions and reservations aforesaid. And the said parties of the first part, for themselves, their heirs, executors and administrators, engage to warrant, and by these presents for ever to defend the above-described and released premises, and every part and parcel thereof. In witness whereof, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

_____, L. S. _____ L. S.
_____, L. S. _____ L. S.

INDORSEMENTS.

Be it remembered, that on the seventeenth day of June, one thousand seven hundred and ninety-five, appeared before me _____ one of the Masters in Chancery for the State of New York, and _____ his wife, and _____ and _____ his wife, who severally acknowledged that they signed, sealed and delivered this instrument for the purposes therein mentioned; and the said _____ and _____ being by me privately and apart examined from their husbands, respectively acknowledged that they had signed, sealed and delivered the same without any threat, fear or compulsion of their said respective husbands; and I having examined the said instrument, and finding no razures or interlineations therein (except those noted) do allow the same to be recorded.

The within Indenture of Release, signed, sealed and delivered in the presence of _____

and his wife, _____ and _____ his wife, to _____ conveyance for 38,900 acres land.—16th June 1795.

Recorded in the Secretary's office of the State of New York, in book of deeds endorsed M R _____
G page 359, &c. this 16th day of May, 1796.

_____, D. Secretary.

APPENDIX No. 7.

POPULATION of Lower Canada; taken from a printed Copy of the Census published in 1827.

Counties.	Townships.	Seignories.	Indians or Inhabitants of Indian Lands or Villages.	Total Population.	Members of Assembly.	OBSERVATIONS.
1. Gaspé,	4910	1125	381	6425	1	Of the places mentioned in the census referred to, which are in the seignories and which are in the townships of Gaspé is often not stated; but the population, it is supposed, may be estimated as approximating the numbers given for the townships and seignories respectively. This county is believed to be chiefly peopled by emigrants from the British Isles and their descendants, and by its geographical position adapted to form part of New Brunswick.
2. Cornwallis,		20012		21002	2	None of the townships in this County are mentioned in the census.
3. Devon,		11034		11934	2	- - ditto.
4. Hertford,		14044		14044	2	- - ditto.
5. Dorchester,	249	19458		19707	2	Several of the townships in this county are not named in the census.
6. Buckinghamshire,	6450	27032	40	33522.	2	The greater part of the townships in this county are not named in the census.
7. Richelieu,	9544	26712		36256	2	Some townships in this county, known to be inhabited, are not named in the census.
8. Bedford,	10782	12672		23654	1	St. Armand (although one of feudal grants) having been settled more than 30 years ago by old loyalists, and having been sold in farms exempt from seignorial rights (an exemption which, however, could not be rendered legal before the passing the Canada Tenures Act.) and having united in the petitions of the townships to the Imperial Parliament, as considering themselves rather to belong to those than the seignorial por-

Counties.	Townships.	Seignories.	Indians or Inhabitants of Indian Lands or Villages.	Total Population.	Members of Assembly.	OBSERVATIONS.
8. Bedford, (continued.)						tions of the province, its population is here added to that of the townships, as is also that of St. Thomas and St. George, or Caldwell's Manor. There are, besides, many English in the seignories.
9. Surrey,		11573		11573	2	There are no townships in this county.
10. Kent,		10890		10890	2	- - ditto.
11. Huntingdon,	5745	31433	2408	39586	2	Among the inhabitants of the seignories in this county many thousands are of British birth or descent.
12. City and County of Montreal,		25976 11109		37085	6	There no townships in this county. The census referred to does not distinguish between the English and French inhabitants; but it is estimated that the English inhabitants in the city and county are between 10,000 and 15,000.
13. York.	2876	26913		30096	2	The greater part of the townships in this county are not named in the census. There are several thousands of British origin in the seignories.
14. Effingham,		14921		14921	2	None of the townships appear named in the census of this county.
15. Leinster,	484	19273		19757	2	But one of the townships is named in the census of this county. The seignories contain numbers of English inhabitants.
16. Warwick,	11	15924		15935	2	- ditto.
17. Town of Three Rivers and County of St. Maurice,		2906 18160		21066	4	None of the townships are mentioned in the census. The seignories and town contain considerable numbers of English.
18. Hampshire.		13212		13312	4	The map does not represent any townships as being yet laid out in this county.
19. City and County of Quebec,		22021 6602	162	28623	2	The names of the townships in this county are not given in the census. There are many thousands of British origin in the city and county.
20. Northumberland,		11210		11210	2	No names of townships are given.
21. Orleans,		4022		4022	1	This county consists of only one small seignory.
	41110	379272	9291	423373	50	

The *Seignories*, which include the cities and most of the villages, are estimated to contain nearly 50,000 inhabitants of British origin. However, deducting only 45,000 from the seignories as their proportion of inhabitants of British origin, the statement of the population of Lower Canada will stand thus: French population, 334,272; Indians, half-breeds, &c. inhabiting Indian lands, 2,991; English, 86,110; Total, 423,373.

The population of the counties of Orleans, Northumberland, Hampshire, Devon, Quebec, Surrey and Kent, taken together, are by the census numbered at 91,564; but they send seventeen members to the Legislature: while the English population of between 80, and 90,000, its distribution and the state of the representation, can be considered to send only one, viz: from Gaspé; whereas, in the same proportion, it would be entitled to send sixteen. There is, in fact and in truth, no proportionate representation of the respective population of varied interests, including the commercial, which exist in Lower Canada; but it is, in fact, drawn from the feudal and anti-commercial portion of the territory. The ratio of the rate of increase of the English population during the two or three years which have elapsed since the census, has been, and must continue, greater than that of the French, in consequence of immigration; and it is to be recollected that several of the inhabited townships are not noticed in the census.

APPENDIX No. 8.

RESOLUTIONS relative to the appropriation of the Clergy Reserves, passed by the Commons House of Assembly of Upper Canada, in the 3d Session and 9th Parliament of 7 Geo. IV.; 22d December 1826.

Extracted from the Journals, pp. 23, 24.

1.—Resolved, That the despatch of the Right Honourable Earl Bathurst, His Majesty's principal Secretary of State for the Colonies, communicated to this House on the 12th instant by His Excellency the Lieutenant Governor, in answer to the Address to His Majesty of this House at its last session, respecting the clergy reserves, is unsatisfactory to this Assembly, inasmuch as it is silent on a material part of the respectful representation of this House contained in the said Address.

5.—Resolved, That the construction given to the Imperial Act, which appropriates the clergy reserves to individuals connected with the Church of England, and the determination of the clergy of that church to withhold from all other denominations of Protestants residing within the province, the enjoyment of any part of the benefits arising, or which may arise from the lands so set apart, call for the immediate attention of the Provincial Legislature to a subject of such vital interest to the public in general, and that such claim by the Protestant episcopal church is contrary to the spirit and meaning of the 31 Geo. 3, and most injurious to the interests and wishes of the province.

Yeas 28.—Nays 3.—Majority 25.

6th.—Resolved, That a comparatively small proportion of the inhabitants of Upper Canada are members of the Church of England, and therefore ought not in justice to desire the sole enjoyment, by their clergy, of all the advantages which these lands present, to the exclusion of their fellow subjects, although equally loyal and firm in their attachment to His Majesty's Government and the Constitution.

7.—Resolved, That in a thinly inhabited country, such as Upper Canada, where the means of moral instruction to the poor are not easily obtained, it is the bounden duty of the Parliament to afford every assistance within its power towards the support of education.

8.—Resolved, That the present provision for the support of district and common schools is quite inadequate to the wants of the people, and ought by every reasonable exertions to be increased, so as to place within the reach of the poorest inhabitant the advantages of a decent education.

9.—Resolved, That it is the opinion of a great proportion of the people of this province that the clergy lands, in place of being enjoyed by the clergy of an inconsiderable part of the population, ought to be disposed of, and the proceeds of their sale applied to increase the provincial allowance for the support of district and common schools, and the endowment of a provincial seminary for learning, in aid of erecting places of public worship for all denominations of christians.

Yeas 31.—Nays 2.—Majority 29.

Resolved, That the number of the Protestant Episcopal Church in the provinces bears a very small proportion to the number of other Christians, notwithstanding the pecuniary and long and exclusively received from the benevolent society in England by the members of that church, and their pretensions to a monopoly of the clergy reserves.

Yeas.—30 Nays 3.—Majority 27.

APPENDIX, No. 9.

THE Fourth Article of the Definitive Treaty of Peace, concluded between the King's of Great Britain and France, on the 10th February in the year 1763; containing the Cession of Canada to the Crown of Great Britain.

His most Christian Majesty renounces all pretensions which he has heretofore formed, or might form, to Nova Scotia or Acadia, in all its parts, and guarantees the whole of it, and all its dependencies, to the King of Great Britain.

Moreover His most Christian Majesty cedes and guarantees to His said Britannic Majesty, in full right, Canada, with all its dependencies, as well as the Island of Cape Breton, and all the other islands and coasts in the Gulf and River of St. Lawrence, and in general every thing that depends on the said countries, lands, islands and coasts, with the sovereignty, property, possession, and all rights, acquired by treaty or otherwise, which the most Christian King and the Crown of France have had till now over the said countries, islands, lands, places, coasts and their inhabitants; so that the most Christian King cedes and makes over the whole to the said King and to the Crown of Great Britain; and that in the most ample manner and form, without restriction, and without any liberty to depart from the said guaranty under any pretence, or to disturb Great Britain in the possessions above mentioned.

His Britannic Majesty on his side agrees to grant the liberty of the Catholic religion to the inhabitants of Canada; he will consequently give the most effectual orders that His new Roman Catholic subjects may profess the worship of their religion according to the rites of the Romish Church, as far as the laws of Great Britain permit.

His Britannic Majesty further agrees, that the French inhabitants or others who had been the subjects of the most Christian Majesty in Canada, may retire with all safety and freedom whenever they shall think proper, and may sell their estates, provided it be to subjects of his Britannic Majesty, and bring away their effects as well as their persons, without being restrained in their emigration under any pretence whatsoever, except that of debts or of criminal prosecutions: the term limited for that emigration shall be fixed to the space of eighteen months, to be computed from the day of the exchange of the ratification of the present treaty.

APPENDIX, No. 10.

PROCLAMATION of the King of Great Britain, dated 7th October 1763.

By the King.—A Proclamation.

GEORGE R.

WHEREAS We have taken into our Royal consideration the extensive and valuable acquisitions in America secured to our Crown by the late definitive treaty of peace, concluded at Paris the 10th day of February last; and being desirous that all our loving subjects, as well of our kingdoms as of our colonies in America, may avail themselves with all convenient speed of the great benefits and advantages which must accrue therefrom to their commerce, manufactures and navigation; we have thought fit, with the advice of our privy council, to issue this our Royal Proclamation, hereby to publish and declare to all our loving subjects, that we have, with the advice of our said privy council, granted our letters patent under our great seal of Great Britain, to erect within the countries, and islands ceded and confirmed to us by the said treaty, four distinct and separate governments, styled and called by the names of Quebec, East Florida, West Florida and Grenada, and limited and bounded as follows, viz:

Firstly, the Government of Quebec, bounded on the Labrador coast by the river St. John, and from thence by a line drawn from the head of that river through the lake of St. John, to the south end of the lake Nipissim, from whence the said line crosses the river St. Lawrence and the lake Champlain, forty-five degrees of north latitude, passes along the high lands which divide the rivers that empty themselves into the said river St. Lawrence from those which fall into the sea, and also along the north coast of the Bay des Chaleurs, and the coast of the Gulf of St. Lawrence, to Cape Rosiers, and from thence crossing the mouth of the river St. Lawrence, by the west end of the island of Anticosti, terminates at the aforesaid river St. John.

Secondly, the government of East Florida, bounded to the westward by the Gulf of Mexico, and the Apalachicola river; to the northward, by a line drawn from that part of the said river where the Catahouchee and Flint rivers meet; to the source of St. Mary's river; and by the course of the said river to the Atlantic Ocean; and to the east and south, by the Atlantic Ocean and the Gulf of Florida, including all the islands within six leagues of the sea coast.

Thirdly, the government of West Florida, bounded to the southward by the Gulf of Mexico, including all islands within six leagues of the coast, from the river Apalachicola to lake Pouchartain; to the westward, by the said lake, the lake Maurepas, and the river Mississippi; to the northward, by the line drawn east from that part of the river Mississippi which lies in thirty-one degrees north latitude, to the river Apalachicola or Catahouchee; and to the eastward, by the said river.

Fourthly, the Government of Grenada, comprehending the islands of that name, together with the Grenadines, and the islands of Dominica, St. Vincent and Tobago.

And to the end that the open and free fishery of our subjects may be extended to and carried on upon the coast of Labrador, and the adjacent islands, we have thought fit, with the advice of our said privy council, to put all that coast, from the river St. John's to Hudson's Straits, together with the islands of Anticosti and the Magdeleine, and all smaller islands lying upon the said coast, under the care and inspection of our Governor of Newfoundland.

We have also, with the advice of our privy council, thought fit to annex the islands of St. John and Cape Breton, or Isle Royale, with the lesser islands adjacent thereto, to our government of Nova Scotia.

We have also, with the advice of our privy council aforesaid, annexed to our province of Georgia all the lands lying between the rivers Attamaha and St. Mary's.

And whereas it will greatly contribute to the speedy settling our said new governments, that our loving subjects should be informed of our paternal care for the security of the liberty and properties of those who are and shall become inhabitants thereof, we have thought fit to publish and declare by this our proclamation, that we have in the letters patent under our Great Seal of Great Britain, by which the said governments are constituted, given express power and direction to our governors of our said colonies respectively, that so soon as the state and circumstances of the said colonies will admit thereof, they shall, with the advice and consent of the members of our council, summon and call general assemblies within the said governments respectively, in such manner and form as is used and directed in those colonies and provinces in America, which are under our immediate government; and we have also given power to the said governors, with the consent of our said councils and the representatives of the people, so to be summoned as aforesaid, to make, constitute and ordain laws, statutes and ordinances for the public peace, welfare and good government of our said colonies, and of the people and inhabitants thereof, as near as may be agreeable to the laws of England, and under such regulations and restrictions as are used in other colonies; and in the mean time, and until such assemblies can be called as aforesaid, all persons inhabiting in or resorting to our said colonies may confide in our royal protection for the enjoyment of the benefit of our laws of our realm of England; for which purpose we have given power under our Great Seal to the governors of our said colonies respectively, to erect and constitute, with the advice of our said council respectively, courts of judicature and public justice within our said colonies, for the hearing and determining of causes, as well criminal as civil, according to law and equity, and as near as may be agreeable to the laws of England, with liberty to all persons who may think themselves aggrieved by the sentence of such courts, in all civil causes, to appeal, under the usual limitations and restrictions, to us in our privy council.

We have also thought fit, with the advice of our privy council as aforesaid, to give unto the governors and councils of our said three new colonies upon the continent, full power and authority to settle and agree with the inhabitants of our said new colonies, or any other persons who shall resort thereto, for such lands, tenements and hereditaments as are now or hereafter shall be in our power to dispose of, and them to grant to any such person or persons upon such terms, and under such moderate quit-rents, services and acknowledgements as have been appointed and settled in other colonies, and under such other conditions as shall appear to us to be necessary and expedient for the advantage of the grantees, and the improvement and settlement of our said colonies.

And whereas we are desirous upon all occasions to testify our Royal sense and approbation of the conduct and bravery of the officers and soldiers of our armies, and to reward the same, we do hereby command and empower our governors of our said three new colonies, and other our governors of our several provinces of the continent of North America, to grant without fee or reward, to such reduced officers and soldiers as have served in North America during the late war, and are actually residing there, and shall personally apply for the same, the following quantities of land, subject, at the expiration of ten years, to the same quit-rents as other lands are subject to in the province within which they are granted, as also subject to the same conditions of cultivation and improvement, viz:

To every person having the rank of a Field Officer,	- - - - -	5,000 acres.
To every Captain,	- - - - -	3,000 do.
To every Subaltern or Staff Officer,	- - - - -	2,000 do.
To every non-commissioned officer	- - - - -	200 do.
To every private man,	- - - - -	50 do.

We do likewise authorize and require the governors and commanders-in-chief of all our said colonies upon the continent of North America to grant the like quantities of land, and upon the same conditions, to such reduced officers of our navy of like rank as served on board our ships of war in North America at the times of the reduction of Louisbourg and Quebec in the late war, and who shall personally apply to our respective governors for such grants.

And whereas it is just and reasonable, and essential to our interest and the security of our colonies, that the several nations or tribes of Indians with whom we are connected, and who live under our protection, should not be molested or disturbed in the possession of such parts of our dominions and territories as not having been ceded to us are reserved to them, or any of them, as their hunting grounds; we do therefore, with the advice of our privy council, declare it to be our Royal will and pleasure, that no governor or commander-in-chief in any of our colonies of Quebec, East Florida, or West Florida, do assume, upon any pretence whatever, to grant warrants of survey or pass any patents for lands beyond the bounds of their respective governments, as described in their commissions; as also that no governor or commander-in-chief of our other colonies or plantations in America, do presume for the present, and until our further pleasure be known, to grant warrants of survey or pass any patent for lands beyond the heads or sources of any of the rivers which fall into the Atlantic ocean from the west or north-west; or upon any lands whatever which not having been ceded to or purchased by us as aforesaid, are reserved to the said Indians, or any of them.

And we do further declare it to be our Royal will and pleasure, for the present as aforesaid, to reserve under our sovereignty, protection and dominion, for the use of the said Indians, all the lands and territories not included within the limits and territory granted to the Hudson's Bay Company; as also all the lands and territories lying to the westward of the sources of the rivers which fall into the sea from the west and north-west as aforesaid: and we do hereby strictly forbid, on pain of our displeasure, all our loving subjects from making any purchases or settlements whatsoever, or taking possession of any of the lands above reserved, without our special leave and licence for that purpose first obtained.

And we do further strictly enjoin and require all persons whatsoever who have either wilfully or inadvertently seated themselves upon any lands within the countries above described, or upon any other lands which not having been ceded to or purchased by us, are still reserved to the said Indians as aforesaid, forthwith to remove themselves from such settlements.

And whereas great frauds and abuses have been committed in the purchasing lands of the Indians, to the great prejudice of our interests, and to the great dissatisfaction of the said Indians: in order, therefore, to prevent such irregularities for the future, and to the end that the Indians may be convinced of our justice and determined resolution to remove all reasonable cause of discontent, we do, with the advice of our privy council, strictly enjoin and require, that no private person do presume to make any purchase from the said Indians of any lands reserved to the said Indians within those parts of our colonies where we had thought proper to allow settlement; but if at any time any of the said Indians should be inclined to dispose of the said lands, the same shall be purchased only for us, in our name, at some public meeting of the assembly of the said Indians, to be held for that purpose by the Governor or Commander in Chief of our colony respectively within which they shall lie; and in case they shall lie within the limits of any proprietaries, conformable to such directions and instructions as we or they shall think proper to give for that purpose: and we do, by the advice of our privy council, declare and enjoin, that the trade with the said Indians shall be free and open to all our subjects whatever provided that every person who may incline to trade with the said Indians, do take out a licence for carrying on such trade, from the governor or commander-in-chief of any of our colonies respectively where such person shall reside, and also give security to observe such regulations as we shall at any time think fit, by ourselves or our commissaries, to be appointed for this purpose, to direct and appoint for the benefit of the said trade; and we do hereby authorize, enjoin and require the governors and commanders-in-chief

of all our colonies respectively, as well those under our immediate government, as those under the government and direction of proprietaries, to grant such licences without fee or reward, and the security forfeited in case the person to whom the same is granted shall refuse or neglect to observe such regulations as we shall think proper to prescribe as aforesaid.

And we do further expressly enjoin and require all officers whatever, as well military as those employed in the management and direction of the Indian affairs within the territories reserved, as aforesaid, for the use of the said Indians, to seize and apprehend all persons whatever who, standing charged with treason, misprision of treason, murder, or other felonies or misdemeanors, shall fly from justice, and take refuge in the said territory, and to send them under a proper guard to the colony where the crime was committed of which they shall stand accused, in order to take their trial for the same.

Given at our Court of St. James's, the 7th day of October 1763, in the third year of our Reign.—God save the King.

APPENDIX No. 11.

PROCLAMATION of Sir Alured Clarke, Lieutenant Governor of Canada, dated 7th May 1792.

Alured Clarke:

GEORGE the Third, by the grace of God of Great Britain, France and Ireland, King, Defender of the Faith, &c.: To all our loving subjects whom these presents may concern: Whereas in pursuance of an Act of Parliament lately made and provided, passed in the thirty-first year of our reign, and of authority by us given for that purpose, our late province of Quebec is become divided into the two provinces of Upper-Canada and Lower-Canada, and our Lieutenant-governor of the said province of Lower-Canada, by power from us derived, is authorized, in the absence of our right trusty and well-beloved Guy Lord Dorchester, Captain-general and Governor in Chief of our said province of Lower-Canada, to divide the said province of Lower-Canada into districts, counties, circles, or towns and townships, for the purpose of effectuating the intent of the said act of Parliament, and to declare and appoint the number of representatives to be chosen by each to serve in the Assembly of the said province; Know ye, therefore, that our trusty and well-beloved Alured Clarke, our Lieutenant-governor of our said province of Lower-Canada, in the absence of our said Governor in Chief, hath and by this our proclamation doth divide the said province of Lower-Canada into counties, cities and towns, and declare and appoint the number of the representatives of them, and each of them, to be as hereinafter limited, named, declared and appointed; that is to say, that the first of the said counties be all that part of the said province on the southerly side of the river of Saint Lawrence, now called the district of Gaspé, as described in our royal proclamation under the great seal of our late province of Quebec, bearing date the twenty-fourth day of July in the twenty-eighth year of our reign; and that the second of the said counties, to be called Cornwallis, shall comprehend all that part of our said province on the same side of the river St. Lawrence, between the said county of Gaspé and a line running south-east from the westerly angle of a tract of land commonly called the seigniorie of Mr. Lauchlan Smith, or St. Ann's, together with the islands of St. Barnaby and Bic, and all other islands in the said river nearest to the said county, and in the whole or in part fronting the same; and that the third of the said counties, to be called Devon, shall comprehend all that part of our said province on the same side of the said river of St. Lawrence, between the westerly side of the said County of Cornwallis and a line parallel thereto running from the westerly angle of a tract of land commonly called the seigniorie of the river Du Sud, together with all the islands in the river St. Lawrence nearest to the said county, and in the whole or in part fronting the same; and that the fourth of the said counties, to be called Hertford, shall comprehend all that part of our said province on the southerly side of the said river St. Lawrence, between the westerly side of the said county of Devon, and a line parallel thereto running from the north-easterly angle of a tract of land commonly called the seigniorie of Lauzon, or the seigniorie Point Levy, together with all the islands in the said river St. Lawrence nearest to the said county, and in the whole or in part fronting the same; and that the fifth of the said counties, to be called Dorchester, shall comprehend all that part of our said province on the southerly side of the said river Saint Lawrence, between the westerly side of the said county of Hertford and a line parallel thereto running from the westerly angle of the aforesaid tract of land called the seigniorie of Lauzon, or the seigniorie of Point Levy, together with all islands in the said river Saint Lawrence nearest to the said county, and in the whole or in part fronting the same; and that the sixth of the said counties, to be called Buckinghamshire, shall comprehend all that part of our said province on the southerly side of the said river St. Lawrence, between the westerly side of the said county of Dorchester and a line parallel thereto running from the north-easterly angle of a tract of land commonly called the seigniorie of Sorel, together with all the islands in the said river St. Lawrence (or lake St. Peter) nearest to the said county, and in the whole or in part fronting the same; and that the seventh of the said counties, to be called Richelieu, shall comprehend all that part of our said province on the southerly side of the said river St. Lawrence, between the westerly side of the said county of Buckinghamshire and the following lines, that is to say, a line running south-east from the westerly angle of a tract of land commonly called the seigniorie of St. Ours, until the same shall intersect the easterly bank of the river Sorel, otherwise called the river Richelieu or Chambly, thence up the easterly bank of the said river to the north-easterly bounds of a tract of land commonly called the seigniorie of Rouville, and thence by a line running south-east to the limits of our said province, together with all the islands in the river St. Lawrence (or lake St. Peter) nearest to the said county, and in the whole or in part fronting the same, and together also with all the islands in the river Sorel, Richelieu or Chambly, nearest to the said county, and in the whole or in part fronting the same, including in the said county the tract of land comprehended within the limits of the town or borough of William Henry hereinafter described; and that the eighth of the said counties, to be called Bedford, shall comprehend all that part of our said province on the easterly side of the river Sorel, otherwise called the Richelieu or Chambly, between the said river and the westerly side of the aforesaid county of Richelieu, together with all the islands in the said river Sorel, otherwise called Richelieu or Chambly, nearest to the said county, and in the whole or in part fronting the same; and that the ninth of the said counties, to be called Surrey, shall comprehend all that part of our said province on the southerly side of the river St. Lawrence, between the said river and the river Sorel, Richelieu or Chambly, and between the afore-mentioned south-east line running from the westerly angle of the tract of land called the seigniorie of St. Ours, and a line parallel thereto running from the westerly angle of a tract of land commonly called the seigniorie of Varennes, together with all the islands in the said river St. Lawrence nearest to the said county, and in the whole or in part fronting the same, and together also with all the islands in the river Sorel, Richelieu or Chambly, nearest to the said county, and in the whole or in part opposite thereto on that side; and that the tenth of the said counties, to be called Kent, shall comprehend all that part of our said province on the southerly side of the river St. Lawrence, between that river and the river Sorel, Richelieu or Chambly, and between the westerly side of the said county of Surrey and a line parallel thereto running from the westerly angle of a tract of land commonly called the barony of Longueuil, together with all the islands in the said river St. Lawrence nearest to the said county, and in the whole or in part fronting the same, and together also with all the islands in the said river Sorel, Richelieu or Chambly, nearest to the

the said county, and in the whole or in part opposite thereto on that side; and that the eleventh of the said counties to be called Huntingdon, shall comprehend all the rest of our said province of Lower Canada on the southerly side of the said river St. Lawrence, together with all the islands in the said river St. Lawrence and in the river Sorel, otherwise called the Richelieu or Chambly, nearest to the said county; and that the twelfth of the said counties, to be called York, shall comprehend all that part of our said province of Lower Canada on the northerly side of the said river St. Lawrence, between the uppermost limits thereof and a line running west north-west from the south-easterly angle of a tract of land commonly called the seigniorie of Dumont, together with the island of Perot and Bizarre, and all the other islands in the rivers St. Lawrence and Ottawa nearest to the said county, and in the whole or in part fronting the same, excepting the islands of Jesus and Montreal; and that the thirteenth of the said counties, to be called Montreal, shall comprehend the island of Montreal, including likewise such part thereof as shall be comprehended within the limits of the city and town of Montreal hereinafter described; and that the fourteenth of the said counties, to be called Effingham, shall comprehend all that part of our said province on the northerly side of the rivers St. Lawrence and Ottawa, between the easterly side of the aforesaid county of York and a line parallel thereto running from the south-easterly angle of a tract of land commonly called the seigniorie of Terrebonne, together with the island of Jesus, and all the other islands in the said rivers St. Lawrence and Ottawa, in the whole or in part fronting the said county, except the aforesaid island of Montreal; and that the fifteenth of the said counties, to be called Leinster, shall comprehend all that part of our said province on the northerly side of the said rivers St. Lawrence and Ottawa, between the easterly side of the said county of Effingham and a line running north-west from the south-easterly angle of a tract of land commonly called the seigniorie of St. Sulpice, together with all the islands in the said rivers St. Lawrence and Ottawa nearest to the said county, and in whole or in part fronting the same; and that the sixteenth of the said counties, to be called Warwick, shall comprehend all that part of our said province on the northerly side of the river St. Lawrence, between the easterly side of the said county of Leinster and a line parallel thereto running from the south-easterly angle of a tract of land commonly called the seigniorie of Berthier, together with all the islands in the said river St. Lawrence nearest to the said county, and in the whole or in part fronting the same; and that the seventeenth of the said counties, to be called St. Maurice, shall comprehend all that part of our said province on the northerly side of the river St. Lawrence, between the easterly side of the said county of Warwick and a line parallel thereto running from the south-easterly angle of a tract of land commonly called the seigniorie of Batiscan, together with all the islands in the said river St. Lawrence nearest to the said county, and in the whole or in part fronting the same, including within the same county the tract of land comprehended within the limits of the town and borough of Three-Rivers hereinafter described; and that the eighteenth of the said counties, to be called Hampshire, shall comprehend all that part of our said province on the northerly side of the river St. Lawrence, between the easterly side of the said county of St. Maurice and a line parallel thereto running from the south-westerly angle of a tract of land commonly called the seigniorie of St. Gabriel, together with all the islands in the said river St. Lawrence nearest to the said county, and in the whole or in part fronting the same; and that the nineteenth of the said counties, to be called Quebec, shall comprehend all that part of our said province on the northerly side of the river St. Lawrence, between the easterly side of the said county of Hampshire and a line running north-west from the south-westerly angle of a tract of land commonly called the seigniorie of Beaupré, near the mouth of the river Montmorency, together with all the islands in the said river Saint Lawrence nearest to the said county, and in the whole or in part fronting the same (except the island of Orleans) including within the said county the tract of land comprehended within the limits of the city and town of Quebec hereinafter described; and that the twentieth of the said counties, to be called Northumberland, shall comprehend all the rest of our said province on the northerly side of the river St. Lawrence and on the easterly side of the said county of Quebec, together with the island of Coudre and all the other islands in the said river St. Lawrence, nearest to the said county, and in the whole or in part fronting the same, except the island of Orleans; and that the twenty-first of the said counties, to be called Orleans, shall comprehend the said island of Orleans: And that the first of the said cities, to be called (as heretofore) the city and town of Quebec, shall comprehend all that tract or promontory of land (being part and parcel of the aforesaid county of Quebec) between the rivers of St. Lawrence and St. Charles, bounded in the rear by a right line running along the easterly front of the convent called the General Hospital, and continued from river to river; and that the said city and town of Quebec be, and the same is hereby declared to be divided into two parts, to be called respectively the Lower Town and the Upper Town, and that the said Lower Town shall comprehend all that part of the said tract or promontory of land situate below the hill called Cape Diamond, and the fortifications and high ground beyond them, including both sides of the road passing the intendant's Palace and St. Ror, until the said road shall meet the aforesaid rear line continued from the easterly front of the General Hospital aforesaid, together with the ground up Mountain Street, on the easterly side thereof as high as the ground of the Bishop's Palace, not including the same, and on the westerly side of Mountain Street as high as the alley leading to the old Chateau of St. Lewis, from the head of the steps opposite to the gate of the said Bishop's Palace; and that the said Upper Town shall comprehend all the rest of the said tract or promontory; of the second of the said cities to be called (as heretofore) the city and town of Montreal, shall comprehend all that tract or parcel of land (being part and parcel of the aforesaid county of Montreal) bounded in front by the river Saint Lawrence, and in the rear by a line parallel to the general course of the fortification walls on the rear of the said town, at the distance of 100 chains from the gate commonly called the St. Lawrence Gate, and bounded on the easterly or lowermost side by a line running parallel to the general course of the fortification walls on the easterly or lowermost side of the said town, at the distance of 100 chains from the gate towards the Quebec Suburbs commonly called the Quebec Gate, and on the westerly or uppermost side by a line running parallel to the general course of the fortification walls on the easterly or uppermost side of the said town, at the distance of 100 chains from the gate towards the St. Anthony suburbs commonly called the Recollet's Gate, and that the said city and town of Montreal be, and the same is hereby declared to be divided into two parts, to be called respectively the Easterly Ward and Westerly Ward, and that the said Easterly Ward shall comprehend all the easterly or lowermost part of the said tract above described, bounded on the westerly or uppermost side by a line running through the middle of the main street of the St. Lawrence suburbs and the continuation thereof, and through the middle of the street called the Congregation Street, Notre-Dame Street, and along the middle of the same westerly to the middle of St. Joseph Street, and thence down the middle of St. Joseph Street to the river; and that the said Westerly Ward shall comprehend all the rest of the said tract or parcel of land within the limits above described: And that the first of the said towns or boroughs, to be called the town or borough of Three-Rivers, shall comprehend all that tract or parcel of land (being part and parcel of the aforesaid county of St. Maurice) bounded in the front by the river St. Lawrence, and in the rear by a line parallel to the general course of the said front, at the distance of 160 chains from the westerly point of the mouth of the river of St. Maurice, on the easterly side by the said river St. Maurice, and on the westerly side by a line rectangular to the aforesaid rear line, running from a point therein at the distance of 160 chains from the westerly bank of the said river of St. Maurice, until it strikes the said river St. Lawrence; and that the second and last of the said towns or boroughs, to be called the town or borough of William Henry, shall comprehend all that tract or parcel of land (being part and parcel of the aforesaid county of Richelieu) bounded in front by the river Sorel, otherwise called the river Richelieu or Chambly, in the rear by a line parallel to the easterly side of the Royal-square of the said town, at the distance of 120 chains therefrom, on the northerly side by the river St. Lawrence and on the southerly side by a line parallel to the southerly side of the Royal-square of the said town, at the distance of 120 chains therefrom. And know ye also, that our said Lieutenant-governor hath also declared and appointed, and doth hereby declare and appoint, that the several counties of Cornwallis, Devon, Hertford, Dorchester, Buckinghamshire,

Richelieu, Surrey, Kent, Huntingdon, York, Montreal, Effingham, Leinster, Warwick, St. Maurice, Hampshire, Quebec and Northumberland aforesaid, shall and may be represented in the Assembly of the said province, by two members or representatives, to be duly chosen in and for each of the same counties respectively, and the counties of Gaspé, Bedford and Orleans, by only one member or representative for each of the said counties respectively; and the cities or towns of Quebec and Montreal respectively by four members or representatives for each of the said cities or towns, to wit, two for each subdivision thereof respectively, and the town or borough of Three-Rivers by two members or representatives for the said town or borough, and the town or borough of William Henry by only one member or representative for the said town or borough; of which our loving subjects and all others concerned are to take due notice, and govern themselves accordingly. In testimony whereof, we have caused these our letters to be made patent, and the great seal of our said province of Lower Canada to be hereunto affixed. Witness our trusty and well-beloved Alured Clarke, esquire, our Lieutenant-governor and Commander in Chief of our said province of Lower Canada, and Major-general commanding our forces in North America, &c. &c. &c.; at our Castle of St. Lewis, in the city of Quebec, this 7th day of May, in the year of our Lord 1792, and in the 32d year of our reign.

Hugh Finlay, Acting Secretary.

A. C.

APPENDIX, No. 12.

AN ACT to provide for increasing the Representation of the Commons of the Province of Upper Canada, in the House of Assembly;

[Passed 7th March 1820.]

WHEREAS from the rapid increase of the population in this province, the representation thereof in the Commons House of Assembly is deemed too limited; Be it therefore enacted, by the King's most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, intituled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, intituled, "An Act for making more effectual provision for the Government of the Province of Quebec in North America," and to make further provision for the Government of the said Province," and by the authority of the same, that so much of the several laws now in force as regulate the number of representatives to serve in the Provincial Parliament, be and the same is hereby repealed.

2. And be it further enacted, by the authority aforesaid, that from and after the end of the present Parliament, each and every county now formed or organized, or which shall or may hereafter be formed or organized, the population of which shall amount to one thousand souls, shall be represented in the Provincial Parliament, by one member; and when the population of such county or counties as aforesaid shall amount to four thousand souls, the said county or counties shall be represented by two members; and that each and every town in which the quarter sessions for the district are or may by law be holden, and in which there shall be one thousand souls, shall be represented by one member.

3. And be it further enacted, by the authority aforesaid, that the population required to be contained in each and every town or county for the purposes aforesaid, shall be ascertained by the returns of the several town clerks of the number of souls in the several towns and townships of this province, certified copies of which returns the clerk of the peace of the district in which such town, township or county, shall or may be situated; is hereby required to transmit to the office of the Governor, Lieutenant-Governor, or person administering the government of this province.

4. And be it further enacted, by the authority aforesaid, that whenever an university shall be organized and in operation as a seminary of learning in this province, and in conformity to the rules and statutes of similar institutions in Great Britain, it shall and may be lawful for the Governor, Lieutenant Governor or person administering the government of this province for the time being, to declare by proclamation the tract of land appertaining to such university, and whereupon the same is situated, to be a town or township by such name as to him shall seem meet, and that such town or township so constituted shall be represented by one member: Provided always, nevertheless, that no person shall be permitted to vote at any such election for a member to represent the said university in Parliament, who, besides the qualification now by law required, shall not also be entitled to vote in the convocation of the said university.

5. And be it further enacted, by the authority aforesaid, that it shall and may be lawful for the Governor, Lieutenant Governor, or person administering the government of this province, to issue writs of election for members to serve in the Commons House of Assembly for such counties and towns as aforesaid, and for the said university, in like manner as is provided by the eighteenth clause of an Act passed in the thirty-first year of His Majesty's Reign, intituled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, intituled, "An Act for making more effectual provision for the government of the province of Quebec in North America," and to make further provision for the government of the said province."

6. Provided always, and be it further enacted, by the authority aforesaid, that nothing in this Act contained shall extend or be construed to extend to lessen the number of members now returned for any county or counties under the authority of any law heretofore in force in this province, or to make necessary the issuing of any new writ of election during the continuance of any Parliament, by reason of the increase of inhabitants in any town or county since the then last preceding general election.

7. And be it further enacted, by the authority aforesaid, that when any county now formed or hereafter to be formed shall contain less than one thousand souls, the said county or counties shall be attached to the next adjoining county of the district in which there shall be the smallest number of souls.

8. And be it further enacted, by the authority aforesaid, that the number of souls residing in any town as aforesaid, shall be ascertained and distinguished, in the return of the town clerk of the township in which such town shall be situated, from the number of souls of such township.

9. And be it further enacted, by the authority aforesaid, that no person qualified to vote in any town as aforesaid, shall be allowed to vote in the county in which such town is situated upon the same freehold which may qualify him to vote for a member to represent the said town.

10. And be it further enacted, by the authority aforesaid, that the number of souls contained in any town which may hereafter elect a member as aforesaid, shall not be considered as a part of the number of souls required to give the county in which such town shall be situated, two members.

APPENDIX, No. 13.

UNIVERSITY of King's College at York, in Upper Canada.

THE CHARTER, &c.

GEORGE The Fourth, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, and so forth; To all to whom these presents come, greeting:—

Whereas the establishment of a college within our province of Upper Canada in North America, for the education of youth in the principles of the Christian Religion, and for

their instruction in the various branches of science and literature which are taught in our universities in this Kingdom, would greatly conduce to the welfare of our said province; and whereas humble application hath been made to us by many of our loving subjects in our said province that we would be pleased to grant our royal charter for the more perfect establishment of a college therein, and for incorporating the members thereof for the purposes aforesaid: Now know ye, that we have taken the premises into our royal consideration, and duly weighing the great utility and importance of such an institution, have of our special grace, certain knowledge and mere motion, ordained and granted, and do by these presents, for us, our heirs and successors, ordain and grant, that there shall be established at or near our town of York, in our said province of Upper Canada, from this time, one college, with the style and privileges of an university as hereinafter directed, for the education and instruction of youth and students in arts and faculties, to continue for ever to be called "King's College."

And we do hereby declare and grant that our trusty and well beloved the Right Reverend Father in God, Charles James, bishop of the diocese of Quebec, or the bishop for the time being of the diocese in which the said town of York may be situate, on any future division or alteration of the said present diocese of Quebec, shall for us and on our behalf be visitor of the said college; and that our trusty and well beloved Sir Peregrine Maitland, our Lieutenant Governor of our said province, or the Governor, Lieutenant Governor or other person administering the government of our said province for the time being, shall be the Chancellor of our said college.

And we do hereby declare, ordain and grant, that there shall at all times be one president of our said college, who shall be a clergyman in holy orders of the united church of England and Ireland; and that there shall be such and so many professors in different arts and faculties within our said college, as from time to time shall be deemed necessary or expedient, and as shall be appointed by us or by the chancellor of our said college in our behalf, and during our pleasure.

And we do hereby grant and ordain that the Reverend John Strachan, Doctor in Divinity, Archdeacon of York, in our said province of Upper Canada, shall be the first president of our said college, and the Archdeacon of York, in our said province, for the time being, shall by virtue of such his office, be at all times the president of the said college.

And we do hereby, for us and our heirs and successors, will, ordain and grant, that the said chancellor and president, and the said professors of our said college, and all persons who shall be duly matriculated into and admitted as scholars of our said college, and their successors for ever, shall be one distinct and separate body politic and corporate in deed and in name, by the name and style of "the Chancellor, President and Scholars of King's College, at York in the Province of Upper Canada," and that by the same name they shall have perpetual succession and a common seal, and that they and their successors shall from time to time have full power to alter, renew or change such common seal after their will and pleasure, and as shall be found convenient; and that by the same name they the said chancellor, president and scholars, and their successors from time to time, and at all times hereafter, shall be able and capable to have, take, receive, purchase, acquire, hold, possess, enjoy and maintain, to and for the use of the said college, any messuages, lands, tenements and hereditaments of what kind, nature or quality soever, situate and being within our said province of Upper Canada, so as that the same do not exceed in yearly value the sum of fifteen thousand pounds sterling above all charges, and moreover to take, purchase, acquire, have, hold, enjoy, receive, possess and retain all or any goods, chattles, charitable or other contributions, gifts or benefactions whatsoever.

And we do hereby declare and grant that the said chancellor, president and scholars, and their successors by the same name, shall and may be able and capable in law to sue and be sued, implead and be impleaded, answer and be answered, in all or any court or courts of record within our United Kingdom of Great Britain and Ireland, and our said province of Upper Canada, and other our dominions, in all and singular actions, causes, pleas, suits, matters and demands whatsoever of what nature or kind soever, in as large, ample and beneficial a manner and form as any other body politic and corporate, or any other our liege subjects being persons able and capable in law, may or can sue, implead or answer, or be sued, impleaded or answered in any manner whatsoever.

And we do hereby declare, ordain and grant, that there shall be within our said college or corporation, a council, to be called and known by the name of "the College Council;" and we do will and ordain that the said council shall consist of the chancellor and president for the time being, and of seven of the professors in arts and faculties of our said college, and that such seven professors shall be members of the established united church of England and Ireland, and shall previously to their admission into the said college council, severally sign and subscribe the thirty-nine articles of religion as declared and set forth in the Book of Common Prayer; and in case at any time there should not be within our said college seven professors of arts and faculties being members of the established church aforesaid, then our will and pleasure is, and we do hereby grant and ordain, that the said college council shall be filled up to the requisite number of seven, exclusive of the chancellor and president for the time being, by such persons, being graduates of our said college, and being members of the established church aforesaid, as shall for that purpose be appointed by the chancellor for the time being of our said college, and which members of council shall in like manner subscribe the thirty-nine articles aforesaid previously to their admission into the said college council.

And whereas it is necessary to make provision for the completion and filling up of the said council at the first institution of our said college, and previously to the appointment of any professors or the conferring of any degrees therein; now we do further ordain and declare, that the chancellor of our said college for the time being, shall, upon or immediately after the first institution thereof, by warrant under his hand, nominate and appoint seven discreet and proper persons resident within our said province of Upper Canada, to constitute, jointly with him the said chancellor, and the president of our said college for the time being, the first or original council for our said college, which first or original members of the said council shall in like manner respectively subscribe the thirty-nine articles aforesaid, previously to their admission into the said council.

And we do further declare and grant, that the members of the said college council holding within our said college the offices of chancellor, president or professor in any art or faculty, shall respectively hold their seats in the said council, so long as they and each of them shall retain such their offices as aforesaid, and no longer; and that the members of the said council not holding offices in our said college shall from time to time vacate their seats in the said council when and so soon as there shall be an adequate number of professors of our said college, being members of the established church aforesaid, to fill up the said council to the requisite number before mentioned.

And we do hereby authorize and empower the chancellor for the time being of our said college to decide in each case what particular number of the said council not holding any such office as aforesaid, shall vacate his seat in the said council, upon the admission of any new member of council holding any such office.

And we do hereby declare and grant, that the chancellor for the time being of our said college shall preside at all meetings of the said college council which he may deem it proper or convenient to attend, and that in his absence the president of our said college shall preside at all such meetings, and that in the absence of the president, the senior member of the said council present at any such meeting shall preside thereat, and that the seniority of the members of the said council, other than the chancellor and president, shall be regulated according to the date of their respective appointments; provided always, that the members of the said council being professors in our said college shall in the said council take precedence over and be considered as seniors to the members thereof not being professors in our said college.

And we do ordain and declare, that no meeting of the said council, shall be or be held to be a lawful meeting thereof, unless five members at the least be present during the whole of every such meeting; and that all such questions and resolutions proposed for the

decision of the said college council shall be determined by the majority of the votes of the members of council present, including the vote of the presiding member, and that in the event of an equal division of such votes, the member presiding at any such meeting shall give an additional or casting vote.

And we do further declare, that if any member of the said council shall die or resign his seat in the said council, or shall be suspended or removed from the same, or shall by reason of any bodily or mental infirmity, or by reason of his absence from the said province, become incapable for three calendar months or upwards of attending the meetings of the said council, then and in every such case a fit and proper person shall be appointed by the said chancellor, to act as and be a member of the said council in the place and stead of the member so dying or resigning, or so suspended or removed, or incapacitated as aforesaid; and such new member succeeding to any members so suspended or incapacitated, shall vacate such his office on the removal of any such suspension, or at the termination of any such incapacity as aforesaid of his immediate predecessor in the said council.

And we do further ordain and grant, that it shall and may be competent to and for the chancellor for the time being of our said college, to suspend from his seat in the said council any member thereof for any just and reasonable cause to the said chancellor appearing; provided that the grounds of every such suspension shall be entered and recorded at length by the said chancellor in the books of the said council, and signed by him; and every person so suspended shall thereupon cease to be a member of the said council unless and until he shall be restored to and re-established in such his station therein by any order to be made in the premises by us, or by the said visitor of our said college acting on our behalf, and in pursuance of any special reference from us.

And we do further declare, that any member of the said council, who without sufficient cause, to be allowed by the said chancellor by an order entered for that purpose in the books of the said council, shall absent himself from all the meetings thereof which may be held within any six successive calendar months, shall thereupon vacate such his seat in the said council.

And we do by these presents, for us, our heirs and successors, will ordain and grant, that the said council of our said college shall have power and authority to frame and make statutes, rules and ordinances touching and concerning the good government of our said college, the performance of divine service therein, the studies, lectures, exercises and degrees in arts and faculties, and all matters regarding the same, the residence and duties of the president of our said college, the number, residence and duties of the professors thereof, the management of the revenues and property of our said college, the salaries, stipends, provision and emoluments of and for the president, professors, scholars, officers and servants thereof, the number and duties of such officers and servants, and also touching and concerning any other matter or things which to them shall seem good, fit and useful for the well-being and advancement of our said college, and agreeable to this our charter; and also from time to time, by any new statutes, rules or ordinances, to revoke, renew, augment or alter all, every or any of the said statutes, rules and ordinances as to them shall seem meet and expedient; provided always, that the said statutes, rules, and ordinances, or any of them, shall not be repugnant to the laws and statutes of the United Kingdom of Great Britain and Ireland, or of our said province of Upper Canada, or to this our charter; provided also, that the said statutes, rules and ordinances shall be subject to the approbation of the said visitor of our said college for the time being, and shall be forthwith transmitted to the said visitor for that purpose; and that in case the said visitor shall for us and on our behalf, in writing, signify his disapprobation thereof within two years of the time of their being so made and framed, the same, or such part thereof as shall be so disapproved of by the said visitor, shall from the time of such disapprobation being made known to the said chancellor of our said college, be utterly void and of no effect, but otherwise shall be and remain in full force and virtue.

Provided nevertheless, and we do hereby expressly save and reserve to us, our heirs and successors, the power of reviewing, confirming or reversing, by any order or orders to be by us or them made in our or their privy council, all or any of the decisions, sentences or orders so to be made as aforesaid by the said visitor for us and on our behalf, in reference to the said statutes, rules and ordinances, or any of them.

And we do further ordain and declare, that no statute, rule or ordinance shall be framed or made by the said college council touching the matters aforesaid, or any of them, excepting only such as shall be prepared for the consideration of the said council by the chancellor for the time being of our said college.

And we do require and enjoin the said chancellor thereof to consult with the president of our said college, and the next senior member of the said college council, respecting all statutes, rules and ordinances to be proposed by him to the said council for their consideration.

And we do hereby for us our heirs and successors charge and command that the statutes, rules and ordinances aforesaid, subject to the said provisions, shall be strictly and inviolably observed, kept and performed from time to time in full vigour and effect, under the penalties to be thereby or therein imposed or contained.

And we do further will ordain and grant, that the said college shall be deemed and taken to be an university, and shall have and enjoy all such and the like privileges as are enjoyed by our universities of our United Kingdom of Great Britain and Ireland, as far as that same are capable of being had or enjoyed, by virtue of these our letters patent; and that the students in the said college shall have liberty and faculty of taking the degrees of bachelor, master and doctor, in the several arts and faculties at the appointed times, and shall have liberty within themselves of performing all scholastic exercises for the conferring such degrees in such manner as shall be directed by the statutes, rules and ordinances of the said college.

And we do further will, ordain and appoint, that no religious test or qualification shall be required of or appointed for any persons admitted or matriculated as scholars within our said college, or of persons admitted to any degree in any art or faculty therein, save only that all persons admitted within our said college to any degree in divinity, shall make such and the same declarations and subscriptions, and take such and the same oaths, as are required of persons admitted to any degree of divinity in our University of Oxford.

And we do further will, direct and ordain, that the chancellor, president and professors of our said college, and all persons admitted therein to the degree of master of arts, or to any degree in divinity, law or medicine, and who from the time of such their admission to such degree, shall pay the annual sum of twenty shillings sterling money, for and towards the support and maintenance of the said college, shall be and be deemed taken and reputed to be members of the convocation of the said university, and as such members of the said convocation shall have, exercise and enjoy all such and the like privileges as are enjoyed by members of the convocation of our University of Oxford, so far as the same are capable of being had and enjoyed by virtue of these our letters patent, and consistently with the provisions thereof.

And we will, and by these presents for us our heirs and successors, do grant and declare, that these our letters patent, on the enrolment or exemplification thereof, shall and may be good, firm, valid, sufficient and effectual in the law according to the true intent and meaning of the same, and shall be taken, construed, and adjudged in the most favourable and beneficial sense, or to the best advantage of the said chancellor, president and scholars of our said college, as well in our courts of record as elsewhere, and by all and singular judges, justices, officers, ministers, and other subjects whatsoever of us, our heirs and successors, any misrecital, nonrecital, omission, imperfection, defect, matter, cause or thing whatsoever to the contrary thereof in anywise notwithstanding.

In witness whereof we have caused these our letters to be patent.

Witness Ourselves at Westminster, this fifteenth day of March one thousand eight hundred and twenty seven, in the eighth year of our reign.

APPENDIX, 14.

Copy of the opinion of His Majesty's Law Officers relative to the Clergy reserves; dated 15th Novr. 1819.

Doctors Commons, 15th Nov. 1819.

My Lord,

We are honoured with your Lordship's commands of the 14th September last, stating that doubts having arisen how far, under the construction of the Act passed in the 31st year of his present Majesty, (c. 31.) the Dissenting Protestant ministers resident in Canada have a legal claim to participate in the lands by that Act directed to be reserved as a provision for the support and maintenance of a Protestant clergy.

And your Lordship is pleased to request, that we would take the same into consideration and report to your Lordship, for the information of the Prince Regent, our opinion, whether the Governor of the province is either required by the Act, or would be justified in applying the produce of the reserved lands to the maintenance of any other than the clergy of the Church of England resident in the province; and in the event of our being of opinion that the ministers of Dissenting Protestant congregations have a concurrent claim with those of the Church of England, further desiring our opinion, whether, in applying the reserved lands to the endowment of rectories and parsonages, as required by the 38th clause, it is incumbent upon His Majesty to retain a proportion of those lands for the maintenance of the Dissenting clergy, and as to the proportion in which, under such a construction, the provision is to be assigned to the different classes of Dissenters established within the province.

We are of opinion, that though the provisions made by 31st Geo. 3 c. 31, s. 36 and 42, for the support and maintenance of a Protestant clergy, are not confined solely to the clergy of the Church of England, but may be extended also to clergy of the Church of Scotland, if there are any such settled in Canada, (as appears to have been admitted in the debate upon the passing of the Act,) yet that they do not extend to Dissenting ministers, since we think the terms Protestant clergy can apply only to Protestant clergy recognized and established by law.

The 37th section, which directs "that the rents and profits of the lands, &c. shall be applicable solely to the maintenance and support of a Protestant clergy" does not specify by what authority the rents and profits are to be so applied. Supposing the Governor to be duly authorized by the Act to make such application, we think that he will be justified in applying such rents and profits to the maintenance and support of Clergy of the Church of Scotland, as well as those of the Church of England, but not to the support and maintenance of ministers of Dissenting Protestant congregations.

With respect to the second question, the 38th clause, "which empowers His Majesty to authorize the Governor to constitute and erect parsonages or rectories according to the establishment of the Church of England;" provides also, "that he may endow every such parsonage or rectory with so much of the lands allotted and appropriated in respect to any land within such township or parish which shall have been granted, as the Governor, with the advice of the Executive Council, shall judge to be expedient."

Under these terms he might endow any particular parsonage or rectory with the whole lands allotted and appropriated in that township or parish.

It would be inconsistent with this discretionary power that any proportion of such lands should be absolutely retained for any other clergy than those mentioned in that clause, and we think that it is not incumbent on His Majesty so to retain any proportion of such lands.

We have the honour to be, my Lord,

Your Lordship's most obedient humble servants,

(signed)

Christ. Robinson.

R. Gifford.

J. S. Copley.

Earl Bathurst,
&c. &c. &c.

APPENDIX, No. 15.

Copy of the Opinion of the Law Officers of the Crown, as to the Right of the Crown to appropriate the Revenue raised under the Act of 1774, independent of the Legislative Assembly.

Serjeant's Inn, 13th Nov. 1824.

My Lord,

We have had the honour to receive your Lordship's letter, transmitting to us the copy of a letter from Lieutenant-General the Earl of Dalhousie, dated the 28th April 1823, inclosing a report made by a Committee of the Assembly of Lower Canada upon the province accounts, in which a question is raised as to the right of Government to apply the proceeds of the revenue arising from the 14 Geo. 3, c. 88, as they invariably have been since the passing of that Act, towards defraying the expenses of the administration of justice, and the support of the civil government, by the authority of His Majesty, without the intervention of the Colonial Legislature; and your Lordship was pleased to desire that we would take the same into our consideration, and report to your Lordship, for the information of His Majesty, whether the power granted by the Act of the 14 Geo. 3, is repealed by the Declaratory Act of the 18 Geo. 3, or by the Act of the 31st Geo. 3, granting a constitution to the provinces of Lower and Upper Canada, so as to take from the Crown the appropriation of the money levied under the 14 Geo. 3, and to vest it in the Provincial Legislature.

In compliance with your Lordship's request, we have taken the same into our consideration, and beg leave to report, for the information of His Majesty, that by the 14 Geo. 3, c. 88, the duties thereby imposed are substituted for the duties which existed at the time of the surrender of the province to His Majesty's arms, and are specially appropriated by Parliament to defraying the expenses of the administration of justice, and of the support of the civil government in the province. This Act is not repealed by the 18 Geo. 3, c. 12, the preamble of which declares that Parliament will not impose any duty, &c. for the purpose of raising a revenue; and the enacting part of which states, that from and after the passing of this Act, the King and Parliament will not impose, &c. except only, &c.; the whole of which is prospective, and does not, as we think, affect the provisions of the Act of 14 Geo. 3, c. 88. It may be further observed, that if the 18th Geo. 3, had repealed the 14 Geo. 3, the duties imposed by the latter Act must immediately have ceased; and the Act 18 Geo. 3, cannot affect the appropriation of the duties imposed by the 14 Geo. 3, since the 18 Geo. 3, is confined to duties thereafter to be imposed, and imposed also for purposes different from those which were contemplated by the Legislature in passing the 14 Geo. 3; viz. the regulation of commerce alone.

We are further of opinion, that the Act 14 Geo. 3, c. 88, is not repealed or affected by the 31 Geo. 3, c. 31. It is clear that it is not repealed; in fact, as we observed with respect to the 18 Geo. 3, if the Act had been repealed the duties must immediately have ceased; and as to the appropriation of the duties, or the control over them, nothing is said upon the subject, either in the 46 and 47th section, or in any other part of the Act 31 Geo. 3, c. 31.

With respect to any inference to be drawn from what may have taken place in Canada within the last few years as to these duties, it may be observed, that the duties having been imposed by Parliament, at a time when it was competent to Parliament to impose them, they cannot be repealed, or the appropriation of them in any degree varied, except by the same authority.

We have the honour, &c.

(Signed)

J. S. Copley.

Chs. Wetherell.

Earl Bathurst,
&c. &c. &c.

Colonial Department, Downing-street, 26th June 1829.

APPENDIX, No. 16.

Copy of a Petition from Canada, praying that the Presbyterian Clergy may participate in the Revenues set apart for the Protestant Clergy; dated 20th of December 1827, Quebec.

To the King's Most Excellent Majesty.

May it please Your Majesty,

Your Majesty's Presbyterian subjects, whose names are hereunto subscribed, as well for themselves as for other your Majesty's subjects professing the same creed in your Majesty's provinces of Upper and Lower Canada, most humbly beg leave to approach your Majesty's throne, and to claim Your royal support and protection.

A great number of Your Majesty's petitioners, descended from those North Britons who so eminently contributed under the immortal Wolfe to the conquest of these colonies, have, with the influx of emigrants from Scotland and Ireland, formed large communities professing the hereditary faith.

From a zealous and steadfast attachment to that faith your petitioners have hitherto (in the absence of any other support) endeavoured by voluntary contributions to obtain the inestimable advantage of the services of ministers of their persuasion; but the extent of the means derived from that source has been wholly inadequate to procure a number of pastors proportionate to the extent of the population, and is also insufficient to place those already settled among them in a state of suitable independence.

The Imperial Parliament feeling the necessity of extending its fostering care to religious establishments in these colonies, enacted by a statute passed in the thirty-first year of the reign of His late Majesty, of happy and glorious memory, that the one-seventh of the ungranted lands in these provinces should be allotted for the support and maintenance of a Protestant clergy within the same.

The liberality of the Imperial Parliament did not stop here, as that provision could only be prospective, and as the wants of infant and growing colonies required, in a religious point of view, a more efficient succour, the Episcopalian clergy in these provinces have been allowed to participate in the sums voted annually by the Imperial Parliament, for the Society for the Propagation of the Gospel in the North American provinces.

Your Majesty's petitioners beg leave to express to Your Majesty their regret that the Presbyterian clergy in the Canadas have not hitherto been permitted to participate in any portion of the reserves arising from the lands so set apart for the maintenance of a Protestant clergy in the said province, nor have they received assistance from any other source.

Your Majesty's petitioners referring to the Act of Parliament passed in the 5th year of the reign of Queen Anne, c. 8, and finding the religion professed and established in the Church of Scotland, as well as that professed and established in the Church of England, to be there recognized as the true Protestant religion, are at a loss to conceive why their church should be placed in a worse situation than the Church of England, and why the ministers of their persuasion should not be considered as coming under the designation of a Protestant clergy.

Your Majesty's petitioners beg leave, most gracious Sovereign, to observe that the parent church, from which they sprung, has been eminently distinguished for diffusing the principles of religion and sound morals, and they are persuaded, from the experience of ages, and especially from the example of the land of their forefathers, that a people blessed with the advantages of a suitable provision for religious instruction and education, are thereby trained to order and virtue; and that in a country where effectual provision is made for these purposes, nothing remain for the Government but to enjoy the spectacle of its progressive improvement and increasing happiness, and to receive from a loyal, virtuous and happy people the spontaneous effusion of their gratitude and attachment.

Your petitioners, most gracious Sovereign, indulge the hope, that they may now obtain that support of which they stand in need, from the munificence of the Imperial Parliament, by being allowed to participate (as they humbly conceive they are entitled) in the revenues to be derived from the lands reserved for the support of a Protestant clergy, according to the ratio of their population, or in such other proportion as may be deemed equitable and just; and by granting to them such other provision as the Imperial Parliament may in its wisdom deem expedient.

Your Majesty's petitioners having reason to believe that the interests of the Protestant clergy of these provinces may become the subject of legislative enactment, during the ensuing session of Parliament, they most humbly beseech Your Majesty to weigh and consider the interests of Your Majesty's petitioners in the premises, and to do therein whatever to your Majesty may seem meet and just.

And Your Majesty's petitioners as in duty bound will ever pray.

Quebec, 20th December 1827.

(Here follows signatures of individuals to the amount of several hundreds.)

APPENDIX, No. 17.

Copy of the Petition from Inhabitants of Quebec, in favour of the Union of the Provinces of Upper and Lower Canada.

To the King's Most Excellent Majesty.

The Petition of the undersigned Seigniors, Magistrates, Members of the Clergy, Officers of Militia, Merchants, Landholders and others, Inhabitants of the City and District of Quebec, Province of Lower Canada.

Humbly sheweth,

THAT your Petitioners have learnt with the greatest satisfaction that Your Majesty has taken into your gracious consideration the state of the provinces of Upper and Lower Canada, with a view to adjust certain differences relating to matters of revenue complained of by the province of Upper Canada; and as it appears that Your Majesty's Government, in the course of its inquiry into the sources of these differences, has become satisfied of the necessity of some change being made in the constitutions of these provinces, but has postponed the adoption of final measures in order to give time to the people thereof to express their sentiments, your Petitioners beg leave humbly to approach your Majesty with a statement of various evils under which they have laboured for some years, and from which they have no hope of relief, except by the interposition of Your Majesty and the Imperial Parliament.

The experience of thirty years has now demonstrated the impolicy of the Act of the British Parliament, 31st Geo. 3, c. 31, by which the late province of Quebec was divided into the provinces of Upper and Lower Canada. To this division your petitioners ascribe the present ineffective state of their Legislature, and the want of those necessary measures for diffusing throughout the whole population of the country feelings becoming their character as British subjects, and introducing that general spirit of improvement, which, encouraged by the commercial system, universally pervades and invigorates other British colonies. This division has created a difference of interest between the provinces in matters connected with revenue highly injurious to both, inevitably producing a spirit of dissension and animosity, and infusing into the Legislatures principles of a narrow and selfish policy, adverse to the general development of their resources, and in an especial manner to the improvement of the channels of intercourse between them; and it is essential

sential here to notice, that nearly the whole of the revenue of the two Provinces arises from duties levied on merchandise imported at the port of Quebec, under laws enacted by the Legislature of the Lower Province. It has also, from the control which the geographical situation of the Lower Province enables it to exercise over the trade of the Canadas, placed the export trade of the Upper Province at its mercy, being subject to such regulations and restrictions at the shipping port as its Legislature may choose to impose. From this circumstance, and from the feeble attempts made to improve the grand natural channel of the Canadas, strikingly contrasted with the enterprise and energy evinced by the neighbouring state of New York in the rapid formation of canals, together with the indifference manifested on this subject by the Legislature of the Lower Province, your Petitioners have just reason for alarm, that if a similar system be persisted in, it may tend in a most injurious degree to increase the commercial intercourse of the Upper Province with the United States, and divert the enterprise and trade of its inhabitants into a foreign channel; and from these causes your Petitioners not only apprehend the immediate loss of beneficial trade, but that the gradual effect would be to interweave the interests of the Upper Canadians with those of the neighbouring States, thereby alienating their minds from the people of this province and weakening their affection for your Majesty's Government, notwithstanding their present known and tried loyalty.

The Legislature of this province has for a long time past been agitated by dissensions, and their deliberations so much interrupted thereby, that trade, agriculture, education and other objects of general interest have been neglected. There exists no law for the registry of lands and mortgages, so necessary for security in commercial transactions; no Insolvent Debtors Act; and your Petitioners have looked in vain for a law to provide for the unrepresented state of the townships, a fertile and valuable portion of this province, settled by inhabitants of British origin; of these Legislative enactments, and many others necessary to quicken the enterprise and industry of a commercial country, your Petitioners entertain little hope, until a re-union of the provinces shall have weakened the influence which has hitherto prevented their adoption in our statute book. The existence of this influence your Petitioners chiefly attribute to the impolitic division of these provinces; which, instead of rendering it the interest, as it is the duty, of every individual of the community to concur in measures to assimilate the whole population and to allay the jealousies naturally existing between the several classes, has unavoidably presented to the individuals who first attained a majority in the Legislature a temptation to perpetuate their own power by adopting a course directly opposite. To the same influence may be traced the small encouragement which has been held out to the settlement of the vacant lands of this Lower Province by British population, and consequently that upwards of 80,000 souls, (a number equal to one-fourth of the actual French population) who since the last American war have emigrated to this province from Great Britain and Ireland, scarcely one-twentieth part remain within its limits.

Your Petitioners have observed with gratitude the disposition which your Majesty's Government has evinced by the Act of the present year of Your Majesty, c. 119, to apply a remedy to the existing political evils of these provinces, but it is their humble opinion that the provisions thereof are insufficient; that numerous circumstances concur to render vain any attempt permanently to regulate to the satisfaction of both provinces the division of the revenue collected at the port of Quebec, unless united under one Legislature; and further they humbly beg leave to express their fears, that some of the provisions of this Act, although dictated by the necessity of regulating the conflicting claims of the two provinces, may afford a pretext to others for imputing to the Imperial Parliament a disposition remote from the intentions and views of Your Majesty's Government.

Having thus stated the evils under which they have suffered, your Petitioners feeling the fullest confidence in the justice and wisdom of your Majesty's Government, and being satisfied that the subject will receive the most serious and deliberate consideration, would have felt much hesitation in presuming to suggest remedies; but as the re-union of the two provinces has been proposed in the Imperial Parliament, they beg leave to express their entire acquiescence in the adoption of that measure, upon such principles as shall secure to all classes of Your Majesty's subjects in these provinces their just rights, and protect the whole in the enjoyment of existing laws, and their religion as guaranteed; such a union would, in the opinion of your Petitioners, afford the most effectual remedy for existing evils, as it would tend gradually to assimilate the whole population in opinions, habits and feelings, and afford a reasonable hope that the wisdom of the United Legislature would devise a system of government of more consistency and unity, and of greater liberality to all classes than has hitherto been experienced.

A union, on the equitable principles humbly suggested by Your Majesty's Petitioners, will necessarily include a representation proportionate, as near as possible, to the numbers, wealth, and resources of the different classes of inhabitants of these provinces—will require no innovation in the laws or religion of the country, nor proscription in debate or motion in the Legislature, of the language of any portion of the inhabitants, in every class of whom bravery and loyalty have been evinced as fellow soldiers in defence of the provinces.

May it therefore graciously please Your Majesty, that a bill for the union of the two provinces of Upper and Lower Canada, on the equitable terms prayed for by your Petitioners, do pass into law, and the constitution established thereby be preserved inviolate to your Petitioners and their posterity.

And your petitioners, as in duty bound, will ever pray.

Quebec, December, 1822.

Colonial Department, Downing street, }
7th June 1828.

APPENDIX, No. 18.

To the Honorable the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled.

The PETITION of the undersigned Merchants and others connected with the Canadas. Humbly sheweth,

That your Petitioners have perceived with alarm and deep regret the dissensions which have for many years prevailed in these provinces, and which are now so much matter of public notoriety, that your Petitioners deem it unnecessary to occupy the time of your Honourable House in their detail, neither is it the purpose of your Petitioners to blame the conduct of any man or party of men in these provinces, and thus by recrimination aggravate the evils, but your Petitioners are actuated by the more laudable motive of calling the attention of your Honourable House to what appears to them the only effectual remedy for these unfortunate differences in time to come.

That in the honest conviction of your Petitioners, the Act of the 31st Geo. 3, c. 31, whereby the late province of Quebec was divided into the provinces of Upper and Lower Canada has been the fruitful source of all the evils with which the Canadas have been and are now afflicted.

That this most impolitic measure was passed at the time without being desired by the then few inhabitants of what now constitutes the province of Upper Canada, and in direct opposition to the wishes of the inhabitants of what now constitutes the province of Lower Canada, whether of French or British extraction, as clearly appears by the representation of their joint agent made at the bar of your Honourable House, on the 23d of March 1791.

That the baneful consequences of this measure were even then so clearly foreseen, and brought so fully before your Honourable House, that your Petitioners cannot describe what has actually occurred in more appropriate language than that used by the individual above alluded to on that occasion: in urging the continuance of the province of Quebec undivided he says, "There is one consideration of the utmost importance to the tranquillity of the people inhabiting all parts of that country, and which will alone, I hope, be sufficient to engage this Honourable House to reject the plan of a new independent government. I beg leave to request that Honourable Members will recollect and attend to the geographical situation of that country, from which it will appear evident that no vessel of any kind can proceed further up the river St. Lawrence than the city of Montreal, on account of the Rapids, which are immediately above that town. Of course, as every article of necessity or luxury which the inhabitants of the upper districts have

occasion for from Britain, or any foreign country, must come to them by the river St. Lawrence, they must be landed at or below Montreal, where they must be stored by the Merchants of Quebec or Montreal, until carriages or boats are provided to send them forward; likewise that every article of produce which the people of these upper districts wish to export must be sent in boats to Montreal, or perhaps to Quebec, for the purpose of being shipped for exportation; and that as well the articles of import as of export must, in passing through the Lower Country, become subject to the laws, regulations, duties and taxes which may be imposed by the Legislature of the Lower Country. Now supposing the division to take place, as it may be expected, that the new Legislature of Quebec shall, in due time, provide a revenue towards the support of the civil government of that part of the province, it is more than probable, that whatever money is raised for that or any other public purpose, will be done by duties payable upon importations. It is therefore an object that deserves the most serious reflection of Honourable Members to consider how far the people inhabiting the Upper Government will approve of, and be content to pay taxes and duties on their importations or exportations when the produce of those taxes and duties is to be applied towards supporting the expenses of the civil government of the Lower Province, or for building public edifices, or otherwise improving or beautifying that part of the country; or for the purpose of granting bounties or encouragements to promote agriculture, or particular trades or manufactures, of which the people in the Upper Province cannot, from their situation, participate the advantages.

"It is impossible, Sir, if the province of Quebec is divided, for the wisdom of man to lay down a plan for these objects that will not afford matter of dispute, and create animosities between the governments of the two provinces, which, in a few years, may lead to the most serious consequences. This would be sowing the seeds of dissensions and quarrels which, however easy it may be to raise, it will be found exceedingly difficult to appease."

Again he adds: "Sir, I have considered the subject a thousand times since I first heard of this intended division, but have not been able to form any reasonable idea of the motive which has induced the proposition of such a dangerous experiment: if at any future period experience should point it out as expedient for the advantage and safety of Government, or for the general convenience or prosperity of the people, to divide that country, it may then be done with more judgment, from a more certain knowledge of the consequences of such a division. The inconveniences that may arise from continuing the province united under one Legislature are few, and they are well known and understood: the advantages are unanimity, mutual support and strength; but no man can tell the dangers of a separation. The dangers, however, to be apprehended are political weakness, disunion, animosities and quarrels."

"That it is within the knowledge of several of your Petitioners that the above Act had hardly become a law when the impolicy of the division of the province of Quebec became apparent to His Majesty's ministers, as was declared by them to the individual who made the representation from which your Petitioners have now quoted.

That although by the wisdom of the Imperial Parliament an Act was passed in 1822, intending to set at rest, at least for the moment, the disputes between the two provinces in regard to duties, for which end the power of determining upon the share of duties to which Upper Canada may be entitled is taken out of the hands of the two Colonial Legislatures and given to arbitrators, yet as the very passing of such a law implies the existence of a very great evil, so your Petitioners are well assured that this remedy, viewed as a permanent measure, would in its execution prove a source of endless dispute, dissatisfaction and jealousy between the two provinces; and as pregnant with the same effects do your Petitioners regard the depriving of the Legislature of Lower Canada of the power to raise any duties on importation, into that province without the previous communication of any projected law for that purpose to the Government of Upper Canada, and the transmission of it to England for the approval of Government there: the more consideration your Petitioners bestow on the subject, the more confirmed is their conviction that instead of palliative remedies, an effectual and complete remedy should be resorted to, and this can only be found by the union of the provinces under one Legislature.

That as British subjects, and persons whose interests are deeply involved in the prosperity of the provinces, your Petitioners cannot view the present state of affairs and their inevitable result without the most serious apprehensions. Situated as the Canadas are with respect to the United States of America, it is the interest of Great Britain to give as rapid a development to the resources of these provinces as they are capable of, and augment and increase their strength as much as possible, with a view to their continuing a distinct portion of America, secure under British protection, and furnishing Great Britain the means of exercising an important influence over that country, in such a manner as circumstances may render expedient. In furtherance of this object, it would be obviously fit that a communion of feeling and an identity of political views, with a sense of increased strength and importance, should, as far as can be produced, prevail in the two provinces; this policy is altogether counteracted by a division which tends to increase the opposition of the inhabitants of Lower Canada to the institutions, habits and feelings of those of Upper Canada, while the latter, becoming gradually more estranged from their sister province, must be naturally and imperceptibly drawn into closer ties of connection with the adjoining states, whose inhabitants have the same laws, language, habits and manners; whereas, by the union of the provinces, the present divided parts of the population would be gradually moulded into one common mass, with the same political views and feelings, ready to act in concert, and to combine their resources for their common defence.

That from the state of the representation in Lower Canada, a very large body of His Majesty's subjects, amounting, it is estimated, to 80,000 souls of British birth or of British descent, are unrepresented in the Legislature, either directly or indirectly; His Majesty's subjects of French descent having it in their power to exclude, and actually excluding from the House of Assembly all who do not fall into their views, (which views, right or wrong, it is not the present object of your Petitioners to discuss;) and the effect has been that of the vast number of emigrants who of late years have arrived from Great Britain and Ireland, probably not one twentieth part have remained within its limits, the rest have sought protection under English institutions, by settling in Upper Canada or in the United States.

That by a union of the two provinces every British inhabitant therein would be represented were some measure at the same time to be adopted to enable the townships to retain members for themselves, and the claims of these inhabitants of British origin are strongly built upon justice, that your Petitioners cannot doubt but your Honourable House would see fit to provide for the unrepresented state of these valuable and fertile portions of the province.

That the Legislature of the Lower Province has for a long time past been so much agitated by dissensions, and their deliberations so much engrossed thereby, that trade, agriculture, education and other matters of general interest have been neglected; whereas, under an enlightened and efficient Legislature, undistracted by partial views and interests, your Petitioners confidently anticipate the rapid advancement of these, together with the improvement of the navigation and internal means of communication, the establishment of an Insolvent Debtors Act, of offices for the registry of lands and mortgages, and other objects so necessary for security in commercial transactions.

That while your Petitioners thus point out to your Honourable House the necessity of, and advantages which, in their humble opinion, would flow from a union, they are far from wishing such a measure on any other than equitable principles, without innovation in the laws or religion, or without doing violence to the feelings of any party more than may be found necessary to conduce to the general good.

May your Honourable House therefore be pleased to take these premises into your consideration; and your Petitioners rely with full confidence on your wisdom for taking such measures thereupon as will promote the best interests of these provinces and long preserve them as valuable dependencies of the Crown of Great Britain.

And your Petitioners, as in duty bound, will ever pray.

17th May 1828.

RAPPORT.

LE COMITE CHOISI constitué pour s'enquérir de l'état du gouvernement civil du Canada, tel qu'établi par l'acte 31 Geo. III, et pour sur ce faire rapport de ses observations à la chambre ; et auquel ont été référés différentes PETITIONS pour un changement dans le gouvernement actuel ;—A examiné les objets à lui référés, et est convenu du RAPPORT suivant :

VOTRE comité a commencé son investigation sur l'état du gouvernement civil du Canada, par examiner les diverses pétitions des habitans des deux provinces, qui lui avaient été référées par la chambre. La pétition des Townships de la province inférieure, portant environ 10,000 signatures, se plaint du manque de cours dans leurs propres limites, et de l'administration des lois françaises dans les lois françaises. Qu'ils ne sont pas représentés dans la Chambre d'Assemblée du Bas-Canada ; et que des émigrés d'extraction anglaise ont été détournés de s'établir dans la province. Et finalement ils demandent une union législative entre le Haut et le Bas-Canada.

Votre comité ensuite a examiné la pétition signée par environ 87,000 habitans du Bas-Canada, établis sur les seigneuries, qui se plaignent de la conduite arbitraire du gouverneur de la province—de l'appropriation illégale qu'il a faite de l'argent public—de prorogations et dissolutions violentes du parlement provincial—et des obstacles qu'il a mis à la passation de plusieurs actes utiles, dont ils font l'énumération.

Ils se plaignent aussi de ce qu'un receveur-général a été maintenu dans l'exercice de ses fonctions, pendant plusieurs années après que son insolvabilité avait été connue au gouvernement. Qu'il avait existé de semblables abus à l'égard de la charge de shérif. Et il est de plus avancé que les droits des pétitionnaires ont été injuriés par quelques actes du parlement impérial, surtout par l'acte de commerce du Canada et l'acte passé dans la sixième année du règne de Sa Majesté, chap. 59, qui affecte la tenure des terres.

Pour plus ample connaissance des griefs dont on se plaint, votre comité prend la liberté de renvoyer aux pétitions qui se trouvent dans l'Appendice.

Avant que votre comité en vienne à expliquer ou discuter ces sujets importants, il croit devoir dire que les pétitions du Haut-Canada furent aussi référées à sa considération. Ces pétitions demandent, que les produits de la vente de certaines terres, réservées pour un clergé protestant, ne soient pas appliquées à l'usage exclusif du clergé de l'église d'Angleterre, (dont les membres répandus par toute la province seraient, en contradiction aux représentations de l'archidiacre Strachan, en bien petit nombre comparativement aux autres églises,) mais qu'il soient appliqués au maintien du clergé protestant d'autres dénominations, et à l'éducation générale.

Comme ces pétitions paraissent comprendre les principaux sujets de l'agitation récente des provinces du Haut et du Bas-Canada, votre comité a cru que la meilleure marche qu'il avait à suivre était d'examiner des témoins à l'égard de chaque pétition successivement, et en communiquant à la chambre les informations qu'il a recueillies, et les opinions qu'il a été induit à former, à l'égard du gouvernement civil du Canada, il traitera les différens sujets, autant que possible, dans l'ordre qui les a examinés.

Votre comité a examiné le système particulier de loi établi dans le Bas-Canada, et sur lequel la pétition des Townships a particulièrement porté son attention. Votre comité est entré dans un examen très détaillé sur ce sujet, et il en est venu à trouver qu'il existe depuis longtemps de l'incertitude sur des points de loi relatifs à la tenure de la propriété foncière en cette partie de la province. Il paraît que peu de temps après la cession de la province, le roi d'Angleterre, dans une proclamation en date du 7 octobre 1763, (qui se trouve dans l'Appendice), déclara entre autres choses, " que tous les habitans de la province et tous ceux qui iraient s'y établir, pouvaient se reposer sur la protection royale pour la jouissance des avantages des lois d'Angleterre," et il annonça qu'il avait donné des ordres pour l'érection de cours de judicature, avec appel à Sa Majesté en conseil.

En l'année 1774, fut passé le premier acte du parlement, pour pouvoir au meilleur gouvernement de cette partie des possessions britanniques. Cet acte conserva la loi criminelle d'Angleterre. Mais il fut statué, que dans toutes les matières relatives à la propriété et aux droits civils, on recourrait aux lois du Canada, comme règle de décision à l'égard d'iceux, et que toutes les causes qui seraient instituées dans aucune cour de justice, à être établie en la province, seraient à l'égard de la propriété et de ces droits, déterminées conformément aux dites lois et coutume du Canada. Il y a cependant une exception à cette concession des lois françaises, c'est " qu'elles n'auraient pas d'application aux terres qui avaient été, ou qui seraient depuis concédées en franc et commun socage."

Après un intervalle de sept ans, cet acte fut suivi de l'acte constitutionnel de 1791. Les dispositions de cet acte important ne touchent au sujet sous considération, qu'en ce qu'il pourroit, à l'égard du Bas-Canada, à ce qu'on concéderait des terres en franc et commun socage, si on le désire. Et de plus, que telles concessions seraient sujettes aux changemens que, d'après la nature et les conséquences de la tenure socagère, pourra faire la législature provinciale, avec l'approbation et le consentement de Sa Majesté ; mais on n'a fait aucun de ces changemens.

Après avoir examiné la manière dont on a appliqué ces dispositions législatives dans la province, il paraît qu'il a existé non-seulement des doutes sur la vraie manière de les interpréter—mais qu'il a été de pratique générale dans la colonie de transporter la propriété réelle dans les townships d'après les formes canadiennes ; et qu'elle a descendu aux héritiers selon cette loi, dont elle a subi tous les incidens. En 1826, le parlement britannique passa un acte qui mettait sa propre interprétation de ces statuts hors de dispute. Cet acte, communément appelé l'acte de tenure du Canada, déclara que la loi anglaise était la règle, par laquelle on devait ci-après régler et administrer la propriété réelle dans les townships. En offrant aucunes recommandations sur des points si difficiles et si importants, votre comité connaît pleinement sa position désavantageuse et l'incapacité où il se trouve, par la manque d'informations techniques et locales suffisantes, pour entrer avec succès dans tous les détails intriqués du sujet en question. Cela ne l'empêchera pas cependant d'offrir, comme son opinion, qu'il serait avantageux de rendre les dispositions déclaratoires des actes de tenure, à l'égard des terres tenues en franc et commun socage ; que les hypothèques soient spéciales et que dans le mode de transport des terres, on adopte les formalités les plus simples et les moins dispendieuses. D'après les principes de la loi d'Angleterre, le mode existant dans le Haut-Canada, étant probablement sous tous les rapports, le meilleur qu'on pût choisir ; Qu'on établisse comme dans le Haut-Canada, l'enregistrement des contrats relatifs aux terres socagères.

Votre comité est de plus d'opinion qu'il faudrait trouver des moyens pour mettre en opération effective la clause de l'acte de tenure, qui pourroit au changement de tenure ;

et il n'a aucun doute de l'inexpédience de retenir les droits seigneuriaux de la couronne, dans la vue d'en retirer du profit. Ce serait un bien petit sacrifice de la part de la couronne, et qui ne pourroit souffrir comparaison avec l'avantage qui résulterait à la colonie d'une pareille concession.

En addition à ce qui précède, il paraît à désirer d'établir une juridiction compétente pour entendre et décider les causes qui s'élèveront sur cette espèce de propriété ; et de former dans les townships des cours de circuit pour les mêmes objets.

Le comité ne peut trop fortement exprimer l'opinion où il est, que les canadiens d'extraction française, ne soient, le moins du monde, troublé dans la jouissance paisible de leur religion, de leurs lois et privilèges, tels qu'ils leur sont garantis par les actes du parlement britannique, et bien loin d'exiger d'eux qu'ils tiennent leurs terres d'après la tenure anglaise, il est d'avis que lorsque les terres en seigneurie seront occupées, si les descendans des premiers colons préfèrent encore la tenure en fief et seigneurie, il ne voit aucune objection à ce qu'on leur accorde, en cette dernière tenure, d'autres portions de terres inhabitées dans la province, pourvu que ces terres soient séparées des townships, n'y soient pas enclavées.

Votre comité désire en venir maintenant au système représentatif du Bas-Canada, et à l'égard de cette branche de son enquête, tous les partis semblent convenir de la nécessité de quelques changemens. Il désire faire ressouvenir cette chambre que par les dispositions de l'acte de 1791, la division de la province pour faciliter l'exercice de la franchise électorale fut laissée au gouverneur ; et il paraît que sir A. Clarke régla la représentation sur la population, comme la seule base de ses calculs, et forma un comté de toute portion de terre qui offrait un nombre donné d'habitans. Sur le littoral du Saint-Laurent chargé d'une population dense, une petite étendue de terrain suffisait pour un comté, tandis que dans les parties plus éloignées il fallait une vaste étendue de territoire, pour obtenir la population requise. De cette manière il est arrivé que le comté de Kent, Surry, Montréal, Leinster et Warwick, ne forment pas réunis la même étendue de terrain que le seul comté de Buckinghamshire. De plus les petits comtés consistent entièrement en terres tenues en seigneurie.

L'assemblée avait passé un bill, dont l'objet était d'augmenter en nombre l'assemblée représentative.—Ce bill ne fut pas passé en loi, et il paraît avoir été basé sur le même principe, et renfermait la même erreur que l'arrangement originaire de sir Alured Clarke. Il a été déposé par un des témoins, que la division proposée, aurait donné une augmentation disproportionnée aux représentans des seigneuries.

En formant un système représentatif pour les habitans d'un pays, qui embrasse graduellement dans ses limites des territoires nouvellement habités et étendus, il doit nécessairement résulter de grandes imperfections, si l'on prend d'abord la population, comme base unique. Dans le Haut-Canada on a élevé un système représentatif sur les bases combinées du territoire et de la population—nous pensons qu'on pourrait adopter ce principe avec avantage dans le Bas-Canada.

Un des obstacles qu'on donne pour arrêter grandement l'avancement du pays, c'est le pratique qui a prévalu de concéder de grandes étendues de terre à des individus, qui tenaient des situations officielles dans la colonie, et qui se sont soustraits aux conditions de l'octroi, qui les obligeaient de pourvoir à la culture des terres ; conditions jusqu'à présent tout-à-fait négligées, malgré le pouvoir de confiscation en ce cas, dont a été récemment revêtu le gouvernement ; et tout en croyant qu'on pourroit, avec certaines modifications, faire un usage avantageux de ce pouvoir, nous sommes néanmoins d'avis qu'on devrait adopter un système semblable à celui qu'on suit dans le Haut-Canada, et qui consiste à prélever annuellement un droit léger sur toutes les terres non améliorées ni habitées, en contravention aux conditions de l'octroi.

Il est maintenant du devoir de votre comité d'en venir aux pétitions signées par les habitans des seigneuries, et aux objets importants qu'elles renferment. Il a cru à propos d'entendre M. Neilson, M. Viger et M. Cuveillier, membres de l'assemblée du Bas-Canada, qui avaient été envoyés en ce pays pour chercher le remède aux maux dont se plaignaient les pétitionnaires.

Par le témoignage de ces Messieurs, nous avons appris avec le plus profond regret, que les disputes qui s'étaient élevées entre le gouvernement et la chambre d'assemblée, originant, à ce qu'il paraît, de doutes sur le droit d'appropriation et la reddition des comptes d'une portion considérable des revenus publics, ont conduit l'administration des affaires publiques en cette colonie à un état de confusion et de difficulté, qui demande un remède prompt et décisif.

Dans la vue de se mettre complètement au fait des points de cette dispute, votre comité a soigneusement examiné les différentes sources du revenu prélevé dans le Bas-Canada, et il a examiné aussi les documens publics, ce qui l'a mis en état de découvrir les procédés successifs adoptés par les parties contendantes dans le cours de ces disputes. Votre comité prend la liberté de référer aux témoignages de M. Neilson et de M. Wilmot Horton, pour l'état détaillé de l'origine et des progrès de ces difficultés.

Sur cet important sujet, votre comité a senti qu'il ne serait pas sage de borner sa vue à l'examen critique du sens précis que comportent les paroles des différens statuts—il jette plutôt les yeux sur les circonstances où se trouve le Bas-Canada—sur l'esprit de la constitution—sur la position et la nature du gouvernement local—et sur les pouvoirs, les privilèges et les devoirs des deux branches de la législature.

Bien que d'après l'opinion donnée par les officiers de la couronne, votre comité doive conclure que le droit légal d'approprier les revenus provenant de l'acte de 1774 appartient à la couronne, il est préparé à dire que les vrais intérêts des provinces seraient mieux consultés, en plaçant la recette et la dépense de tout le revenu public sous la surveillance et le contrôle de la chambre d'assemblée.

D'un autre côté, tout en recommandant cette concession de la part de la couronne, votre comité est fortement convaincu de l'avantage de rendre le gouverneur, les membres du conseil exécutif et les juges, indépendans des votes annuels de la chambre d'assemblée, pour leurs salaires respectifs.

Votre comité n'ignore pas les objections qu'on peut raisonnablement faire, en principe, contre la pratique de voter des salaires permanents à des juges amovibles au bon plaisir de la couronne; mais convaincu qu'il serait inexpédient que la couronne fut dépouillée de ce pouvoir de destitution, et ayant bien considéré l'inconvénient public qui pourrait résulter de les laisser dans la dépendance d'un vote annuel de l'assemblée, il s'est décidé à recommander en leur faveur un vote permanent.

Quoique votre comité connaisse qu'on ait recommandé l'octroi de salaires permanents à un nombre de personnes, liées au gouvernement exécutif, plus considérable que celui qu'il a renfermé dans sa recommandation, il n'hésite pas d'avancer, qu'il n'est pas nécessaire d'en comprendre un si grand nombre, et si les officiers ci-dessus énumérés sont placés sur le pied recommandé, il est d'opinion que tous les revenus de la province, (les revenus territoriaux et héréditaires exceptés,) soient mis sous le contrôle et à la disposition de l'Assemblée législative.

Votre comité ne peut terminer ses observations sur cette branche de son enquête, sans appeler l'Attention de la chambre à la circonstance importante, que dans le progrès de ces disputes, le gouvernement local a cru nécessaire, pendant un bon nombre d'années, d'avoir recours à une mesure que la plus absolue nécessité pouvait seule justifier, savoir l'appropriation annuelle, faite de son autorité privée, de sommes considérables de deniers de la province, se montant à une somme de pas moins de £140,000, sans le consentement des représentans du peuple, sous le contrôle desquels la constitution a placé l'appropriation de cet argent.

Votre comité ne peut s'empêcher de regretter fortement, que, dans une colonie anglaise, on ait laissé subsister un tel état de choses, pendant un si grand nombre d'années, sans faire au parlement aucune communication à ce sujet.

Votre comité a attendu des témoins sur tous les différens points des objets de sa référence, et relatifs à l'office du receveur général, des shérifs, et aux biens des jésuites. Les faits de l'affaire du receveur général, M. Caldwell, sont détaillés dans le témoignage de M. Neilson.—M. Caldwell a failli en 1823 pour £96,000 de l'argent public de la province.—D'après notre examen des comptes de l'assemblée, on n'a pu trouver de décharge du trésor plus récente que 1814—quoiqu'il soit établi quelques balances jusqu'en 1819, et il a appert par des documents alors produits que son insolvabilité avait été connue longtemps avant sa suspension.

Votre comité recommande pour l'avenir de prendre des mesures, par des cautionnements suffisans et un audit régulier des comptes, pour prévenir le retour de semblables pertes et difficultés en la province.

A cause de la liaison de cet objet avec cette branche de l'enquête, votre comité recommande de prendre les mêmes précautions à l'égard des shérifs, vu qu'il paraît qu'en peu d'années il y a eu deux exemples de l'insolvabilité de ces officiers, pendant qu'en vertu de leur charge ils avaient en main des sommes d'argent considérables.

A l'égard des biens appartenant ci-devant aux jésuites, votre comité regrette de n'avoir pas plus de renseignements, mais il paraît à désirer que les revenus en soient appliqués à l'éducation générale.

L'un des plus importans sujets de son enquête a été l'état des conseils législatifs des deux Canadas, et la manière dont ces corps ont répondu aux fins de leur institution. Votre comité recommande fortement de donner à ces corps un caractère plus indépendant que la majorité de leurs membres ne soit pas composée de personnes en places sous le bon plaisir de l'exécutif; et il est d'avis que toutes autres mesures, qui tendront à lier d'intérêts avec les colonies cette branche de la constitution, seront suivies des plus heureux résultats.—Quant aux juges, à en excepter le juge en chef seul, dont la présence peut être nécessaire en certaines occasions, votre comité est décidément d'opinion qu'il leur aurait mieux valu de ne s'être pas immiscés dans les affaires de la chambre. Sous les mêmes rapports, il paraît à votre comité qu'il n'est pas à désirer que les juges siègent dans le conseil exécutif.

Votre comité désire graver dans la mémoire le principe qui, selon son avis, doit être appliqué à tous les changemens à faire dans la constitution des Canadas, qui leur a été accordée par un acte formel de la législature de 1791. Ce principe est de borner, autant que possible les altérations qu'il serait désirable de faire par aucun acte britannique subséquent, aux points qui, d'après les relations qui existent entre la Mère-Patrie et les Canadas, ne peuvent être ajustés que par l'autorité souveraine de la législature britannique, et il est d'opinion que tous les autres changemens soient opérés, s'il est possible, par les législatures locales elles-mêmes, et en s'entendant amicalement avec le gouvernement local.

Votre comité a entendu sur la grande question de l'union des deux Canadas une longue suite de témoignages, auxquels il désire appeler l'attention de la chambre. Vu la disposition générale des esprits qui paraît prévaloir dans ces colonies à l'égard de cette question importante, votre comité, sous les circonstances présentes, n'est pas préparé à recommander cette mesure.

Votre comité croit néanmoins à désirer qu'il soit fait entre les deux Canadas quelque arrangement satisfaisant, et s'il est possible d'une nature permanente, à l'égard de l'imposition et du partage des droits prélevés dans le Saint-Laurent. Il espère cependant que lorsque sera appaisée l'irritation qui existe malheureusement, un pareil arrangement pourra se faire à l'amiable.

Il nous reste maintenant à mettre devant la chambre le résultat de nos recherches sur les réserves du clergé, qui paraissent être, d'après les allégués des pétitionnaires du Haut-Canada, la cause de beaucoup d'anxiété et de mécontentement en cette province.

Par l'acte de 1791, le gouverneur reçoit ordre de faire, d'entre les terres de la couronne dans les dites provinces, l'assignation et appropriation de terres pour supporter et maintenir un clergé protestant en icelles, en proportion convenable avec la quantité de terre en icelles, qui en aucun temps ont été concédées par ou sous l'autorité de Sa Majesté. Et il est de plus pourvu, que telles terres ainsi assignées et appropriées seront, autant que la circonstance et la nature du cas pourront le permettre, de la même qualité que les terres à l'égard desquelles elles sont ainsi assignées et appropriées, et seront autant que les dites terres pourront être estimées, lors de la concession de telles terres, égale en valeur à un septième des terres ainsi concédées.

Les instructions ainsi données ont été strictement mises à effet de bonne heure, et le résultat en est que les portions séparées de terre ainsi réservées sont éparses sur toutes les parties déjà concédées.

Les auteurs de cet acte espéraient sans doute que, les autres parties de terres concédées étant cultivées et en train d'amélioration, les parties réservées produiraient un revenu, et que des profits ainsi réalisés on pourrait former un fond considérable pour le maintien d'un clergé protestant. Cette attente cependant n'a pas encore été ni ne paraît pas devoir être réalisée de sitôt; car à en juger par les renseignements que le comité a pu se procurer sur le sujet, il ne doute nullement que ces terres réservées, dispersées telles qu'elles sont maintenant sur la face du pays, retardent plus qu'une autre circonstance l'avancement

de la colonie, situées comme elles sont en portions séparées en chaque township, et placées entre les habitations actuelles dont les habitans n'ont aucun moyen d'ouvrir des chemins à travers les bois et les marais, qui les séparent de cette manière de leurs voisins; la réserve de ces portions de terres désertes a dans le fait beaucoup plus diminué la valeur des six parties concédées à ces colons, que l'amélioration des terres défrichées n'a augmenté la valeur des réserves; cela devient trappant par les résultats des tentatives qu'on a faites pour disposer de ces terres. Il s'est formé dans la province une corporation composée du clergé de l'église d'Angleterre, qui a été autorisée à concéder ces terres pour un terme n'excédant pas 21 ans. Il paraît que, dans la province inférieure seulement, la quantité totale des réserves du clergé est de 488,594 acres, dont 75,639 acres sont concédés à bail, do nt les conditions sont qu'on payera annuellement pour chaque lot de 200 acres, 8 minots de blé ou 25s. pour les 7 premières années, 16 minots ou 50s. annuellement pendant les 7 années suivantes, et 21 minots ou 75s. annuellement pendant les 7 dernières années. Sous ces circonstances, la rente nominale des réserves du clergé est de £930 par an; la recette actuelle des trois dernières années n'a été que de £50 par an. La grande différence qui se trouve entre la recette nominale et réelle vient de la grande difficulté qu'il y a à recueillir les reutes, et aux tenanciers qui se cachent. Nous sommes aussi informés que les ecclésiastiques résidens agissent comme agens locaux pour la levée des reutes; qu'une somme de £175 avait été déduite pour les dépenses de la levée des reutes; et qu'à la date de la dernière communication à ce sujet; il restait £250 entre les mains du receveur-général—étant le produit entier de tout le revenu de 488,594 acres de terre.

On a fait la tentative de disposer de ces biens par vente. La compagnie du Canada établie par la 6, Geo. IV, chap. 75, était convenue d'acheter une grande partie de ces réserves à un prix à être fixé par des commissaires; 3s. 6d. l'acre fut le prix de l'estimation, et à ce prix l'église refusa de disposer de ces terres.

C'est pourquoi le gouvernement est entré en arrangement avec la compagnie, et il a été depuis passé un acte autorisant la vente de ces terres à aucune personne qui désirerait en acheter, pourvu que la quantité vendue n'excède pas 100,000 acres chaque année.

Votre comité ne doute nullement que la réserve de ces terres en main-morte ne soit un obstacle sérieux à l'avancement de la colonie; il pense qu'on devrait faire tous les efforts possibles pour les mettre entre les mains des personnes qui y rempliraient les obligations du défrichement, et qui les mettraient généralement en culture.

Il ne peut y avoir de doute que la valeur, quelle qu'elle ne soit, doit être appliquée au maintien d'un clergé protestant. Et votre comité regrette de voir que pour la présente génération et même pour celle qui suit, il n'y ait pas lieu d'espérer que les produits en suffiront pour cet objet, dans un pays où la terre inculte est concédée en *fee* pour presque rien, aux personnes qui désirent s'y établir—on doit espérer difficilement, à l'exception de quelques lots avantageux, de trouver des tenanciers responsables qui voudront les prendre à bail, et qu'on trouvera à vendre ces terres pour plus qu'un prix nominal.

Votre comité, cependant, voit avec plaisir que les principes de la vente progressive de ces terres a été sanctionné par un acte du parlement impérial. Il ne peut s'empêcher de recommander dans les termes les plus fortes, la convenance et l'utilité de pourvoir par la suite aux besoins nécessaires de la religion en ces provinces, par d'autres moyens, que par la réserve d'un septième des terres, selon les dispositions de l'acte de 1791. Il observera aussi que les mêmes objections s'élevaient contre la réserve du septième qui en pratique parait avoir été réservé pour l'avantage de la couronne, et sans doute il doit arriver un temps où ces terres réservées auront acquis une valeur considérable, par la culture des terres environnantes—mais cette valeur aura été acquise aux dépens des vrais intérêts de la province, et contribuera à retarder le cours de l'amélioration générale, qui est la vraie source de la prospérité nationale. Votre comité est donc d'opinion que le gouvernement ferait bien de considérer si ces terres ne pourraient pas être aliénées parmanement, sujettes à la réserve d'une rente modérée, (soit en grain ou en argent, selon qu'on le déterminerait), qui commencerait après la 10e ou 15e année d'occupation.

Il n'est pas préparé à autre chose qu'à offrir cette suggestion, sur un sujet qui lui paraît digne d'une investigation plus soignée, qu'il est en son pouvoir de donner; mais de cette manière ou d'une autre, il est pleinement persuadé qu'on doit disposer sans délai et parmanement des terres ainsi réservées.

Il paraît qu'il y a de nombreux prétendans à une propriété si vaste et si improductive. L'acte de 1791 ordonne que les profits provenant de cette source, seront appliqués au soutien d'un clergé protestant, et il s'est élevé des doutes pour savoir si l'acte commande au gouvernement de les appliquer exclusivement à l'usage de l'église d'Angleterre seule, ou d'y faire participer l'église d'Ecosse. Les officiers en loi de la couronne ont donné leur opinion en faveur des droits de l'église d'Ecosse à une telle participation, ce à quoi votre comité concourt entièrement; mais il s'est aussi élevé la question de savoir si le clergé de toutes les dénominations de chrétiens, les catholiques romains exceptés, ne pourrait pas être compris.

Il n'appartient pas à votre comité d'émettre une opinion sur l'exactitude quo comportent légalement les paroles de l'acte. Il ne doute pas cependant que l'intention de ceux qui amendèrent la mesure devant le parlement, ne fut de doter le clergé de l'église d'Angleterre de presbytères et de glèbes y attachées, à la discrétion du gouvernement local; mais à l'égard de la distribution du produit des terres réservées généralement, il est d'opinion de laisser au gouvernement le droit d'appliquer l'argent au profit d'aucun clergé protestant, s'il le trouve à propos.

Le comité n'a pas grande raison d'espérer que le revenu annuel à provenir de cette source, puisse vraisemblablement, à aucune époque à laquelle il jette les yeux, suffire à supporter un clergé protestant dans ces provinces. Mais il hazarde de presser la considération du sujet de la part du gouvernement de Sa Majesté, dans la vue de fixer d'une manière satisfaisante pour la province, le principe d'après lequel le revenu de ces terres doit être ci-après appliqué, et dans l'application juste et prudente de ces fonds, le gouvernement sera nécessairement influencé par l'état de la population, sous le rapport des opinions religieuses au temps où la décision aura lieu. Pour le présent, il est certain que les membres de l'église d'Angleterre forment une bien petite minorité dans la province du Haut-Canada. De la part de l'église d'Ecosse, il a été fait de fortes réclamations à cause de son établissement dans l'empire, et vu le nombre de ses adhérens dans la province. A l'égard des autres sectes religieuses, le comité a rencontré beaucoup de difficulté à s'assurer exactement de la proportion numérique qu'elles ont les unes avec les autres; mais les témoignages le portent à croire que ni l'église d'Angleterre, ni l'église d'Ecosse ne forment le corps religieux le plus nombreux dans la province du Haut-Canada.

L'attention du comité ayant été appelée sur l'établissement de l'université de King's College à York, dans le Haut-Canada, il a cru devoir examiner la charte accordée à ce collège. Cette charte fut accordée sous le grand sceau, et il est à observer qu'elle n'impose pas aux étudiants l'obligation de souscrire aux 39 articles, ce qui a été fait à l'égard des autres collèges de l'Amérique Septentrionale. Votre comité voit qu'il y ait pourvu, entre autres arrangements pour la conduite et le gouvernement de cette institution, que l'archidiacre de York, pour le temps d'alors, sera en tous temps, en vertu de son office, président du dit collège.

Il est de plus ordonné, qu'il y aura dans le dit collège ou corporation un conseil, qui sera appelé et connu sous le nom de conseil du collège, composé du chancelier, du président et de sept professeurs en arts et facultés dans le dit collège, et que les dits tels professeurs seront membres de l'église établie d'Angleterre et d'Irlande, et avant leur admission, souscriront aux 39 articles de la religion. Toute la conduite du collège est confiée à ce conseil. Votre comité est le plus fortement persuadé de l'avantage qui résulterait à la province de l'établissement d'un collège destiné à l'éducation générale; il regrette seulement que cette institution soit constituée de manière à borner considérablement le cercle de son utilité.

Votre comité pense qu'il n'est pas à douter que, la conduite et le gouvernement du collège devant être confiés à des membres de l'église d'Angleterre, on ne montre inévitablement de la prédilection pour les membres de cette église dans le choix des professeurs; et dans un pays où une petite partie seulement des habitans adhèrent à cette église, cela créera nécessairement des jalousies et des soupçons d'intervention religieuse.

Pour ces raisons et d'autres encore, votre comité désire émettre l'opinion où il est qu'il résulterait un grand bien à la province d'un changement dans la constitution de ce corps.

Il pense qu'on devrait nommer deux professeurs de théologie, dont l'un de l'église d'Angleterre et l'autre de celle d'Ecosse—(aux leçons de qui ceux qui se destineraient aux ordres sacrés seraient obligés d'assister respectivement)—mais qu'à l'égard du président, des professeurs, et des autres personnes liées à l'établissement, on ne devrait requérir aucune profession de foi quelconque.

Que dans le choix des professeurs on ne devrait suivre d'autre règle, n'avoir d'autre objet en vue, que de nommer les personnes les plus éclairées, et les plus sages, et qu'à l'égard de la religion ils signeraient une déclaration, qu'en autant qu'il serait nécessaire dans le cours de leurs leçons de toucher à des sujets religieux, ils reconnaîtraient distinctement la vérité de la révélation chrétienne, mais qu'ils s'abstiendraient d'inculquer aucunes doctrines particulières.

Quoique votre comité ait disposé maintenant des objets les plus importants de sa référence, il sait qu'en examinant les pétitions et les témoignages, on rencontrera beaucoup d'autres matières dignes de considération.

Le comité croit aussi nécessaire d'observer que les renseignemens du Haut-Canada n'ont pas été aussi amples ni aussi satisfaisans que ceux qu'il a eu l'avantage de recevoir du Bas-Canada.—Votre comité cependant désire fixer l'attention du gouvernement sur l'acte de sédition, (s'il n'est pas encore expiré,) dont le rappel paraît avoir été depuis longtemps l'objet des efforts de la Chambre d'Assemblée du Haut-Canada.

Votre comité désire aussi appeler l'attention du gouvernement sur le mode dont les jurys sont composés dans les Canadas, dans la vue de remédier aux défauts qui peuvent exister dans le système actuel.

Votre comité regrette que l'époque avancée de la session où il a été nommé, ne lui ait pas permis d'entrer dans les détails de toutes les parties des sujets qui lui ont été référés. Il croit aussi que si les Assemblées législatives et le gouvernement exécutif du Canada peuvent être mis sur un meilleur pied, on trouvera dans la province un moyen de remédier aux moindres griefs. Néanmoins il est disposé à recommander d'accorder la demande du Bas-Canada pour la nomination d'un agent, de la même manière que sont nommés

les agens des autres colonies, qui ont des législatures locales; et que le même avantage soit étendu au Haut-Canada, si la colonie le désire.

Dès le commencement de son investigation votre comité a vu que son attention devait être dirigée sur deux branches distinctes d'enquête: 1^o Jusqu'à quel degré les difficultés et les mécontentemens qui existent depuis longtemps dans les Canadas, sont dus aux imperfections du système de lois et de constitutions établies en ces colonies. 2^o Jusqu'à quel degré ces maux devaient-ils être attribués à la manière dont le système existant était administré.

Votre comité a clairement émis l'opinion où il était qu'il y avait dans ce système des défauts sérieux, et à hazardé de suggérer plusieurs altérations, qui lui ont paru nécessaires ou convenables. Il admet aussi pleinement, que d'après ces circonstances et beaucoup d'autres le gouvernement de ces colonies, surtout le Bas-Canada, n'a pas été une tâche aisée; mais il sent qu'il est de son devoir de dire qu'il est d'avis que c'est à la seconde des causes ci-haut mentionnées, que sont dus en grande partie ces difficultés et ces mécontentemens. Il désire faire bien ressouvenir qu'il est complètement convaincu que ni les suggestions qu'il a pris sur lui de faire, ni aucune autre amélioration dans les lois et les constitutions des Canadas, ne seront suivies de l'effet désiré, à moins qu'on ne suive envers ces colonies loyales et importantes un système de gouvernement impartial, conciliatoire et constitutionnel.

Votre comité avait clos son enquête et reconsidérerait son rapport, lorsqu'il est devenu de son devoir d'entrer dans une nouvelle enquête à l'égard d'une pétition à lui référée par la chambre, et signée par les agens, qui avaient apporté en ce pays la pétition de 87,000 habitans du Bas-Canada, dont il a été fait mention dans une partie précédente du rapport.

Cette pétition et la preuve dont elle est accompagnée contiennent les allégations les plus graves contre l'administration de lord Dalhousie, depuis le temps que ces Messieurs sont partis de la colonie.

Ces plaintes tombent principalement sur la destitution d'un grand nombre d'officiers de milice, à cause de l'exercice constitutionnel de leurs droits civils—sur la réorganisation subite et étendue de la commission de la paix pour servir (comme il est allégué) à des fins politiques; sur le système vexatoire de poursuites pour libelle, à l'instance du procureur-général—et sur l'esprit oppressif et inconstitutionnel avec lequel ces poursuites ont été conduites.

Votre comité a senti jusqu'ici qu'il s'acquitterait mieux et plus avantageusement de ses devoirs, en s'abstenant avec soin de commenter sur la conduite officielle des individus; mais il ne peut s'empêcher d'appeler l'attention sérieuse et immédiate du gouvernement de Sa Majesté à ces plaintes et ces allégués.

Votre comité croit devoir insister et de la manière la plus pressante auprès du gouvernement de Sa Majesté, sur la nécessité qu'il voit de faire une enquête stricte et prompte sur toutes les circonstances qui ont accompagné ces poursuites, dans la vue de donner à cet égard des instructions conformes à la justice et à la saine politique.

Votre comité apprend avec le plus vif regret qu'il s'est récemment élevé dans le Haut-Canada, entre le gouvernement local et l'Assemblée législative, des disputes qui ont amené une clôture brusque de la session de la législature en cette colonie.

MINUTES DU TÉMOIGNAGE.

Jeudi, 8e. jour de Mai, 1828.

Le Très Honorable

THOMAS FRANKLAND LEWIS,

A LA CHAIRE.

Samuel Gale, écuyer, introduit; et examiné.

Quelle connaissance avez-vous du Canada?—J'y ai résidé presque depuis mon enfance.

Etes-vous né en Angleterre?—Non, je suis né à St. Augustine dans la Floride Orientale.

Avez-vous occupé quelques situations publiques en Canada?—Oui.

Voulez-vous avoir la bonté de dire quelles?—Celle de président des sessions de quartier pour la cité et le district de Montreal.

Décrivez la nature de cette situation: par qui avez-vous été promu?—Par le gouverneur en chef.

Y a-t-il quelque salaire attaché à cette place?—Oui.

Avez-vous jamais occupé aucune autre situation publique dans ce pays-là?—Je pense que non. A la vérité j'ai été requis une fois, par quelques communications non sous le sceau, d'agir en qualité de commissaire au sujet des lignes frontières du Haut et du Bas-Canada; il y avait eu quelques différends par rapport à ces lignes, et on m'avait écrit d'agir en qualité de commissaire.

Etes-vous propriétaire en Canada?—Oui; je possède des terres dans les seigneuries et dans les townships.

Ainsi vous êtes au fait de la division du Canada sous le rapport de la représentation dans la chambre basse de l'Assemblée?—Je le suis.

Pouvez-vous établir la proportion comparative des personnes qualifiées à voter qui résident dans les seigneuries et de celles qui résident dans les townships?—Il me serait impossible de répondre à cette question. Je puis dire seulement que la condition qui d'après le statut qualifie une personne à voter, est la possession, pour son propre usage et avantage, d'une maison habitable et d'un lot de terre dans une ville ou township, de la valeur annuelle de £5 sterling, ou la possession de terre en franc-aleu, ou en fief, ou en roture, de la valeur annuelle de 40s. sterling, ou au-dessus. Je ne pourrais prendre sur moi qu'avec difficulté de dire combien il y a dans la province d'individus qui tombent dans cette description.

Quel est le plus grand nombre de votes que vous sachiez avoir jamais été reçu à aucune élection dont vous avez eu connaissance?—Ceci est encore un fait auquel j'ai fait très peu d'attention, et je pourrais à peine prendre sur moi de répondre; je crois qu'il y a une grande différence dans le nombre des électeurs en différents endroits; en quelques endroits il a été donné plus de 3,000 votes; en d'autres, comme à Sorel et aux Trois-Rivières, quelques centaines seulement.

La ville où se tient l'élection dans les comtés est-elle généralement dans les limites des seigneuries?—Je n'en connais aucune qui ne soit dans les limites des seigneuries.

Et sans doute le long du fleuve Saint Laurent?—Généralement le long du fleuve St. Laurent; il y a quelques uns de ces endroits dans les seigneuries, qui sont plus ou moins éloignés du St. Laurent.

Les votants qui résident dans les townships assistent-ils généralement aux élections?—Ils n'assistent pas généralement aux élections.

Qu'est-ce qui les empêche d'y assister?—La distance où ils sont des chefs-lieux d'élection; la difficulté de communication produite par le mauvais état des chemins, qui obligerait la plus grande partie des habitants des townships, s'ils venaient aux élections, d'entreprendre des voyages de trois jours, pour aller et venir, et à dire vrai peu d'entre eux auraient quelque inclination à faire ce voyage, quand ils seraient sûrs d'y rencontrer un nombre d'autres votants présents, suffisant pour rendre le vote qu'ils auraient à donner parfaitement inutile.

Quels autres votants?—Les votants dans les seigneuries. Il y a une variété de raisons qui les empêcheraient de partir de leurs résidences dans les townships pour aller voter aux chefs-lieux d'élection; la dépense en est une bien visible, la difficulté des communications en est une autre, et l'inutilité du vote s'il était donné serait une troisième raison.

Vous avez cité comme une des raisons le mauvais état des chemins; y a-t-il quelque raison particulière pour laquelle il ne se fait pas de chemins des townships aux seigneuries jusqu'aux villes où se tiennent les élections?—La principale cause pour laquelle les chemins ne sont pas meilleurs est, à ce que je crois, le manque de lois suffisantes au sujet des communications; je crois que les lois ont été faites de manière à être adaptées à la confection de chemins dans les seigneuries, où les terres sont concédées d'après un mode particulier; ces lois, quoiqu'elles puissent peut-être suffire par rapport aux seigneuries (c'est à dire au moins qu'elles soient meilleures qu'elles ne seraient pour les townships) sont tout à fait insuffisantes par rapport aux townships; elles obligent chaque individu dans les seigneuries à faire un chemin sur le front de sa terre. Les terres sont généralement divisées en lots de trois arpens de front; le bût original était que la terre de chaque propriétaire individuel aboutit en front au fleuve. Les lots s'étendent sur les derrières généralement à la distance d'environ 30 arpens ou un mille, de sorte que chaque individu propriétaire d'un lot de terre dans les seigneuries, peut avoir un chemin à faire sur un front de trois arpens; mais dans les townships les lots sont disposés d'une manière bien différente, et il y a des réserves entre les différents lots; de sorte qu'il doit être parfaitement évident que des lois qui obligent les individus à faire des chemins sur le front de leurs terres, ne pourraient jamais convenir à établir des communications entre une partie du pays et une autre dans les townships.

La législature a-t-elle fait quelques tentatives pour améliorer le système de l'ouverture des chemins dans les townships?—Il s'est passé, je crois, près de 25 ans sans qu'on ait donné peut-être plus de £1,000 pour l'ouverture des chemins; depuis l'époque où la constitution a été établie, en 1791, jusqu'en 1815, je crois qu'on n'a pas appliqué plus de £1,000 sur les chemins en général pour ouvrir des communications. En 1815 et en 1817, je crois, on a voté des sommes d'argent considérables pour l'amélioration des communications intérieures; depuis ce temps, dans les dix dernières années, je pense qu'on n'a pas consacré à cet objet, on autorisé à y employer plus d'environ £3000.

Vous dites que les lois pourraient convenir passablement bien pour les seigneuries; fait-on de bons chemins sous l'autorité de ces lois dans les seigneuries?—Un anglais les regarderait certainement comme très-mauvais.

Sont-ce des chemins praticables?—Ce sont des chemins praticables.

N'y a-t-il pas un système pour la confection des chemins dans les seigneuries, dirigé sous le système de lois qui y prévaut par un officier constitué, nommé le grand-voyer, pour la direction des chemins dans les seigneuries?—Le grand-voyer est la personne qui trace les chemins; il y a un grand-voyer dans chaque district.

Peut-on faire quelques chemins sans son autorité?—Aucun établi légalement dans le pays.

Son autorité s'étend-elle aux townships?—Elle s'y étend.

Comment est-il nommé?—Ces officiers sont nommés par le gouverneur.

A-t-il le pouvoir de faire entretenir les chemins quand ils sont faits?—Il y a des personnes, sous-voyers et autres, nommées pour la surveillance; le grand-voyer dresse son procès-verbal pour établir les chemins; ce procès-verbal est soumis à la cour de sessions de quartier, et y est confirmé ou rejeté. Cependant il y est généralement confirmé, en autant que la cour ne se considère autorisée à rejeter que ceux où les formes légales n'ont pas été suivies; on est d'opinion que le grand-voyer est saisi presque exclusivement du droit de décider de l'expédience ou de l'inexpédience du chemin.

Quand il a décidé de l'expédience d'établir un nouveau chemin, de quelle manière se procure-t-on les fonds, d'abord dans les seigneuries, et ensuite hors des seigneuries dans les townships?—Le grand-voyer ordonne à chaque individu propriétaire de contribuer pour tant de jours de corvée ou pour une telle proportion de travail (ou de faire des ponts quand il est nécessaire de faire des ponts); le procès-verbal désigne les individus qui seront tenus de faire les chemins et les ponts et de les tenir en bon état.

Y a-t-il quelques fonds affectés à cet objet?—Il n'y a aucuns fonds affectés; l'ouvrage est fait par les propriétaires suivant la répartition qu'il en ordonne.

Tant dans les seigneuries que dans les townships?—Tant dans les seigneuries que dans les townships l'ouvrage se fait suivant la répartition que le grand-voyer ordonne.

Cette répartition est-elle proportionnée à l'étendue des propriétés individuelles à travers lesquelles le chemin doit passer?—Sans doute, le grand-voyer, dans l'exécution de ses devoirs, tâche de répartir les contribuables au chemin suivant l'avantage qu'ils en doivent retirer.

Voulez-vous dire que l'autorité du grand-voyer est absolue quant à la proportion dans laquelle chaque individu est obligé de contribuer aux frais du chemin?—On peut regarder qu'il a beaucoup de pouvoir à sa discrétion.

Agit-il sous l'autorité de quelque loi?—Il agit sous l'autorité d'une loi, mais la loi ne désigne pas toujours à quels travaux il obligera les individus, au delà de l'injonction de le faire aussi équitablement que possible, en égard au degré d'avantage que l'individu retirera du chemin, et à l'étendue de sa propriété.

Ce système des grands-voyers est-il satisfaisant pour la province?—Je crois que le système est assez satisfaisant dans les seigneuries, mais il n'est pas satisfaisant dans les townships, si j'en juge d'après ce que j'ai entendu dire.

Vous dites qu'en 1816 et en 1817 il a été voté des sommes considérables d'argent; connaissez-vous le montant de ces sommes?—Je crois qu'en consultant un papier, je pourrai établir le montant. En 1815 c'était entre £8000 et £9000, et en 1817 environ £55,000.

Est-ce un système qu'occasionne des plaintes de la part des townships?—Il en occasionne, sans aucun doute.

A quels objets ont été appropriées les sommes qui ont été votées en certaines années, et qui les a rendues nécessaires, vu qu'il paraît que les habitants eux-mêmes sont obligés de faire les chemins?—Leurs travaux n'auraient pas été suffisants en différentes parties du pays, à cause de la distance des établissements, de la longueur des chemins, et pour d'autres raisons. L'aide que la législature a donné aurait pu, jusqu'à un point bien médiocre, être destinée à suppléer à cette insuffisance; mais je crois que les deniers ont été en grande partie dépensés pour des chemins dans les seigneuries. Ils ont été appropriés peu judicieusement pour des objets locaux au lieu des objets généraux, pour les villes et autres places établies plutôt que pour les nouveaux établissements.

Pourquoi ce système est-il satisfaisant dans les seigneuries et non dans les townships?—Le pouvoir du grand-voyer et la manière d'obliger les propriétaires aux travaux, est un mode qui s'adaptait mieux aux seigneuries, à cause de la manière dont les terres se concèdent dans les seigneuries, qu'il ne s'adaptait aux townships, à cause de la manière dont les terres des townships avaient été divisées.

Voulez-vous dire que la proportion des travaux pesait plus fort sur les townships, parcequ'ils ont une étendue et une largeur plus considérables?—La proportion des travaux pesait sans doute plus fort de cette manière, mais elle pesait aussi plus fort pour d'autres raisons; il était nécessaire que les chemins, au lieu de passer le long de la ligne des concessions dans les townships, traversassent très souvent les lots diagonalement, et passassent à travers les réserves. Il y a aussi cependant, qu'on peut dire que les terres des seigneuries sont plus communément de niveau; c'est pourquoi on peut faire des chemins dans une direction donnée avec une plus grande facilité; et ils suivent sans beaucoup d'inconvénients les lignes des concessions qui sont généralement des lignes droites. La surface du pays est toute différente dans les townships; elle y est diversifiée par des lacs et des montagnes et des chutes d'eau; et il n'est pas possible de faire des chemins le long de la ligne des concessions. En autant que j'ai étendu mes observations, je ne connais aucun township où la chose fût praticable; c'est pourquoi le système qui convient dans un pays uni, où on peut faire un chemin sans beaucoup de détours, ne conviendrait pas dans un pays qui ne permet pas de faire ainsi les chemins, et où les chemins doivent traverser les lots sur la longueur ou diagonalement.

En matière de fait, le besoin de chemins dans les townships, et le désir d'obtenir un mode différent de traverser les chemins et de former d'autres communications, ne sont-ils pas un des griefs des townships qui ont été amenés devant la législature, et auxquels on n'a pas pourvu?—Je crois que c'est un de ces griefs. Je n'ai pas assisté à l'Assemblée moi-même, ainsi je ne puis parler que sur l'information d'autrui; mais je comprends que c'est là le cas.

A-t-on jamais fait parvenir des pétitions au parlement à ce sujet?—Je crois qu'oui; on m'a ainsi informé.

Il paraîtrait par vos réponses que les chemins sont en général dans une direction parallèle au fleuve; en est-il ainsi?—Les chemins le long du fleuve en suivent généralement le cours, et les chemins le long des concessions suivantes vont généralement en ligne droite.

En ligne formant des angles droits avec le fleuve?—Pas toujours à angles droits avec le fleuve.

Vous rappelez-vous quelque cas où l'on ait appelé de la décision du grand-voyer; comment procède-t-il?—Comme je l'ai dit ci-devant le grand-voyer donne son ordre pour chaque nouveau chemin; cet ordre, qu'on appelle procès-verbal, est soumis à la cour de sessions de quartier pour y être confirmé; il est souvent opposé dans la cour de sessions de quartier, mais on l'y confirme presque universellement, nonobstant toute opposition, à moins qu'il n'y ait quelque défaut de forme. La loi exige l'observance de certaines formalités, telles que l'obligation pour le grand-voyer, sur la requête qui lui est présentée, de faire donner avis à la porte de l'église, après le service divin, qu'il se rendra sur les lieux, et de requérir toutes les personnes intéressées au chemin de donner leur avis ou leur

leur opinion à l'égard de la confection du chemin; s'il y avait quelque défaut d'attention dans ces formalités, et dans quelques autres que la loi requiert, la cour alors rejeterait le procès-verbal, ce qui obligerait le grand-voier de le recommencer avec ces formalités; mais si l'objection élevée par la partie opposante roulait sur l'expédition et la justice des chemins et des répartitions, la cour se hasarderait rarement à renvoyer sur ces chefs, parce qu'on considère que le grand-voier est juge de ces matières. Il y a eu quelquefois des appels de la cour de sessions de quartier à celle du banc du roi, et la cour du banc du roi a soutenu les mêmes doctrines sur l'autorité dont le grand-voier est investi.

Ainsi les habitans des townships ne se considèrent nullement grevés par l'état présent de la loi qui règle les chemins dans le Bas-Canada, qu'en autant que la chose est le résultat nécessaire de la manière dont les townships anglais ont été divisés.—Je ne puis dire que ce soient là les seules plaintes que j'ai entendues.

De quelle manière les habitans des townships anglais considèrent-ils qu'ils ont été maltraités par la législature au sujet des chemins dans le Bas-Canada?—Ils considèrent que la législature aurait dû faire des dispositions mieux adaptées à la situation des townships, que la loi qui subsiste déjà. Ils considèrent aussi qu'il aurait été parfaitement juste de la part de la législature, d'avoir approprié de l'argent pour faire ces communications, et après leur confection, d'avoir pourvu par un imposition, tant que cela aurait été nécessaire, aux moyens destinés à leur entretien, jusqu'à ce que les habitans fussent en état de le faire.

Le comité doit-il comprendre de ce que vous avez dit, qu'il est plus difficile d'entretenir de bons chemins et de bonnes communications d'après la manière dont les townships sont divisés, qu'il ne l'est d'après la division des seigneuries?—Il est beaucoup plus difficile d'ouvrir les chemins nouveaux, ainsi que de les entretenir.

Vous avez dit que la législature avait jusqu'en 1817 pourvu libéralement aux chemins de la province, et que depuis ce temps on n'y avait pourvu qu'imparfaitement?—Ce que j'ai dit était qu'on n'y avait pourvu en aucune manière dont je me souvienne, excepté au montant d'environ £1,000, pendant l'espace de 25 ans, depuis 1791 jusqu'en 1815; ensuite en 1815 et en 1817, l'emploi de sommes considérables fut ordonné par un acte de la législature pour l'amélioration des communications intérieures; et depuis ce temps je crois qu'on n'a dévoué à cet objet qu'environ £3,000.

A quoi attribuez-vous que la législature ait donné moins depuis 1817 qu'elle n'avait fait auparavant?—Je ne me rappelle pas à présent les causes auxquelles je l'ai entendu attribuer.

Depuis l'année 1817 y a-t-il eu des bills d'appropriation pour les chemins de passés dans aucune des branches de la législature, qui n'aient pas reçu la sanction de l'autre?—Je ne puis dire s'il y en a eu ou s'il n'y en a pas eu.

Avez-vous considéré le besoin de communications dans les townships comme un des griefs que vous deviez représenter?—Certainement je l'ai fait.

A quoi avez-vous attribué le besoin de communications, et quelles suggestions avez-vous à offrir pour y remédier?—Sans aucun doute j'ai généralement entendu donner comme une des raisons auxquelles on doit attribuer les difficultés de communications, ainsi que beaucoup d'autres difficultés qui pèsent sur les townships, à un manque de dispositions de la part de la Chambre d'Assemblée provinciale à encourager de tels établissemens. J'ai entendu très souvent considérer cela comme une des raisons; beaucoup de personnes croient que c'est là une raison.

Y a-t-il eu quelques propositions de faites dans la législature pour l'appropriation de fonds à l'amélioration des communications intérieures dans les townships depuis l'année 1817?—Il y en a eues; et je pense que des sommes au montant d'environ £3,000 peuvent avoir été appropriées pour des chemins, l'emploi d'une partie desquelles a été ordonné pour les townships.

Le gouverneur a-t-il, depuis l'année 1817, jamais rappelé à l'attention de la législature la nécessité d'améliorer les communications intérieures?—Oui, fréquemment, je crois, dans ses discours ou dans ses messages.

Quel cas a-t-on fait de cette recommandation?—Comme j'ai dit ci-devant, n'étant pas membre de la législature, je ne puis prendre sur moi de le dire; on considère que les procédés qu'on aurait dû adopter sur cet objet, ont été négligés.

Voulez-vous détailler quels sont les procédés qui à ce que vous pensez auraient dû être adoptés?—Je considère que la loi aurait dû être changée de manière à l'adapter à la situation des townships.

Quelle loi?—La loi qui subsiste maintenant dans la province au sujet des chemins, savoir, l'acte de la 36^e. de George 3.

Pense-t-on généralement dans les townships parmi les colons anglais, que si on faisait quelques unes des principales lignes de communication, on faciliterait considérablement la formation d'établissements dans ces townships?—Il ne peut y avoir aucun doute là dessus.

Est-on d'opinion que c'est afin de prévenir de tels établissemens, qu'on embarrasse de difficultés la formation de semblables chemins?—Un grand nombre de personnes le croient.

Vous avez détaillé d'autres griefs que vous désirez représenter, et qui pèsent considérablement sur les colons britanniques dans les townships; quels sont ces griefs?—Je pourrais peut-être offrir, comme un mode plus succinct de les indiquer, une pétition qui fut dressée et signée par plus de 10,000 personnes au temps où on demanda l'union, afin d'obtenir du secours contre ces difficultés. La pétition qu'elles dressèrent contenait tout ce qu'on considérait généralement parmi elles comme des griefs; c'est pourquoi il serait plus court de les lire d'après cette pétition que de les détailler d'aucune autre manière.

Quelle est la date de cette pétition?—Elle a été envoyée des townships en 1823.

Croyez-vous que c'est un juste détail de ce dont on se plaint généralement?—Je crois que c'est un juste détail; elle est intitulée la pétition des habitans de naissance et d'origine britannique dans Durham, Staunbridge, et ainsi de suite, comprenant un grand nombre de lieux dans le Bas-Canada.

[Le témoin délivra copie de la pétition, laquelle fut lue.]

Quant à ce qui y est mentionné, je n'ai qu'à dire que je ne connais aucun changement dans la condition des townships, excepté seulement qu'il a été établi pour une certaine partie d'entre eux, une cour qui décide des causes jusqu'à un montant très limité; cependant ceci n'affecte qu'une partie des townships compris dans ce qu'on appelle le district inférieur de St. François.

Par qui a été établie cette cour?—Elle a été établie par la législature. Je crois que son Excellence a recommandé l'établissement d'une cour en cet endroit, et la législature l'a établie; elle est cependant constituée par un acte temporaire qui expirera l'année prochaine.

Sous l'acte de 1791 n'a-t-on pas permis à toute personne qui le désirait d'avoir l'octroi de sa propriété en franc et commun socage, hors des seigneuries?—Oui.

Est-ce sous cet acte que les townships se sont élevés?—Je regarde que sans cet acte le gouvernement aurait été aussi libre d'établir ces townships.

Toutes les terres que contiennent les townships ne sont-elles pas tenues en franc et commun socage?—Elles le sont, mais je conçois que c'était une tenure établie dès le commencement du temps où le Canada devint une colonie anglaise. En l'année 1763, la proclamation de Sa Majesté promettait à tous ses sujets, tant en Angleterre que dans les colonies, l'avantage des lois de l'Angleterre s'ils voulaient aller s'établir en Canada.

En quel temps a-t-on commencé à octroyer des terres en franc et commun socage en Canada?—Je crois qu'on en a ainsi accordés quelques années après la conquête.

Toutes les terres que contiennent les townships sont-elles tenues en franc et commun socage?—Toutes.

Voulez-vous décrire la position de la contrée?—Les seigneuries forment un espace étroit de chaque côté du fleuve Saint-Laurent; la profondeur varie de dix milles à quarante milles. Les townships ont été concédés depuis 1791 sur les derrières de ces seigneuries, dans la province du Bas-Canada.

Ayez la bonté de dire jusqu'à quelle distance les seigneuries s'étendent à l'est ou vers l'embouchure du fleuve, en supposant que le cours de ce dernier soit de l'est à l'ouest?—Elles s'étendent du côté nord en ligne continue jusqu'à la rivière de la Malbaye, et jusqu'à De Pieras ou Metis de l'autre côté du fleuve. Il y a même au delà, de chaque côté du fleuve, des seigneuries détachées.

Et à l'ouest elles s'étendent jusqu'au Haut-Canada?—Oui.

Sont-elles continues tout le long de cette ligne?—Elles sont continues depuis Metis d'un côté du fleuve Saint-Laurent, et la Malbaye de l'autre, jusqu'à un peu plus haut que Montréal.

Sans aucun intervalle?—Sans aucun intervalle le long des bords du fleuve.

A l'ouest de Québec, et dans les profondeurs à l'ouest du fleuve vers la frontière américaine, les seigneuries s'étendent-elles dans toute la distance?—Non.

La partie qui avoisine immédiatement la frontière américaine est-elle en seigneurie ou en township?—Généralement en township, mais pas universellement.

Y a-t-il une ligne de seigneuries qui s'étende le long des bords de la rivière Richelieu?—Oui.

Cette ligne s'étend-elle le long de la rivière Richelieu jusqu'à la frontière américaine?—Elle s'y étend.

Cette ligne isole-t-elle et sépare-t-elle les townships qui sont dans les derrières des seigneuries dans la province inférieure à partir de la province supérieure?—Les seigneuries se trouvent entre les townships et la province supérieure.

Et forment-elles une ligne continue jusqu'à la frontière américaine?—Oui sur les bords de la rivière Richelieu.

Voulez-vous diriger votre attention sur cette partie de territoire qui est à l'ouest de la rivière Richelieu, et entre le Saint-Laurent et le Haut-Canada; y a-t-il quelques townships dans ce quartier, ou est-il entièrement occupé par des seigneuries?—Il y a quelques townships.

Pouvez-vous dire du tout quelle est la largeur de la ligne de seigneuries qui est de chaque côté de la rivière Richelieu, près de la ligne frontière de la province qui divise la grande étendue des townships, au sud du Saint-Laurent, et à l'est du Richelieu, à gagner jusqu'aux townships au sud du Saint-Laurent et à l'ouest du Richelieu?—La largeur des deux côtés peut être d'environ six ou huit lieues.

La partie de terre qui est immédiatement à l'ouest de la rivière Richelieu est appelée le comté de Huntingdon, n'est-ce pas?—Il y a trois comtés entre le Richelieu et le Saint-Laurent, Huntingdon, Kent et Surrey.

Les townships dans le comté de Huntingdon joignent-ils immédiatement les townships du Haut-Canada, ou se trouve-t-il des seigneuries d'interposées?—Ils y toucheraient immédiatement, si ce n'était que du fleuve Saint-Laurent qui les en sépare.

Mais n'y a-t-il aucune seigneurie entre?—Aucune.

Tout le côté sud du fleuve Saint-Laurent entre l'embouchure de la rivière Richelieu et le point où le Bas-Canada touche aux Etats-Unis, est-il en seigneuries?—Non, pas en entier; on doit en excepter le township de Godmanchester, sur le lac St. François.

Ainsi les seigneuries atteignent le township de Godmanchester?—Oui.

Pouvez-vous établir le nombre probable d'habitans qui occupent à présent ce district des townships qui est situé à l'est de la rivière Richelieu?—Ils en estiment eux-mêmes le montant à 40,000.

La partie du pays qui est occupée par les townships est-elle toute concédée en lots, ou en reste-t-il encore quelques parties dans les mains du gouvernement?—Je crois qu'il y a de ce côté des terres non-concédées d'une étendue considérable.

L'espace de terrain qui occupe les townships excède-t-il de beaucoup celui qu'occupent les seigneuries?—Oui.

Le sol des townships est-il d'une qualité bien inférieure à celui des seigneuries?—J'ai vu plusieurs endroits où il est aussi bon qu'aucun sol puisse être. En général la surface du pays est beaucoup plus diversifiée: les seigneuries sont généralement un pays plat; dans les townships on trouve des collines et des lacs beaucoup plus fréquemment que dans les seigneuries.

Y a-t-il quelque chose qui ressemble à une capitale ou à une ville principale dans ce district de townships?—Il n'y en a point.

Y a-t-il quelque village considérable?—Il y a différens villages; je ne sais pas qu'aucun d'eux mérite l'épithète de considérable; il y en a un cependant qui est, je crois, aussi grand que les autres villages du Canada, savoir; Stanstead.

Y a-t-il aucune ville considérable où il se tiennne un marché?—Non.

Y a-t-il quelques seigneuries dispersées enclavées dans les townships?—Aucune.

Voulez-vous détailler l'état des bornes est des townships; jusqu'où s'étendent-ils à l'est par rapport à la rivière Saint-Jean?—Ils s'étendent jusqu'à l'Etat de Maine; et le point où commence cet Etat est une affaire disputée.

Qu'est le district de Gaspé, est-il en townships ou en seigneuries?—Il y a là différens townships et quelques seigneuries.

Quand la province du Bas-Canada a été divisée en comtés, sur quel principe a-t-on fait cette division?—Il est naturel de supposer qu'on a fait cette division en égard à la population d'alors.

Le résultat de cette division est-il que quelques uns des comtés qui consistent exclusivement en seigneuries ont de très petites dimensions, et que d'autres comtés qui consistent principalement en townships ont une grande étendue?—Oui.

Nommez quelques uns des comtés de peu d'étendue qui consistent en seigneuries?—Il y a le comté de Surrey et le comté de Kent; je suppose que le comté de Buckingham est égal en étendue à une douzaine de comtés comme ces deux là.

Le comté de Buckingham députe-t-il deux membres?—Il ne députe que deux membres. Il y a quelques seigneuries dans le comté de Buckingham, mais sa principale étendue consiste en terres en townships. Il y a le comté de Northumberland, qui s'étend depuis le Saint-Laurent jusqu'aux territoires de la Baie d'Hudson, et a une étendue égale à celle d'un royaume.

N'est-ce pas une étendue de désert?—Presque entièrement à présent.

Non divisé en townships?—Non.

Le comté de Kent ou le comté de Surrey, quoique petits sous le rapport de l'étendue, ont-ils en ce moment une population plus considérable que le comté de Buckingham?—Je mets que le comté de Buckingham possède une beaucoup plus grande population qu'aucun d'eux.

Il y a eu un recensement de la population fait en 1825; de quelle manière l'a-t-on pris, par comtés ou par districts?—C'était je crois la population des comtés.

Avez-vous ce document sur vous?—Je ne l'ai pas.

L'avez-vous en Angleterre?—Je pense que je puis me le procurer.

Si dans les townships un individu a un procès, ou aucune affaire à une ville de comté, quelle facilité a-t-il de communiquer cette affaire; y a-t-il des chemins directs au chef-lieu du comté?—Nous n'avons là aucune cour de comté; les cours sont toutes des cours de district.

Où se tiennent les cours de district?—A Montréal, aux Trois-Rivières, et à Québec.

Ne se tient-il aucune cour du tout dans les comtés?—Nous n'avons aucune cour tenue dans les comtés; la province a été divisée en comtés pour la députation de représentans; c'est l'ancienne division qui a été faite en 1791.

Où est le chef-lieu d'élection dans chaque comté?—A un endroit fixé par la législature. Je ne me rappelle pas les noms de tous.

Chaque comté a-t-il un chef-lieu d'élection dans ses limites?—Oui, un chef-lieu ou des chefs-lieux.

Et ils sont tous dans les limites des seigneuries?—Tous; excepté peut-être à Gaspé.

Les habitans des townships ont-ils présentés quelques pétitions à la législature pour l'introduction dans les townships de cours britanniques et d'une juridiction britannique?—Je crois qu'ils en ont présenté beaucoup pour l'établissement de cours.

Quelle réception ont-elles trouvée?—Je comprends qu'elles ont été traitées avec négligence;

gérance; qu'on n'y a jamais fait attention du tout, excepté quant à l'acte temporaire pour St. François.

Est-il à votre connaissance qu'on ait fait des applications pour l'enregistrement des franc-tenanciers et des contrats?—Résidant toujours à Montréal et la législature siégeant à Québec, je puis difficilement dire que la chose est à ma connaissance personnelle; mais je comprends et je crois que c'est le cas, que des applications répétées ont été faites à la législature coloniale pour des bureaux d'enregistrement.

A-t-on éprouvé beaucoup d'inconvénients par le défaut d'enregistrement dans les townships?—De très grands certainement. On considère comme essentiel à la sûreté de la propriété, ou on ne peut donner une longue suite de titres (comme c'est le cas dans un pays nouveau), qu'une personne ait des moyens de savoir si celui qui était auparavant propriétaire de la terre en a disposé antérieurement ou non, et s'il peut donner un bon titre.

Y a-t-il quelques cours civiles dans les townships autres que celles qui sont dans les seigneuries formées sous le système français?—Aucune, excepté dans le district inférieur de St. François, qui est un district qui comprend un certain nombre de townships et qui a été établi récemment, depuis qu'on a signé la pétition que j'ai produite.

Supposant qu'un habitant des townships en poursuive un autre sur une question de propriété civile, lui faut-il intenter son action dans les cours françaises?—Il lui faut intenter son action dans les cours françaises.

Et poursuivre et être poursuivi en langue française?—Les avocats ou hommes de loi qui sont anglais se servent généralement de la langue anglaise; il n'y a aucune loi qui les empêche d'établir leur demande en anglais, et c'est cette langue que je considère être le langage légal des writs; mais la loi d'après laquelle se doit déterminer la demande est française, généralement parlant.

Comment la loi française s'applique-t-elle aux terres en franc et commun socage?—A présent elle ne s'applique pas du tout aux terres tenues en franc et commun socage; ces terres sont exemptes de l'opération de la loi française.

Alors par quelles lois sont-elles régies?—Elles ne pourraient être régies que par la loi anglaise en conformité aux statuts impériaux.

Par quelles cours?—La justice y doit être administrée par les cours qui existent maintenant, ou ne pas être administrée du tout; elle doit être administrée par les cours de Montréal, de Québec et des Trois-Rivières.

Les juges ne sont-ils pas en grande partie anglais?—Ils le sont; il y a cependant trois juges canadiens.

Les juges en chef sont-ils tous deux anglais, ou l'un d'eux?—Je crois que le juge en chef de la province est venu de Massachusetts, et je crois que le juge en chef de Montréal est Ecossais.

Quelle loi administrent-ils?—La loi française quand cette loi n'a pas été altérée par des dispositions britanniques ou provinciales.

Quelle est la loi qui s'applique aux douaires, aux testaments, et à toutes les transactions et les relations qui naissent du transport de la propriété et de sa descente par succession?—La loi française existe dans le Bas-Canada, excepté où la loi anglaise a été introduite à sa place; la loi criminelle anglaise existe dans le Bas-Canada, et la loi civile française; il y a eu quelques modifications à la loi civile française par des statuts provinciaux et des ordonnances provinciales.

Dans toutes les questions au sujet des terres tenues en franc et commun socage, ces questions ne doivent-elles pas être décidées dans les cours anglaises où on administre les lois anglaises?—Nous n'en avons aucune qui soit distinguée des cours où on administre la loi française.

Suivant la nature du procès la décision n'est elle pas donnée d'après la loi française ou d'après la loi anglaise?—Précisément; ce sont les mêmes cours du banc du roi et les mêmes juges. Dans les cours criminelles les décisions sont portées suivant les lois anglaises; dans les cours civiles elles sont portées suivant les lois françaises, excepté en autant que des statuts particuliers ont introduit la loi anglaise ou changé la loi française.

Sont-ce les mêmes individus qui administrent la loi française comme juges par rapport aux terres qui sont tenues suivant la coutume de Paris, et celles qui sont tenues en franc et commun socage?—Précisément les mêmes.

Tous ces messieurs sont-ils des juriscultes anglais?—Non.

Sont-ce des juriscultes français?—Tous ces juges sont des juriscultes français. Il y a quelques canadiens français, mais la majorité est composée d'anglais; cependant la loi qu'ils administrent principalement, est la loi française, vù qu'elle est la loi du pays.

La loi française, la loi du pays, n'est-elle pas applicable à toutes les terres situées dans les townships anglais, et à tous les occupants de ces terres, quoique le système des seigneuries ne prévalent pas quant à la tenure des terres, et quels sont les droits matrimoniaux?—Le statut britannique appelé acte des tenures doit avoir décidé cette question; et il est expressément déclaré dans ce statut, que la loi française ne peut s'appliquer aux terres octroyées en franc et commun socage. Il y a entre autres deux espèces de droits matrimoniaux, à moins qu'on ne fasse avant le mariage des stipulations au contraire par un contrat, l'un desquels s'appelle le douaire et l'autre la communauté. Le douaire diffère jusqu'à certain point de la loi anglaise du douaire, aussi bien quant au quantum des immeubles, que quant à la disposition ultérieure de la propriété; il consiste en la moitié des biens-fonciers qui appartiennent au mari au temps du mariage, soit qu'il les ait acquis lui-même ou autrement, et aussi en la moitié des biens-fonciers qui peuvent lui advenir par héritage pendant le mariage. Le douaire appartient d'une manière inaliénable aux enfants issus du mariage; la veuve n'a droit qu'aux fruits et aux revenus du douaire pour sa vie durant; et s'il n'y a pas de contrat de mariage tous les biens sont sujets ou au douaire ou à la communauté.

Voulez-vous dire tous les biens, tant des canadiens que des nouveaux colons, dans les townships?—Non, je ne veux pas dire que tous les colons des townships soient sujets à ces deux espèces de droits; mais une portion de leurs biens est sujette à un de ces droits, celui de communauté; au moins quelques uns le soutiennent; ce sont là des points qu'il serait bien à désirer de voir réglés.

Votre observation s'étend-elle à la fois à la propriété mobilière et immobilière?—Un douaire ne consiste que dans la propriété immobilière; une communauté comprend les meubles aussi bien que les immeubles.

S'applique-t-elle également, suivant le cas, dans des circonstances semblables, au colon anglais établi dans les townships aussi bien qu'au canadien dans les seigneuries?—Je pense que l'acte des tenures du Canada a confirmé l'exclusion du douaire français des townships, en autant que le douaire consiste en immeubles; mais quant à la communauté, quelques uns soutiennent qu'elle existe dans les townships excepté lorsqu'il s'agit d'immeubles. La communauté se compose partie de la propriété mobilière, et partie de la propriété immobilière; elle se compose de toute la propriété mobilière, et de toute l'immobilière qui n'est pas sujette au douaire. La femme a droit à la moitié de la communauté, c'est-à-dire à la moitié des biens meubles du mari et à la moitié des immeubles qu'il a acquis durant son mariage.

Ceci passe-t-il aux héritiers de la femme?—Si la femme décède avant le mari, les enfants auront droit à sa part de communauté, c'est-à-dire à la moitié d'elle à l'instant de sa mort, même quoique le mari eût acquis toute cette communauté; et la conséquence en est, très fréquemment, des procès entre les parents et les enfants; j'ai vu souvent des enfants intenter des procès à leurs parents.

Supposant que les enfants meurent avant la femme, à la mort de la femme la propriété va-t-elle aux héritiers des enfants ou à ceux de la femme?—S'il y avait des petits-enfants vivans, c'est à eux qu'elle irait; mais en supposant que la femme mourût sans avoir eu d'enfants, elle irait à ses héritiers quoiqu'ils fussent étrangers au mari; de sorte que, supposant qu'une femme meure, s'il n'y a pas eu un contrat antérieur au mariage, ses parents peuvent réclamer du mari la moitié des fruits de son travail quoique la femme ne lui eût rien apporté.

Un contrat antérieur au mariage, produit dans les cours françaises, serait-il une fin de recevoir contre la communauté?—Sans doute le droit de communauté serait détruit

s'il y avait un contrat de mariage antérieur qui la mit de côté; mais pour faire un contrat de mariage antérieur, il faut avoir quelque idée de la loi, et la plupart des anglais qui vont dans ce pays en savent bien peu là dessus.

Même dans le cas où il n'existerait pas de contrat de mariage, le mari aurait-il le pouvoir de changer cette disposition par testament, ou ce pouvoir ne s'applique-t-il qu'aux cas où une des parties est décédée *ab intestat* et où il n'y avait pas de contrat de mariage?—Je ne conçois pas que le mari ait le droit de disposer de la communauté par testament; il peut la dépenser ou en disposer pendant sa vie, mais non par testament, comme je conçois.

Vous avez dit qu'il n'est pas décidé dans le pays si cette communauté s'applique toujours aux colons anglais des townships; la question a-t-elle jamais été amenée devant les cours?—Je n'ai moi-même aucune connaissance qu'elle y ait été amenée contradictoirement. Je ne sache pas qu'il existe aucun cas où on l'ait décidée, ou on ait fait opposition sur ce que la loi n'était pas applicable. Les cours, comme de suite, l'appliquent lorsqu'on ne fait pas d'objection; mais je ne connais pas qu'on y ait objecté, et qu'une décision formelle soit intervenue sur l'objection.

Quel est le tribunal où l'on appelle des jugemens des cours du Canada sur la loi française?—L'appel se fait d'abord à la cour d'appel à Québec, et ensuite ici au Roi en conseil.

Y a-t-il eu des appels au Roi en conseil sur des points de loi française dans les seigneuries?—En quelques occasions.

Mardi, 13e jour de mai 1828.

Samuel Gale, écuyer, réintroduit; et examiné.

Quand vous avez comparu dernièrement devant le comité vous lui avez soumis une pétition, signée par un grand nombre des habitans des townships dans le Bas-Canada; il est dit dans cette pétition que "les townships sont peuplés par des personnes qui habitent des terres octroyées sous la tenure britannique de franc et commun socage, qui ont un clergé protestant pour le soutien duquel une portion de ces terres est mise en réserve, et qui, nonobstant, sont sujettes aux lois françaises auxquelles elles n'entendent rien." Suivant la loi statué qui est en force en Canada, les personnes qui demeurent dans les townships ne sont-elles pas sujettes à la loi civile anglaise aussi bien qu'à la loi criminelle anglaise?—J'ai entendu quelques juriscultes soutenir qu'ils regardent les townships comme ayant droit à la loi civile anglaise *in toto*; j'en ai entendu d'autres nier cet avantage. Voici quelques uns des changemens de la loi opérés dans la colonie; d'abord, la proclamation de Sa Majesté, en l'année 1763, déclarait que tous ses sujets qui iraient au Canada auraient droit aux avantages des lois de ses domaines d'Angleterre; le statut de 1774 donnait les lois françaises aux seigneuries, mais exceptait de l'opération de ces lois le reste de la province accordé ou à accorder en socage, tenure des townships. On a agi d'après les lois anglaises, comme on l'a dit, depuis 1763 jusqu'en 1774; ceux qui soutiennent que les lois anglaises sont maintenant en pleine force dans les townships, se fondent sur la proclamation, sur la pratique pendant les onze années suivantes, et sur l'exception dans le statut de 1774.

Quelles sont les dispositions du statut de 1774 à ce sujet?—Après avoir introduit dans les seigneuries le code du droit français, ce qui était regardé dans le statut comme l'établissement d'une loi non alors en existence en Canada, on y déclare que rien dans cet acte ne s'étendra ou ne sera entendu s'étendre aux terres octroyées ou à être octroyées sous la tenure anglaise, c'est à dire en franc et commun socage.

N'est-il pas reçu distinctement que cela limite l'opération de la loi française aux seigneuries et à leurs habitans?—Oui par quelques juriscultes.

Sur quels motifs d'autres personnes soutiennent-elles que la loi française a quelque effet sur les townships?—Il y en a qui nient que les lois anglaises, excepté le droit criminel, aient jamais été légalement introduites dans le Bas-Canada, soit antérieurement au statut de 1774, ou par les dispositions de ce statut.

Nient-ils que le statut de 1774 ait aucun effet ou aucun pouvoir dans les Canadas?—Leurs conclusions vont à cela, quant à ce qui regarde les exceptions du statut au sujet de la loi civile anglaise pour les townships. Ils nient que les lois anglaises, pour les affaires civiles, comme ci-dessus mentionné, aient été légalement introduites en Canada, et en conséquence ils maintiennent que l'acte de 1774, en autant qu'il prétend introduire les lois françaises dans les seigneuries, était simplement un ouvrage de surrogation, puisque, suivant eux, les lois françaises étaient légalement en force dans les seigneuries avant et jusqu'à l'acte de 1774, et comme conséquence, ils soutiennent que l'exception dans l'acte qui déclare que rien de ce qui est contenu ne s'étendra ni ne sera entendu s'étendre aux terres en franc et commun socage, comme ne pouvant produire aucun effet, en autant que les lois françaises y étaient alors en force au lieu de devoir leur existence à cet acte. Si l'acte avait établi les lois anglaises par les termes d'une disposition positive au lieu de le faire par des paroles d'exception, ils admettraient que la loi anglaise serait en force dans les townships. C'est d'après ces subtilités légales que les townships ont couru le danger d'être privés de l'avantage des lois que l'acte avait intention de leur donner.

Cette dénégation est-elle simplement un sujet de conversation ordinaire, ou les chambres ou l'assemblée législative vont-elles jusqu'à reconnaître cette dénégation dans leur pratique?—Dans quelques uns des actes passés dans l'assemblée, elle a paru considérer la loi française comme en force dans les townships.

Voulez-vous dire des actes, ou des bills?—Je veux dire des actes. Il y a eu un acte en 1823, qui établissait une cour avec une juridiction de peu d'étendue dans une certaine partie des townships, savoir; une juridiction limitée à £20; et il se trouve dans cet acte des expressions dont on pourrait conclure qu'on regardait les lois françaises comme en opération dans les townships.

Où se tient cette cour?—Cette cour, je crois, se tient à Sherbrooke.

Pouvez-vous citer aucun autre acte d'où on puisse conclure que les membres de l'assemblée soutiennent que la loi française est en force dans les townships, nonobstant l'acte de 1774?—Je ne me rappelle en ce moment d'aucun acte qui ait été passé, mais je pense qu'il y en a, et je crois que différens bills qui ont été passés dans l'assemblée feraient voir que telle était son interprétation.

Pouvez-vous référer à autre chose qu'à ces actes, d'où on puisse conclure que c'est l'opinion des chefs de marque parmi les Canadiens, que les dispositions de l'acte de 1774 n'ont pas d'autorité, et ne devraient pas prévaloir dans le Bas-Canada?—Je ne me rappelle en ce moment rien au delà de simples opinions générales exprimées en conversation par ces messieurs; ils auraient de la peine à trouver des vices ou des lacunes dans les dispositions de cet acte, lorsqu'elles confirmeraient ou rétabliraient les institutions françaises; on ne nierait l'effet de l'acte que quand il fait des exceptions en faveur des institutions civiles anglaises.

Pouvez-vous mentionner aucun acte de cette nature, et menant à cette conclusion, qui ait été passé en Canada depuis la passation de l'acte des tenures?—Non, je ne me rappelle d'aucun passé depuis.

Ainsi par la passation de l'acte des tenures, cette question, en autant que la législature du Canada y est intéressée, paraît avoir été mise hors de discussion?—Non, cette question n'a été mise hors de discussion par l'acte des tenures que quand à la propriété foncière.

En quelle année passa l'acte des tenures?—En 1826.

Savez-vous s'il y a eu quelque décision dans les cours de justice sur la question si la loi anglaise prévaut ou ne prévaut pas dans les townships?—Je ne connais pas que cette question soit devenue le sujet d'une contestation litigieuse; il peut y avoir eu des procès de

de décidés sur ce principe; mais si la question n'a pas été élevée, on ne peut tirer pour l'établissement du principe aucune conséquence de ces décisions.

Vous êtes avocat?—Je le suis.

Dans l'intervalle entre la proclamation et l'acte de 1774, M. Hay n'était-il pas juge en chef de la province de Québec?—Je crois qu'il l'était.

Pouvez-vous dire quelle était la forme de sa commission, quant à l'administration de la loi suivant la pratique des cours d'Angleterre?—Je ne me rappelle pas comment était sa commission, mais je regarde comme admis qu'elle a dû être conforme à la proclamation, en quel cas elle doit avoir été d'administrer les lois d'une manière aussi rapprochée que possible des lois d'Angleterre.

Pouvez-vous dire s'il a été ainsi décidé aucune cause au sujet de la propriété de quelque espèce que ce soit, soit dans les seigneuries ou dans les townships, sous cette proclamation?—Je n'ai vu aucune des décisions de M. Hay dont je me souviens à présent; on n'a pas publié les procès des cours en Canada.

Que savez-vous d'aucune pétition qui ait été présentée à l'assemblée pour demander l'introduction dans les townships de cours de justice britanniques et de lois britanniques?—Différentes pétitions ont été présentées; quelques unes envoyées en Angleterre pour demander des cours anglaises et des lois anglaises; et d'autres à l'assemblée pour demander des cours, des bureaux d'enregistrement, et une représentation.

A-t-il été fait quelque chose en conséquence de ces pétitions qui demandaient des cours?—Je ne connais rien de plus que l'établissement d'une cour, à une époque très récente, en 1823, avec une faible juridiction de £20 en matière personnelle, pour une petite portion des townships.

Quelle portion des townships a accès à cette cour?—Je crois que c'est principalement la portion des townships située dans la partie du comté de Buckingham qui est dans le district des Trois-Rivières.

Cette cour est-elle limitée distinctement à ce district?—Elle l'est, et sa juridiction ne s'étend pas au-delà de £20, ni sans appel au-delà de £10; de sorte que c'est une juridiction de peu de conséquence.

Qui en est nommé juge?—M. Fletcher.

Est-il un juriconsulte anglais?—Oui.

Natif d'Angleterre?—Natif d'Angleterre à ce que je pense; et je crois qu'il a pratiqué au bureau de Londres.

Met-on les lois anglaises en pratique dans cette cour?—Je n'y suis pas allé; et comme il n'y a aucun rapport des causes jugées, je n'en sais rien; mais j'imagine que ses décisions dans ces causes personnelles sont toutes suivant la loi française, excepté en autant qu'elle peut avoir été modifiée par des statuts provinciaux.

La chambre d'assemblée n'a-t-elle pas passé un bill pour introduire le procès par jury dans les causes civiles?—Après que le conseil législatif eut passé antérieurement plusieurs bills de judicature, l'assemblée en passa un, où des procès par jury d'un ordre nouveau étaient à la vérité introduits, mais où aussi on abolissait des procès par jury d'un ordre précédemment établi; bill qui dans mon opinion, lorsque j'en ai eu devant examiné les dispositions, pouvait être justement considéré comme de nature à ne pouvoir être sanctionné et exécuté qu'au détriment du pays.

Quelle était la nature des mauvaises conséquences qu'il y avait à craindre?—On ne le croyait pas convenable à l'état de la province.

Savez-vous sur quels motifs particuliers on fondait cette opinion?—Je ne m'en rappelle pas maintenant exactement; il y a longtemps que je n'y ai regardé. Le bill paraissait devoir introduire un système compliqué et difficile. Il établissait à la vérité dans quelques causes civiles un jury dont les membres pouvaient être moins qualifiés pour ce devoir, mais parmi lesquels l'unanimité était requise, au lieu des jurés tels que maintenant établis, qui peuvent être mieux qualifiés, et dont neuf peuvent rendre un verdict. Son opération aurait exclu différents townships dont les habitants appartenaient à la juridiction et auraient pu être parties aux procès, de fournir des jurés. Il ne touchait nullement au vice principal du système actuel, en ne formant pas un tribunal suffisant pour donner de la certitude et de l'uniformité à la jurisprudence du pays, qui n'ayant pas quant à la loi française le correctif perpétuel d'un corps d'interprètes vivans dans la mère-patrie, doit requérir plus spécialement dans le pays un tribunal d'appel éclairé et permanent.

Avez-vous le bill?—Le bill est en ma possession.

Ainsi c'était une approximation de la loi anglaise qui a passé dans la chambre d'assemblée et qui a été rejetée par le gouverneur et le conseil législatif?—Je ne sais pas si le bill est jamais parvenu devant le gouverneur; mais je crois qu'on ne l'a pas rejeté sur le motif de son approximation des lois anglaises.

Un bill annoncé comme un amendement à ce bill, a-t-il jamais été introduit ou pris son origine dans le conseil législatif?—Le conseil a passé, pendant plusieurs sessions, un bill pour établir une judicature différente, comme il est admis de tous les côtés, que la judicature qui existe à présent dans le Bas-Canada est dans un état bien défectueux. Les premiers bills qui ont été passés pour amender la judicature, ont été, à ce que je comprends, passés plusieurs années de suite dans le conseil législatif.

Ce bill de judicature introduit dans l'assemblée avait-il rapport à toute la province dans une opération uniforme, ou avait-il rapport à une opération distincte dans les townships?—Il avait, je crois, rapport à une opération uniforme dans les townships et dans les seigneuries.

Pouvez-vous fournir au comité copie des bills auxquels vous avez fait allusion?—Je produirai des copies de quelques uns.

Les contrats et les actes légaux que les habitants exécutent dans les townships, sont-ils dans les formes anglaises ou dans les formes françaises, quoique les habitants vivent sous la loi anglaise et tiennent leurs terres en franc et commun socage?—Je n'y réside pas, et je ne puis dire quelle pratique y règne maintenant.

Quel est le mode de transport employé?—Je sais que le transport a eu lieu fréquemment suivant la forme française. Mais j'ai toujours considéré la chose comme illégale, même avant qu'on eût passé en Angleterre l'acte des tenures du Canada, et c'est pourquoi quand j'avais quelque chose à faire en matière de transports, j'avais toujours continué de les faire exécuter suivant les formes anglaises.

Quelle forme?—Généralement celle de *lease and release*.

Comment pouvait-on appliquer les formes canadiennes au transport des terres en franc et commun socage?—On allait chez un notaire comme on aurait fait pour des terres situées dans les seigneuries; et on faisait passer au notaire ce qu'on appelle un acte, et le notaire en faisait ensuite une copie sous sa signature, laquelle, s'il se fut agi de terres dans les seigneuries, aurait été un contrat suffisant; mais je ne crois pas qu'elle aurait été un contrat suffisant sous les lois anglaises.

N'y a-t-il pas une des formes de tenure sous les lois françaises, qui est presque la même chose en effet que le franc et commun socage?—Je ne le conçois pas. Il y en a une qu'on appelle *franc-aleu*, mais elle est de deux espèces; le *franc-aleu noble* et le *franc-aleu roturier*; le *franc-aleu noble* est une espèce de seigneurie, avec beaucoup des conditions et des droits généralement attachés aux seigneuries; et en même temps il serait soumis aussi bien que le *franc-aleu roturier* à toutes les sujétions de la loi française à d'autres égards, telles que le douaire et la communauté et les hypothèques par devant notaires, auxquelles les terres dans les seigneuries sont sujettes.

Êtes-vous d'opinion que ces tenures ne ressemblent pas au franc et commun socage?—Non; elles sont sujettes comme tenures françaises à une variété de sujétions auxquelles cette tenure anglaise n'est pas sujette.

Si un anglais décède à Québec *ab intestat*, ne laissant que des biens meubles, suivant quelle loi ces biens seraient-ils divisés?—Comme de raison, suivant la loi française pour tous les anglais domiciliés dans les seigneuries; et si c'était dans les townships, une partie des habitants du Bas-Canada soutient qu'ils y seraient aussi partagés suivant la loi française, mais une autre partie des sujets du Canada, c'est à dire les anglais, soutient qu'ils devraient être distribués suivant les lois anglaises.

N'y a-t-il eu aucune décision d'une cour sur cette question?—Je ne connais pas que la question particulière ait été le sujet d'une contestation litigieuse; il peut y avoir eu des décisions touchant la propriété mobilière dans les townships, lesquelles décisions peuvent

avoir été rendues suivant les lois françaises; mais ce n'était peut-être pas des décisions rendues dans des cas où cette question particulière et cette objection particulière étaient élevées devant la cour; de sorte que ces décisions ne détermineraient rien.

Dans le cas où un anglais décéderait à Québec laissant des biens meubles, aurait-il le pouvoir d'en disposer par testament?—Sans aucun doute, s'il n'était pas marié.

Supposant qu'il fût marié avant de venir à Québec?—Je croirais que si le mariage avait eu lieu hors du Canada, toutes les sujétions qui suivent le mariage seraient conformes à la loi de l'endroit où le mariage aurait été contracté, à moins que le mari n'eût été auparavant établi en Canada, qu'il allât se marier dans un autre pays, et qu'il vint reprendre sa résidence en Canada; en ce cas je supposerais que les sujétions qui suivent le mariage seraient réglées d'après les lois du Canada.

Supposant qu'un individu émigré d'Angleterre à Québec y épouse une dame qui a aussi émigré d'Angleterre à Québec, et qu'ils possèdent tous deux des biens meubles; le mari, d'après les lois qui y sont en force, aurait-il dans le cas où il décéderait, n'y ayant pas de contrat de mariage, le pouvoir de disposer de ses biens par testament?—Je crois qu'il peut y avoir des opinions différentes sur ce point; pour moi je croirais, la loi telle qu'elle est, que le mari n'aurait pas dans ce cas le droit de disposer de tous ses biens meubles; qu'il ne pourrait disposer de la partie qui appartient à la femme qui a droit à la communauté.

Voulez-vous donner les raisons qui vous portent à cette opinion?—Pendant sa vie le mari peut vendre les biens qui composent la communauté et en disposer, mais à son décès la femme est saisie de l'exercice de son droit préexistant dans une moitié d'eux; et quoique la loi autorise le mari, comme maître de la communauté; de disposer *inter vivos*, et en exerçant les droits de sa femme aussi bien que les siens, des biens qui appartiennent à la communauté, on pourrait difficilement prétendre que cette autorité s'étendit au legs testamentaire des biens qu'on considère appartenir à un autre, et dont le droit de gestion commence sur ceux au moment de la mort du mari. Son testament n'a d'effet qu'à sa mort; mais dans le cas où l'évènement donnerait effet à son testament, sa femme paraîtrait avoir droit d'exercer ses droits préexistans sur la moitié de la communauté. C'est pour cette raison entre autres, que, les droits de la femme étant préexistans quoiqu'elle ne puisse en avoir l'exercice qu'au même moment où le testament du mari devient en force, je conçois que le mari n'a pas droit de la priver par son testament de sa moitié de la communauté.

Cette distribution est-elle fondée sur quelque partie de la Coutume de Paris?—Sur la Coutume de Paris, qui établit la communauté. Dans un cas où une femme mourut sans avoir fait de testament et sans enfans, les parens de la femme réclamaient du mari la moitié de ses biens, se montant à plusieurs milliers de louis, quoique la femme ne lui eût apporté aucuns deniers quelconques.

Les mêmes conséquences auraient-elles lieu si une personne mourait en quelque endroit dans les townships, Québec étant dans les limites des seigneuries?—Cela dépendrait entièrement de savoir si c'est la loi anglaise ou la loi française qui doit prévaloir dans les townships quant à la propriété mobilière.

Qu'en est-il dans le fait?—J'ai déjà dit que dans le fait plusieurs considèrent la chose comme douteuse. Si la loi française existe dans les townships, il n'y a aucun doute que tout ce droit de communauté et ses conséquences y existeraient. Si les lois anglaises ont été introduites dans les townships *in toto*, au lieu d'être limitées simplement aux propriétés foncières, ce droit de communauté n'y existe pas alors.

Dans le cours des temps personne n'est-il mort *ab intestat* dans les townships, de sorte que cette question ait été amenée pour être décidée devant la cour?—Je puis bien dire que des gens sont souvent morts *ab intestat*. J'ai dit, dans ma réponse à la question précédente, que je ne suis au fait d'aucun cas où l'exception précise ait été jusqu'ici plaidée dans une cour de justice.

Ainsi on a laissé dans le fait prévaloir la loi française?—On l'a laissée souvent prévaloir, mais je connais bien des cas où les parties ont pris d'accord des arrangements au sujet de la propriété mobilière.

Qu'arriverait-il, supposant qu'une personne, propriétaire d'immeubles dans les seigneuries, vint à mourir sans testament?—Si ses immeubles étaient des biens roturiers, ils seraient également partagés entre ses enfans; si c'était des biens nobles, c'est à dire si c'était un fief ou une seigneurie, ils ne seraient pas partagés tout à fait également, mais le fils aîné aurait une part plus considérable; c'est à dire qu'il aurait les deux tiers s'il n'y avait qu'un enfant outre lui, et il en aurait la moitié s'il y avait plusieurs enfans.

Quel pouvoir une personne a-t-elle sur ses immeubles pour faire des dispositions testamentaires dans ces deux cas?—Cela dépendrait en grande partie des précautions que la personne aurait prise avant de se marier.

Supposant qu'il meure sans s'être marié?—S'il meurt sans s'être marié il peut faire ce qu'il lui plaît de tout son bien, il peut le léguer en entier; mais s'il meurt après s'être marié, le droit qu'il a sur ses biens dépend de la précaution qu'il a prise ou non d'établir son droit par contrat avant son mariage. Si dans son contrat il s'est réservé une maîtrise parfaite et entière et le pouvoir de disposer de tout son bien, en ce cas il a droit de le léguer en entier par testament. S'il n'a pas fait cette démarche, soit par manque de prudence ou par l'ignorance des sujétions dont ses biens seraient grevés faute d'avoir fait un contrat, alors il ne peut disposer d'une portion considérable de ses biens.

De quelle proportion?—Il ne pourrait disposer de ceux qui seraient sujets au douaire, qui serait de la moitié de tous les immeubles qu'il possédait au temps du mariage ou qu'il aurait acquis par héritage, ainsi que de quelques autres.

Que devient le douaire après la mort de la veuve?—Le douaire appartient alors aux enfans.

Supposant qu'il n'y en ait pas?—Alors il retourne aux parens du mari.

Supposant qu'une personne ait la maîtrise complète de ses immeubles, quel est le mode à adopter pour en transporter la propriété à une autre quand elle les a vendus?—La pratique commune est de faire dresser un acte de vente par un notaire, à peu-près de la même manière que nos actes simples, où sont détaillés les motifs et la convention; les parties le signent; et il demeure pour toujours entre les mains du notaire. Lorsqu'il se passe des contrats devant notaire, on ne donne pas généralement d'acte original aux parties, et le notaire en donne des copies certifiées; ces copies certifiées équivalent à une preuve dans les cours de justice; on les considère comme des documens authentiques qui prouvent par eux-mêmes, à peu-près comme les procédures d'une des cours d'Angleterre seraient réputées authentiques dans une autre des cours d'Angleterre.

Cet acte est-il enregistré dans quelque bureau public que ce soit où on puisse subséquemment avoir accès?—Non; on a beaucoup désiré des bureaux d'enregistrement, parce que sans cela il est impossible de savoir si un homme n'a pas transporté sa propriété une douzaine ou une centaine de fois auparavant.

Toutes les transactions subséquentes qui regardent le transport des immeubles doivent-elles être faites chez le même notaire qui a passé la transaction originale?—Non, il y a 250 notaires, ou environ ce nombre, dans la province du Bas-Canada, et une personne peut aller trouver celui d'entre eux qu'il lui plaira, et chacun d'eux est obligé de garder le secret sur les transactions qui ont lieu pardevant lui.

Comment connaissez-vous l'état antérieur du titre d'un immeuble que vous voudriez acheter?—Il n'y a aucune possibilité de le connaître.

Empruntez-vous de l'argent sur hypothèque?—Il y a beaucoup de difficulté à le faire, en voyant que le prêteur ne peut obtenir aucune certitude qu'il a un gage sûr dans l'immeuble. Un individu peut aller devant un notaire et hypothéquer son bien; cette hypothèque peut n'être qu'une simple déclaration pardevant notaire, qu'il est dû une certaine somme par celui qui constitue l'hypothèque à celui en faveur de qui elle est constituée, et le même individu peut aller devant chacun des 250 autres notaires dans le Bas-Canada, et hypothéquer sa propriété de la même manière, et il n'y a aucune possibilité de savoir s'il a consenti ou non d'autres hypothèques antérieures.

Vos observations s'appliquent-elles aux terres des seigneuries seulement, ou aussi aux terres tenues dans les townships?—Aux terres des seigneuries maintenant, parce que l'acte des tenures du Canada a déchargé les terres des townships de l'opération des lois françaises au sujet de l'hypothèque.

Y a-t-il quelque formalité spécifique nécessaire pour constituer une hypothèque ?—Il suffit simplement que le constituant déclare qu'il doit une somme spécifiée, et qu'il hypothèque ses biens, ce qui comprend tous les biens qu'il possède alors ou qu'il pourra acquérir à l'avenir; la loi en grève tous les biens sur un acte contenant cette simple déclaration et signé par les parties devant un notaire.

N'est-il pas de fait qu'un individu peut aller chez un notaire consentir une hypothèque, et qu'il peut le jour suivant vendre sa propriété sans que celui en faveur de qui il a constitué l'hypothèque ait de moyens d'en être informé ?—Oui, mais je comprends que ce serait l'acheteur qui en souffrirait et non le prêteur, parce que le premier en date est le premier en droit.

Cela ne doit-il pas conduire à un grand nombre de procès ?—A un nombre immense de procès et de fraudes. J'ai vu des veuves et des orphelins, dont l'argent avait été prêté sur hypothèque, dépouillés de tout leur patrimoine. Il se passe à peine un terme dans aucune des cours, sans qu'un grand nombre de ces fraudes soit mis au jour.

Entendez-vous que ce système par rapport aux hypothèques découle nécessairement de l'établissement de la loi française; entendez-vous qu'il prévaut ainsi en France, ou s'il dépend de statuts locaux ?—Toutes les lois sous lesquelles s'opèrent les hypothèques devant notaire, sont dérivées de la Coutume de Paris ou des institutions françaises. En France cependant, ces pratiques frauduleuses pourraient avoir été plus rares, parce qu'il y avait une loi criminelle qui soumettait à une punition ceux qui trompaient ainsi les autres. Cette loi criminelle n'existe plus en Canada depuis l'acquisition du pays par les anglais, parce que la loi criminelle anglaise a été substituée à la française. Mais cette disposition de la loi française n'était en aucune manière suffisante pour prévenir les fraudes; à la vérité elle pouvait après l'offense commise punir les individus qui s'en étaient rendus coupables; mais le but à désirer est de les prévenir tout à fait, ce qu'on pourrait faire au moyen de bureaux d'enregistrement.

Le mode de transport que vous avez mentionné s'applique-t-il aux biens tenus noblement ?—A toutes les terres dans le Canada seigneurial.

Quelque membre n'a-t-il jamais introduit un bill dans la chambre d'assemblée pour amender l'état présent de ces lois, à votre connaissance ?—Oui, il a été introduit dans la chambre d'assemblée un bill pour l'établissement de bureaux d'enregistrement. Un bill pour le même objet pour les townships, a aussi été introduit et passé actuellement dans le conseil législatif; mais je crois que le bill introduit dans l'assemblée était un bill général pour l'établissement de bureaux d'enregistrement, et ce bill a échoué dans l'assemblée.

A-t-il été perdu par une grande majorité ?—Je ne me rappelle pas par quelle majorité, mais je sais que quelques unes des raisons données pour le rejet de ce bill, publiées dans un discours donné pour avoir été prononcé dans l'assemblée, étaient que "les principes religieux et les habitudes du peuple étaient opposées à la pratique du prêt à intérêt;" et "qu'il mettrait le petit nombre de ceux qui avaient de l'argent, à même de nuire au grand nombre qui était en besoin." Et on demandait "s'il ne serait pas mieux pour le riche avide de perdre une portion de son superflu s'il prêtait son argent, que pour le pauvre d'être exproprié." C'était là quelques unes des raisons publiées comme ayant été données par un avocat dans la chambre d'assemblée. J'ai ici cette publication.

Fut-ce à l'occasion de la perte de ce bill dans la chambre d'assemblée qu'un bill pour le même objet mais dont l'effet était limité aux townships, fut introduit dans le conseil législatif ?—Non, je pense que le bill avait été d'abord introduit dans le conseil législatif, mais je n'en suis pas certain.

A-t-il été rejeté par la chambre d'assemblée ?—Elle n'a pas procédé dessus du tout, à ce que j'ai compris.

Est-ce en conséquence de la dissolution soudaine du parlement, ou parce qu'elle avait entamé des sujets qui ont rendu impossible la continuation des affaires publiques ?—Je ne sais pas si c'est en conséquence de la prorogation soudaine du parlement, mais je crois qu'il y a eu des sessions subséquentes où la chose aurait pu être reprise si on l'avait jugé à propos. C'est il y a environ un an que l'assemblée a rejeté son propre bill d'enregistrement.

En quelle année est-ce que ces bills sont passés dans le conseil législatif ?—Je pense que le bill d'enregistrement a été passé par le conseil législatif en 1826, mais je ne suis pas tout à fait certain si c'est en 1825 ou en 1826. Cependant on l'avait demandé nombre de fois par pétitions pendant plusieurs années.

Est-ce subséquemment au temps où sir Francis Burton tint provisoirement les rênes du gouvernement ?—Je ne puis me rappeler si c'est cette année là ou après.

Etes-vous d'opinion que les lois civiles du Canada pourraient être matériellement changées sans affecter considérablement les intérêts existants dans la province ?—J'imagine-rais que les lois civiles pourraient être changées sans affecter considérablement les intérêts existants; les droits de ceux qui ont ces intérêts maintenant pourraient être conservés par une clause dans aucun acte.

Le mode de transport que vous avez décrit comme existant dans les seigneuries, embarrassé-t-il tout la transmission de la propriété foncière ?—Il la rend toujours très incertaine et très peu assurée. Et j'ai connu nombre de personnes qui étaient venues d'Angleterre pour s'établir en Canada, qui avaient apporté de l'argent pour acheter des biens, quitter en conséquence le Bas-Canada. J'en ai connu qui avaient £1,000 et d'autres plus. Il chasse les individus hors du pays. Ils ne peuvent penser à s'établir et à appliquer de l'argent à l'achat de terres, lorsqu'après avoir possédé une terre pendant un certain nombre d'années, ils peuvent rencontrer un individu qui a une hypothèque par laquelle ils sont dépourvus de leurs droits.

Quel effet a-t-il sur l'intérêt de l'argent prêté sur hypothèque ?—Il a cet effet qu'il est généralement très difficile et souvent tout-à-fait impossible d'en avoir sur hypothèque; et cela retarde l'amélioration du pays; parce que si on ne peut emprunter d'argent sur le crédit foncier, il doit y avoir un grand vide dans le capital requis pour être employé à son amélioration.

Connaissez-vous s'il existe quelques propriétés qui renferment des terres dans les seigneuries et d'autres dans les townships, appartenant au même individu, contiguës les unes aux autres ?—Il y a divers individus qui possèdent de terres dans les seigneuries et dans des townships contiguës les unes aux autres.

Suivant quelles formes les terres passent-elles d'une personne à une autre dans les townships ?—A présent je crois que personne ne voudrait faire de transport autrement que suivant les formes anglaises. Auparavant aussi, beaucoup de personnes prudentes avaient coutume de faire les transports d'après les formes anglaises, mais il était d'usage parmi un grand nombre de les faire d'après les formes françaises.

Cette pratique est-elle passablement établie à présent dans les townships ?—N'y ayant pas été dernièrement, je ne puis le dire d'après mes observations personnelles, mais je n'en ai aucun doute. Il faut qu'il en soit ainsi, je pense, puisqu'aucun autre transport ne pourrait être légal à présent.

La pratique d'emprunter de l'argent sur hypothèque prévaut-elle dans les townships ?—Sans doute un grand nombre désireraient emprunter de l'argent sur hypothèque s'ils pouvaient en avoir, mais comme il n'y a pas là de bureaux d'enregistrement, les habitants, même dans les townships, quoique non-assujettis à toutes les difficultés qu'occasionneraient les hypothèques seigneuriales, doivent trouver une difficulté extrême à emprunter de l'argent sur hypothèque.

Si un particulier achète un bien dans les townships, le titre qu'on lui fait indique-t-il, ou paraît-il indiquer les transports précédents que cette propriété a éprouvés, ou s'il indique le titre original de la propriété ?—Il n'y a pas de moyens de donner une longue suite de titres pour les terres des townships, de manière à assurer l'acheteur dans sa propriété ou à le mettre à même de savoir s'il y était sûr. En Angleterre, on peut donner une longue suite de titres, mais dans un pays qui n'est établi que d'hier, où un particulier peut avoir reçu un octroi de quelques milliers d'acres, dont il transporte peut-être deux cents ou une autre petite portion à la fois, il est impossible que les anciens titres aillent avec les nouveaux; il est impossible, à moins d'avoir des bureaux d'enregistrement, qu'on puisse savoir s'il n'a pas précédemment transporté la même terre à quelque autre; et pour ces raisons et pour d'autres les townships désirent des bureaux d'enregistrement

sur des principes semblables à ceux d'après lesquels il en est d'établis généralement dans le reste de l'Amérique.

Suivant quelles formes les biens peuvent-ils être distribués par testament ?—On peut faire un testament maintenant, et on pouvait le faire avant la passation de l'acte de tenures du Canada, suivant les formes françaises ou suivant les formes anglaises.

Quelles prévalent dans la pratique ?—Je crois que c'est une pratique générale parmi les habitants anglais de faire leurs testaments suivant la forme anglaise.

En cas de décès *ab intestat*, les propriétés, dans les townships sont-elles divisées suivant la loi anglaise; le droit d'aînesse prévaut-il ?—Je conçois qu'il prévaut dans les propriétés foncières.

Le droit de douaire prévaut-il en la même forme et avec la même latitude qu'en Angleterre ?—Heureusement ce droit est maintenant précisément le même dans les townships qu'en Angleterre.

Le comité voit dans la pétition qu'on fait allusion à un bill que le conseil législatif avait passé dans la session de 1825 dans le but d'introduire dans les townships la loi anglaise du douaire et des transports de propriété, de rendre les charges spéciales, et d'établir des bureaux publics pour l'enregistrement de toutes les mutations de la propriété foncière et de toutes les hypothèques sur icelle. Ce bill a-t-il été rejeté par l'assemblée ?—Il n'a pas été passé.

Jusqu'à quel point l'acte des tenures du Canada passé par le parlement impérial supprime-t-il aux dispositions de ce bill ?—Il a tout établi excepté l'enregistrement.

Quant au mode d'emprunter de l'argent dans les townships, remettez-vous les vieux titres lorsque le transport est par *lease et release*, comme on le fait en ce pays ?—Là tous les titres sont nouveaux. Le titre embrasse souvent beaucoup plus que le vendeur ne cède, et ainsi il garde son titre par devers lui, il ne peut s'en départir en faveur de celui à qui il ne vend que la dixième partie de ce qu'il a.

Le vendeur ne convient-il pas de produire les titres ?—Il aurait peu d'objection à prendre un tel engagement, mais cet engagement n'est rien de plus qu'une garantie. Il ne donne aucune sûreté à l'acheteur dans le cas où le vendeur en a fait une vente antérieure.

Ne savez-vous pas que c'est la pratique journalière en Angleterre, lorsqu'on vend de grands biens, de prendre l'engagement de produire les titres, et que cela n'est une objection à aucun titre en ce pays ?—Vous avez en ce pays une sûreté qu'on ne peut malheureusement attendre dans un pays nouveau; vous avez le caractère des individus qui possèdent de grandes propriétés, vous avez leur grande fortune pour sûreté. Là les vendeurs de terres sont souvent ceux qui vendent tout ce qu'ils possèdent quand ils en vendent un petit morceau; dans tous les cas on agit d'après l'opinion universelle, dont la pratique a prouvé l'exactitude, que sans l'enregistrement il est impossible d'établir si le titre d'une propriété est valide ou non, ou si les charges imposées sur une terre sont ou ne sont pas sûres.

Depuis la passation de l'acte des tenures du Canada, la question de l'établissement de bureaux d'enregistrement a-t-elle été de nouveau agitée dans aucune des chambres ?—Je crois que c'est depuis cette époque qu'elle a été rejetée dans l'assemblée.

La population anglaise du Bas-Canada a-t-elle quelque désir de troubler la routine de la loi, ou de faire changer les coutumes des Canadiens français dans les seigneuries ?—Non: Si les Canadiens français désirent maintenant le joug de leurs anciennes lois dans les seigneuries, les anglais je crois n'y désireraient aucun changement, excepté ceux qui seraient nécessaires à la sûreté de la propriété, ou d'accord avec les inclinations des Canadiens français. Mais il est dur d'imposer ces lois françaises à l'autre portion de la province, quand la chose est désagréable, et doit être désavantageuse au commerce, à l'amélioration, et à la masse des habitants de cette portion; et qu'elle serait une violation ultérieure des assurances données solennellement par le gouvernement britannique pour l'établissement de lois anglaises, à tous ses sujets anglais, ajoutée à la violation de ces assurances qui a déjà eu lieu par l'acte de 1774 qui établit les lois françaises dans les seigneuries.

Imaginez-vous que les sentiments de la population des townships anglais soient universellement en faveur du changement de la loi ?—Oui; il y a quelques petites déviations de la loi et de la pratique qui existent en ce pays, dont ils seraient contents comme raison; mais ce sont des modifications qu'on pourrait faire après en Canada. Mais les habitants des townships voudraient avoir les mêmes bases de lois qui existent dans tout le reste de l'Amérique, excepté dans le Bas-Canada.

Aimeraient-ils mieux emprunter à la loi corrigée des Etats-Unis qu'à la loi d'Angleterre ?—Ils aimeraient mieux emprunter à la loi corrigée des Etats-Unis, ou plutôt à la loi corrigée des provinces anglaises, qu'à la loi d'Angleterre, parce que, comme de suite, la loi corrigée est simplement l'adaptation des fondemens de la loi anglaise à l'état de choses qui existe en Amérique.

Un bill pour accorder aux prisonniers l'avantage d'une défense par conseil n'a-t-il pas passé dans la chambre d'assemblée, et été rejeté par le conseil législatif ?—J'ai entendu parler d'un bill de cette espèce; mais je n'y ai pas fait beaucoup d'attention, et je puis à peine dire s'il a passé dans l'assemblée, ou s'il a passé dans le conseil législatif. Je ne me rappelle en ce moment que d'avoir entendu quelques observations au sujet d'un bill semblable, et je le penserais d'accord avec la justice.

N'y a-t-il pas, parmi les personnes qui émigrent aux provinces britanniques de l'Amérique du Nord, une préférence décidément marquée pour s'établir dans le Haut-Canada plutôt que dans le Bas-Canada ?—Je crois qu'on peut dire que la majorité des anglais et des écossais montre une préférence décidée à s'établir partout ailleurs que dans le Bas-Canada. Il semble qu'on préfère non-seulement les provinces britanniques, mais aussi les Etats-Unis, au Bas-Canada dans son état présent.

Beaucoup de personnes, nées dans les Etats-Unis, ne montrent-elles pas une disposition à s'établir dans le Haut-Canada ?—Je crois qu'un grand nombre de gens ont émigré des Etats-Unis dans le Haut-Canada.

Est-il arrivé que beaucoup de personnes venues dans le Bas-Canada avec l'intention de s'établir dans cette province, ont renoncé à cette intention après s'être mis au fait de l'état de choses que vous décrivez, et ont traversé la frontière pour s'établir dans les Etats-Unis ?—Un grand nombre. On trouvera dans les journaux de la chambre d'assemblée l'observation suivante du comité des terres: "Depuis mai 1817 jusqu'à la fin de l'année 1820, il est arrivé au port de Québec 39,163 émigrants; la grande majorité d'entre eux, intimidée par la longueur et la rigueur de l'hiver de ce pays, et n'en connaissant pas les lois et le langage, a remonté le Saint-Laurent, et est maintenant dispersée sur les terres du Haut-Canada et des Etats-Unis, où elle a trouvé un climat plus doux, sa propre langue, et des institutions analogues à celles auxquelles elle était accoutumée." C'est là un extrait d'un rapport du comité de la chambre d'assemblée du Bas-Canada. L'hiver, en plusieurs endroits du Bas-Canada, n'est pas de nature à détourner les émigrants de s'y établir, comme on peut le voir dans d'autres rapports de l'assemblée.

Quel objet croyez-vous que le comité avait en faisant ce rapport ?—Je soumettrais que le rapport devrait s'expliquer lui-même. Je conçois qu'il est bien évident que le fait ne est donné de manière à ne laisser aucune intention de prendre quelques mesures dans l'assemblée législative pour diminuer ceux des inconvénients cités auxquels il aurait été en son pouvoir de remédier, ni d'encourager les émigrants; et un défaut d'encouragement dans toute autre partie de l'Amérique serait regardé comme deshonorant. Qu'il leur paraissait juste d'adhérer à tout ce qui empêchait les émigrants de la Grande-Bretagne ou des autres parties des domaines britanniques, de venir s'établir dans le pays désert.

Pensez-vous que c'est un calcul trop haut de supposer que 100,000 émigrants se seraient probablement établis dans le Bas-Canada, si les lois avaient été autres qu'elles ne sont ?—Je ne crois pas que ce calcul soit trop haut, puisqu'il en a émigré un nombre beaucoup plus grand dans le Bas-Canada.

De quelle nation étaient ces émigrants ?—Ils venaient d'Angleterre, d'Ecosse et d'Irlande.

Quelques-uns d'eux étaient-ils citoyens des Etats-Unis ?—De ceux dont on parle ici, aucun.

En matière de fait, plusieurs des citoyens des Etats-Unis n'ont-ils pas traversé leur propre

propre frontière pour venir s'établir dans la Province du Bas-Canada? Nombre d'entrées l'ont fait.

N'y a-t-il pas un grand nombre des terres au sud du St. Laurent d'établies par des Citoyens des Etats-Unis?—Un grand nombre. Après la passation de l'Acte de 1791, il émana des proclamations dans le Bas-Canada en conformité aux instructions reçues du gouvernement ici, invitant les loyalistes Américains à venir s'établir dans les townships du Bas-Canada, leur offrant des octrois de terres, et les encourageant à s'y établir; et en conséquence de cela, nombre de vieux loyalistes vinrent en avant et firent application pour avoir des terres, et des terres leur furent accordées; et ceux qui habitent maintenant ces terres sont ou ces loyalistes eux-mêmes, ou leur descendants, ou les personnes auxquelles ils les ont vendues.

Voulez-vous dire qu'après la séparation des deux provinces du Haut et du Bas-Canada en 1791, l'objet de laquelle était de donner la possession exclusive de la province inférieure aux Canadiens français, et de la province supérieure aux colons anglais, on fit des propositions pour encourager l'établissement des Américains dans le Bas-Canada?—Je veux dire que ces proclamations furent faites après la division des provinces du Haut et du Bas-Canada; et je veux avancer que ce n'était pas et que ce ne pouvait être l'objet du statut de 1791, de réserver la province du Bas-Canada aux Canadiens français, d'autant que c'aurait été faire plus pour une colonie française que la Grande-Bretagne ne fit jamais pour une colonie anglaise, et d'autant qu'on fit des dispositions expresses de réserves pour le clergé protestant, et autres choses incompatibles avec un tel but, et aussi doutant que M. Pitt déclara expressément que son intention était "d'assimiler les Canadiens à la langue, aux mœurs, aux habitudes, et par dessus tout aux lois et à la constitution de la Grande-Bretagne." Il dit expressément ceci en parlement dans le tems que l'on discutait en ce pays le bill de 1791; et je suis convaincu qu'une nation quelconque, que ce soit la France ou l'Angleterre, qui cherchera à établir ou à élever une nation française dans l'Amérique du Nord, encourra finalement l'inimitié durable non-seulement de cette branche de la grande famille nationale anglaise qui existe en Amérique d'une manière indépendante, mais aussi de nos propres colonies; puisque les dernières seraient finalement exposées à autant de préjudice par l'existence d'une nation française dans l'Amérique du Nord, que le seraient les Etats-Unis.

Quelle est la pratique actuelle, les citoyens des Etats-Unis sont-ils dans l'habitude de s'établir dans la province du Bas-Canada?—Ils y viennent dans l'occasion et y achètent des terres, mais non de la même manière qu'on l'avait anticipé lors de l'émanation de ces proclamations.

Ces proclamations leur offraient un encouragement spécifique, et maintenant il n'y viendraient que comme acheteurs ou colons au mêmes termes que les autres?—Oui.

Dans le fait, n'y viennent-ils pas maintenant en nombre considérable?—Je n'ai pas résidé dans les townships depuis un tems considérable, et je ne puis dire en quel nombre ils viennent, mais plusieurs d'entre eux doivent être des colons à désirer pour une nouvelle colonie.

Les townships les mieux établis ne sont-ils pas ceux qui bordent la frontière américaine?—Ce sont les plus peuplés des townships.

Ne veulent-ils pas généralement leurs produits du côté américain, et n'en retirent-ils pas leurs articles manufacturés?—Ils le font très fréquemment, et dans le fait ils ne pourraient faire autrement sans se passer entièrement d'articles manufacturés, parce qu'il y a à peine des chemins par où ils puissent communiquer pendant l'été avec les marchés du Canada, et il y a des chemins par où ils peuvent communiquer avec les marchés d'ailleurs; de sorte qu'ils sont souvent nécessairement obligés de s'approvisionner en Amérique.

La conséquence n'est-elle pas qu'il sont approvisionnés par des articles de manufacture américaine, ou de manufacture anglaise qui ont passé un droit au gouvernement américain?—Je puis dire que c'est le cas fréquemment.

Ne sont-ils pas séparés des seigneuries par de larges contrées de terrain inhabité?—Les townships les plus près des seigneuries sont les moins habités. Je ne puis dire que les townships soient divisés des seigneuries, parce qu'ils y touchent; mais la partie qui est près des seigneuries est généralement inhabitée, et ceux qui sont à distance sont les mieux habités.

La grande difficulté que rencontrent les émigrans anglais ne vient-elle pas de ce que le gouvernement ne fait pas de chemins à travers les districts inhabités?—C'est certainement là une des difficultés.

De quelle manière désire-t-on qu'on lève les fonds pour faire ces chemins?—Il y a différentes manières de lever un fonds, qui, j'ose le dire, les satisfieraient. Si on imposait une petite taxe sur toutes les terres qui ont été octroyées, soit qu'elles appartiennent maintenant à des absens ou à d'autres, (ce que je crois être le cas dans le Haut-Canada), pour l'appliquer à l'amélioration des chemins, je crois que cela satisferait.

L'a-t-on jamais proposé dans la chambre d'assemblée?—Je ne crois pas; cependant je n'en sais rien.

Pensez-vous qu'il y aurait quelque partie qui y mit objection?—J'ose dire que oui.

Les personnes qui possèdent les parties du pays qui ne sont pas établies à présent, ne seraient-elles pas les principaux opposans?—Quelques-uns d'entre eux seraient très probablement au nombre des opposans, mais je ne puis dire que tous y seraient. Parlant pour moi même, qui n'y suis pas résident et qui y ait des terres, je me réjouirais certainement qu'on imposât pour des chemins toutes les terres que j'ai, pourvu seulement qu'on imposât pareillement toutes les autres terres.

Cette mesure n'aurait-elle pas un meilleur effet que la loi de confiscation qui a été passée dans le parlement impérial?—Je ne vois pas qu'une des lois dût empêcher l'opération de l'autre; je pense qu'elle pourroit exister toutes deux en même tems avec avantage, si elle était sur des principes convenables et efficaces.

Une telle loi ne serait-elle pas plus efficace pour l'amélioration du pays?—Je pense qu'elle serait plus efficace pour l'amélioration du pays, si elle était exécutée universellement et impartiellement, et comme propriétaire non-résident, je serais content d'une taxe pour cet objet.

Vous-avez dit qu'il serait à désirer de lever une taxe générale pour faire des chemins de communication; ne croyez-vous pas qu'il serait beaucoup à désirer que les terres réservées à la couronne, et les réserves appartenant au clergé, fussent sujettes à la même nécessité de contribuer au chemins dans leur voisinage immédiat?—Tout cela serait sans doute très avantageux au public; c'est autre chose si ce serait convenable envers la couronne.

N'a-t-on pas imposé dans le Haut-Canada une petite taxe foncière sur les terres et les propriétés particulières non défrichées?—Je crois qu'on l'a fait.

Pouvez-vous dire quel a été le résultat de cette taxe?—Je ne puis; Je crois qu'elle n'a pas été longtemps en opération; mais je n'ai aucun doute que si on l'eût imposée sur des principes convenables, de manière à la faire exécuter pleinement et honnêtement, le résultat aurait été très avantageux, parce qu'il est prouvé qu'il l'a été dans tout le reste de l'Amérique du Nord.

Par rapport au Haut-Canada, les réserves du clergé et de la couronne, autant que vous le savez, ont-elles empêché considérablement l'établissement de grandes lignes de communication?—Je crois que ces réserves ont considérablement empêché les lignes de communication, et c'est inévitable.

Les pétitionnaires demandent qu'on établisse des cours de juridiction dans les townships pour l'administration de la justice, en conformité aux lois d'Angleterre; ceci ne renferme-t-il pas l'établissement des juges et tout le système anglais de judicature?—Je suppose que c'est leur intention.

Dans le cas où une guerre s'allumerait entre les Etats-Unis et la Grande-Bretagne, et qu'on fit une attaque sur le Canada, ne pense-t-on pas généralement que la ligne du Richelieu est celle par où l'entrée du Canada est la plus accessible, et celle qu'il est le plus à désirer de fortifier et de mettre à l'abri?—Je crois qu'on l'a toujours pensé ainsi; on y a fait des fortifications. Du tems des Français on y fit des fortifications, et on a toujours continué à en faire sur cette rivière depuis l'acquisition du Canada par les Anglais.

N'est-il pas à désirer dans le but de la défense du Canada, que les townships fussent peuplés et renforcés le plus que possible?—Je considère que la sûreté d'un pays repose sur les bras et l'affection de ses habitans; et je conçois qu'en remplissant le pays d'une population loyale, on a des moyens de défense infiniment meilleurs, que tout l'argent qu'on y pourrait dépenser en fortification.

La ligne de la rivière Richelieu n'est-elle pas principalement occupée à présent par des seigneuries?—Oui.

Le district des townships dans le Bas-Canada n'est-il pas situé entre la frontière américaine et la ligne des seigneuries sur le Saint-Laurent?—Oui, du côté sud du fleuve.

Quoique la ligne immédiate de la rivière Richelieu soit maintenant occupée par les seigneuries, le Canada, dans le cas d'une attaque le long de cette vallée, serait-il pas infiniment plus assuré si la contrée qui est derrière les seigneuries, maintenant tenue en townships, était remplie d'une population puissante et active?—Tout ce que je puis dire, comme je l'ai dit déjà, c'est que les bras et l'attachement d'un peuple loyal sont le meilleur défense d'un pays, et plus le nombre en est grand, mieux c'est.

N'êtes-vous pas d'opinion qu'une amélioration dans la loi conduirait à la colonisation de cette partie du pays que vous croyez le plus à désirer, pour les raisons que vous avez données?—Il n'y a aucun doute là dessus; elle se peuplerait quatre fois plus rapidement si on le faisait.

Connaissez-vous la partie du pays qui est la plus voisine des Etats-Unis?—Oui, je la connais.

N'y a-t-il pas un nombre considérable d'Américains de basses conditions, qui font des empiètements sur ce district?—La partie du pays à laquelle vous faites allusion semble être une partie du pays dans le district de Québec, sur laquelle je n'ai pas de connaissance.

La question a rapport au district de Montréal?—Il n'y a pas de dispute sur la ligne en ce quartier là.

N'y a-t-il pas une espèce de pauvre population venue des Etats-Unis, qui empiète sur ce district en s'y établissant furtivement?—Quant à une population pauvre on aurait de la peine à en trouver en Amérique, mais il y a une certaine population de colons parasites qui sert de pioniers à toute espèce d'amélioration presque dans toute l'Amérique; il s'en introduit sans doute quelques uns de tems à autre dans le Bas-Canada, mais non en grand nombre; plus tard ce sera universellement le cas que les terres qui ne sont pas prise et améliorées, par ceux qui y ont de bons titres, seront envahies furtivement pour des gens semblables, qui n'ont pas de titres.

N'est-il pas pour cela beaucoup à désirer de peupler ces frontières de citoyens reconnus de leur propre province?—Sans doute, des personnes d'un caractère reconnu, de propriété, ou d'industrie; il est certainement très à désirer de les peupler.

Ce système d'intrusion furtive ne fait-il pas constamment des progrès?—Je ne connais pas qu'il y ait maintenant en Canada un plus grand nombre de ces colons furtifs qu'il n'y en avait il y a dix ans.

N'avancent-ils pas dans leurs établissemens?—Ils précèdent généralement l'avancement des établissemens; ces colons parasites appartiennent à cette première classe de pioniers, qui ouvrent les établissemens dans chaque nouveau district.

Par l'acte de 1791, le nombre des membres de la chambre d'assemblée n'a-t-il pas été fixé à 50, et de ceux du conseil législatif à 15?—La chambre d'assemblée ne doit pas avoir moins de 50 membres, ni le conseil législatif moins de 15.

Quel est le nombre actuel des membres du conseil législatif?—Environ 28.

Quel est le nombre actuel des membres de l'assemblée?—Cinquante.

Est-il toujours resté fixé à 50 depuis la proclamation de Sir Alured Clarke?—Oui.

Quel est le nombre des membres des campagnes, et le nombre de ceux qui représentent les cités et les villes?—Il y a 39 membres députés par 21 comtés, et 11 membres par les cités et les villes; Montréal en députe quatre, Québec quatre, les Trois-Rivières deux, Sorel un.

A-t-on pourvu au changement ou à l'augmentation graduelle du nombre des membres de la chambre d'assemblée, au tems où l'acte de 1791 a été mis à exécution?—Non, il n'y a rien eu de semblable, rien n'a fixé l'accroissement progressif de la législature; si on le désire je puis dire comment cet accroissement progressif aurait lieu de l'autre côté dans le voisinage du Canada.

Quelle disposition a-t-on faite dans le Haut-Canada pour adopter graduellement le nombre des représentans à l'accroissement d'étendue et à l'accroissement d'habitans dans les townships à mesure qu'ils s'établissent?—On m'a dit qu'il y avait certaines divisions territoriales, d'une étendue à peu près semblable, qui ont droit de députer un membre quand elles ont atteint un certain degré de population, et deux quand elles ont un plus haut degré de population; elles n'augmentent pas ensuite le nombre à moins qu'elles ne soient subdivisées.

De quelle manière y a-t-on pourvu; est-ce par un acte du parlement britannique?—Par un acte du parlement provincial à ce que je comprend.

Voulez-vous dire autant que vous le pouvez, comment on a pourvu dans les Etats-Unis à la représentation des contrées désertes qui se peuplent graduellement?—Dans l'état de Vermont, et qui sert principalement de borne sud au Bas-Canada, le pays est divisé en sections d'une égale étendue, qu'on appelle je crois villes ou townships; chacune de ces sections envoie un représentant, quoique la population de quelques unes soit décuple de celle des autres; le but est (et il convient beaucoup à un pays nouveau) de donner aux sections du pays pour lesquelles on a fait moins précédemment, et sur lesquelles on a moins de renseignements antérieurs, les moyens de faire connaître plutôt leurs besoins à la législature, et d'atteindre plutôt une amélioration finale.

L'état de Vermont n'a-t-il pas déjà une population serrée, dans presque toutes ses parties?—Non; la population n'est pas très dense dans tous les endroits. Il y a quelques townships où les colons ne sont pas du tout nombreux; il y en a quelques uns, à ce que je conçois, qui étaient habités principalement par des Ecossais, qui, quand ils s'établissaient dans ces townships, avaient droit après douze mois de résidence d'envoyer des représentans à l'Assemblée de l'état, et étaient habiles, après deux années, à être eux mêmes représentans. Tel est l'encouragement qu'on a là donné à la colonisation au moyen d'émigrans.

Généralement parlant, appelez-vous Vermont une des parties de l'Union les plus anciennement établies?—Vermont n'était pas au nombre des treize états, comme on les appelait; c'est un des états nouveaux.

La chambre d'assemblée a-t-elle en aucun tems montré la disposition ou exprimé le désir de faire aucun changement à l'état de la représentation du Bas-Canada, ou d'augmenter le nombre de ses membres?—Elle l'a fait; elle a montré une disposition à altérer le système de représentation, dans la vue, comme elle disait, de donner une représentation aux townships. L'assemblée introduisit un bill que les habitans de cette partie ont depuis déclaré n'être quant à eux qu'une déduction et une moquerie; quoique d'abord ils eussent exprimé leur satisfaction quand ils furent seulement informés généralement que l'objet en était de leur donner des représentans.

Qu'est-ce que le bill proposait?—C'était un bill par lequel le nombre entier des représentans devait être augmenté, mais je ne puis dire jusqu'à quel nombre, n'ayant pas le bill sur moi; mais je crois que c'était d'environ vingt ou au dessus. Le total des membres actuels est député par les seigneuries, et les trois quarts ou les quatre cinquièmes de ce nombre additionnel auraient été par ce bill ajoutés aux membres des seigneuries.

Voulez-vous dire absolument aux seigneuries, ou s'il devait être ajoutés aux comtés qui députent maintenant sous l'influence des habitans des seigneuries?—Dans le fait la grande partie de l'augmentation aurait été députée par les seigneuries ou sous leur influence. On faisait dans ce bill une nouvelle division des comtés; on changeait le nom des anciens, et on substituait des noms français aux noms anglais qu'ils portent maintenant; sous cette division, peut-être près de vingt nouveaux membres auraient été ajoutés aux membres des seigneuries qui font maintenant toute la députation à la chambre d'assemblée, tandis qu'on en aurait donné que quatre ou cinq en total aux townships qui maintenant n'en envoient aucun à l'assemblée; ceux qui les envoient tous n'auraient guère

gère le besoin d'une augmentation; et la conséquence d'une telle division ferait voir, d'après ce que je viens de dire, qu'un anglais ou un écossais qui s'établirait dans un nouveau township dans l'état de Vermont, aurait en proportion un droit infiniment plus grand dans la représentation après une année de résidence, qu'un anglais ou un écossais qui s'établirait dans les nouveaux townships du Canada n'en aurait dans la représentation de cette province britannique en y demeurant toute sa vie.

La chambre d'assemblée n'a-t-elle pas deux fois passé des bills pour étendre la représentation sur le principe de faire servir la population de règle à cette extension?—Je crois que c'étaient là les bases originales, et je crois qu'il y a eu des bills d'introduits sur ce principe. Quand on introduit de semblables bills dans les Etats-Unis, même suivant le principe démocratique de suffrage universel, ce qui ne pourrait être justifiable pour le Canada, on établit toujours un correctif pour tous les changements qui peuvent avoir lieu dans la population. On ne base pas les lois qui donnent une représentation proportionnée à la population, d'une manière permanente, sur la population lors du temps où les actes sont passés, mais on pourvoit en même temps à un recensement qui se fait tous les trois ou quatre ans, suivant lequel la représentation s'adapte de manière à ce que, s'il survient dans l'espace de trois ou quatre ans, une différence dans la population des districts respectifs, il y a un correctif agissant par lui-même appliqué à la représentation. Ce n'était pas le cas dans ce bill dans le Bas-Canada, c'était un bill à peu près fondé sur l'état de la population à l'époque actuelle, qui peut changer dans un nouveau pays et devenir totalement différente dans l'espace de quatre ou cinq ans, et on ne faisait aucune disposition pour une altération semblable. En outre même dans plusieurs des Etats-Unis, le principe du suffrage universel est regardé comme trop démocratique dans ce pays démocratique, comme il paraît par ce que j'ai dit avoir lieu dans Vermont où la représentation est territoriale ou composée en raison du territoire et de la population.

Ce qu'on appelle le parti français dans la chambre d'assemblée n'a-t-il pas déclaré sa disposition à renoncer aux avantages qu'il peut avoir de ce que la propriété est principalement entre ses mains, et à procéder en rendant la population la base de la représentation dans le pays?—Quant à la propriété je ne connais ni ne crois qu'ils aient eu leurs mains une proportion plus considérable ou même aussi considérable de la propriété foncière; et je crois que les anglais seuls désirent une représentation territoriale, c'est-à-dire, que le pays fut divisé en comtés d'une certaine étendue fixe, ce qui est une pratique qu'on a quelquefois suivie même dans les Etats-Unis; que les comtés fussent aussi égaux que possible, et que, quand les comtés auraient une certaine population ils députassent alors des membres, mais non avant d'avoir une certaine proportion de population.

Cela n'aurait-il pas l'effet de donner dans la chambre d'assemblée une influence indue aux comtés nouvellement peuplés?—Non, une influence indue en aucune manière. On considère juste, comme je l'ai déjà dit, que les comtés sur lesquels on a moins de renseignements antérieurs et pour lesquels on a moins fait précédemment, aient les moyens de faire connaître leurs besoins et d'y faire pourvoir, et les circonstances qui ont eu lieu dans le Bas-Canada en démontrent la nécessité, parce que pendant une longue suite d'années les habitants des townships ont travaillé vainement à obtenir de la chambre d'assemblée le redressement de leurs griefs; ils ont employé il y a quelques années un agent à Québec pour cet objet, comme on emploierait un agent pour faire des représentations dans un pays éloigné, mais il ne pouvait que solliciter sans avoir l'occasion de rien amener en avant dans la législature.

Croyez-vous donc que les habitants des townships anglais devraient avoir un nombre de membres dans la chambre d'assemblée au delà de la proportion de leur population à la population de la partie française du pays?—Je ne pense pas que dans un nouveau pays, le règlement de la représentation d'après la population soit un mode qui tendit beaucoup à son avancement; le mode le plus avantageux, suivant ce qui me paraît, doit être celui par lequel il peut être député des représentants aussitôt que convenable par les nouveaux établissements qui ont plus besoin de législation et de secours que les anciens.

Ainsi vous pensez qu'une représentation composée sur la population et le territoire est la seule représentation qui convient aux besoins d'un nouveau pays?—Je pense que c'est la seule représentation qui convient aux besoins d'un nouveau pays.

Quant à ce que vous avez dit au sujet de Vermont, savez-vous comment les choses en sont à cet égard dans les autres états de l'Amérique du Nord?—Je ne sais pas ce qui en est en général. J'ai passé dans l'état de Vermont pour venir en ce pays, et en y passant, j'ai fait naturellement des recherches sur l'état de la représentation, et je l'ai trouvé tel que j'ai mentionné. On a autant de raison dans l'état de Vermont, d'être jaloux de ne pas refuser ce droit territorial dans la représentation aux étrangers qui s'y établissent et y résident une couple d'années, qu'une colonie anglaise aurait droit d'être jalouse d'accorder une représentation aux sujets nés britanniques.

Croyez-vous qu'il y ait quelque autre état de l'Union dont les parties nouvelles et faiblement peuplées aient obtenu dans la représentation, une proportion plus grande en égard à leur population que celle des parties de l'état les plus anciennement peuplées?—Je crois que c'est le cas.

Pouvez-vous en mentionner quelque autre exemple?—Je n'en puis citer, aucun exemple positif. J'ai compris que le cas était que dans quelques uns des états on forme des comtés d'une égale étendue, même avant qu'ils soient tous habités, et que la loi établit qu'aussitôt qu'un comté contiendra un certain nombre d'habitants il aura droit d'avoir un représentant. Si ceux qui dans plusieurs de leurs états permettent à des étrangers de se naturaliser par une deux ou trois années de résidence, n'objectent pas à ce mode d'envoyer des représentants, on pourrait difficilement croire qu'on pût y objecter dans une colonie anglaise, où les colons en faveur desquels on le désire sont anglais ou écossais.

N'est-ce pas là à présent la loi du Haut-Canada?—Je puis dire qu'il y a quelque chose de semblable. Dans le Haut-Canada on n'aurait probablement aucune forte objection à la division dont je parle; et il n'y aurait guère d'objection dans le Bas-Canada, excepté celle qui procéderait du désir d'exclure les représentants anglais. Ces considérations peuvent influer dans les pays où les sections qui députent des représentants sont formées d'une certaine étendue fixe; on considère que quoique d'abord le nombre des représentants puisse n'être pas proportionné à la population, cependant c'est un défaut qui décroît chaque année, et qui est compensé à quelques égards par l'égalité du territoire, et c'est le mode qui est le mieux adapté aux progrès des nouveaux établissements.

Quelle est l'étendue du comté d'Orléans?—Je crois qu'il n'est pas égal en étendue à un seul township de 10 milles en carré; il député un représentant.

Quelle est l'étendue du comté de Buckingham?—Il contient nombre de seigneuries, et je crois environ 70 townships en addition aux seigneuries.

Quel est le nombre de membres qu'il député au parlement?—Il en député deux.

Quelle est l'étendue de chacun des townships?—Je crois que la règle générale est 10 milles en carré.

Pouvez-vous fournir au comité une copie du recensement de la population auquel il a été référé dans votre examen précédent?—J'en livrerai une copie (je tennon la délivra.) Je crois qu'en ce qui regarde les townships il y a de l'inexactitude dans ce recensement; il ne pouvait y avoir les mêmes facilités pour établir le nombre de ceux qui étaient dispersés sur une immense étendue de terrain, qu'il y en avait à établir le nombre de ceux qui habitent les bords du fleuve, où il est comparativement aisé de faire l'énumération.

Si on appliquait dans le Bas-Canada un système semblable à celui que vous avez décrit comme existant dans le Haut-Canada et dans l'état de Vermont, savoir, de donner le droit de député des représentants à tous les townships qui pourraient dans la suite être établis et habités, suivant l'échelle composée du territoire et de la population, est-il probable que par la suite il s'établirait dans cette immense étendue de terre qui est au nord du Saint-Laurent, un nombre de townships suffisant pour rendre l'assemblée de beaucoup trop nombreuse?—Je ne conçois pas que l'assemblée fût plus nombreuse de cette manière, (chaque comté étant composé de plusieurs townships, et n'ayant droit à la représentation qu'après avoir acquis une certaine population,) qu'on n'aurait pu supposer qu'elle l'aurait été lorsqu'on agit une certaine mesure il y a quelques années dans le parlement de ce pays: en outre, si les comtés actuels doivent être diminués en étendue, il ne serait pas mal de diminuer le nombre de leurs membres, ce qui en laisserait avoir quelques uns aux nouveaux comtés, sans pourtant augmenter le nombre total des représentants.

Faites-vous allusion à l'Union?—Oui. Il y a eu je crois une recommandation au comité de la chambre d'assemblée de prendre en considération la convenance d'autoriser le gouverneur à diviser les townships en comtés, formant un comté de chaque six townships, et à l'autoriser à émaner des writs pour l'élection des membres.

Quand ce projet a-t-il été soumis à la considération du gouvernement?—Ce fut en l'année 1823 qu'un comité de la chambre d'assemblée reçut instruction de s'enquérir s'il ne serait pas expédient d'autoriser le gouverneur à former de temps à autre de nouveaux comtés dans les townships, chaque comté devant comprendre six townships; Je crois que ces instructions furent données au comité de la chambre, en conséquence d'un message du gouverneur; vu qu'il y avait eu une grande variété de plaintes de la part des townships, exposant qu'il n'étaient pas représentés.

Savez-vous si les habitants des townships exercent la franchise électorale?—En général certainement ils ne l'exercent pas, parce que leur distance du chef-lieu d'élection est si considérable; et en outre s'il n'exerçaient la franchise électorale que par rapport à un ou deux membres, cela serait parfaitement inutile.

Concérez-vous que sous un autre système on put remédier à ce mal, causé par la distance qui les empêche d'aller voter?—Si on ne remédiait qu'à ce mal, cela ne vaudrait pas la peine d'y remédier sous le présent système.

Est-il probable que quelque portion de ce district appelé Northumberland soit prochainement établie?—J'ai entendu dire qu'il y a plusieurs millions d'acres de terre très propres à la culture, et qu'on pourrait y faire des établissements florissants et considérables.

Pouvez-vous parler du district qui est entre la rivière Saguenay et l'Ottawa?—Je ne le puis d'après mes connaissances personnelles. Je n'ai pas voyagé moi-même dans cette partie du pays. J'ai entendu dire qu'il est probable qu'on pourrait établir et améliorer la contrée.

On vous a entendu dire que vous aviez raison de supposer que le rapport de la population anglaise des townships était au dessous de la réalité; n'avez-vous pas aussi raison de supposer que les Canadiens étaient fort peu empressés à donner leur nombre, de crainte que le gouvernement n'imposât une capitation?—Je n'ai jamais rien entendu de semblable dont je me souviens.

Comment sont distribués les habitants anglais; sont-ils distribués de manière à former une majorité dans aucun comté?—Je crois que ce n'est le cas nulle part excepté à Gaspé.

Vous avez dit que vous étiez président des sessions de quartier?—Je le suis, pour le district de Montreal.

Est-ce par Lord Dalhousie que vous avez été promu à cette place?—Oui.

De quelle manière tenez-vous cette situation?—Je crois que toutes les situations en Canada sont durant bon plaisir. Puisqu'on m'interroge sur cette nomination, on me permettra de dire que je ne l'ai pas sollicitée; on me l'a offerte; sur cette offre, je me suis excusé, mais je l'ai acceptée après qu'on a eu renouvelé l'offre d'une manière pressante.

Votre salaire est-il payé à même la 1^{re} de George 3, ou sur les fonds appropriés par la législature?—Je considère comme de raison qu'il forme partie de la dépense du soutien du gouvernement civil et de l'administration de la justice. Je considère comme admis qu'il doit être regardé comme payable à même les fonds appropriés d'une manière permanente.

Connaissez-vous du tout les établissements d'éducation dans le Bas-Canada?—Il y a quatre collèges romains (Roinish) ou séminaires pour l'éducation de la jeunesse. Il y a aussi un nombre de corporations, une dans chaque paroisse; par un acte de la législature en 1824, la fabrique de la paroisse, comme on l'appelle, forme une corporation autorisée à recevoir des donations et des legs et à acquérir des fonds en main-morte jusqu'à un montant limité, pour l'avancement de l'éducation. Ce sont les paroisses catholiques romaines; les fonds ainsi perçus sont à la disposition de la fabrique pour les objets de l'éducation.

A-t-on pris jusqu'ici quelques démarches dans l'application de ces fonds?—Je ne sais pas si on a jusqu'ici réalisé des fonds considérables. Il n'y a pas de collèges anglais dans le Bas-Canada, mais il y a eu un acte de passé pour l'avancement de l'éducation dès l'année 1801, sous lequel sont nommés un nombre de maîtres d'école ordinaires.

Voulez-vous dire des maîtres d'école anglais?—Je crois généralement anglais. C'est une langue qu'il est fortement nécessaire d'enseigner dans le Canada seigneurial.

Qui les nomme?—Je pense que c'est le gouverneur qui nomme ces maîtres d'école.

Quels établissements y a-t-il pour l'éducation des classes inférieures dans la partie française du Bas-Canada?—Tous les séminaires et collèges dont j'ai parlé, outre nombre d'écoles sous l'acte de 1801, et les écoles qui peuvent être établies sous l'acte qui a rapport aux fabriques, en donnant à ces corporations le droit de recevoir en main-morte.

N'y a-t-il pas des biens considérables dans le Bas-Canada que les jésuites du Bas-Canada possédaient avant leur expulsion?—Oui.

Quand les jésuites ont été expulsés, ces biens sont-ils passés dans les mains du gouvernement?—Un décret du Pape anéantit l'ordre. Mais je crois que le gouvernement anglais a toujours permis aux missionnaires jésuites d'en demeurer en possession jusqu'à la mort du dernier d'entre eux; à la mort du dernier de l'ordre, le gouvernement comme de droit prit possession des biens.

Comment ces biens ont-ils été appliqués depuis qu'ils sont entre les mains du gouvernement?—La grande partie du revenu net retiré de ces biens a été employée, comme je l'ai compris, à l'avancement de l'éducation.

Jeudi, 15e jour de mai 1828.

Edward Ellice, écuyer, introduit; et examiné.

Le comité entend que vous êtes propriétaire de terres dans le Bas-Canada?—Je suis propriétaire de terres tant dans le Haut que dans le Bas-Canada.

Possédez-vous des terres dans les seigneuries du Bas-Canada aussi bien que dans les townships?—Dans les unes et les autres.

En quelles parties du Bas-Canada sont-elles situées?—Je possède la dernière seigneurie voisine du Haut-Canada, appelée Beauharnais; elle est à environ 18 milles au dessus de Montreal, sur la rive sud du fleuve Saint-Laurent.

L'avez-vous acquise par achat?—Non, j'en ai hérité.

Etes-vous allé fréquemment dans la province du Bas-Canada?—Je suis allé deux fois. Pour un temps considérable?—J'ai été dans le Bas-Canada et dans l'état de New-York qui en est voisin, pendant environ un an chaque fois.

Avez-vous fait beaucoup d'attention à l'administration des biens et à l'état de la loi dans le pays?—Passablement assez, y étant moi-même très intéressé.

Vous savez que par un acte qu'on appelle "Acte des Tenures du Canada," des pouvoirs ont été donnés de transporter les terres tenues en seigneurie à ceux tenues sous la tenure en franc et commun socage?—Une clause à cet effet a été passée à ma suggestion dans l'acte du commerce du Canada en 1822, et subséquemment l'acte des Tenures du Canada a été passé en 1825.

Avez-vous agi sur ces actes?—J'ai essayé à agir sur l'un et sur l'autre, mais les difficultés qui se sont rencontrées à prendre avantage des dispositions de ces actes ont été si considérables.

considérables, que désespérant totalement de pouvoir obtenir la mutation de tenure, j'ai l'année dernière ordonné de continuer les établissements d'après l'ancien système, quoique je conçoive qu'il soit grandement au désavantage du pays et de la propriété elle-même.

Voulez-vous avoir la bonté de décrire ce que vous entendez par le mot établissements? J'entends la location à des tenanciers, de fermes à même les terres non occupées auparavant, ou non mises en état de culture. Depuis la mort de mon père, en 1804, jusqu'en 1826, période de 22 années, j'ai donné ordre de ne pas faire de nouveaux baux, espérant qu'à quelque époque future la tenure serait changée; et, agissant sur ce principe, j'ai fait un grand sacrifice de revenu pendant ce temps. En 1826, après des efforts inutiles pour obtenir un changement de tenure, d'abord sous l'acte de 1822 et ensuite sous l'acte de 1825, j'ai ordonné à mes agents de procéder à la concession des terres suivant l'ancienne tenure; et par un rapport que j'ai reçu des concessions faites en 1827, je trouve que 228 nouvelles fermes ont été concédées à autant de tenanciers, formant une surface de près de 20,000 acres de terre, et pour lesquels je reçois une rente perpétuelle d'environ 500 l. par an.

Voulez-vous avoir la bonté de décrire la nature des empêchemens qui ont empêché l'effet et l'exécution des dispositions de l'acte appelé "Acte des Tenures du Canada"? On envoya, comme je crois, des instructions au gouvernement local pour la mise à effet des dispositions de l'acte de 1822. Le gouverneur soumit ces instructions à son conseil exécutif, qui fut d'avis qu'on devrait requérir comme la condition de la cession des droits de la couronne en ce cas, le paiement d'un cinquième de la valeur des biens dont on désirerait le changement de tenure. Considérant que c'était plus de cinq ou six fois la valeur de l'échange, je m'y refusai. Je fis ensuite application au département colonial, énonçant le peu de probabilité qu'il s'opérât aucun changement de tenure tant qu'on y mettrait des termes aussi élevés, et que je connaissais pas une seule personne dans le Bas-Canada, excepté moi, qui fut disposé alors à accepter le changement pour rien. En conséquence de mes représentations, on envoya d'autres instructions, requérant le gouverneur de proposer la mutation aux termes réduits de cinq par cent sur la valeur, et j'aurais été disposé pour donner l'exemple au pays, à accepter le changement à ces termes, mais mon agent trouva tant d'autres difficultés imposées par les autorités locales, que toute autre tentative me parut sans espoir; et il ne représenta le peu de chance qu'il y avait qu'aucun arrangement final à ce sujet paya les grands sacrifices de revenu que je faisais tout le temps, en retardant l'établissement des terres.

Ne connaissez-vous pas un acte qui a été passé dans le parlement britannique en 1825 dans le but exprès de faciliter la mutation de tenure?—J'ai déjà dit que je le connaissais, et en conséquence de l'acte je requis mon agent de renouveler les tentatives, lui donnant en même temps des instructions pour la continuation des établissements suivant l'ancienne tenure, si ses efforts étaient encore inutiles; en conséquence de quoi ont été faits les nouveaux établissements de 1827.

Pouvez-vous dire quelles raisons on donnait pour expliquer l'impossibilité de mettre l'acte à exécution?—Je ne puis dire sans avoir recours aux lettres particulières, mais l'impression qui m'en est restée dans l'esprit, est que mon agent qui désirait beaucoup remplir mes desirs en obtenant un changement de tenure, m'écrivait généralement que la chose était tout à fait sans espoir.

Concevez-vous que les difficultés à changer la tenure depuis la passage de l'acte de 1825 venaient de quelque défaut dans cet acte?—Les difficultés à changer la tenure ne venaient dans mon opinion d'aucun défaut dans l'acte de 1822 ni dans celui de 1825; elles venaient probablement d'une cause très générale de difficultés dans le pays, de la crainte qu'avaient les autorités locales d'agir sur leur propre responsabilité, vu les instructions déficientes qu'elles recevaient d'ici; et le mal était aggravé par les allées et venues perpétuelles des renseignemens entre le gouvernement et le secrétaire colonial, dans l'espoir d'en pourvoir venir enfin à un accord sur les moyens d'exécuter les dispositions de la loi.

Le comité doit-il entendre que les pouvoirs donnés dans cet acte du parlement ne sont pas suffisamment clairs pour mettre le gouverneur à même de le mettre à effet, sans avoir recours de ce côté de l'océan pour aucun doute sur son autorité?—A mon avis les dispositions de l'acte de 1822 étaient suffisamment claires pour un gouvernement qui aurait voulu agir avec quelque promptitude et quelque énergie, et qui aurait mis de l'intérêt à l'objet en vue.

Vous avez dit que votre application avait été renvoyée à la considération du conseil exécutif; de quelles personnes le conseil exécutif est-il composé?—Je n'ai fait que dire que j'avais compris qu'elle avait été ainsi renvoyée. Le conseil exécutif se compose du juge en chef et autres personnes, dont le devoir est d'aviser le gouverneur au sujet de l'administration du pays.

Les membres du conseil exécutif ont-ils un salaire en cette qualité?—Je suis porté à penser qu'ils en ont un, mais je n'en suis pas certain.

Savez-vous par hasard si quelque autre tentative pour le changement de la tenure des terres d'après cet acte a réussi, quoique votre propre tentative ait manqué?—Je suis sûr qu'il n'a pas été fait d'autres tentatives. En suggérant la clause pour le changement volontaire des terres en 1822, je voulais montrer l'exemple au pays, comme y étant moi-même considérablement intéressé dans les biens-fonds, et je ne m'attendais pas que dès l'abord, ou avant d'être convaincus des avantages d'une mutation de tenure, un grand nombre des propriétaires du Canada dussent suivre mon exemple.

Dans votre manière de voir, serait-ce un procédé avantageux que de changer la tenure des terres des seigneuries qui sont en état de culture, aussi bien que les terres qui ne le sont pas?—En considérant l'état des biens-fonds et l'amélioration du pays au moyen d'un changement de tenure, mes vœux avaient pour but principal les deux grandes cités de Montréal et de Québec, et les biens-fonds dans l'île de Montréal. La couronne ou l'église, mais maintenant je crois la couronne seule, a le droit de seigneurie sur ces deux propriétés, et comme de raison a le pouvoir de céder ses droits à certains termes qu'on pourrait trouver avantageux au pays. Le principal obstacle à l'amélioration du Bas-Canada vient des objections qu'ont les sujets nés britanniques à appliquer sur des biens-fonds les profits considérables qu'ils ont retirés du commerce du pays, et des empêchemens opposés à la circulation du capital, ainsi appliqué par les dispositions de la tenure féodale et les primes considérables exigées à chaque aliénation. Il ne se peut vendre une maison à Montréal ou à Québec, ni une terre dans l'île de Montréal, sans le paiement d'une prime considérable, et ce qui rend la chose pire, il a jusqu'ici existé un doute sur le droit qu'a d'exiger ces primes le seigneur qui possède la seigneurie de Montréal; mais aucun acheteur n'accepterait un titre, à moins que la prime due par l'acheteur précédent n'eût été volontairement payée. La prime est de 12 1/2 pour cent, mais elle est fréquemment modifiée par compromis. Comme la population de l'île de Montréal se compose d'environ 50,000 personnes, et celle de Québec d'environ 25,000, proportion considérable de la population totale du Bas-Canada, et comme il y a une masse de capital plus considérable dans ces deux villes que dans tout le reste du Canada, il me paraissait d'une grande importance d'essayer de débarrasser la propriété immobilière des fers de l'ancienne tenure, de sorte qu'on pût y appliquer des capitaux et les employer à son amélioration, au lieu de les faire sortir du pays pour les appliquer en Angleterre comme c'est maintenant invinciblement le cas. J'espérais que la couronne, munie du pouvoir, aurait consulté les intérêts méritoires du pays en encourageant des mutations de tenure à des termes faciles, et que par degrés les propriétaires des autres districts auraient été convaincus, par la prospérité et l'amélioration croissante des villes et de ses terres voisines, des avantages d'un meilleur système, et auraient été engagés à promouvoir le changement général. Je puis ajouter que la valeur des propriétés dans les villes a éprouvé depuis quelques années une baisse formidable, et je ne puis rien voir dans l'état présent du Canada, qui promette un état de choses différent, excepté par l'éloignement des obstacles actuels à l'application des capitaux à l'amélioration du pays. Je conçois que si les tenures de l'île de Montréal étaient changées en franc et commun socage, et qu'il fut pourvu à l'enregistrement des titres et des hypothèques, que l'amélioration de cette partie du Canada, et ses progrès en richesse et en population, seraient aussi rapides que ceux qui ont eu lieu dans aucune autre partie de l'Amérique.

Y avait-il quelque doute sur le pouvoir qu'avait la couronne d'accorder ces mutations?—Il n'y a jamais eu aucun doute que la couronne aurait pu faire un accord équitable avec le Séminaire, pour donner au gouvernement le pouvoir d'agir suivant son plaisir au sujet des biens-fonds dans la seigneurie de Montréal.

Y a-t-il en quelque ajustement de fait sur ce point?—Je crois qu'il y en a eu un dernièrement.

Pouvez-vous décrire la nature de la réclamation des jésuites?—Je comprends que la seigneurie de l'île de Montréal avait d'abord été accordée au Séminaire de Montréal pour des objets liés à l'église catholique romaine, et pour l'éducation sous sa direction. Subséquentement il s'est élevé des doutes, pendant la révolution française, sur les droits des personnes qui se prétendaient les successeurs des concessionnaires originaux, et comme de raison si ces droits étaient éteints la propriété serait retournée à la couronne.

Quand vous avez parlé d'une réclamation de la part du clergé, aviez-vous en vue le clergé catholique romain ou le clergé protestant?—Le clergé catholique romain; et je pense qu'il est nécessaire de dire que quand je parle des réclamations du clergé catholique romain du Canada, je ne crois pas qu'il existe en aucun pays un corps de ministres chrétiens plus libéral plus bienveillant ou plus charitable, ou dont la conduite et les habitudes soient plus exemplaires ou plus dignes de louanges; et je suis persuadé qu'on les trouvera en tout temps disposés à se prêter, d'une manière compatible avec les intérêts de leur religion et de leur église, à quelque mesure que ce soit pour l'amélioration et l'avantage de leur pays.

Y a-t-il quelque raison de supposer que c'est la crainte de la perte que souffrirait la propriété publique, qui fait hésiter le gouvernement à opérer ces mutations?—Il n'en peut être ainsi. Cependant je recommanderai au comité, comme la meilleure réponse à cette question, de demander un rapport du revenu que la couronne a retiré de toutes ses propriétés en Canada pendant les trente dernières années.

Savez-vous, comme matière de fait, s'il s'est élevé quelques disputes au sujet des titres de propriété dans l'île de Montréal, comme entre la couronne ou le clergé, et les particuliers possesseurs de ces propriétés?—Il y a quelques années, je pense quatre ou cinq parmi les autres droits seigneuriaux le droit de mouture en est un remarquable. Le séminaire croyant que la bâtisse de ce moulin empiétait sur ses privilèges, intenta une action contre celui qui le bâtissait, soit en dommage, ou pour faire abattre le moulin. Le propriétaire fit ses défenses, et jugement fut rendu contre lui par la cour de Montréal devant laquelle la cause avait été discutée. Le propriétaire en appela à la cour d'appel à Québec. A l'audition de l'appel, les juges français présents maintinrent tous le jugement de la cour inférieure; les juges anglais y objectèrent. Il n'y a pas encore eu de décision, et l'affaire est encore pendante, le propriétaire du moulin en demeurant en possession.

La même espèce d'incertitude prévaut-elle généralement au sujet de la tenure des propriétés dans les seigneuries, ou est-ce seulement un cas particulier et isolé?—Je dois dire que le point particulier sur lequel roulait cette action, était de savoir si l'église pouvait poursuivre comme corporation. Ainsi cela n'affecterait que les propriétés situées de la même manière.

Ainsi dans les cas où un particulier pourrait poursuivre, il n'existerait pas de semblable incertitude?—Je tiens que moi-même comme seigneur, non seulement je pourrais empêcher une personne de bâtir un moulin, mais aussi un tenancier de mener moulin son grain à aucun autre moulin qu'au moulin seigneurial. Une partie principale du revenu du seigneur se retire du droit de mouture.

Pouvez-vous établir la proportion de la propriété foncière dans les grandes villes de Québec et de Montréal, possédée en seigneurie par des individus britanniques ou par la couronne?—C'est ou la couronne, ou la couronne et l'église, qui possèdent en entier comme seigneurs les villes de Montréal et de Québec; personne autre que la couronne n'a aucun droit supérieur dans ces villes.

Pouvez-vous dire quelle proportion est possédée par des personnes de naissance ou d'origine britannique, pour les distinguer des canadiens français, comme tenanciers immédiats de la couronne?—Je ne puis même le dire à peu près, mais je penserais plutôt que la plus grande quantité de biens-fonds est en la possession des canadiens français, les habitans anglais ayant des objections à appliquer leurs biens sur de semblables titres.

Pouvez-vous indiquer quelques uns des moyens par lesquels on pourrait faire disparaître les difficultés qui s'opposent maintenant à ce changement de tenure?—J'ai toujours été d'opinion qu'une instruction détaillée en transmettant l'acte de 1822 au gouvernement du Canada, telle instruction étant fondée sur l'information légale des principaux officiers en loi de la couronne en Canada, auraient été suffisantes; et j'avisai dans le temps de dresser une proclamation en ce pays pour la transmettre en Canada et l'y émaner pour cet objet.

Vous vous êtes servi de l'expression "instruction détaillée," pouvez-vous désigner quelles dispositions ces détails devraient contenir?—Des dispositions telles que les autorités légales compétentes alors sur les lieux auraient avisées être suffisantes pour mettre à effet les dispositions d'un acte qu'elles avaient elles-mêmes dressées.

Pensez-vous qu'il serait à désirer que la couronne fit les mutations sans prendre aucune prime quelconque?—Sur les principes généraux, je pense que la couronne devrait faire la mutation aux conditions qui paraîtraient devoir le mieux satisfaire la masse des personnes qui possèdent des biens sous l'ancienne tenure, et être les plus propres à les encourager à accepter la mutation.

Quoique vous le connaissiez pas en matière de fait aucun autre empêchement exact qui entrave ces mutations, pouvez-vous, d'après votre connaissance du sujet, en imaginer quelqu'un que vous pensez l'avoir probablement entravée?—Je n'en puis concevoir d'autres que ceux que j'ai détaillés.

Quel est suivant votre supposition la valeur de l'intérêt de la couronne dans les propriétés qu'on propose ainsi de changer?—La couronne a droit à un cinquième de la valeur de toutes les seigneuries dont on dispose par vente; mais l'énormité de la prime est elle-même un empêchement à de fréquents transports de propriété. Il a été payé depuis quarante ans une prime d'environ £900 sur la seigneurie que j'ai en Canada. Il y a aussi des moyens d'évader la prime, et le montant en est dans le fait plus apparent que réel, parce que généralement un compromis a lieu avant la vente. Le seigneur peut en concédant sa propriété se réserver la plus petite rente nominale possible, de sorte que la prime de la couronne sur le transport de cette petite rente réservée serait peu considérable; mais on pourrait avoir un estimé général de la valeur totale de ces primes pour la couronne en Canada, au moyen d'un rapport de leur montant depuis que le pays est en notre possession. Le droit du seigneur à la prime d'un douzième à chaque mutation est d'une valeur beaucoup plus grande, parce que le tenancier n'a aucun moyen quelconque de l'évader. Il arrive naturellement des mutations de petites propriétés soit par vente forcée ou par vente pour le partage entre les familles. La prime du seigneur augmente aussi avec la valeur croissante des améliorations sur la propriété, de sorte qu'en matière d'intérêt direct le titre sous lequel le seigneur tient ses terres par les lois françaises, est plus avantageux qu'il ne le serait sous un changement de tenure. La terre est louée moyennant une rente perpétuelle réservée, avec d'autres droits, tels que les droits de mouture, de retrait, et les primes sur les mutations, ce qui pris en somme lui rapporte un plus grand revenu que la rente; au lieu que s'il disposait de ses terres en franc et commun socage dans un pays nouveau, il ne pourrait probablement retirer plus que la rente qu'il reçoit maintenant, sans les autres sources de revenu.

Nonobstant la valeur de ces avantages, auriez-vous été d'accord comme seigneur à souffrir que la mutation de tenure eût lieu sur vos propres propriétés, et de laisser des particuliers tenir des terres sous franc et commun socage, quoique par là vous eussiez renoncé à votre droit?—Sans aucun doute, j'en aurais été l'accord, parce que cela aurait conduit à l'introduction de plus grands capitaux, et à l'amélioration de partie de la propriété, ce qui m'aurait donné de grands avantages pour disposer du reste.

Pouvez-vous donner au comité une idée du prix auquel se serait vendu en franc et commun socage un acre des terres que vous avez dit avoir louées pour 8d. l'acre?—Je supposerais qu'elles se seraient vendues depuis 15s. à une guinée l'acre; je possède comme

me je l'ai déjà expliqué au comité, une grande quantité de terres en franc et commun socage dans le voisinage immédiat de ma seigneurie. Il s'est rencontré quelques difficultés au sujet du titre de cette propriété, ce qui m'a empêché pendant bien des années d'essayer à l'établir. Ces difficultés, je pense, après vingt années d'application, ont été abattues par le gouvernement de Québec, et je travaille maintenant à établir ces terres sur les termes auxquels je me proposais d'établir la seigneurie si j'avais réussi à obtenir un changement de tenure; mais ce qui démontrera encore plus fortement les avantages qui résulteraient pour le pays, d'un changement de système et d'institutions plus libérales, est le fait qu'on ne trouve aucune difficulté à faire des ventes de terres d'une qualité inférieure et beaucoup moins avantageusement situées pour les moyens de communication et les marchés, dans la partie voisine de l'Etat de New-York, à un prix au moins double de celui qu'on peut se procurer en Canada dans le voisinage immédiat. J'ai sur moi un rapport des ventes de 10,000 acres, formant partie d'entre 40,000 et 50,000 acres, joignant ces terres du Canada, mais heureusement situées de l'autre côté de la ligne, qui ont donné prix moyen 30s. par acre, et l'agent m'annonce que ce peut-être là la valeur moyenne de tout le reste.

Le droit seigneurial de la couronne n'était-il pas d'un cinquième dans l'origine?—

Oui. On comprend que vous avez dit que quand la couronne s'est proposé de céder ses droits seigneuriaux elle se proposait de prendre cinq par cent?—Elle l'a fait par la dernière instruction.

L'objet étant d'induire le seigneur à déguerir de son côté les terres de ces redevances de la tenure seigneuriale, êtes vous d'opinion qu'il serait juste que la couronne accordât la franchise au seigneur à un taux moindre que cinq par cent?—Je ne puis répondre exactement à cette question, au delà de l'exposition de mon propre cas, et de ce que je consentais à payer cinq par cent; mais j'ai beaucoup de doute si je n'étais pas le seul seigneur du Canada qui aurait accepté une mutation à de semblables termes. Je crois que quant aux termes, c'est moi qui ai suggéré les réglemens, et je désirais seulement alors, comme je le désire encore, qu'ils eussent formé partie de l'acte du parlement, et qu'on ne les eût pas laissés au gouvernement ici ou en Canada, pour qui ces instructions sont jusqu'à présent demeurées une lettre morte.

Etes vous d'opinion que si la couronne avait été disposée à accorder des termes plus faciles aux tenanciers immédiats, ces tenanciers auraient été disposés à rendre les termes plus faciles à leurs sous-tenanciers?—Je ne crois pas que cela eût fait la moindre différence. Les droits du seigneur, comme je l'ai déjà expliqué au comité, sont pour lui d'une grande valeur, et la valeur des droits de la couronne n'est que nominale en pratique, et si la couronne ne donne pas de grands encouragemens, excepté dans les villes de Montréal et de Québec où des particuliers peuvent désirer d'appliquer utilement des capitaux, peu de mutations auraient lieu.

Les personnes qui tiennent des terres d'un seigneur n'ont-elles pas droit par la Geo. 4, de forcer le seigneur à une mutation de titre?—Quand je suggérai d'abord ce changement, c'était dans la vue de l'amélioration générale du pays; et la cession des droits de la couronne en faveur du seigneur serait peu de chose en comparaison pour conduire à ce résultat, à moins que le tenancier n'ait quelques moyens de s'émanciper lui-même des entraves de sa tenure. Il résulterait un bien plus grand avantage d'une renouction générale des seigneurs à leurs droits féodaux, que de l'émancipation par la couronne de seigneurs individuels.

Concevez-vous que la grande masse des vassaux dans les seigneuries, désire aucun changement à cet égard, ou non?—Je conçois que pendant longues années il n'y aurait qu'une très petite partie de la population des campagnes qui prit avantage de ce changement, jusqu'à ce qu'elle fût convaincue de l'avantage que ses voisins retireraient de n'être sujets à payer aucune prime sur les mutations; et par sa propre expérience acquise par le paiement réitéré de ces primes dont les terres voisines seraient exemptes.

Le principe de la coutume française de Paris de décourager autant que possible les mutations des propriétés, n'est-il pas exactement le principe qui attache la population française à l'état présent des lois dans le pays?—Ce principe, si contraire à tous les principes sur lesquels le gouvernement britannique a procédé dans le gouvernement de ses autres colonies, a tendu à retarder l'amélioration du Bas-Canada, pendant que l'amélioration des autres parties de l'Amérique a avancé à grands pas; et quoique je sois aussi opposé qu'aucun autre à vouloir maîtriser par la force les préjugés et les sentimens des Canadiens, qui y sont certainement attachés à la conservation de leur système actuel, et qui s'imaginent y avoir intérêt, cependant, comme matière de nécessité, on en agira ainsi à leur sujet avec le temps, à moins qu'il ne puissent s'accommoder d'une amélioration graduelle, soit sous notre gouvernement ou sous quelque autre.

Y a-t-il quelque chose dans cet acte qui irait au delà de mettre la chose à l'option des parties, et les Canadiens, s'ils aiment cette tenure, n'auraient-ils pas la pleine liberté de continuer à y être soumis?—J'ai déjà dit qu'en suggérant ce changement dans le principe, je ne voulais en aucune manière de rien qu'on pût supposer être compulsoire, et que seulement je proposerais maintenant d'en agir avec les Canadiens, en leur faisant voir les avantages qu'ils retireraient d'un meilleur système qui prévaudrait chez leurs voisins.

Pouvez-vous dire si la tenure sous laquelle sont régies maintenant les terres des townships, est sujette à quelque objection?—Il y a eu des doutes considérables quant aux titres des propriétés tenues dans le Bas-Canada en vertu d'octrois britanniques, et quant aux lois qui les affectent. Jusqu'à l'acte des tenures du Canada, en 1825, je ne crois pas qu'aucun propriétaire d'immeubles en franc et commun socage dans le Canada, sût bien par quelles lois sa propriété était régie. Je ne pourrais non plus dire si les immeubles que je possédais en franc et commun socage, auraient été partagés ou régis par la loi civile française ou par la loi d'Angleterre. Toutes les transactions au sujet de ces propriétés, à très peu d'exceptions près, ont été conduites sur le principe qu'elles étaient régies par les lois anglaises; mais nulle décision à ma connaissance n'avait été rendue dans aucune cour du Canada, jusqu'à ce que le bill de 1825 ait fait cesser cette question. On a aussi exprimé des doutes quant aux droits et aux pouvoirs des seigneurs de concéder leurs propriétés ou d'en disposer suivant les lois françaises, lesquels sont fréquemment l'objet de discussions publiques dans des temps d'exaltation, mais qui n'ont jamais été amenés à une décision judiciaire. Quelques uns des jurisconsultes français témoignent leurs doutes que les seigneurs qui ont été en possession depuis l'occupation du Canada par les anglais, et qui ont changé et augmenté leurs rentes suivant les circonstances des temps, eussent quelque droit de le faire. Ils allèguent que ces propriétés ne sont tenues qu'en fidé-commiss, pour les faire établir par les classes plus pauvres des habitans, et qu'une ordonnance du roi publiée il y a plus d'un siècle, mais à laquelle on ne s'est jamais conformé en Canada, devrait régler maintenant toutes les transactions entre le seigneur et le tenancier, et que le seigneur n'a aucun droit d'exiger ou de recevoir une rente plus forte que celle qui était alors d'usage. La pratique du pays a été entièrement opposée à cette règle, mais dans les dernières disputes qui ont eu lieu en Canada, quelques uns de mes tenanciers avait été conseillés de se refuser sur ces motifs au paiement de cette rente; ils s'y refusèrent, et mon agent fut obligé d'avoir recours à la loi pour les obliger à payer la rente; mais les procédures furent arrêtées dans leur marche parce que les tenanciers se soumièrent.

La clause déclaratoire de l'acte des tenures du Canada affectait-elle les droits d'un nombre considérable de Canadiens?—Je ne vois pas comment elle pouvait affecter leurs droits, vu qu'il n'avait jamais été établi d'une manière certaine que les terres en franc et commun socage fussent sujettes aux dispositions de la loi civile française; mais certainement si elles y avaient été sujettes, les droits des plus jeunes membres des familles, ou des porteurs de l'hypothèque d'un fils cadet sur sa proportion des biens de son père, auraient été laissés sans protection quelconque par les dispositions de cet acte.

Y avait-il beaucoup de Canadiens français qui possédant des terres dans les townships, ont été affectés par cette clause déclaratoire?—Bien peu, je pense; et je n'aurais aucune objection à m'engager pour une très petite somme à indemniser moi-même toutes les personnes qui pourraient avoir été lésées d'après cette clause.

Le comité doit-il comprendre que, telle qu'est maintenant la loi, les terres des town-

ships pourraient être convenablement et sûrement transportées suivant les formes anglaises de transports?—Comme je l'entends, les propriétés foncières en franc et commun socage seraient, par les dispositions de cet acte, régies par les lois anglaises qui concernent la propriété immobilière, à l'exception d'un changement bien nécessaire, que la terre fût sujette aux simples dettes par contrat, et de plus que toute terre dont le titre, de son côté qu'il était à la tenure féodale, serait transporté sous celle en franc et commun socage, serait régie de la même manière; et c'aurait été un grand motif pour moi, comme ce le serait pour tous autres d'obtenir une mutation de tenure.

Sous ces circonstances une personne pourrait-elle emprunter de l'argent sous l'hypothèque de sa propriété dans les townships?—Je crois qu'il serait extrêmement difficile d'emprunter de l'argent sur des biens-fonds dans les townships jusqu'à ce qu'il soit établi une cour pour l'enregistrement des titres, par où on pourrait connaître les charges auxquelles les immeubles seraient sujets. Par les dispositions de la loi civile française, tout acte passé devant notaire (et bien peu d'actes qui ont rapport à des arrangements pécuniaires en Canada sont passés autrement que devant notaire) est censé produire un droit hypothécaire qui affecte les immeubles des parties; et il est à présent impossible de se mettre à couvert des risques qui résultent de cette circonstance.

S'il était passé une loi pour établir l'enregistrement de tous les transports de propriété en Canada, devrait-elle dans votre opinion être limitée aux townships ou aux terres qui seraient tenues en franc et commun socage, ou devrait-elle s'étendre aux seigneuries?—Il ne peut y avoir de doutes que pour la sûreté de la partie commerçante de la société, et pour induire les capitalistes à appliquer et avancer leur argent sur les terres, elle devrait s'étendre généralement à tous les biens; et plus particulièrement vu qu'il est impossible d'imaginer quel tort pourrait résulter au profit des propriétaires de terres sous la tenure féodale, si il y avait des archives pour le dépôt des ventes et des charges qui les affectent. J'ajouterais que dans l'état de New-York il y a des cours de record dans chaque comté, et qu'ayant acquis moi-même beaucoup d'expérience et éprouvé quelque trouble en cherchant des titres de propriété en différentes parties de cet état, j'ai rencontré la plus grande facilité en recourant aux registres où sont consignées toutes les mutations des propriétés.

Vous dites que dans les dernières années les biens-fonds ont éprouvé une grande baisse dans les villes de Québec et de Montréal?—C'est le cas.

Quelle a été la cause de cette baisse en valeur?—Je pense que c'est, entr'autres causes, parce que le capital a été retiré du pays pour être appliqué en Angleterre, et en raison de quelques craintes de manque de sûreté causées par les dissensions qui existaient dans le gouvernement en addition aux obstacles que j'ai déjà détaillés au sujet des charges sur les biens-meubles.

Attribuez-vous cela aux disputes qui ont eu lieu dans le pays?—Certainement j'en attribue une partie à ces disputes.

Les marchands qui continuent à résider en Canada n'ont-ils pas éprouvé de grandes pertes?—Comme de raison tous les possesseurs d'immeubles ont éprouvé de grandes pertes par leur dépréciation; je ne connais pas d'autres pertes, excepté celles qu'ont éprouvées tous les sujets de Sa Majesté qui ont fait le commerce pendant les dix dernières années.

Connaissez-vous les conditions auxquelles le gouvernement accorde des terres dans les townships du Bas-Canada?—Je suis au fait de ce sujet comme du plus grand grief pratique dont la population industrielle du Canada ait à se plaindre. Ces octrois ont été faits en parties considérables très inconsidérément et au hazard à des personnes attachées au gouvernement, sans leur imposer, ou au moins sans les leur faire exécuter après les avoir imposés, les conditions convenables pour l'établissement et la culture de ces terres, ou sans les taxer pour la vaste étendue de propriété dont ils sont en possession, et qui demeure en arrêt et sans amélioration, au grand détriment du pays et à la grande nuisance des habitans d'alentour.

Jusqu'à quel point ceci a-t-il eu lieu?—J'ai à craindre que dans le Haut et le Bas-Canada cette pratique n'ait eu lieu jusqu'à un point si formidable, qu'une grande partie des terres de valeur et faciles à améliorer est entre les mains de personnes absentes, tandis qu'elles auraient pu autrement être occupées par d'actifs et industriels colons.

Les terres ont-elles été octroyées en parties considérables?—En parties considérables. Je pense que le comité ferait bien de demander un rapport de toutes les concessions qui ont eu lieu depuis le tems du général Prescott, au moins depuis que c'est devenu la mode presque pour chaque conseiller ou chaque officier attaché au gouvernement, d'obtenir un octroi depuis 5,000 à 20,000 acres.

La condition de confiscation à la couronne de toutes les terres non améliorées, n'a-t-elle pas une opération constamment progressive?—Je pense que c'est le plus mauvais procédé possible pour remédier au mal de ces larges concessions; un remède beaucoup plus simple serait de suivre l'exemple de l'état de New-York, en taxant les terres non en culture.

Par qui ces concessions ont-elles été faites?—Par le gouvernement du lieu ou par des instructions reçues d'Angleterre.

Cette pratique a-t-elle existé pendant un temps considérable?—Elle existe depuis qu'on a supposé que les terres du Canada avaient quelque valeur. C'était un moyen aisé de récompenser des services ou de satisfaire les agioteurs.

Ne savez-vous pas que des obligations d'établissement étaient imposées dans ces concessions?—Je sais fort bien qu'en quelques cas, non en tous, on a imposé des obligations d'établissement; mais il arrive par quelque accident étrange qu'on ne les a jamais faits exécuter, et la plus grande partie de ces terres n'est à présent qu'un désert, étant rare que les propriétaires appliquent des capitaux à leur amélioration. Dans les deux ou trois dernières années on a attiré sur ces abus l'attention du gouvernement; on a eu recours à un système d'échelles, et on croit qu'il a été envoyé des directions pour procéder à la confiscation de toutes les terres sur lesquelles les obligations de l'établissement n'ont pas été remplies. L'objection à ce mode de procéder est que vu qu'on a laissé dormir si longtemps les conditions auxquelles ces octrois avaient été accordés dans le principe, les propriétaires les ont presque entièrement oubliées; et si on doit insister sur un système rigoureux de procédés de la part de la couronne, elle produira un tort aussi grand et aussi sérieux au pays, comme l'a été jusqu'ici la négligence à exécuter les dispositions pour l'amélioration des terres.

Sous quel rapport servirait-il à faire du tort au pays?—Des personnes qui ont de l'influence soit dans le pays ou ici (et il y en a beaucoup qui sont au nombre des concessionnaires de ces terres,) feraient des remontrances contre ces procédés, et suivant la pratique qui prévaut en ces cas, on se rendrait aux demandes des uns et non à celles des autres, et il résulterait nécessairement des plaintes de la moindre partialité apparente, lesquelles mêmes pourraient être justifiées dans des cas particuliers. Il serait impossible de se reposer sur l'exécution de pouvoirs aussi à discrétion, avec quelque espoir qu'ils seraient exercés d'une manière satisfaisante par les autorités locales.

Y a-t-il beaucoup de ces concessionnaires qui ont ainsi négligé de remplir les conditions auxquelles ils avaient reçu les octrois de terres, qui résident en Canada, ou si ce sont principalement des absens?—Je crois que ce sont principalement des absens; quelques gouverneurs de la colonie, et plusieurs concessions ont été faites par le gouvernement comme une récompense de services publics.

Ces parties de terres ne sont-ils pas en plusieurs cas dans les meilleures situations de toute la colonie?—Ils sont principalement composés des terres les plus voisines des seigneuries qui n'avaient pas été octroyées sous la tenure féodale, et comme de suite dans une situation qui en rend l'accès plus facile, qu'il ne l'est pour les terres plus éloignées qui ont été accordées aux colons actuels.

Ces concessionnaires ont-ils négligé de remplir les obligations de l'établissement aussi bien que celles de la culture, en négligeant de faire des chemins sur leurs terres?—Le plus grand mal de tous vient de la négligence à faire les chemins. Le mal plus grand encore des octrois faits à l'église, ou personne n'est tenu de remplir les obligations de l'établissement, me reste encore à citer; et le pays demeure fourré et impénétrable en conséquence de toutes les parties à exécuter cette amélioration vraiment nécessaire.

Quelle est l'étendue d'aucune des concessions ainsi faites; quelle est la plus grande mesure

mesure de terre qui ait été accordée à un particulier?—Je crois que dans quelques cas elle s'est montée jusqu'à 20,000 ou 30,000 acres.

Résulte-t-il de grands inconvénients des seules dimensions de ces concessions?—Il est naturel que les inconvénients augmentent en proportion des dimensions.

Y a-t-il un grand nombre de concessions semblables qui aient eu lieu pendant les dernières années?—Non; on avait tant fait d'octrois à même la partie du pays qui était d'une plus grande valeur, que les concessions à des distances éloignées devinrent de moindre prix et furent moins recherchées; et je crois que les yeux du gouvernement s'ouvrirent peu de temps après sur le mal.

Savez-vous si la clause de la 6e Geo. 4, qui autorise le gouvernement à échetter, a été mise en opération?—Je sais, comme matière de fait, qu'on m'en a menacé au sujet de quelques terres que mon père avait achetées, parce qu'elles étaient voisines de sa seigneurie, de quelques soldats, sergens, et officiers subalternes à qui elles avaient été accordées en petits lots pour les récompenser de leurs services, lorsqu'ils furent réformés à la fin de la guerre Américaine. On a fait quelque objection au titre de ces gens, qui a été renouvelé après une postulation continuelle à Québec pendant 14 à 15 ans; et après que j'ai eu un titre qui me mettait à même de vendre les terres, on m'a menacé de l'échetter, que j'ai cependant prévenu en faisant ce à quoi je suis tout à fait disposé, en travaillant à l'établissement du pays.

Savez-vous si des échettes de terres ont eu lieu en vertu de cet acte?—Aucune qui soit venue à ma connaissance.

Pouvez-vous suggérer quelque mode par lequel on pourrait remédier à ce grand mal?—Le seul remède efficace est l'imposition d'une taxe sur les terres non occupées, et le soin de la part de la couronne, de faire procéder à la vente des terres pour les arrérages de cette taxe, en cas de non-paiement.

Est-ce là la pratique dans les Etats-Unis?—Oui, constamment.

Le pouvoir d'imposer une telle taxe existe-t-il quelque part que dans l'assemblée locale de la province?—Non, à moins que nous ne soyons obligés de suivre la marche dans laquelle nous avons été malheureusement jetés, en législatant en ce pays à toute occasion pour le gouvernement intérieur des Canadas.

Voyez-vous quelque objection aux pouvoirs de l'échette, pourvu qu'on donne avis aux parties qu'on a l'intention de mettre la loi en force à cet égard?—Les objections sont innombrables; d'abord parce qu'on rendrait les titres incertains; ensuite à cause de la difficulté de préciser les bornes et d'établir la preuve qui devrait servir de base aux procédés; et enfin, la dépense, et probablement l'exécution vexatoire de la loi.

Voyez-vous quelque objection à ce qu'on mit en opération un principe qui rendrait l'échette conditionnelle, la faisant dépendre de la continuation de l'état inculte de la propriété?—Je suis opposé à mettre dans les mains des officiers en loi de la couronne dans ces colonies les moyens de vexer légalement qui que ce soit, lorsqu'on peut l'éviter; et je pense qu'on peut l'éviter par un remède beaucoup plus efficace pour ce mal, lequel j'ai suggéré.

A-t-on suggéré un semblable remède, soit dans le conseil ou dans l'assemblée?—Pas dans le conseil à ce que je penserais, parce que les membres en sont généralement propriétaires de terres; et je ne sais pas qu'on l'ait fait dans l'assemblée.

Votre proposition ne revient-elle pas à peu près à la même chose; n'est-elle pas dans le fait une échette en cas de détresse pour le manque de payer la taxe?—Je dois dire qu'il y a cette différence bien remarquable, que la saisie d'une propriété ne pourrait alors avoir lieu qu'à défaut de l'exécution d'une condition, ce qui est une matière de fait actuel à la connaissance de parties; et les procédures publiques par échette ne peuvent avoir lieu que sur preuve que les conditions de l'établissement n'ont pas été remplies, et les parties peuvent différer et différeront sur le sens et la signification de l'obligation d'établissement qui leur est imposée.

Ne savez-vous pas que la couronne a maintenant le pouvoir d'imposer quelques conditions d'établissement, en autant que les conditions originales n'ayant pas été remplies, ces terres sont actuellement échettées?—Je ne suis au fait d'aucun pouvoir qu'ait la couronne d'imposer de nouvelles conditions jusqu'à ce qu'elle ait actuellement échetté les terres, et qu'elle les ait fait vendre sur exécution.

Ne s'élèverait-il pas une question de fait avant qu'on pût imposer une taxe sur les terres non en état de culture?—Cela dépendrait des réglemens de la loi, mais les propriétaires seraient obligés de produire des certificats de l'occupation actuelle des terres au bureau de taxe du comté, afin de s'exempter de la taxe.

Savez-vous comment cette mécanique opère dans les Etats-Unis?—Sans la moindre difficulté.

Arrive-t-il souvent que l'exécution ait lieu sur ces terres dans l'état de New-York, afin de recouvrer le montant de la taxe?—Il n'est arrivé à moi-même que par la négligence de mon agent, le receveur du comté avait actuellement pris possession de ma terre, et je ne connais pas qu'aucune difficulté ait jamais eu lieu dans l'état de New-York, soit pour la perception de la taxe, ou les procédés pour la vente des terres sur lesquelles la taxe n'avait pas été payée.

Sous quels réglemens cette taxe est-elle imposée?—La taxe est imposée sur toutes les terres désertes et non établies, par un acte de la législature de l'état de New-York; je n'ai pas en ma possession les réglemens détaillés d'après lesquels la taxe se lève et se perçoit, mais je tâcherai de les procurer au comité.

Supposant qu'un district de terre en non-culture soit accordé à un particulier, lui est-il alloué quelque temps pour mettre sa terre en culture; la taxe a-t-elle lieu incontinent, ou a-t-il droit de la tenir un certain nombre d'années avant qu'il y devienne sujet?—Si un tel délai a jamais été accordé, il y a longtemps qu'il est expiré dans l'état de New-York, où on fait attention à l'administration intérieure des affaires avec une précision et une régularité extrêmes.

Achète-t-on la terre sujette à la condition du paiement de cette taxe?—En recourant au registre de chaque comté on peut toujours trouver si la taxe a été payée, ou jusqu'à quel temps remontent les arrérages.

Comme vous avez dit que suivant votre opinion une taxe sur les terres en non-culture était un moyen d'amener l'établissement et la culture de ces terres, plus efficace que tout autre procédé; quel serait votre opinion sur le sort probable d'un bill qui serait introduit dans la législature du Bas-Canada, dans le but exprès d'assimiler la loi en cette province à celle de l'état de New-York?—D'après l'expérience des dernières années, je douterais fort du sort d'un bill que le gouvernement introduirait dans l'assemblée du Bas-Canada, telle qu'elle est à présent constituée, pour aucun objet que ce soit.

Pourquoi?—En conséquence des éternelles disputes entre l'assemblée et le pouvoir exécutif, et à cause de leur jalousie et de leur méfiance mutuelle.

Indépendamment de ces disputes, avez-vous quelque raison de penser qu'un bill introduit pour effectuer cet objet, fût sujet à être opposé par les individus qui composent l'assemblée?—Cela serait en grande partie suivant l'intérêt individuels des membres, et s'ils étaient grands propriétaires; quant au conseil législatif la même difficulté pourrait s'y rencontrer.

Quels seraient les intérêts individuels d'un habitant qui posséderait des propriétés dans les seigneuries?—Selon l'étendue de terre non-concédée qu'il possède.

N'y a-t-il pas dans les seigneuries, une quantité assez considérable de terres non-concédées, pour créer parmi les seigneurs ou les possesseurs de ces terres, une opposition à une telle taxe?—Je ne sais pas jusqu'à quel point cela créerait un tel intérêt, mais il y a une grande quantité de terres non-concédées dans les seigneuries; les seigneuries allant en plusieurs cas à six ou huit lieues en arrière du fleuve, et y en ayant en peu d'endroits plus de deux d'habités.

Si cette loi d'échette était mise en exécution jusqu'à un certain degré, cela ne rendrait-il pas la validité des titres futurs des terres extrêmement douteuse et difficile à établir, parce qu'on ne saurait pas où la loi d'échettes aurait eu cours et où elle n'aurait pas eu cours?—D'après mon opinion, cela embarrasserait tout le pays et mettrait toutes les tenures en franc et commun socage dans une confusion sans fin.

Si on adoptait une taxe en la manière que vous décrivez, au lieu de la loi de confiscation, la même difficulté aurait-elle lieu au sujet des titres futurs?—Certainement non.

Quant à la difficulté qui, à ce que vous concevez, ne se rencontre pas dans le système

d'une taxe sur les terres désertes, savoir le doute si les conditions de l'établissement ont été remplies, pourquoi est-il probable qu'elle aurait lieu sous le système d'échettes plutôt que sous l'autre système?—La chose est beaucoup plus probable. En premier lieu il est de l'intérêt des hommes de loi de la couronne dans cette province de faire autant d'affaires qu'ils le peuvent pour eux-mêmes, et des poursuites de cette description ne sont pas toujours sous le contrôle des autres autorités.

Le point qui doit être considéré un degré suffisant de culture pour exempter de la taxe que vous proposez, n'est-il pas aussi difficile à prouver que l'exécution des conditions d'établissement?—Certainement non; au moins il n'y a jamais eu aucune difficulté dans l'état de New-York, où c'a toujours été la pratique depuis l'indépendance du pays.

Les conditions de l'établissement ne sont-elles pas très difficiles; comme de faire un chemin de front d'une certaine largeur, et autres conditions?—Oui; une personne dit: j'ai fait un chemin; et il n'est pas entretenu, il est repoussé; un autre dit: j'ai établi un tel chemin sur tant d'acres de terre; il peut avoir vendu à un autre qui n'est pas encore établi. Alors comment prouverez-vous qu'il n'y a jamais été?—Et alors considérez la distance des townships à Québec, et la difficulté des communications. Le fardeau et les frais de la preuve retombent sur le poursuivant. Comment vous conduirez-vous avec un colon établi sur des terres sujettes à l'échette, qui a acheté son lot?—Chaque partie de la concession originale, ou quelle partie, est-elle sujette à vos procédés?—Et alors l'accomplissement spécifique de vos conditions est susceptible de différentes interprétations.

Les conditions ne seraient-elles pas dans ce cas très variées et très difficiles à prouver?—Certainement.

Cela n'assujettirait-il pas la terre partiellement; les parties non cultivées n'y seraient-elles pas assujetties, laissant les parties établies entre les mains du propriétaire?—Je pense qu'il n'y aurait pas de fin aux difficultés du cas.

Quoiqu'il puisse y avoir beaucoup de difficulté à faire la preuve du fait des établissements passés, prétendez-vous dire au comité, comme votre opinion, qu'il est difficile maintenant au gouvernement par rapport aux nouvelles concessions, d'imposer des conditions qui puissent débarrasser de toute obscurité, quant au fait de savoir si les terres sont confisquées ou non, par le défaut d'exécution de la condition d'établissement?—La question a rapport aux terres nouvelles, et non à aucune terre octroyée jusqu'à présent, et je n'ai pas fait d'objection que je sache, à des concessions nouvelles à des colons actuels qui voudraient s'y établir.

Supposant que la couronne accordât demain 10,000 acres de terre à un particulier, n'êtes-vous pas d'opinion qu'il serait extrêmement aisé de dresser des conditions qui ne renfermeraient aucune obscurité, lorsque viendrait la question de savoir s'il les a remplies ou non?—La meilleure condition est de n'accorder à personne 10,000 acres de terre; mais je ne vois pas comment on pourrait imposer possiblement de telles conditions, ou qu'aucune personne fût disposée à y accéder, en autant que si le propriétaire de ces terres, sous un tel titre, avait besoin de vendre une portion de sa propriété, l'acheteur voudrait savoir s'il a rempli les conditions à l'égard du reste.

Savez-vous que c'est là le principe sur lequel on impose certaines conditions par rapport à chaque concession que fait maintenant la couronne, afin de prévenir le retour du mal dont on se plaint?—On n'a fait récemment à ma connaissance aucune concession de l'étendue énoncée dans la question précédente, ou aucune concession excepté aux personnes qui se proposaient de bonne foi d'aller s'y établir.

Considérez-vous qu'il y ait quelque objection en principe à ce que la couronne accorde 10,000 acres de terre à un particulier qui pourrait y appliquer un capital suffisant pour les mettre en état de culture?—Certainement non.

Est-il probable qu'un individu serait capable d'appliquer un capital suffisant pour mettre 10,000 acres de terre en état de culture?—Je serais bien fâché de le faire.

Si cette mesure, cette taxe des terres non occupées, est très avantageuse à l'établissement général du pays, avez-vous quelque doute qu'un tel acte fût adopté et passé par la législature du Canada?—Un acte semblable jusqu'à un certain point a été passé par la législature du Haut-Canada, et je crois que s'il pouvait y avoir quelque ajustement conciliatoire des difficultés existantes, il y aurait peu de doute que la législature du Bas-Canada en général ne passât les actes qui seraient notoirement à l'avantage du pays.

Y a-t-il quelque difficulté qui empêcherait les particuliers possesseurs de ces grandes parties de terre de les mettre en vente par portions, et y a-t-il quelque difficulté à faire un titre, d'après l'état du pays?—Il n'y a pas de difficulté à faire un titre fondé sur une concession claire de la part de la couronne, si cette nouvelle doctrine d'échettes n'y intervient pas; mais tant que la couronne n'aurait pas procédé à la confiscation, je regarde comme admis que tous accepteraient un titre sujet aux conditions de la concession originale; reste l'autre difficulté commune à tous les titres en Canada, le besoin d'enregistrer, et les risques que les propriétés ne soient grevées, même hors la connaissance du vendeur, par quelque acte passé devant notaire auquel il aurait été partie.

Ne serait-ce pas un des meilleurs moyens pour remédier à ce mal que de faciliter les ventes?—Les ventes de terres pour de l'argent sont très difficiles dans le Bas-Canada. Il me revient une autre objection à toute procédure immédiate d'échette; c'est qu'avant la passation de l'acte de 1825, on n'avait pas réglé le titre des terres octroyées précédemment, ni la question de savoir si elles étaient régies par la loi anglaise ou par la loi civile française; de sorte qu'il était incertain si les enfans d'un concessionnaire original partageaient en commun, ou si la terre tombait au fils aîné comme héritier de droit.

En matière de fait, recommanderiez-vous, comme le moyen le plus facile de régler ces difficultés par rapport à la concession des terres, qu'on engageât la législature du Canada à adopter quelques dispositions comme celles qui ont eu lieu dans les Etats-Unis?—Très assurément; ce ne serait pas seulement la voie la plus simple, mais aussi la plus expédiente et la plus avantageuse.

Connaissez-vous quelque autre marche qu'on put adopter, dont la tendance serait de subdiviser ces concessions, et de mettre les propriétaires actuels à même de les transporter en d'autres mains, soit à bail ou en tenure franche, pour les faire tomber entre les mains de personnes qui les amélioreraient et les cultiveraient probablement?—Je suppose qu'ils ne peuvent par la loi les transporter sous aucune autre tenure qu'une tenure anglaise.

Pourrait-on adopter quelques moyens qui faciliteraient ce transport?—Je ne connais aucune difficulté qui s'oppose maintenant au transport, excepté les difficultés qui peuvent être interposées par les causes que j'ai mentionnées.

Les gens ne prendraient-ils pas aussi volontiers des concessions de terres des particuliers qui en ont reçu de large partis du gouvernement, que du gouvernement lui-même?—Sans aucun doute, s'ils étaient satisfaits du titre.

Le gouvernement n'a-t-il pas l'habitude d'accorder journellement des portions de terre aux particuliers dans les parties du pays non établies?—Oui, certainement, dans le Haut-Canada, et, je crois, dans le Bas-Canada.

Ne considérez-vous pas que l'état présent des lois dans le Bas-Canada embarrasse dans la pratique l'établissement du pays?—Il ne peut y avoir aucun doute qu'entr'autres obstacles à l'amélioration du pays, l'état présent de la loi qui concerne la propriété foncière opère à un degré considérable, comme je l'ai déjà dit; mais je dois mentionner, au delà, qu'un sentiment d'agitation et d'incertitude, un manque de sécurité, produit des conséquences évidentes d'un système de mal-administration pendant les vingt dernières années; que les disputes qui ont prévalu, et qui doivent continuer et augmenter entre les deux provinces dans leur état de division, au sujet du pouvoir de régler le commerce, de la perception de droits sur le Saint-Laurent, et de la division du revenu, et que l'état d'exaltation et d'irritation où est tenu l'esprit public, ont tendu dernièrement à un haut degré à reprimer la confiance et l'entreprise, et l'application de capitaux à l'amélioration de la propriété.

Pensez-vous que le gouvernement exécutif soit responsable en quelque degré des difficultés qui s'élèvent sur la division des droits des douanes entre les deux pays?—Certainement non. La malheureuse division des provinces, le conflit des réclamations de leurs législatures séparées, et les questions ci-devant mentionnées par rapport au droit de taxation et à régler le revenu sur le Saint-Laurent; tout cela ne doit pas être imputé au gouvernement.

Etes-vous d'opinion que les Canadiens français pensent que, de la manière dont ils en-

visagent les intérêts de la province, les facilités données aux établissements seraient assez été plutôt encouragée que réprimée. On a convoqué assemblée sur assemblée, dans les-à l'avantage du pays, pour donner quelque probabilité d'un consentement de leur part à un quelconque des autorités locales qui sagement persévèrent dans leurs efforts pour emporter le bill dont l'effet naturel serait l'établissement progressif et l'amélioration de la province leurs mesures par une minorité qui n'a jamais excédé 10 et rarement la moitié de ce nombre par des colons anglais. — Le grand objet de la population française et de la législature, bre, dans un corps de 50 représentants. Et le comité doit toujours se rappeler que la est évidemment de retenir ses institutions séparées, ses lois, son église, et la condition continuée de ces dissensions a fait de différends insignifiants sur des points d'abord de distinctes des peuples de l'Amérique; mais comme de raison quoique beaucoup puisse leur peu d'importance, des causes additionnelles de différends et mésintelligence, que vü l'in- être assuré par une concession mutuelle, tous leurs objets ne peuvent s'effectuer qu'aux inflammation des esprits, il n'est pas aisé maintenant de trouver les moyens de diminuer dépens des intérêts de la population anglaise, et par le retardement de toute amélioration ou de faire disparaître. La population Anglaise croissante, dans le Haut-Canada, a dans le pays. Bien loin de les blâmer d'avoir ces vnes séparées, probablement si j'étais comme de raison observé attentivement ce qui se passait en bas; elle s'est réunie aux situés comme eux je serais disposé à adhérer aux mêmes espérances aussi longtemps qu'il habitants anglais du Bas-Canada, pour faire des réclamations et des plaintes, et tous y aurait une probabilité raisonnable de pouvoir les maintenir; mais sentant que tôt ou ensemble agissent maintenant en corps, déterminés à poursuivre leurs droits insonnables et leurs justes prétentions à leur part du pouvoir de régler le commerce du Saint-Laurent tard ils doivent former partie de la grande famille anglaise et américaine, toute tentative et l'imposition de taxes dans le pays. La législature supérieure ne sera jamais satisfaite pour sacrifier les intérêts principaux de l'amélioration et de la civilisation du pays à leurs tant que ces pouvoirs seront exercés exclusivement par celle de la province basse, et cette habitudes ou à leurs préjugés, serait non seulement injurieuse au reste du Canada, mais difficulté ne fait que commencer. Ils en ont été sur de meilleurs termes avec leur gouvernement exécutif, mais le comité devrait aussi être informé de tous les points de différends sans espoir quant à son résultat.

Croyez-vous qu'indépendamment d'aucun sentiment d'aigreur qui existe entre la chambre d'assemblée du Bas-Canada, dont la grande majorité des membres sont Cana- diens français, et le gouvernement exécutif, elle serait disposée à résister à l'introduction d'un bill pour taxer les terres désertes, ou autant que le résultat de cette mesure ne pour- rait qu'augmenter la population anglaise du pays? — Je crains qu'elle ne fût guidée par quelque motif qui dans son opinion pourrait retarder l'établissement du pays par une nou- velle population.

Etes-vous d'opinion que ce sentiment est venu de la manière dont-ils ont été gouver- nés? — Je suis d'opinion qu'il vient de là à quelques égards, mais encore plus de la raison que j'ai donnée tout à l'heure, qu'ils désirent maintenir leur caste séparée aussi longtem- qu'il leur sera possible.

Pouvez-vous spécifier quelques bills particuliers qu'ils ont passés, ou qu'ils ont refusé de passer, d'où vous puissiez inférer cette disposition de la part de la chambre d'assem- blée, ou si c'est seulement l'impression générale que vous en avez? — J'ai compris qu'ils avaient refusé de passer un bill pour la mutation volontaire des tenures, et un autre pour l'établissement de l'enregistrement; ce sont les deux seuls qui me reviennent à présent, mais je suis certain qu'il y en a beaucoup d'autres; ces bills leur avaient été envoyés par le conseil législatif, et ils refusèrent de les passer.

Leur manque de disposition à passer ces bills n'était-ils pas fondé en grande partie sur l'idée qu'ils avaient que le gouvernement d'Angleterre était intervenu sur un sujet qui était plus proprement de leur ressort et de celui du gouvernement local du Canada? — Le gouvernement d'Angleterre n'est intervenu qu'après qu'ils ont refusé de passer ces bills.

Voulez-vous détailler au comité quelles autres causes ont dans votre opinion produit les difficultés présentes dans le Canada, et embarrassé l'établissement et l'amélioration générale de la province? — Je conçois que la grande cause, comme je l'ai déjà dit, a été une longue série de méconduite, et une tentative constante pour concilier des principes contradictoires dans l'administration des affaires de ce pays. La condition malheureuse des provinces a été suivie de l'établissement d'une législature indépendante placée entre les mains d'une classe de sujets, sans chercher à faire participer la population anglaise à leurs droits, à mesure qu'elle croitrait en nombre et en importance. C'est à cette légis- lature, à droit ou à tort, que vous avez donné les pouvoirs et les privilèges les plus éten- dus, qu'on a trouvés apparemment si peu convenables dans la pratique, qu'on les a envahis ou qu'on y a résisté aussi souvent que l'occasion ou une nécessité supposée l'ont requis. On a insisté fastidieusement d'un côté sur les droits de la couronne, et de l'autre on a élevé des réclamations de pouvoirs et de privilèges inadmissibles. Les choses en ont été ainsi presque depuis le tems de l'administration du général Prescott, et les jalousies mu- tuelles et les querelles ont augmenté, avec de courts intervalles, jusqu'à ce que le mal soit venu à sa formidable grandeur présente. Je crois que la conclusion raisonnable doit être qu'il est arrivé de part et d'autre des choses qui sont beaucoup à regretter. Certaine- ment les Canadiens se plaignent, avec quelque raison apparente, de quelques parties de la conduite du gouvernement; un receveur anglais est nommé, après avoir donné en An- gleterre des sûretés insuffisantes, l'assemblée suggère le règlement de son office, et sub- séquentement, je crois, des bills ont été envoyés aux autres branches dans les termes d'un bill passé pour cet objet dans d'autres colonies; on lui dit que c'est une empiétement sur les privilèges de la couronne, et on rejette ses bills. Le receveur avait précédem- ment failli envers le public au montant d'environ 100,000; et quand elle dit: "comme vous avez fait la nomination vous-mêmes, pris vos sûretés en Angleterre, et rejeté notre avis, il est juste de votre part de payer la défalcation," le gouvernement insiste à ce qu'elle impose pour cela de nouvelles taxes sur ses constitutions. En même tems les Ca- nadiens allèguent que l'assemblée a envoyé aux autres branches des bills pour régler l'office de shérif, qu'ils ont aussi été rejetés, et que deux shérifs ont failli de suite, l'un empor- tant les deniers des plaideurs au montant de 27,000, et un autre une moindre somme. Ce ne sont pas là des maux en théorie, ce sont des maux pratiques, et ils forment un juste chef de plaintes. Au milieu de ces disputes, des différends s'élevèrent entre les provinces sur la division du revenu prélevé à Québec. On fit des tentatives pour les régler par arbitrage. L'assemblée à Québec éleva les prétentions les plus inadmis- sibles, et le sujet fut renvoyé en ce pays pour une décision. Je dois offrir mon témoi- gnage pour prouver que dans ce cas le gouvernement avait de l'aversion à recourir à l'intervention parlementaire si on avait pu l'éviter; mais lorsqu'il ne restait d'alterna- tive que le paiement de toute la liste civile du Haut-Canada à même les fonds de l'échi- quier Anglais, la chose est devenue indispensable. La question s'éleva sur la mar- che à suivre pour essayer de prévenir un renvoi éternel à la chambre des communes au sujet des disputes Canadiennes. On suggéra une union législative, et le gouverne- ment fut induit à adopter cette suggestion par des promesses de soutien de différens côtés. Il n'est pas nécessaire d'entrer dans l'histoire de sa chute. Elle était, et suivant mon opinion, est encore beaucoup à regretter. Lorsque le bill d'union fut retiré, on introduisit et on passa en 1822 une autre mesure d'une nature beaucoup plus sujette à objection, le bill du commerce du Canada. Par ce bill toute les taxes qui existaient antérieurement furent continuées en force pour cinq ans, ou, je crois, jusqu'au rappel de l'acte; mesure passablement forte, et qui ne pouvait être bien agréable aux person- nes qui avaient une aussi haute idée de leurs droits que l'avait montré l'assemblée à Québec. Comme le gouvernement s'était décidé à exercer d'une manière aussi étendue l'autorité du parlement, il est à regretter que sa prévoyance ne l'ait pas conduit un pas plus loin, et qu'il n'est pas pris le pouvoir dans le bill d'appliquer les taxes au payement des listes civiles des deux provinces. L'assemblée était alors convoquée, en fort mau- vaise humeur, pour voter l'application des taxes levées non-seulement sans son consen- tement, mais pour des objets entièrement contraires à son vote et à ses opinions déclarées. Ceci ne tendait pas à concilier les différends antérieurs, et de tems à autre (avec une exception sous l'administration de sir Francis Burton, qui l'engagea à voter les subsides pour une année par la concession d'un principe pour lequel elle avait long- tems combattu, savoir qu'elle voterait annuellement le salaire des juges et autres offi- ciers civils, les rendant ainsi dépendans de ses pouvoirs.) l'assemblée n'a été convoquée que pour être prorogée ou dissoute, avec l'expression de la part du gouverneur de la désapprobation de ses procédés, et sans pourvoir du tout au service public. Le gouver- neur reçut des instructions de suppléer au défaut d'un bill d'appropriation par ses pro- pres warrants sur les receveurs auxquels les taxes sont payées en vertu des dispositions de l'acte du commerce du Canada, mais il serait difficile de trouver par quelle loi ces instructions étaient sanctionnées. Telle a été la marche des procédés depuis 1822 jus- qu'en 1828, et il est beaucoup à regretter que le gouvernement ait persévéré si long- tems dans des mesures, qui, quoiqu'on apporte pour excuse la nécessité pressante dans le premier cas, étaient illégales et injurieuses aux droits et aux sentimens du peuple. Si on ne pouvait obtenir de remède en Canada, on aurait dû en appeler plutôt au parle- ment, et on n'aurait pas laissé la plaie couler jusqu'à ce que la population française et la population anglaise aient été presque amenées en collision, et qu'une plus grande contrariété d'opinions sur tous les sujets de gouvernement intérieur et de législation ait

commencé. Ils en ont été sur de meilleurs termes avec leur gouvernement exécutif, mais le comité devrait aussi être informé de tous les points de différends dans une folle dispute sur un bill des Ambains. On a persévéré pendant quatre ou cinq ans à l'étranger, que beaucoup de personnes qui avaient exercé les droits de sujets britanniques quelquefois pendant 30 ans, et dont quelques uns avaient siégés de fait dans la chambre d'assemblée, pouvaient être légalement regardés comme Ambains. On introduisit un bill pour les relever des incapacités ou des pénalités, et pour faire des réglemens proportionnés et expédiens pour l'avenir, adaptés aux circonstances d'un pays nouveau. Une querelle eut lieu sur le plus trivial des motifs, je crois au sujet d'une expression dans la préam- bule du bill, et le gouvernement y persévéra, contre les sentimens presque unanimes de l'assemblée, pendant une ou deux sessions, jusqu'à ce qu'enfin lord Goderich y mit sage- ment fin en envoyant une instruction qui accordait tout ce qu'on désirait, dans les termes les plus concilians, et qu'il est impossible d'imaginer avoir pu être retardé une heure par aucun gouvernement; je crois qu'il existe encore un autre grief, un acte fort ancien, qui autorise l'administration à faire sortir du pays toutes personnes contre lesquelles il peut avoir été fait une déposition ordinaire de désaffection au gouvernement. L'assem- blée a naturellement passé des bills pour rappeler un tel acte, qui aurait pu être convena- ble en d'autres circonstances; et le procureur général a reçu l'injonction de voter dans une minorité d'un ou deux, et je crois dans le fait plus d'une fois tout seul, contre le sens de l'assemblée, et les bills ont été constamment rejetés dans le conseil. On n'allè- gue pas que l'exécution de l'acte ait été vexatoire, ou même qu'on l'ait exécuté du tout, excepté en un cas, celui de M. Gourlay; mais le peuple dit que c'est un reproche à sa loyauté, et il est clairement sujet à toutes les autres objections qu'on allègue contre. J'appréhende qu'on ait beaucoup à craindre de jalousie et d'opposition dans l'assemblée lorsqu'on prend tant de soins pour maintenir l'animosité des sentimens en insistant sur de tels points. Mais la grande source de difficultés dans la province supérieure, et le fon- dement de disputes interminables et de différends sérieux, est, l'état des terres de l'é- glise et les prétentions frivoles des principaux ministres de l'église établie, et les récla- mations de cette église. Il y a parmi la population du Haut-Canada une aussi petite pro- portion de membres de l'église d'Angleterre, que parmi la population d'Irlande. On commence à sentir de tous côtés le mal de pouvoir par des concessions énormes ou des réserves de terres, au maintien d'un établissement exclusif, et à moins qu'une main-forte les arrête et qu'on ne les fasse cesser par quelque arrangement conciliaire d'accord avec les desirs et les sentimens du peuple, il ne peut y avoir d'espoir de paix ni de repos. Je dois ajouter qu'il y a les mêmes objections dans le Bas-Canada par rapport aux ré- serves du clergé, comme on les appelle, et le tout, à l'égard des deux provinces, ne pourrait attirer trop tôt ou d'une manière trop décidée l'intervention du parlement. Il y a un autre sujet qui requiert l'attention soigneuse du comité, la composition et la constitution des conseils législatifs dans les deux provinces, et sur ce chef je puis obser- ver qu'il est beaucoup plus aisé de trouver des objections que de pourvoir aux remèdes. Le conseil du Bas-Canada, tel qu'à présent constitué, contient une proportion considé- rable de grands propriétaires français. On a énoncé des objections à ce que les juges en fussent membres, et d'après les principes généraux cette objection est bien fondée; on a aussi objecté aux officiers salariés du gouvernement, comme étant dépendans de l'auto- rité exécutive; mais alors la question est de savoir où l'on pourrait trouver dans les cir- constances actuelles du pays, des conseillers qui ne fussent pas sujets à quelques sembla- bles objections? — Je ne crois pas qu'on pût ajouter beaucoup de propriétaires français suffisamment capables du côté des qualifications et de l'indépendance, et les causes que j'ai mentionnées empêchent la partie commerçante de la société d'acquérir un intérêt permanent dans la propriété foncière. Autrement on trouverait les membres les plus intelligens et les plus actifs dans la classe mercantile, et c'est un fait curieux et même ins- tructif, dans sa liaison avec le cas actuel, que la population française n'a jamais eu une part considérable dans le commerce du pays.

N'y a-t-il pas des propriétaires anglais résidens? — Aucun capitalist anglais n'est porté à appliquer ses fonds d'une manière permanente dans le Bas-Canada, quoique presque tout le commerce, tous les capitaux qui y sont employés, et tous les profits qui s'en re- tirent soient entre les mains des habitans anglais; et je dois dire que depuis la révolution américaine, il y a à peine un exemple d'un Canadien français qui ait occupé un poste considérable ou permanent dans le commerce du pays. C'est pourquoi il serait extrême- ment difficile à présent de remédier à ces défauts, en admettant que c'en soient, dans la constitution et la composition des conseils. Que la chose serait très à désirer, si elle était praticable, il n'y aura de doute de la part de personne qui ait observé combien peu se corps a, en aucun tems, montré d'indépendance des autorités exécutives. La majorité en est elle composée de personnes en place? — Je le pense.

Samedi, 17e. jour de Mai, 1828.

Edward Ellice, écuyer, réintroduit; et examiné.

Connaissez-vous du tout les cours où s'administre la justice dans le Bas-Canada? — Je les connais un peu, mais il y a longtemps que je n'ai été dans le pays. Sont-elles organisées de manière que, dans votre opinion, la loi britannique puisse y être effectivement administrée; ou sont-elles principalement adaptées à l'administration de la loi française? — Je penserais, que cela dépend beaucoup des qualifications des juges. Je n'ai jamais entendu aucune plainte sur ce sujet; et je connais quelques uns des juges qui siègent maintenant en Canada, et qui sont des personnes respectables et habiles, et parfaitement qualifiées dans l'opinion publique pour la place qu'elles occupent. Voulez-vous dire qualifiées à administrer la loi anglaise aussi bien que la loi fran- çaise? — Il serait bien difficile de dire quelles sont les personnes entièrement quali- fiées à administrer la loi française. Si des personnes qui ont été instruites et qui ont pratiquées au barreau du Bas-Canada ne sont pas qualifiées pour administrer cette loi, je ne sais pas où on en trouvera; les principes et la pratique de la France ayant été changés es- sentiuellement depuis la révolution. Les juges anglais sont, comme je l'ai dit, qualifiés à administrer la loi anglaise. Les juges sont-ils principalement des personnes qui aient pratiqué dans le barreau du Bas-Canada? — Je crois que cela est, généralement, dans le Bas-Canada. Y a-t-il fréquemment des appels à ce pays sur les décisions du Bas-Canada? — Il y a des appels fréquens; ils sont encouragés par l'incertitude qui prévaut au sujet des décisions sous la loi Française; n'y ayant pas en Europe de pratique fixe à laquelle on puisse avoir recours à ce sujet.

Les habitans des townships se plaignent-ils que les cours sont constituées de manière qu'on n'y puisse administrer aisément et effectivement la loi Anglaise sous laquelle ils vivent?—Je ne connais pas les plaintes particulières de ces personnes; mais je conçois aisément que d'après la distance et les difficultés des communications, il existe de grands obstacles à l'administration de la loi dans les townships.

Est-il à votre connaissance qu'il ait été dernièrement établie dans les townships, avec une juridiction très limitée, une cour qui siège à la ville de Sherbrooke, où la loi anglaise seule s'administre?—Je l'ai entendu dire.

Avez-vous quelque raison de penser qu'une augmentation des pouvoirs de cette cour ou d'une autre cour dans les townships pour l'administration de la loi anglaise, produirait quelque amélioration?—Je suis tout à fait convaincu que rien ne tendrait autant à l'établissement et à la civilisation du pays, que l'adoption d'un système simple, peu coûteux, et efficace pour l'administration de la justice.

Croyez-vous que l'établissement de l'enregistrement des titres de propriétés serait une grande amélioration dans le Bas-Canada?—J'ai expliqué dans mon examen précédent que le défaut de cet enregistrement était un des principaux obstacles à l'amélioration du Bas-Canada, et je ne puis trop fortement faire sentir au Comité les difficultés que cause maintenant dans les titres de toute espèce, ce défaut d'enregistrement. Je crois que personne ne serait disposé à faire d'achats considérables dans le Bas-Canada, sans prendre pour sûreté une vente du sheriff, qui purge toutes les charges. Il est impossible de constater que les actes aient été passés dans les bureaux des différens notaires concernant la propriété achetée; et une vente par le sheriff est une procédure qui absorbe quelquefois une somme égale à une grande proportion de la valeur de la propriété.

Serait-il possible, si on établissait un bureau d'enregistrement, que toutes les différentes transactions qui se rapportent aux propriétés qui ont eu lieu jusqu'ici devant notaires, pussent maintenant être consignées dans ces bureaux?—Cela serait très difficile, à moins que les parties qui désirent établir clairement leurs titres à leurs propriétés, ne prisent des soins pour cet objet; et l'intérêt des notaires, classe très influente parmi les Canadiens français, est opposé à aucune réforme de cette espèce.

Cette opposition serait-elle probablement plus grande pour une disposition retro-active, qu'elle le serait même pour une disposition prospective?—Je ne le conçois pas. Le notaire serait intéressé que parce que la réforme nuirait à sa pratique future, ou aux actes passés devant lui.

Supposant qu'une loi établit l'enregistrement, serait-il possible d'opérer d'une manière rétrograde sur les propriétés affectées par des actes devant notaires, en imposant des conséquences pénales à quiconque consentirait une hypothèque avec enregistrement, dans le cas où il existerait sur sa propriété des charges antérieures qu'il aurait créées lui-même ou qui fussent à sa connaissance?—Je penserais qu'il serait beaucoup plus aisé de pourvoir à quelques réglemens, dans un bill pour établir des cours de record, pour faire connaître les charges existantes. Si la partie qui ferait enregistrer un titre ou une hypothèque sur une propriété qui n'aurait pas été enregistrée auparavant, était obligé de donner avis public plusieurs fois dans les gazettes, comme on le fait dans l'administration en chancellerie, et d'apposer des notices dans les cours de justice, il ne pourrait y avoir une grande dureté à exclure les réclamations après un certain tems, et à en passer record en faveur du suppliant. Il y aurait moins de difficulté au sujet des titres en franc et commun socage sur les terres pour lesquelles la mutation de tenure aurait eu lieu, parce que ce serait au possesseur de la propriété à commencer par établir son titre.

Est-il à votre connaissance que beaucoup de personnes qui viennent dans le Bas-Canada dans l'intention de s'y établir, aient été détournées par les difficultés qui les embarrassaient, à passer la ligne et à s'établir dans les Etats Unis?—Il ne peut y avoir aucun doute. J'ai vu, dans des cas particuliers, deux ou trois tenanciers britanniques et américains se succéder sur la même terre, et après l'expérience de la tenure française et de ses restrictions, abandonner leurs améliorations dont mes agens sont entrés de nouveau en possession, et qu'ils ont vendues avec un profit considérable.

Sous quelles circonstances a-t-elle une vente forcée par le ministère du sheriff?—En vertu d'un jugement, sur un décret des cours.

Ne s'en sert-on pas comme d'un moyen de transport?—Je ne puis le dire de ma connaissance personnelle; mais si, dans les circonstances présentes, j'avais intention d'acheter des propriétés en Canada, je désirerais extrêmement qu'elles passassent par les mains du sheriff, pour m'assurer de mon titre.

Les papiers ne sont-ils pas remplis de notices de ventes pour cet objet?—Comme je l'ai déjà dit, je ne puis dire d'après ma propre connaissance que ce soit pour cet objet, mais il y a une répugnance générale à accepter des titres qui n'aient point passés par la coupelle des procédés judiciaires.

Le moyen le plus aisé d'établir un enregistrement, ne serait-il pas la passation d'un acte qui requerrait l'enregistrement dans un certain tems de toutes les hypothèques actuellement existantes, à défaut de quoi elles deviendraient nulles et invalides?—C'était l'intention d'une réponse que j'ai déjà donnée; mais je dois ajouter que l'acte des tenures du Canada de 1825, qui décide la question quand à la loi qui régit les terres en franc et commun socage, donnera une facilité considérable à cette mesure.

Supposez-vous que dans leur désir d'avoir l'introduction des lois d'Angleterre en Canada, les habitans des townships désirent la loi anglaise d'aînesse, et les formes anglaises de transport, ou les lois d'Angleterre telles qu'elles existent aux Etats-Unis?—Comme matière d'opinion, je n'aurais aucun doute que les lois d'Angleterre, telles qu'administrées aux Etats-Unis, ne s'adaptassent mieux aux circonstances du Canada; mais je connais pas qu'aucune opinion à ce sujet ait été exprimée dans le pays.

Les formes des contrats par exemple ne sont-elles pas infiniment moins coûteuses et plus simples dans l'état de New-York, qu'elles ne le sont suivant le système anglais?—Je pense que la substitution des formes anglaises de contrats aggraverait beaucoup le mal présent, et il serait difficile de dire lequel du présent ordre de choses, s'il était continué, ou d'un tel remède, serait un plus grand châtement. Rien ne peut-être plus simple ni plus sûr que le système de transports par contrat dans l'état de New-York, ou l'acte s'écrit généralement sur une demi-feuille de papier foolscap, et où, après qu'il a été enregistré, avec l'ordre du juge ou du maître en chancellerie, il importe peu ce que devient l'acte original lui-même. Je puis produire au comité différens actes de transport de cette nature pour de grandes parties de terre et en considération de valeurs considérables, afin qu'il puisse juger des avantages du système américain.

Vous savez que dans la pétition des townships à la Chambre des Communes on demande des cours séparées pour l'administration de la loi anglaise dans les townships; est-ce votre opinion que les cours en existence pourraient être modifiées, de manière à ôter la nécessité de ces cours séparées?—Je crois que les juges actuels ont assez d'occupation sans qu'on les envoie en circuits dans les townships. C'est pourquoi on en doit augmenter le nombre ou nommer des juges résidens; et je pense que la première mesure est la plus expédiente. Il ne serait pas nécessaire qu'avec un appel aux cours supérieures ces juges fussent des personnes de connaissances très supérieures. Dans l'état présent de la population et des propriétés, ils ne seront pas appelés à décider des causes difficiles ni importantes; et l'objet principal en établissant des cours de cette nature, est de voir à ce que la machine soit aussi simple que possible, et les procédures faciles, à bon marché, et expéditives, et non embarrassées de restrictions quelconques.

Si on devait faire quelque changement au mode des actes de transport en Canada, serait-il mieux d'adopter le système Anglais pratiqué en ce pays, ou le système américain?—Je dois dire en addition à ma réponse précédente, que dans tous les cas où on peut assimiler la pratique de la loi en Canada à celle de l'état de New-York à l'égard des procédures et de la propriété, il serait sage et expédient de le faire.

Connaissez-vous les établissemens d'éducation publique en Canada?—Je ne connais pas particulièrement les établissemens d'éducation.

Ni pour l'éducation des hautes classes ni des basses?—La seule institution que je connais beaucoup, est le séminaire de Montréal, dont j'ai toujours entendu parler comme étant conduit d'une manière qui fait extrêmement honneur aux messieurs qui le dirigent, et à la grande satisfaction de la société canadienne.

Savez-vous quelque chose du tout des écoles établies pour l'éducation des basses classes

dans les townships?—J'en sais fort peu sur ce sujet, excepté que si on peut juger par le résultat, la population anglaise et américaine des townships, avec moins de moyens et moins de ressources, doit avoir des institutions meilleures ou au moins plus efficaces à cet égard, puisqu'ils sont une exception à la règle qui prévaut malheureusement en d'autres parties de la province inférieure. Ils composent la partie la mieux instruite de la population.

Le comité a été informé qu'il est résulté de grands inconvéniens dans les townships de la manière très imparfaite dont les chemins sont tracés, et de leurs communications extrêmement imparfaites avec le fleuve St. Laurent, pouvez-vous suggérer quelque mode par lequel on puisse améliorer ce système?—Le plus grand inconvénient qu'éprouvent les colons dans un pays nouveau, est le manque de chemins et de bonnes communications. Je dois dire que la première mesure à prendre pour l'avantage des colons des townships, est de pourvoir à cet objet d'une manière efficace. Dans l'état de New-York on a levé récemment une taxe additionnelle sur les possesseurs de terres non cultivées, dont le produit devait être appliqué par les autorités publiques à faire et à réparer les chemins à travers ces terres. Cet exemple pourrait être suivi avec avantage; mais on devrait d'abord commencer par appliquer les fonds, et chercher ensuite les sources par où ces sommes pourraient être refondues au trésor. Les colons ont dans tous les cas une juste réclamation contre le public pour de bons chemins à travers les réserves de la couronne et du clergé, en autant qu'elles intéressent les chemins, et même à travers les autres terres accordées en larges parts, là où le gouvernement n'a pas pris les moyens suffisans pour assurer l'exécution de l'obligation des chemins.

Pouvez-vous dire à quel mode on pourrait avoir recours pour faire disparaître les inconvéniens qu'éprouvent les townships à cause des réserves de la couronne et du clergé, en autant qu'elles intéressent les chemins?—Je recommanderais la prompte et immédiate disposition de toutes ces terres, tant des réserves de la Couronne que de celles du clergé; si on ne pouvait les vendre, je les donnerais aux colons qui voudraient les occuper et faire les chemins.

Cette réponse s'appliquerait-elle également au Haut et au Bas-Canada?—Oui.

Savez-vous qu'un acte du parlement a passé dans la Chambre des Communes l'année dernière pour la vente de ces réserves au montant de 100,000 acres par année?—S'il a été passé un tel bill, on trouverait absolument impossible de mettre cette disposition à effet.

Voulez-vous expliquer pourquoi vous avez dit dans votre réponse précédente que vous trouvez à désirer qu'on dispose du tout immédiatement, quoiqu'il vous disiez que la vente de 100,000 acres par année n'est pas praticable?—La moitié des réserves du clergé dans le Haut-Canada a été vendue à la Compagnie du Canada, à un prix beaucoup au delà, sinon double, de leur valeur en argent; et cependant l'église, mécontente de la vente, a engagé le département colonial à mettre fin à la convention. Je suis certain que c'est en vain qu'on chercherait une autre occasion semblable d'en disposer, ou au moins de la grande masse, à des termes satisfaisans pour le clergé, tandis que la terre s'octroie presque pour rien aux colons actuels dans le pays. Dans ma réponse précédente j'ai dit que je donnerais les terres si je ne pouvais pas les vendre.

Pour quels motifs considérez-vous que le clergé des Canadas ne consentira jamais à une vente de ces réserves, vu que vous savez probablement qu'on lui a communiqué que tout secours de ce pays cessera?—Il était grand tems qu'on lui fit cette communication. Je l'avais fortement recommandée à la première objection que ces messieurs ont faite à la sentence des commissaires, et je prédis alors qu'ils se repentiraient promptement de la marche qu'ils avaient prise. Il n'y a aucune expérience qu'ils puissent effectuer une vente de 100,000 acres annuellement, ou même du quart de cette quantité; et je doute beaucoup qu'ils trouvent des colons pour cette quantité quand même ils donneraient la terre. Ils ne font rien pour encourager les colons. Ils ne font pas de chemins, ne bâtissent pas de moulins et n'appliquent pas un cent de capital. Ils veulent moissonner sans avoir semé.

Ainsi donc, si on n'en peut vendre 100,000 acres par année, de quelle manière recommandez-vous qu'on disposât immédiatement de toutes les réserves?—Je pense qu'il serait évidemment mieux qu'onût quelque composition raisonnable avec l'église, et qu'on reprit toute la concession de terres qui sont maintenant en main-morte.

Où est la distinction entre une composition faite avec l'église, et une vente au prix que les terres pourront rapporter?—La composition devrait être modérée, et le pays ne serait pas mal-déposé à se soumettre à une petite taxe générale pour se débarrasser d'une plus grande nuisance. L'octroi libre des terres à d'industriels colons serait un grand encouragement. J'ai compris aussi que dans le dernier bill, on avait fait une disposition pour l'application dans les fonds anglais, des deniers provenus de la vente des terres ecclésiastiques, pour l'avantage et la sécurité du clergé. Assurément ceux qui ont dressé cet acte ont oublié l'objection additionnelle à retirer pour cet objet peu populaire aucune partie des faibles capitaux du pays.

Dans l'état présent des choses, ces réserves du clergé étant maintenant toutes bornées, comment recommanderiez-vous d'en faire la disposition la plus avantageuse?—J'ai déjà dit que suivant moi la manière la plus avantageuse d'en disposer, serait, si les ventes étaient impraticables pour une telle quantité, de les accorder gratuitement à des personnes industrielles qui seraient disposées à s'y établir, et à entreprendre d'y remplir les obligations des chemins.

Vous avez dit qu'on devrait faire une composition avec le clergé; comment cette composition pourrait-elle s'effectuer si ce n'est par une dépense directe de la part de ce pays?—Au delà des moyens que j'ai suggérés, on pourrait en trouver dans quelques lots particuliers des réserves du clergé dans le voisinage immédiat des anciennes terres cultivées, mais ils sont d'une petite étendue. Les grandes masses des réserves du clergé sont ou entremêlées avec les nouveaux établissemens, à la grande nuisance et au grand tort des colons, ou dans des parties du pays où il n'y a aucune chance d'enchérisseurs, à aucun prix, pour une dixaine ou une vingtaine d'années.

Par rapport à la vente de 100,000 acres par année, qu'on a regardé comme la vente annuelle la plus considérable sur laquelle on pût calculer, savez-vous qu'une partie de l'arrangement est que les produits en seraient appliqués à l'ouverture des chemins?—En premier lieu je nie la possibilité de vendre 100,000 acres par année aux émigrants; mais ceci en devrait pas ôter à l'église le mérite de sa libéralité et de ses bonnes intentions, en dévouant sa propriété à un objet si louable et si charitable. Cet emploi des deniers serait certainement plus avantageux au pays, que de les envoyer en Angleterre pour les appliquer dans les fonds.

Savez-vous que l'Acte de 1791 appropriait une septième partie des terres de ces provinces au soutien d'un clergé protestant?—Je le sais.

Et vous savez qu'à présent ça été un sujet de dispute de savoir si sous le terme de clergé protestant il s'applique exclusivement au clergé de l'église d'Angleterre, ou aussi au clergé de l'église d'Ecosse?—Je connais très-bien les sentimens qui existent dans le pays à ce sujet, et les réclamations des différens sectes de chrétiens protestans à la participation de ce fonds; mais jusqu'ici l'église d'Angleterre et le bureau colonial se sont accordés à interpréter l'acte à l'avantage exclusif des ministres de cette église, et le peuple est généralement persuadé qu'il existe une détermination d'établir l'église anglaise comme l'église dominante et exclusivement dotée dans le pays, à quoi vous ne pouvez jamais attendre son consentement volontaire.

Pour quelle raison?—Parce que la majorité de la population n'est pas en communion avec l'église établie, la beaucoup plus grande proportion étant composée de dissidens; et on pourrait courir le risque d'augmenter le mal en faisant quelque tentative pour pourvoir séparément et distinctement aux réclamations de l'église d'Ecosse, si on ne pourvoit en même tems à celles des autres dénominations de protestans qui croient y avoir droit d'après l'acte de 1791.

De quelle manière les ministres de l'église d'Ecosse sont-ils maintenant soutenus en Canada?—Je crois que le gouvernement fait quelques petites allocations mais qu'aucune partie de ces allocations ne se retire maintenant des terres réservées pour l'église protestante en Canada.

Savez-vous quel est le montant annuel en argent du produit total des réserves en Canada,

nada, tel qu'applicable au clergé anglais?—Je le suppose fort peu considérable, mais il aurait été très considérable si on avait mis à effet la transaction que j'ai citée, faite entre la compagnie du Canada et la couronne pour la vente des réserves. J'ai entendu dire qu'une partie des allouances faites au clergé Ecossais, avait été payée à même le tonnant d'autres terres du gouvernement vendues par la couronne à la compagnie du Canada, ce qui est fort propre à exciter de nouvelles jalousies de la part des autres congrégations protestantes, comme étant une application ultérieure des deniers publics à l'avantage exclusif de l'église d'Écosse.

De quelle manière les ministres des congrégations dissidentes, autres que l'église d'Écosse, ont-ils été soutenus en Canada?—Je crois par le soutien volontaire de leurs communiants.

Connaissez-vous des cas où on ait pourvu au soutien de l'église d'Angleterre dans des endroits où il y avait une prédominance d'autres persuasions?—J'ai dit qu'on le faisait dans le Haut-Canada, où il y a une prédominance d'autres persuasions. Mon opinion de la prédominance des autres persuasions est fondée sur une résolution de l'assemblée, qui déclare que la religion établie de l'église d'Angleterre n'était pas la religion de la majorité des habitants. A la division dans l'assemblée sur cette résolution, je crois que la majorité en sa faveur était d'environ 38 contre 4 ou 5.

Le Haut-Canada est-il généralement divisé en paroisses?—Pas encore, je crois; il est à peine divisé en comtés.

De quelle manière a lieu la collation du clergé de l'église d'Angleterre à un district particulier, ou sur une portion particulière des habitants?—Je ne sais pas comment sont collatés les membres du clergé de l'église d'Angleterre, mais ils ont d'autres avantages. Ils reçoivent des allouances considérables de la société pour la propagation de l'évangile, dont la plus grande partie des fonds vient d'un don annuel du Parlement britannique.

Savez-vous, en matière de fait, comment le clergé de l'église d'Angleterre est payé?—Les salaires qu'il reçoit doivent provenir du Gouvernement, ou de portions du fonds insignifiant réalisées par la vente ou la revente des réserves du clergé, ou d'allouances de la société pour la propagation de l'évangile; car je crains qu'il n'ait peu de chance d'être soutenu, dans la chaleur présente des sentimens, par des contributions volontaires de la part des habitants.

Les terres que vous décrivez comme réservées pour le clergé sont-elles tenues par le clergé de la même manière que les biens de l'église le sont ici, ou comme le sont les terres de glèbe; ou sont-elles tenues par le Gouvernement, et le produit appliqué au paiement du clergé?—Je crois que l'église les tient comme corporation, et qu'il n'y a encore eu aucune division ni collation particulière. Cette corporation agit à présent sous le contrôle des derniers réglemens, et j'ai entendu dire qu'elle s'appuie principalement du soutien des évêques anglais, pour la protection de ses réclamations exclusives contre toute tentative de la part du gouvernement pour altérer la nature de sa propriété, ou pour y faire participer les autres sectes réclamantes.

En examinant les dispositions de 1791, au sujet du clergé et de la manière dont ces terres ont été mises à part et des difficultés qui entourent le sujet, quelle est votre opinion sur le meilleur plan à adopter?—Je pense qu'il est de fort peu d'importance à quel titre, ou par quelles dispositions de quel acte du Parlement ces terres ont été mises à part pour le soutien d'une église exclusive en Canada. Je suis persuadé que toute législation pour un ajustement conciliatoire des difficultés qui existent en ce pays là, sera vaine à moins qu'on ne trouve quelque moyen de mettre fin au titre de l'église à ces terres, et de les remplacer par quelque autre disposition.

N'y a-t-il pas une grande portion des terres tenues comme réserves du clergé, d'accordées en petits lots dans l'étendue du pays, et ne serait-il pas plus convenable que ces petites portions fussent échangées contre une étendue contiguë située ailleurs?—Rien ne peut-être moins convenable ou plus injurieux à une population industrielle, que la manière dont ces réserves ont été disposées. Ce sont des portions détachées de chaque township qui nuisent par leur interposition aux occupations des habitants actuels, qui n'ont aucun moyen d'abattre des chemins à travers les bois et les marais qui les séparent de leurs voisins. Elles retardent plus que toute autre circonstance la culture et l'amélioration du pays. Je ne pense pas cependant que dans l'état présent des sentimens dans le Haut-Canada, il fût très expédient d'essayer à remédier à ce vice en réservant d'autres terres en partis plus considérables pour le soutien du clergé.

Vous avez parlé d'un contrat qui avait eu lieu entre la compagnie du Canada et le gouvernement pour l'achat de ces terres et aussi des portions des réserves de la Couronne; voulez-vous avoir la bonté de décrire quelle était la nature de ce contrat?—Dans mon opinion c'était le contrat le moins convenable qu'on aurait pu faire, pour les deux parties. L'objet d'un bureau colonial était de retirer une somme considérable de la vente des terres, et d'encourager par l'établissement de la compagnie la transmission des capitaux pour l'amélioration du Haut-Canada. Je crains fort, à moins qu'on ne mette beaucoup de soin dans l'appropriation du fonds quisera ainsi reçu, que ce fonds ne devienne une autre source de griefs et de plaintes, et je ne pense pas que l'objection dût probablement être diminuée par la concession d'aucune partie d'icelui pour le soutien des ministres d'aucune dénomination particulière ni pour la fondation ou la dotation d'écoles et de collèges sur des principes exclusifs. La marche la plus sensée aurait été d'accorder à la compagnie une quantité modérée de terres à bas prix ou gratuitement, à condition qu'elle eût employé le double de leur valeur supposée à les établir et à les améliorer. Par ce moyen on aurait évité un point de contention, et le gouvernement aurait eu à sa libre disposition quatre-cinquantièmes de réserves pour les octroyer et les établir par d'autres méthodes, tandis que je suis convaincu que la compagnie du Canada aurait mieux fait de renfermer sa première entreprise dans ses moyens probables de surveillance. Tel qu'il en est, je crains qu'une grande partie des fonds versés jusqu'ici, n'aient été employés en dépenses non nécessaires inhérentes à l'exécution du contrat.

Pouvez-vous dire quelle quantité de terre a été transportée à la compagnie du Canada? La première fois, la moitié des réserves du clergé et toutes celles de la Couronne dans les townships qui avaient été tracés et mesurés dans le Haut-Canada, à être payées ou prises dans un certain nombre d'années.

Quel nombre d'années a été accordé?—Quinze ans.

Est-il probable que dans cette espace de tems elles aient pu prendre possession de toutes les terres pour lesquelles elle avait contracté?—En conséquence d'un changement dans le contrat, rendu nécessaire par l'objection du clergé à la sentence des commissaires nommés pour estimer leurs terres, la compagnie éprouva de grandes difficultés à compléter ses arrangements, et on eut recours à une nouvelle négociation pour faire disparaître ces difficultés.

Savez-vous à quelle valeur les commissaires estimèrent les terres?—Je pense que le prix arbitral de 2,000,000 ou 3,000,000 d'acres dans le contrat originaire, appartenant à la couronne et à l'église, était de 5s. 3d. courant par acre, ce cours étant de dix pour cent moindre que le sterling, et la compagnie donna ce prix pour les réserves de la Couronne.

Quelque contrat eut-il lieu sous cette prise au sujet des réserves de l'église?—L'église comme je l'ai déjà dit, refusa d'en passer par le prix arbitral après le verdict des commissaires, son refus, comme je l'ai dit aussi, mit la compagnie dans la plus grande difficulté; difficulté que, pour l'accomplissement de son contrat, elle peut encore avoir beaucoup de trouble à surmonter. Cependant le gouvernement acquiesça au refus, et après beaucoup de discussion, et une consultation légale sur quelque point de pratique amené par l'église au soutien de son objection, les directeurs consentirent à libérer le Gouvernement de cette partie du contrat, et on substitua aux réserves du clergé le nouvel octroi d'un parti de terres de 1,000,000 d'étendue sur les bords du Lac Huron, le Gouvernement consentant qu'une partie considérable du prix du nouvel octroi, fût employé à faire des chemins et d'autres améliorations sur l'octroi même.

La compagnie paye-t-elle annuellement quelque somme d'argent à la couronne?—Je crois que la compagnie a payé ou ordonné de payer à compte de cet achat, deux payemens annuels au montant de près de 40,000l. et les autres payemens suivront, en vertu de l'accord actuel, au taux de 15,000l. à 20,000l. par année, jusqu'au payement du prix total excédant 350,000l. ou que la partie à laquelle j'ai fait allusion ait été appliquée à l'amélioration du nouvel octroi.

La compagnie a-t-elle le pouvoir d'aliéner les terres à titre de redevance?—Certainement elle l'a; mais il y a maintenant des questions pendantes entre la compagnie et le gouvernement; et à tout prendre il n'est pas très clair, dans mon opinion que l'obstacle interposé par le refus du clergé de concourir dans la sentence des commissaires, ne conduise à de nouvelles et de plus graves difficultés.

La Compagnie du Canada doit-elle faire quelque payement annuel?—Elle doit prendre possession des terres au montant de 15,000l. annuellement.

Est-elle obligée de continuer le payement après avoir pris possession de toutes les terres?—Non; quand elle les aura payées elle y aura un titre franc.

Vous savez que les commissaires qui ont évalués les terres avaient reçu des instructions auxquelles instructions furent également approuvées par la compagnie du Canada et par le gouvernement?—Je sais bien qu'on avait envoyé des instructions de cette espèce; et des instructions plus déraisonnables, quoique la compagnie et la couronne en fussent convenues, n'ont jamais été envoyées à aucun corps de commissaires.

Savez-vous que la question s'éleva si les commissaires avaient exécuté ces instructions, et qu'on consulta un homme de profession à ce sujet?—Comme il ne pouvait y avoir de principes certains sur lesquels les commissaires pussent exécuter leurs instructions, il s'ensuivait que leur sentence laissait le champ libre à toute espèce d'objection que l'une ou l'autre partie voudrait y faire; mais je ne pense pas que l'objection particulière qu'y fit la couronne ou le clergé aurait pu se maintenir en en référant à deux individus quelconques dans la Grande-Bretagne compétens en connaissances et en pratique dans ces espèces d'affaires.

Un cas comme celui-là, où d'après les circonstances on ne pouvait établir aucun principe absolument défini, n'était-il pas précisément un cas où on pouvait avoir recours à l'arbitrage pour savoir si les commissaires avaient agi suivant le juste principe de leurs instructions?—Comme je n'ai jamais pu comprendre le principe établi dans ces instructions, qui chargeaient les commissaires d'évaluer de deux à trois millions d'acres de terres désertes dans un pays où dans le fait elles ne pouvaient avoir aucune valeur en argent, n'y ayant même jamais eu auparavant, que je m'en rappelle, aucune vente d'une quantité même de 10,000 acres, je ne puis voir quelles limites on aurait pu imposer à la discrétion des commissaires, ou quelle autre règle que les spéculations les plus visionnaires aurait pu guider leur verdict. Je suis certain qu'ils ont fait plus qu'ample justice au pays et à l'église.

Quoique vous soyez d'opinion que rien ne peut-être plus absurde que ces instructions, n'ont-elles pas été approuvées par la majorité de ceux qui étaient intéressés dans la formation de la compagnie du Canada?—La majorité des directeurs de la compagnie du Canada a approuvé la commission elle-même et les instructions. Elle avait projeté d'abord par des personnes très respectables, mais qui connaissaient autant le Canada que le Japon.

On a compris que vous aviez dit au Comité, comme votre opinion, qu'on aurait mieux fait de faire don à la Compagnie du Canada des terres qu'on lui a ainsi vendues, et pour lesquelles elle doit finalement payer la somme de 350,000l. sujette à l'imposition d'obligations d'établissement pour l'amélioration générale de la province; ne savez-vous pas qu'un des objets avoués de la vente était de décharger le parlement britannique de la nécessité de voter un estimé annuel pour le gouvernement civil du Haut-Canada?—Je n'ai pas dit qu'on eût mieux fait de donner à aucune compagnie ou à aucun corps dans le Haut-Canada une étendue de deux à trois millions d'acres de terre; mais j'ai dit dans le tems, et mon opinion regardait les deux parties, que si on eût donné ou vendu un demi million d'acres à un prix modéré, sans toutes ces procédures coûteuses et peu satisfaisantes pour essayer à évaluer ce qui n'était pas autrement vendable dans le fait, et si la compagnie avait été obligée d'appliquer une partie de son capital à l'amélioration de ce demi-million d'acres, l'arrangement aurait été très avantageux au pays. Je ne vois pas la nécessité où était le Gouvernement de disposer de ces terres pour le payement de la liste civile du Haut-Canada, et je ne sais pas non plus que cet argent y ait été jusqu'ici appliqué; mais il ne pouvait y avoir occasion de recourir à une telle source de revenu, en supposant qu'elle eu été désavantageuse à d'autres égards, vu que le revenu ordinaire perçu sur le commerce du Canada a toujours été parfaitement suffisant, ou aurait pu être rendu parfaitement suffisant, pour balancer les listes civiles des deux provinces.

On comprend que vous dites qu'avec une direction convenable le revenu du Haut-Canada aurait été suffisant pour le soutien de sa liste civile; voulez-vous avoir la bonté de détailler de quelle manière cela pourrait se faire?—On aurait pu le faire soit en augmentant les droits sur l'importation à Québec des articles consommés en Canada, ou en donnant à cette province une juste portion du revenu général perçu à Québec.

Ne savez-vous pas que le Gouvernement Britannique ne pouvait, dans le but simple et avoué d'un revenu, imposer des droits de douanes dans le Bas-Canada pour augmenter le revenu du Haut et le mettre à même de balancer sa liste civile?—Je sais qu'il y a à le faire, en fait de principes, les plus grandes objections possibles; mais je sais aussi qu'en matière de fait on a passé par dessus ces objections, et imposé par l'acte du commerce du Canada des droits presque égaux au montant des dépenses du gouvernement civil des deux Provinces, sans consulter aucune des législatures provinciales. L'acte du commerce du Canada a été passé pour cet objet trois ans avant l'arrangement avec la Compagnie du Canada.

Ne savez-vous pas que ce pays n'a pas le pouvoir de régler la distribution du revenu entre le Haut et le Bas-Canada, excepté sur le principe d'arbitrage entre les deux provinces, et que le résultat de cet arbitrage a été à donner au Haut-Canada une proportion de revenu insuffisante pour le soutien de cet établissement?—Après tout, cette question revient à ce qu'est le montant convenable de la dépense du gouvernement civil, et le déficit qu'il était nécessaire et convenable de suppléer, et à savoir si on y a suppléé à même ces fonds, et je serais à même de donner une opinion là dessus si je voyais l'application des sommes reçues jusqu'à présent de la Compagnie du Canada. Je pense que le comité ferait mieux pour sa satisfaction, d'avoir un rapport du montant reçu de la compagnie, et de son application, jusqu'à cette date.

Pouvez-vous informer le Comité si dans les établissemens des townships les personnes qui appartiennent aux différentes dénominations religieuses se sont rassemblées en différents districts, ou si elles sont généralement entremêlées?—Elles sont dispersées dans tout le pays.

Les bornes du Haut et du Bas-Canada, n'ont-elles pas été établies en conséquence des dispositions de l'acte de 1791?—Oui.

Dans votre opinion la ligne qui sépare les deux provinces a-t-elle été tirée d'une manière convenable pour les deux provinces, ou la division est-elle opérée de manière à donner naissance entre elles à un conflit d'intérêts et à une division de sentimens?—La division a été en tout point très malheureuse, et a complètement vérifié les prédictions de ses conséquences faites dans le tems par l'agent du Canada, et par tous les témoins examinés à la barre de la Chambre. Le résultat du maintien des distinctions entre deux classes de sujets n'a pas jusqu'ici prouvé en faveur de la politique qui l'avait dicté. Quant à la ligne particulière ou à la division du territoire, cela est de fort peu de conséquence, et je ne crois pas que par quelque changement à cet égard on pût satisfaire aucun des partis sur les questions générales maintenant en discussion.

En matière de fait, n'y a-t-il pas eu entre les habitants des deux provinces une très forte collision de sentimens et une expression de différences d'intérêt?—La plus forte collision possible d'intérêts a eu lieu au sujet du revenu; et malheureusement il y a toute raison de craindre qu'elle ne soit qu'à son commencement.

Voulez-vous bien détailler les principaux motifs de différends qui existent entre les deux provinces?—Le principal motif est la prétension élevée par la législature française à Québec de régler le commerce du St.-Laurent, et de lever tous les droits sur l'exportation ou l'importation des articles qui sortent ou entrent à chaque point du Canada, sans consulter la province supérieure, pour les habitants de laquelle ce sujet est d'une profonde et vitale importance. Il est naturel que ce grief se fasse sentir d'autant plus, en proportion de l'avancement progressif et rapide du Haut-Canada, encouragé par des institutions plus libérales et un meilleur état de lois. La population française du Bas-Canada ne s'est pas accrue ou n'a pas amélioré sa condition d'aucune manière proportionnée à celle de la population anglaise soit du Haut ou du Bas-Canada, et il n'y a aucune raison de croire que leur nombre

nombre ou leur intérêt dans le pays augmente à l'avenir en proportion de l'augmentation qui doit avoir lieu dans les deux colonies parmi les habitans Britanniques et dans les capitaux britanniques. A mesure que l'intérêt britannique augmente dans l'une et l'autre province, une communauté de sentimens mènera sans doute à une connexion plus intime et je crains que, même si c'était la détermination du parlement de maintenir l'ascendant d'une classe de la population du Bas-Canada, et ses pouvoirs exclusifs sur les taxes et le commerce du pays, les habitans britanniques des deux provinces ne cherchassent, à un tems peu éloigné, quelques autres moyens de se libérer d'un grief aussi intolérable.

Connaissez-vous suffisamment le cours du commerce sur le Saint-Laurent, pour savoir si en matière de fait il existe aucun obstacle à l'exportation des produits dont les habitans du Haut-Canada ont à se défaire, ou si les habitans du Haut-Canada peuvent exporter leurs produits aussi librement que ceux de la province basse?—A présent il n'y a pas d'obstacles. Ci-devant on avait tenté quelque réglemens pour établir le montant des marchandises envoyées au Haut-Canada, dans la vue, je crois, de parvenir à des données pour aider les commissaires à partager le revenu. J'ai aussi entendu dire qu'on s'était plaint d'une taxe levée par l'assemblée à Québec sur les cages de bois qui descendaient les rapides en venant du Haut-Canada, dans le but d'améliorer la navigation, et que le revenu ainsi prélevé n'avait jamais été employé à cet objet: d'ailleurs les habitans ont une entrée et une sortie libre pour tous leurs effets, sujettes toujours aux réglemens et aux droits que la législature du Bas-Canada juge à propos dans sa discrétion d'imposer sur l'un et sur l'autre.

Y a-t-il des droits d'imposés sur quelques articles à leur exportation du Canada?—Bien peu, s'il y en a.

Les droits qui sont perçus sur les marchandises importées à Québec et à Montréal et qui sont imposés et réglés par l'assemblée du Bas-Canada, sont-ils modifiés jusqu'à un certain point par les actes qui ont été passés en ce pays pour le réglemment du commerce?—J'ai dit dans une partie précédente de mon examen, que les disputes entre les deux provinces, sur des sujets liés à leur revenu commun, avaient amené l'acte du commerce du Canada de 1822; et par les dispositions de cet acte on abroge en effet la partie la plus importante des fonctions constitutionnelles des deux législatures coloniales. L'acte passa presque unanimement dans le parlement, et reçut le soutien spécial de ceux qui avaient opposé le bill d'union.

Considérant les habitudes et les mœurs respectives des habitans du Bas et du Haut-Canada, pensez-vous que quelque système de droits d'importation affectât les deux classes d'une manière bien différente quant au fardeau qu'il produirait pour chacun?—Je penserais que non; et je suis presque sûr que s'il en était autrement, la meilleure marche serait d'éviter toutes distinctions.

Pensez-vous que le mieux serait d'établir un système de droits de douanes qui par rapport aux articles sur lesquels ils seraient imposés porteraient également sur la population des deux provinces?—D'après la nature du pays il serait impossible de faire autrement quand même cela serait convenable.

Leur consommation est-elle semblable d'après leurs habitudes et leurs besoins?—Je pense qu'elle diffère à quelques égards. Les deux principaux articles sur lesquels le revenu se perçoit maintenant, sont le rum et le thé. Les Canadiens français sont probablement les plus grands consommateurs de rum, et la population anglaise suivant les habitudes de son propre pays et de ses voisins d'Amérique, la plus grande consommatrice de thé; mais il y a des deux côtés une consommation considérable de ces articles.

N'est-il pas probable que si on imposait un fort droit sur le thé importé dans le Haut-Canada, où réside principalement la population anglaise, il pèserait beaucoup plus sur elle que sur les Canadiens?—Une forte taxe sur le thé serait à la fois sujette aux objections du peuple, et impolitique; mais le principal grief du peuple de la province supérieure serait que l'assemblée de Québec taxerait son thé sans son consentement; et je suppose qu'on ne se propose pas d'adopter un système permanent de taxation par le parlement.

N'est-il pas absolument nécessaire que le même taux de droits soit perçu sur les marchandises importées dans le Saint-Laurent, pour la consommation du Haut comme pour celle du Bas-Canada; et si on percevait les droits à différens taux dans les deux provinces, cela ne conduirait-il pas inévitablement à des pratiques insupportables de contrebande entre les deux provinces?—Le résultat inévitable d'une tentative pour prélever des droits inégaux dans les différens ports du Saint-Laurent au dessus de Québec, serait des pratiques de contrebande qui seraient assez considérables pour détruire tout-à fait le revenu, outre les autres objections visibles auxquelles un semblable système serait sujet. Naturellement il est nécessaire que de certains taux de droits soient perçus sur tout le commerce, à moins que le parlement ne fût disposé à payer sans aucune nécessité les dépenses du gouvernement civil à même le revenu de la Grande Bretagne.

Serait-il possible de fixer quelque endroit pour en faire l'entrepôt légal de toutes les marchandises qui seraient transportées au Haut-Canada, et de faire quelque arrangement qui assurerait le transport de ces marchandises dans le Haut-Canada, sans qu'aucune partie en fût transmise pour la consommation dans la province du Bas-Canada?—Il serait absolument impossible, et s'il en était autrement, les restrictions et les réglemens sur le commerce du Haut-Canada, seraient une nuisance insupportable. A présent les marchands et les trafiquans du Haut-Canada achètent leur assortiment annuel de marchandises pour leurs chandals dans les villes et les villages, à Montréal. Il s'exporte bien peu de marchandises directement de ce pays au Haut-Canada. Montréal est le grand dépôt par où se fait et doit continuer de se faire la plus grande proportion de tout le commerce.

Si ces circonstances rendent nécessaire que le même taux de droits soit prélevé sur toutes les marchandises qui remontent le Saint-Laurent, soit pour la province du Haut-Canada ou pour celle du Bas, est-il possible de trouver un système de division et d'appropriation du produit des droits de douanes prélevés sur le Saint-Laurent, entre les deux provinces, qui ne puisse être nécessairement chancelant et imparfait; supposant que la division fût faite cette année entre le Haut et le Bas-Canada dans une proportion parfaite, calculée sur la consommation respective des deux provinces, cette proportion ne deviendrait-elle pas nécessairement imparfaite les années suivantes, à cause des variations qui auraient lieu dans la population et la richesse de deux provinces?—Je suis d'opinion que tout système semblable est impraticable, et ne conduirait qu'au renouvellement des plaintes et des disputes. Nous en avons déjà eu quelque preuve dans les difficultés qui ont jusqu'ici accompagné la recherche d'un mode satisfaisant d'arbitrage entre les deux provinces.

Ayez la bonté de décrire ces difficultés?—Des arbitres avaient été nommés par les deux gouvernemens antérieurement à l'acte de 1822, pour décider de la proportion à laquelle le Haut-Canada avait droit sur le revenu total prélevé à Québec. Quelque difficulté ou quelque obstacle s'opposant à un ajustement, la législature du Bas-Canada refusa de donner au gouvernement les pouvoirs nécessaires pour procéder à l'arrangement et c'est sur ce pays que se rejeta la province supérieure pour avoir les moyens de payer sa liste civile.

Quelque bien disposées que fussent les parties à un accord pour une division proportionnée, une telle division ne serait-elle pas en elle-même nécessairement imparfaite?—Certainement elle le serait; et sans prétendre donner mon opinion moi-même sur le sujet, je ne dois pas cacher au comité le fait que l'impression générale prévaut parmi les habitans anglais engagés dans le commerce des deux provinces, que les représentans députés à la chambre d'assemblée par la masse ignorante des Canadiens, ne sont pas exactement les personnes les mieux qualifiées pour décider sur les questions liées avec le commerce ou avec le revenu qui l'affecte; et cette impression ne tend pas à diminuer les objections à leur pouvoir exclusif à ce sujet.

Si on vous demandait de partager les droits des douanes perçus entre les deux provinces, sur quel principe feriez-vous cette division?—Il est impossible de deviner un principe sur lequel on pût faire une division satisfaisante. Quand même on pourrait arriver à un estimé passable de la consommation des articles particuliers dans les deux provinces, cela ne serait pas d'un grand secours. Il y a d'autres consommateurs, et en un degré

considérable, des articles, sur lesquels il se perçoit des droits à Québec, et le Bas-Canada n'a aucun droit de plus que le Haut à une addition de revenu produite par le commerce général du Saint-Laurent. Les droits perçus sur le commerce entre les colonies et leurs voisins, forment partie de la masse.

Quelle que soit la proportion fixée, ne doit-elle pas nécessairement varier de tems à autre?—Elle doit varier avec l'accroissement annuel de la population, qui fera des progrès beaucoup plus rapides dans le Haut-Canada.

Si le revenu doit être prélevé sur un même taux de droits, et si on ne fait qu'une masse du revenu, et qu'une division juste et équitable n'ait pas lieu entre les deux provinces, ne s'en suit-il pas qu'il ne doit y avoir qu'une seule dépense?—Je pense que c'est là un des points les plus difficiles du sujet. Supposons qu'on entretint quelque idée de réunir ces provinces, j'ai toujours pensé que la marche la plus prudente à adopter, marche que justifierait l'objet principal de prévenir d'abord toute collision dans la Législature réunie sur les intérêts auparavant séparés des parties, serait de fixer le revenu actuel, et d'en appliquer pour un certain nombre d'années telle partie qu'il serait nécessaire à défrayer les listes civiles existantes dans les deux provinces.

Comment cela pourrait-il s'effectuer?—Par des dispositions suffisantes dans un bill pour l'union des législatures, en spécifiant dans les plus petits détails dans la cédule du bill, les différentes charges à défrayer, de manière qu'il ne pût y avoir aucun motif de soupçons qu'on eût l'intention ou d'augmenter les charges, ou de donner à l'autorité exécutive quelque discrétion dans le payement. Je pense qu'on objecterait pas à cet arrangement, sur les bases que j'ai détaillées, pour un tems limité de cinq à quinze ans. Le surplus du revenu, ou les deniers prélevés pour l'amélioration du pays, ou pour l'augmentation des établissemens administratifs en proportion de l'accroissement graduel de la population et des besoins de l'administration, serait toujours soumis au contrôle de la législature, et à l'expiration du tems limité le pouvoir entier de régler les taxes et la dépense retournerait à cette Législature. On doit espérer qu'avant ce tems on aurait presque perdue de vue tous les intérêts et les habitudes séparés et la collision présente des sentimens et des préjugés ferait place dans la Législature réunie à un désir général de ne consulter que le bien commun et la prospérité de pays.

La chambre d'assemblée du Haut-Canada a-t-elle exprimé quelque désir de l'union des deux provinces?—Je ne l'ai pas entendu dire, et je ne conçois pas que le fait soit d'aucune manière de beaucoup d'importance. Le peuple et la législature désire seulement partager l'exercice du droit incontestable du peuple entier, de prélever le revenu et de régler le commerce du pays.

De quelle manière, dans le cas de l'union, pourriez-vous aux services plus généraux et au sujet de revenu qui resterait après la liste civile remplie?—Je les laisserais à la Législature réunie. Je suis parfaitement convaincu qu'un Gouverneur d'une disposition conciliatoire, d'un caractère populaire et d'un grand bon sens, qui agirait d'après des instructions de ce pays fondées sur des principes libéraux, n'aurait aucune difficulté à balancer et à concilier les différens partis dans la Législature, et à en obtenir d'amples moyens d'améliorer les institutions et de promouvoir les intérêts généraux des deux provinces.

Quand l'union des deux provinces fut proposé en Parlement, les habitans du Bas-Canada, ne se montrèrent-ils pas extrêmement opposés de sentimens à cette mesure?—Certainement la population française du Bas-Canada exprima des sentimens d'opposition, mais non pas en un degré plus considérable qu'on ne l'avait anticipé.

Un des motifs sur lesquels cette opposition était fondée n'était-il pas la crainte qu'avec les circonstances de l'union, la loi pour le soutien du clergé catholique romain ne courût quelque danger?—Il y avait plusieurs clauses mal-avisées dans le bill. Les premiers moteurs de la mesure avaient suggérés insertion de quelques clause, pour protéger l'église catholique et les droits du clergé de toutes empiétations par quelque acte de la nouvelle législature. Cette intention ne fut pas remplie par la clause de l'acte qui fut interprétée par le clergé comme dirigée hostilement contre son établissement. Rien n'aurait pu être si contraire aux sentimens avec lesquels on avait suggéré quelque mention de l'église, et il serait également de la justice et de la politique, de pourvoir distinctement dans toutes mesures pour l'union des colonies, contre tous les dangers que le clergé pourrait appréhender à cet égard.

Chacune de ces provinces ayant maintenant une assemblée représentative, serait-il dans votre opinion possible ou à désirer de laisser à ces assemblées le réglemment de toutes matières concernant chaque province, qu'on regarderait comme locales et particulières, et d'assembler un Congrès composé de certains membres des deux corps, auquel serait donné le soin des affaires générales communes aux deux provinces; parmi lesquelles on peut compter la collection du revenu, de grands établissemens pour des moyens de défense, et l'application générale du revenu, leur donnant à chacune une liste civile fixe?—S'il était possible de satisfaire les parties quel qu'autre arrangement que par la mesure entière de l'union, je serais disposé à sacrifier beaucoup à cet objet, mais un congrès ne serait dans le fait qu'une union avec un mécanisme plus compliqué; et je doute qu'on fit disparaître par là l'objection d'un seul individu dans le Bas-Canada à toute mesure de cette espèce. La même difficulté reviendrait pour proportionner l'influence des deux parties dans le congrès, que dans une Législature commune à toutes deux, et il faut faire quelque changement à la constitution de l'Assemblée du Bas-Canada, par l'admission de représentans des townships. Le grand objet est d'introduire dans le corps législatif, sous quelques réglemens qu'il soit constitué, des personnes d'une éducation libérale, capables de contrebalancer l'influence des vieilles habitudes et des préjugés étroits qui retardent la prospérité du pays.

La même objection existerait-elle si une union législative avait lieu; l'effet ne serait-il pas nécessairement, sur les mêmes principes, d'étendre l'influence des Canadiens français au Haut-Canada?—Certainement non, si on unissait les deux Législatures en y ajoutant une juste proportion de députés des townships non représentés dans le Bas-Canada.

Les Législatures des deux provinces sont-elles jamais venues en collision sur d'autres points que ceux qui ont rapport au commerce?—Elles ne pouvaient venir en collision sur d'autres points, mais celui-ci en est un d'une importance majeure et vitale.

N'y a-t-il pas eu beaucoup d'actes passés par la Législature du Haut-Canada, sans que des actes semblables aient été passés par celle du Bas?—Sans doute; l'état de la société est différent.

La population des grandes villes de Montréal et de Québec est-elle principalement française ou anglaise?—Principalement française quant au nombre. Mais ceci changerait rapidement, et il y aurait, si les tenures étaient changées un grand amalgame des classes à présent distinctes, et un plus grand changement dans les propriétés; et la couronne a maintenant un pouvoir sans bornes pour effectuer cet objet dans les deux villes.

La population française possède-t-elle aussi la majeure partie de la richesse et de la respectabilité dans ces villes?—Certainement non. Tout le commerce, et tous les capitaux qui y sont employés, ou au moins dans les branches majeures du commerce, sont entre les mains des Anglais.

Quelque changement possible de la ligne qui sépare le Haut et le Bas-Canada, ferait-il disparaître les difficultés qui existent à présent?—Je n'en puis imaginer aucun.

Quel serait l'effet d'inclure l'île de Montréal dans le Haut-Canada?—Je ne pense pas qu'un changement de bornes améliorerait la condition du Haut-Canada, et en séparant Montréal du Bas-Canada, on produirait plus de mécontentement que par une mesure plus efficace.

En annexant Montréal au Haut-Canada, ne transporterait-on pas en cette Province, où il n'existe à présent aucuns intérêts français, une masse considérable de la population Française?—Certainement; mais le caractère de la population changera progressivement dans cette ville très importante.

Quelles dispositions ont été établies dans la Législature de l'une ou de l'autre province en conséquence de la clause de l'acte de 1791, pour l'extension du droit de représentation et de suffrages aux colons nouvellement établis dans chaque province?—Je pense que dans le Haut-Canada, le nombre primitif des membres de l'Assemblée était de 16; dans le Bas-Canada de 50. L'Assemblée du Haut-Canada s'est servie des pouvoirs que lui donnait l'Acte de 1791, pour étendre la représentation en proportion des nouveaux établis-

mens et de l'accroissement des habitans de cette province, et le nombre primitif de 16 a été graduellement augmenté jusqu'au nombre actuel de 43 ou 45. La province est divisée en comtés, et chaque comté a droit de députer un représentant lorsqu'il y a 2,000 habitans, et un second lorsque ce nombre s'est accru à 4,000, que la représentation du comté est complète. Cette loi est encore en opération, et ainsi le nombre des membres de cette Assemblée croît progressivement avec la population. L'Assemblée du Bas-Canada n'ayant aucune disposition à admettre des représentans des townships anglais, n'a jamais rien ajouté au nombre de ses membres, ni n'a agi comme l'Assemblée du Haut-Canada sur les pouvoirs du bill de 1791. La conséquence en est que les nouveaux établissemens restent sans être représentés, et que tous les pouvoirs législatifs qui concernent les affaires de revenu des deux provinces et tous les autres intérêts du Bas-Canada, sont entre les mains des 50 membres primitifs députés presque exclusivement par la population française. Il pourrait être judicieux, en recherchant les moyens de porter remède aux plaintes de la population Anglaise à cet égard, d'avoir recours aux institutions de l'état voisin de Vermont. Là, on regarde comme si essentiel de pourvoir aux besoins plus grands des nouveaux habitans, qu'on donne le droit de représentation à un nombre beaucoup plus petit que celui du règlement en force dans le Haut-Canada. Je crois qu'on donne deux membres à chaque nouveau township où résident 80 habitans taillables, que la représentation de ce township est complète, et ne peut être augmentée, nonobstant tout accroissement en population. La règle était même d'abord plus en faveur des nouveaux établissemens. Je crois que la ville de Burlington était représentée, lorsqu'elle ne contenait que huit ou neuf familles taillables. La population s'est accrue depuis jusqu'à 5,000, mais sa part dans la représentation est demeurée la même, tandis que la Législature se recrute constamment des nouveaux établissemens. La situation et la condition de ces établissemens sont très analogues à celles des townships du Bas-Canada.

La Chambre d'Assemblée du Bas-Canada n'a-t-elle pas passé deux fois un bill pour l'extension de la représentation précisément sur les principes de l'état de Vermont?—Cela peut-être, et je crois que c'est le cas, mais aucune semblable loi n'a été rendue.

Le principe sur lequel l'état de Vermont donne cet avantage aux endroits nouvellement établis, consiste-t-il simplement à donner à ces endroits l'avantage de qu'on appelle la fraction, c'est-à-dire qu'il doit y avoir un certain nombre d'habitans dans un township avant qu'il puisse avoir un membre; et que quand il est arrivé à ce nombre, on lui donne ce qu'on appelle la fraction, avant qu'il parvienne au nombre qui lui donne droit à deux représentans?—Je crois que cette règle ne s'applique que jusqu'à ce que le nombre des habitans taillables arrive à 80, que la représentation du township est complète. Le grand avantage que le nouveau colon trouve dans ce principe de représentation, est que les premiers 80 habitans ont au moyen de leurs deux membres autant d'influence dans l'Assemblée, qu'une population cinquante fois doubles dans les anciens townships; on a donné cet avantage pour étendre et pour encourager la culture du pays.

Le bill introduit par la Chambre d'Assemblée du Bas-Canada, en même tems qu'il pourvoyait à l'augmentation de représentation dans les townships sur les bases de l'augmentation de population n'étendait-il pas le même principe d'accroissement aux seigneuries qui sont déjà représentées, tandis que dans l'état de Vermont aucune augmentation n'a eu lieu dans les districts déjà représentés, lorsque les nouveaux districts sont venus à la représentation?—En y pensant, je crois que le premier était ainsi. Le bill rendu par l'Assemblée pour l'accroissement de ses membres, aurait admis quatre ou cinq membres des townships, et en aurait ajouté environ 20 des seigneuries; bref, on aurait fait qu'aggraver le mal sous prétexte de libéralité envers les townships.

Pouvez-vous détailler quelques autres motifs d'objection qu'on ait opposé à l'union des deux provinces, entre ceux dont vous avez parlé?—Je n'ai entendu parler d'aucun autre motif; mais il est absolument impossible qu'il n'y ait pas une grande variété d'opinions sur un sujet qui intéresse en tant de manières les intérêts particuliers des individus et des partis. Par exemple des personnes qui résident à Québec, et d'autres à York dans le Haut-Canada, peuvent n'approuver ni les unes ni les autres que le siège de la législature soit transporté à Montréal, en supposant que ce soit l'endroit convenable, si on se décidait à l'union.

Connaissez-vous quel accroissement de population a eu lieu parmi les canadiens français depuis l'année 1791?—Il y a eu un accroissement considérable, mais non proportionné à l'accroissement de la population anglaise dans les deux pays.

Les élections de Québec et de Montréal sont-elles dans l'intérêt français ou dans l'intérêt anglais?—Toutes les élections dépendent de l'intérêt français; et je doute fort qu'un seul représentant anglais fût rapporté s'il y avait une nouvelle élection demain.

Même dans les villes commerciales?—Même dans les villes commerciales. Les élections dépendent aussi en grande partie de l'influence du clergé.

Le droit de suffrage est-il universel dans ces villes?—J'ai oublié quel est le droit de suffrage. Je proposais dans le bill d'union que le droit de suffrage dans les comtés fût fixé à 5*l*. par an, et dans les villes à 10*l*.

Les protestans des seigneuries payent-ils des dîmes au clergé catholique?—Ils ne payent pas de dîmes; ils ne contribuent nullement au soutien d'aucun ministre, si ce n'est volontairement.

Les catholiques ne payent-ils pas des dîmes à leurs pasteurs?—La loi oblige les catholiques à payer des dîmes. Les protestans sont exempts de toutes demandes de cette espèce.

Croyez-vous qu'il fût possible et avantageux de faire un port libre de l'une des deux grandes villes, et que les droits se perçussent au sortir des marchandises de ce port libre en proportion de leur sortie pour une province ou pour l'autre, ou cela faciliterait-il la contrebande?—La restriction serait très-injuste envers les autres parties du pays, et très-préjudiciable au commerce général, et il serait impossible de prévenir la contrebande sur une aussi grande étendue navigable.

Les vaisseaux qui remontent le fleuve ne peuvent-ils aborder en quelque point?—Certainement. A présent tous les vaisseaux entrent à Québec; mais s'ils sont destinés pour Montréal, le consignataire donne seulement les cautionnemens à Québec, et paye le droit ensuite lorsque le vaisseau décharge à Montréal.

Croyez-vous qu'il fût possible de former une représentation sur le principe d'admettre quelques-unes des grandes villes comme corps indépendans dans une confédération, telle qu'il en existe dans le nord de l'Allemagne?—Je crains qu'il ne soit trop tard pour tenter d'introduire de nouveaux principes de cette espèce en Amérique. Il faut améliorer le système existant sur le modèle de nos institutions en ce pays, ou copier des formes plus simples en pratique dans les Etats-Unis. Aucune autre méthode ne sera conforme aux habitudes des anglais ou des américains qui habitent le Canada.

Serait-il aisé de circonscrire un district de manière à ce qu'il n'embrassât que peu de chose plus que la population française, si on voulait l'organiser en une province séparée formant partie d'une confédération?—Je ne vois pas beaucoup de difficulté à former un établissement séparé pour les français, si on les prive de leur contrôle exclusif sur la législation à l'égard du commerce et du revenu, et si l'on introduit des réformes satisfaisantes pour les habitans anglais dans la tenure des propriétés; mais tous ces changemens produiraient un mécontentement égal à celui d'un arrangement plus général, et qu'on fasse ce qu'on vaudra pour maintenir les distinctions actuelles, le progrès de la civilisation, l'augmentation en pouvoirs des pays arrosés par le St.-Laurent, et la marche probable des événemens en Amérique, contrarieront éternellement vos vues, et à la fin rendront nécessaires des mesures plus décidées. Je désire ajouter que dans tout ce qui a pu m'échapper dans le cours de ces examens, je n'ai pas eu la moindre intention d'imputer du blâme à aucunes personnes attachées au gouvernement exécutif dans l'une ou l'autre province; je crois qu'elles ont agi en vertu d'instructions venues de ce pays et que les difficultés qu'elles ont eu à combattre, et les discussions où elles se sont trouvées engagées avec les législatures coloniales, étaient des conséquences inévitables de la détermination à persévérer dans le système du gouvernement que j'ai décrit au comité, et qu'on n'aurait pu éviter que difficilement sans réformer et améliorer ce système.

Mardi, 20e jour de mai, 1828.

John Neilson, écuyer, introduit; et examiné.

Où résidez-vous habituellement?—Ma résidence habituelle a été à Québec; j'ai résidé depuis cinq ou six ans à six milles de Québec.

Etes-vous natif de Québec?—Non, je suis natif d'Ecosse.

Combien d'années avez-vous résidé dans le Bas-Canada?—Trente sept ans.

Avez-vous jamais été, ou êtes-vous en ce moment membre de la chambre d'assemblée du Bas-Canada?—Je suis membre de la chambre d'assemblée du Bas-Canada pour le comté de Québec depuis dix ans.

Etes-vous maintenant député par quelque partie des habitans du Bas-Canada pour faire des représentations au gouvernement de Sa Majesté en ce pays?—Je suis député, avec Mr. Viger et Mr. Cavillier, de Montréal, de la part des pétitionnaires qui ont signé la pétition dernièrement présentée à la chambre.

Voulez-vous exposer les griefs dont se plaignent les habitans du Bas-Canada; et quel remède ils demandent du gouvernement de ce pays-ci et du parlement?—Je prendrai la liberté d'exposer ces griefs comme ils le sont par les pétitionnaires eux-mêmes. Ils se plaignent d'abord de ce que, depuis plusieurs années, l'état de la province empire sous le rapport du commerce, de la valeur des propriétés foncières, et des profits de l'industrie. Ils se plaignent de l'élevation des dépenses du gouvernement. Ils se plaignent de ce qu'il y a eu gaspillage des revenus et des ressources publiques; de ce qu'on ne rend pas un compte satisfaisant des deniers publics avancés ou payés pour des buts d'utilité publique; de ce qu'il en est résulté des pertes considérables; de ce que les lois que le peuple croit être nécessaires au bien public, sont repoussées par une des branches de la législature, branche composée principalement de personnes qui dépendent du pouvoir exécutif de la province. Les lois dont le rejet fait naître leurs réclamations sont mentionnées dans la pétition; ce sont différens bills annuels accordant des supplémens de fonds pour le soutien du gouvernement de la province, et ayant pour objet de fournir les moyens d'un recours légal au sujet qui aurait des réclamations contre le gouvernement de la province; de régler certains droits ou honoraires et certaines fonctions; de mettre les habitans des villes de Montréal et de Québec en état de conduire leurs intérêts locaux; d'étendre dans toute la province, d'une manière plus générale qu'aujourd'hui, la facilité de plaider devant les cours de justice; de procurer une nouvelle prison à la ville de Montréal; de qualifier les juges de paix; de continuer les lois de milice; d'augmenter le nombre des représentans dans la chambre de l'assemblée; d'avoir des sûretés pour les fonds publics déposés entre les mains du receveur-général de la province; d'assurer l'indépendance des juges; de nommer un agent qui résiderait en Angleterre pour prendre soin des affaires de la province. Tous ces bills ont passé dans la chambre de l'Assemblée, la plupart et je crois même tous plusieurs fois, et ils ont été rejetés dans le conseil législatif.

Ont-ils tous été rejetés par le conseil législatif, ou le Roi a-t-il refusé de les approuver?—Ils ont tous échoué dans le conseil législatif. De ceux que je viens de citer, il n'y en a aucun auquel le Roi ait refusé sa sanction.

Y en a-t-il quelques uns qui aient été annulés par le conseil législatif?—Oui il y en a.

Pouvez-vous détailler quels ils sont?—Un bill de subsides a été renvoyé à la chambre avec des amendemens, le bill pour régler certains honoraires et places a été amendé une fois, à ce que je crois; les bills pour faciliter l'administration de la justice ont été amendés; le bill pour continuer les actes qui régulent les milices de la province a été renvoyé avec des amendemens. Je suis prêt à produire, si le comité le désire, des copies de ces bills tels qu'envoyés la dernière fois du conseil.

[On requiert le témoin d'en produire des copies au comité.]

N'y a-t-il pas des bills pour des routes, ou pour l'éducation, qui ont été envoyés par l'Assemblée?—Oui, il y en a; mais ils ne sont pas cités dans la pétition. Les pétitionnaires se plaignent de ce que les bills qu'ils citent et d'autres ont été rejetés par le conseil législatif, et ils attribuent ce rejet au pouvoir exécutif de la province.

Ont-ils été rejetés avec ou sans discussion?—Plusieurs ont été rejetés sans discussion. On n'a pas procédé sur plusieurs, conformément à la règle que, en 1821 ou 1822, le conseil se fit à lui-même de ne pas procéder sur les bills de certaine nature, et par exemple sur les bills d'appropriation de tel genre.

Où lit-on cette règle?—Elle est dans les réglemens du conseil législatif.

Pourriez-vous procurer au comité une copie du règlement permanent de la chambre d'Assemblée?—Je crois qu'oui.

Les pétitionnaires se plaignent ensuite de ce que l'on a employé l'argent levé dans la province sans y être autorisé par la législature. Les griefs qui viennent après ont pour objets, des avances d'argent faites à des personnes qui n'en ont pas rendu un compte suffisant; la dissipation des deniers publics; la nomination de personnes à qui les fonds publics devaient être confiés, sans qu'elles donnassent des garanties satisfaisantes; les revenus des biens du ci-devant ordre des jésuites détournés de l'éducation de la jeunesse, à laquelle ils sont destinés; l'inexécution des conditions sous lesquelles sont faites les concessions des terres en friche de la couronne, et enfin la tentative que, durant l'existence de tous ces abus, les officiers du gouvernement ont faite en Angleterre pour obtenir le changement de la constitution établie dans la province. Jusqu'ici je me suis renfermé dans l'exposé des plaintes contenues dans la pétition de Québec et dans celle du comté de Warwick. Mais la pétition de Montréal comprend, contre le gouverneur-en-chef, des griefs que ne contient pas celle de Québec. La pétition de Montréal a été adoptée après celle-ci et n'a pas été approuvée dans le comté de Warwick et dans quelques autres lieux. Aux plaintes de la pétition de Québec, celle de Montréal en ajoute qui sont dirigées contre le gouverneur. On lui reproche d'abord d'avoir retenu des dépêches qu'il eût dû mettre sous les yeux de la législature; on lui reproche la destination de MM. McCord et Mondelet, présidens salariés des assises pour le district de Montréal; la conservation de M. Caldwell dans la place de receveur-général, après que le déficit de ce fonctionnaire a été connu du gouverneur; la continuation de M. Perceval dans les fonctions de collecteur des douanes, après qu'il a eu perçu des droits qui ne lui étaient pas dus; la nomination de M. Hale à la place de receveur-général, quoiqu'il ne donnât pas de garanties; celle de M. Young aux fonctions de shériff, nonobstant le défaut de garanties suffisantes et encore bien que ses deux prédécesseurs eussent manqué pour une somme considérable; des outrages continuellement imprimés, contre les représentans du pays, dans les journaux établis par son Excellence; des menaces de destitution insérées dans ces journaux; des destitutions d'officiers de milice; des entraves mises par lui à la liberté des élections; des obstacles apportés par lui à la liberté des votes des membres de la chambre des représentans; des réponses aux adresses dans lesquelles l'Assemblée est traitée avec fort peu de ménagement; des imputations fausses dirigées contre l'Assemblée dans un discours prononcé en 1827. Toutes ces plaintes sont consignées dans la pétition de Montréal et des Trois-Rivières, et sont omises dans celles de Québec et de Warwick. Je suis prêt à développer chacun de ces accusations, à fournir, par des documens publics, la preuve de toutes et particulièrement de celles énoncées dans la pétition de Québec et de Warwick.

Il y a dans la pétition de Montréal deux ou trois de ces plaintes, qui sont des plaintes publiques, pourquoi les passe-t-on sous silence dans la pétition de Québec?—C'est que ce fut presque simultanément que l'on prit des résolutions à Québec et à Montréal: il n'y eût point de concert entre ces deux villes. Chacune d'elles exposa, comme cela est naturel, ce qui lui paraissait la toucher le plus péniblement; à Montréal ou sentait la pesanteur de ces sujets de plainte, et à Québec on n'en dit pas un mot.

Puisque tant de bills adoptés par la chambre d'assemblée ont été rejetés par le conseil législatif, voulez-vous nous faire connaître à quelles circonstances sont dus ces rejets?—Les pétitionnaires les attribuent plus à la composition du conseil législatif, à la dépendance où les membres en sont placés à l'égard du gouverneur, qu'à toute autre cause.

Voulez-vous décrire comment est constitué le conseil législatif?—Lorsque j'ai laissé la province il y avait vingt-sept conseillers législatifs résidents; Jonathan Sewell, orateur, £900 par an; président du conseil exécutif et de la cour d'appel, £100; juge-en-chef de la province et du district de Québec, salaire £1,500 outre environ £150 pour les circuits, formant ensemble £2,650 sterling; le révérend C. J. Stewart, lord évêque de Québec, salaire et allocations comme évêque payées par la grande Bretagne, environ £3,000; sir John Johnson, du département sauvage, payé par la grande Bretagne, on suppose simplement £1,000 par an; je ne puis dire si c'est correct ou non.

Qu'est le département sauvage?—Il y a un département en Canada appelé le département sauvage; c'est un département qui a été établi pendant la guerre Américaine pour la direction des affaires sauvages. John Richardson, conseiller exécutif, £100 par an; Charles De St. Ours, capitaine à demi-solde, payé par la grande Bretagne; John Hale, nommé par lord Dalhousie pour agir en qualité de receveur-général, £900 par an; comme conseiller exécutif, £100 par an, faisant ensemble £1,000 par an.

Les conseillers exécutifs ont-ils tous £100 par an en cette qualité?—Oui. John Caldwell, ci-devant receveur-général, paye maintenant par accord £2,000 par an, pour la possession de ses biens qu'on suppose valoir davantage. C'est la seule chose qui le mette sous la dépendance du gouverneur. H. W. Ryland, greffier du conseil exécutif, salaire et allocations £650; pension £300; greffier de la couronne en chancellerie, on ne mentionne aucun salaire; honoraires d'office inconnus; total connu £950; James Cuthbert, qu'on dit être capitaine à demi-solde sur l'établissement, mais je ne sais pas si c'est le cas ou non. Charles William Grant, seigneur propriétaire, et ci-devant de l'Isle Ste. Hélène, qu'il a échangée avec le gouvernement. P. D. Debartzch, propriétaire foncier, suppose valoir à présent £1,500 par an. James Irvine, ci-devant conseiller exécutif, marchand. M. H. Perceval, collecteur des douanes, et conseiller exécutif, a reçu, à peu près, pendant les dix dernières années, au-dessus de £3,000 annuellement; comme conseiller exécutif, £100. L. De Salaberry, capitaine, demi-solde; et dans le département sauvage, et une pension provinciale de £200.

Est-ce à vie ou durant bon plaisir?—La législature a accordé cette pension en remplacement d'une place, et je supposerais qu'il la tient indépendamment de qui que ce soit; mais j'ai entendu dire qu'il était mort depuis que j'ai laissé la province.

Les pensions que vous avez ci-devant mentionnées ont-elles été accordées par le gouvernement exécutif?—C'est l'exécutif qui a accordé la pension de M. Ryland, mais l'assemblée l'a votée plusieurs fois. On dit que M. De Salaberry a été remplacé par M. Taschereau juge du banc du roi à Québec. William Buras, ci-devant encauteur du roi, marchand aisé retiré du commerce; Thomas Collin, président des sessions de quartier aux Trois-Rivières, £250; Roderick McKeuzie, marchand retiré du commerce; L. R. C. Delery, grand-voyer du district de Montréal, salaire de £150, et honoraires inconnus; Louis Ougy, ci-devant shériff des Trois-Rivières, promu à la même situation à Montréal; place supposée valoir annuellement £1,800; Charles De Salaberry, seigneur; James Kerr, juge du banc du roi à Québec, £900; conseiller exécutif, £100; juge de la cour de vice-amirauté, £200, outre des honoraires; circuits £150; faisant ensemble £1,350. Edward Bowen, juge du banc du roi à Québec, £900, et circuits £150, formant £1,050; Mathew Bell, marchand, locataire des forges du roi; William B. Felton, agent des terres de la couronne, supposé £500; Toussaint Pothier, seigneur; John Stewart, ci-devant marchand, et seul commissaire des biens des jésuites et conseiller exécutif, supposé £600; John Forsyth, marchand. Le montant total des sommes reçues par divers membres du conseil législatif sur les deniers publics, est de £17,700.

Quelle partie de ces £17,000 est payée par la province?—Je suppose que la grande Bretagne paye environ £5,000 ou £6,000 sur les £17,000. Sur les vingt-sept membres du conseil législatif, il y en a quatorze qui reçoivent des salaires à même les fonds provinciaux, quatre à même les fonds britanniques, et neuf qui ne reçoivent aucune paye; neuf sont nés dans le Bas-Canada; et des dix-huit ci-dessus mentionnés qui reçoivent des émolumens publics, sept sont aussi conseillers exécutifs.

Toutes les commissions dans les colonies ne sont-elles pas durant bon plaisir?—Toutes les commissions sont durant bon plaisir; le gouverneur peut les suspendre toutes.

Indépendamment des motifs que vous supposez pouvoir animer ces individus d'après les salaires qu'ils reçoivent, n'existe-t-il pas de fortes traces de différence d'opinions politiques par rapport à ces mesures?—Certainement le peuple de la province veut les bills, et le gouvernement n'en veut pas.

La différence d'opinion se borne-t-elle à l'assemblée législative et au gouvernement, ou y a-t-il quelque autre partie de la population qui diffère d'opinion sur la sagesse de ces mesures?—Il peut y en avoir une petite partie.

Quelle est la partie qui diffère d'opinion sur la convenance de ces mesures?—Principalement les personnes qui dépendent du gouvernement exécutif.

Avez-vous quelque chose à ajouter à l'égard de la constitution du conseil législatif?—J'ai quelques faits à détailler; je veux expliquer que le lord évêque n'a été nommé que dernièrement, et il ne peut conséquemment avoir été un membre actif; que sept des membres dont j'ai donné la liste n'assistent pas du tout au conseil ou y assistent très rarement; sir John Johnson, M. De St. Ours, M. Louis De Salaberry et M. Burns, pour raisons de santé ou d'âge; M. Cuthbert, M. Debartzch et M. De Salaberry ont cessé d'y assister.

Pourquoi ont ils cessé?—Je ne puis le dire; il n'y ont pas assisté pendant la dernière session; je crois que l'un d'eux y a assisté la deuxième ou troisième session précédente; j'ai entendu dire à M. Debartzch que cela lui faisait mal; de sorte qu'ainsi les vingt membres qui sont les moins indépendans par leurs emplois publics, restent seuls pour faire les affaires du conseil. Je donne ces faits comme les motifs sur lesquelles le peuple du pays croit généralement, comme je le crois moi-même, que ces messieurs agissent sous une autre influence que celle de la convenance ou de l'inconvenance des mesures. En 1825 un bill de subsides rendu par l'assemblée, passa dans le conseil contre l'opposition de deux membres seulement, l'année suivante un bill exactement semblable fut rejeté unanimement par tous les membres présents. Dans le premier cas le gouverneur approuvait le bill, dans le second cas le gouverneur le désapprouvait.

Était-ce un gouverneur différent?—Oui. D'après ces circonstances le peuple du pays s'est persuadé que les membres qui assistent ordinairement, sont sous l'influence de la volonté du gouverneur, et c'est mon opinion.

L'assemblée ne considère-t-elle pas qu'elle a le droit d'approprier le revenu prélevé sous l'acte britannique connu sous le nom de la 14e du feu roi?—L'assemblée a fréquemment déclaré sur ses journaux qu'elle croyait avoir le droit d'approprier tous les deniers prélevés dans la province.

Ne savez-vous pas que la 18e de George III, qu'on connaît sous le nom d'acte déclaratoire, et lequel acte a rapport aux droits qui seraient imposés à l'avenir par la mère-patrie pour le règlement du commerce; établissait que ces droits, quoiqu'imposés par la mère-patrie, seraient appropriés par la législature locale?—Je conçois qu'en 1778 la mère-patrie a déclaré que les deniers prélevés par le parlement de la Grande Bretagne dans les colonies, seraient appropriés par les législatures des colonies; elle déclarait que ce serait là un principe pour le gouvernement future de ces colonies.

Ne savez-vous pas que les deniers prélevés par des actes britanniques antérieurement à 1778 étaient distinctement réservés dans le statut?—Je ne sais pas qu'il y eût une telle réserve distincte; je sais qu'on l'a ainsi interprété, mais l'interprétation générale a été, que les législatures des colonies avaient le droit d'approprier tous les deniers prélevés par

la Législature impériale; et le peuple considère ce point comme son unique sauvegardé contre l'imposition de taxes par la législature de ce pays, où il n'est pas représenté.

Ne savez-vous pas que dans l'acte de la 31e George 3, communément appelé l'acte de Québec, il y a une réserve distincte des droits levés entièrement à la 18e du feu roi?—Pas de la manière dont nous l'entendons et dont je l'entends moi-même.

N'est-il pas de fait que le point pour lequel le gouvernement Anglais a toujours combattu, se réduit simplement à ceci, que tous les droits levés depuis la 18e de George 3, seraient appropriés de la manière que les législatures des colonies le jugeront à propos, mais que tous les droits qui ont été levés par des actes britanniques antérieurement à la 18e George 3, devaient être appropriés comme auparavant sous l'autorité de la couronne?—Je crois qu'il y a eu une dépêche de lord Bathurst qui mentionnait quelque chose de semblable, citant une opinion du procureur général et du solliciteur général. Je n'ai jamais vu cette opinion, mais je me rappelle d'avoir vu une dépêche qui exposait quelque chose à ce sujet, comme l'opinion de ces officiers en loi.

N'est-il pas de fait que tous les bills envoyés par la chambre d'assemblée au conseil législatif étaient basés sur la mise en principe par l'assemblée, que tous les droits imposés par des actes britanniques antérieurement à la 18e de George 3, étaient légalement sous le contrôle de la législature locale, et non sous le contrôle du gouvernement britannique?—Avant l'année 1822 il n'a jamais été question de ces actes; il avait toujours été entendu, de la part du gouvernement exécutif et de la part de l'assemblée, que le montant total des deniers devait être approprié par l'assemblée provinciale. En 1822 a commencé la distinction, et la division a régné depuis à ce sujet là; le gouvernement exécutif dit qu'il ne veut pas appliquer l'argent à d'autres objets qu'aux dépenses du gouvernement civil; mais l'assemblée dit qu'il ne doit pas être appliqué par l'exécutif de manière à ce qu'elle n'ait aucun contrôle sur cet argent.

Ne savez-vous pas que tant qu'il n'y a pas eu de différence d'opinion quant à l'appropriation, en matière de fait, les droits de la couronne n'ont pas été mis en question, et que sous ces circonstances l'appropriation a été générale; mais que, quoiqu'elle ait été telle, la couronne n'a pas renoncé à ses droits, par cette circonstance?—La différence d'opinion a eu lieu d'abord quant aux appropriations annuelles. Le comité me permitra, en réponse à cette question, de donner mes vues sur les différends qui ont eu lieu entre le gouvernement et l'assemblée, en référant aux différens bills. Mon opinion sur le sujet est, que les deniers provenus de la 14e du roi devaient être appliqués exclusivement au soutien du gouvernement civil; mais cette somme ne suffisant pas pour le soutien du gouvernement civil, et le gouvernement exécutif s'adressant à la législature pour un vote additionnel, l'assemblée avait alors le droit de contrôler sur toute la dépense, afin de voir si chaque item de la dépense était de nature à l'autoriser à y ajouter.

Ainsi tant que les produits de la 14e du roi ont suffi au soutien du gouvernement civil, vous admettez que la couronne avait ce droit, et que l'appropriation aurait pu venir légalement de la couronne; mais que lorsque les produits ne sont pas suffisans, vous pensez que le droit de la couronne devient caduc, et que l'assemblée en conséquence de l'ajouté à cette somme, est saisie de droit de contrôler tout le revenu?—En tant; mais ce n'est pas là le véritable état de la question. Je conçois, comme particulier, que l'assemblée de la province a droit d'approprier et de contrôler tous les deniers qui se perçoivent dans la province.

Nonobstant la disposition de l'acte de 1778?—Je comprends que l'acte de 1778 établissait ce principe, que lorsque le parlement de la mère-patrie recourait à l'imposition de taxes dans les colonies, la législature de ces colonies aurait droit d'en appliquer le produit aux services de la province.

Quelles sont vos vues au sujet de l'acte de 1774 en tant qu'il intéresse le revenu du Bas-Canada?—J'expliquerai mes vues sur le sujet; je diffère à quelques égards des membres de la chambre en général; mais nous sommes tous d'accord sur les droits que nous avons au contrôle de la dépense, quoique nous différons quant aux motifs sur lesquels nous devons avoir ce contrôle. L'acte de revenu de 1774 a été passé par la législature de ce pays-ci, dans un temps où il n'y avait pas de représentation dans le Bas-Canada; on lui en avait promis une, mais dans l'opinion du gouvernement de ce pays, les circonstances ne permettaient pas de l'établir alors; et comme moyen de retirer quelque chose du pays pour le soutien de son gouvernement, il passa l'acte de 1774. Il est bien vrai qu'il y avait des droits sous le gouvernement Français, mais je crois que le jugement d'une cour de justice britannique, a déclaré que ces droits étaient illégaux et ne pouvaient se percevoir dans les colonies. Je crois que, dans un cas à Antigua, il y a eu une décision que tous les droits Français qui existaient dans les colonies étaient illégaux, du moment de l'évacuation de la proclamation du roi qui reconnaissait les habitans pour sujets britanniques, et leur donnait les droits et les lois des Anglais. Naturellement on n'a rien dit à ce sujet en Canada, le peuple du Canada ayant toujours été le peuple le plus humble et le plus doux qu'il y ait; il était accompagné d'un acte qui leur donnait leurs lois et d'autres avantages. Cependant il y eut en ce temps là dans la mère-patrie beaucoup de discussions au sujet des taxes en général, et alors advint cet acte de 1778.

Le comité doit-il conclure de votre réponse que les droits contre lesquels ceux-là étaient échangés se trouvant illégaux, quoiqu'ils fussent établis par l'acte de 1774, ils n'étaient pas, pour cette raison, établis d'une manière légale?—Non, certainement non; la législature de la Grande Bretagne avait le pouvoir de faire des lois pour les colonies où il n'y avait pas de législature, et je conçois qu'elle avait même le droit de les taxer, quoique ce soit aller plus loin pour les colonies que vous n'iriez pour vous-mêmes; car vous n'accorderiez pas qu'un peuple dût être taxé ici sans représentation; mais j'admets que là où il n'y a pas de représentation il doit y avoir quelque pouvoir législatif suprême.

Avez-vous quelque doute que les droits fussent légalement imposés par l'acte de 1774, et aussi légalement appropriés?—Je crois que la législature avait le droit de faire la loi, et qu'elle avait le droit de faire l'appropriation.

Avez-vous quelque doute que la loi soit maintenant obligatoire en Canada?—Oui, j'ai des doutes considérables.

D'où ces doutes proviennent-ils?—Ils proviennent des circonstances que j'allais détailler. Tant qu'il n'y a pas eu de corps législatif dans la colonie, c'était un pouvoir qui me paraît appartenir à celui de l'empire, que de régler toutes les affaires de toutes les dépendances de l'empire; mais dès le moment qu'un corps représentatif a été constitué, ce corps a pris naturellement la direction entière du revenu du pays; et cet acte déclaratoire de 1778 soutenait ce principe, parce qu'il y était dit que tous les droits qui seraient après lors levés par la Grande Bretagne, seraient appropriés dans la législature coloniale. De fait, nous avons tenu que l'appropriation avait été changée par l'acte de 1778 et l'acte de 1791, et que l'appropriation tombait alors de droit à l'assemblée, comme au corps qui devait naturellement avoir la direction de la dépense de toutes les sommes prélevées sur ses constituans. Nous n'avons pas prétendu que la législature n'eût pas le pouvoir de passer l'acte au temps d'alors; mais nous disons que le principe général est, que toutes les taxes levées par la législature seront appliquées par la législature des colonies; et au sujet de l'acte de 1774, nous disons qu'il peut y avoir des doutes à cet égard, parce que quand on passa l'acte de 1791, c'était l'opinion générale qu'il rappelait l'acte de 1774 en tant qu'il concernait les appropriations. En conséquence, le gouvernement britannique fit parvenir un message à la législature en 1794 par l'entremise du gouverneur, où on disait que comme il y avait des difficultés à cet égard, on demanderait au parlement le rappel de l'acte aussitôt qu'il aurait été levé des droits semblables à ceux qu'établissait cet acte. La conséquence fut que la législature coloniale accorda des droits au lieu des droits de cet acte, et un bill établissant ces droits fut envoyé au gouvernement ici en Angleterre, lequel fut approuvé par le roi en conseil. L'acte revint, approuvé par le roi en conseil, et aurait dû être en force; cependant il arriva trop tard. Le gouverneur le recommanda ensuite à la législature, et elle le passa; de sorte qu'en 1799 il fut finalement passé et approuvé par le gouverneur, conformément à l'approbation qui lui avait déjà été donnée par le roi en conseil. Il arriva cependant que le gouvernement britannique ne recommanda jamais le rappel de l'acte de 1774, et il est demeuré là, et nous sommes les malheureuses victimes de la querelle qui en conséquence s'en est suivie.

Savez-

Savez-vous qu'il n'y a pas d'exemple d'un acte colonial qui rappelle un acte britannique?—Nous ne prétendons rien de semblable.

L'acte de la 31e du feu roi contient le préambule suivant:

“Vu qu'il a été passé dans la 14e année du règne de sa présente Majesté un acte intitulé, ‘‘Acte qui pouvoit plus efficacement pour le gouvernement de la province de Québec dans l'Amérique du Nord:’’ Et vu que le dit acte est à plusieurs égards inapplicable à la présente condition et aux circonstances de la dite province: Et vu qu'il est expédient et nécessaire de pourvoir actuellement plus amplement pour le bon gouvernement et la prospérité d'icelle, à ces causes qu'il plaise à Votre Très Excellente Majesté qu'il puisse être statué; et qu'il soit statué par la Très Excellente Majesté du roi, par et de l'avis et consentement des lords spirituels et temporels, et des communes, assemblés dans ce présent parlement, et par l'autorité d'iceux, qu'autant du dit acte qui a en aucune manière rapport à la nomination d'un conseil pour les affaires de la dite province de Québec, ou au pouvoir donné par le dit acte au dit conseil, ou à la majorité de ses membres, de faire des ordonnances pour la paix le bonheur et le bon gouvernement de la dite province avec le consentement de Sa Majesté, du lieutenant gouverneur ou commandant en chef pour le temps d'alors, sera et est par ces présentes rappelé.”

N'admettez-vous donc pas que dans l'acte de Québec de la 31e George 3, une partie de l'acte de la 14e George 3, a été distinctement rappelée, et le reste distinctement confirmé?—Ce n'est pas là l'acte en question; le chapitre 88 est l'acte de revenu; mais l'acte de revenu n'a pas été mentionné dans l'acte de 1791. On donnait une nouvelle constitution au pays, et on ne disait pas un mot de l'acte de 1794, et il fit élever une dispute aussi à bonne heure qu'en 1794; et sur cette dispute le gouvernement d'Angleterre, par l'entremise du gouverneur, annonça à la législature qu'on rappellerait l'acte si elle accordait des droits semblables au même montant; elle le fit; mais le gouvernement ne recommanda jamais au parlement de rappeler l'acte; dans le fait, quelqu'un dans la colonie avisa dans le temps le gouvernement de ne le pas faire.

Le rappel d'une partie de l'acte de la 14e George 3, chapitre 83, sans le rappel d'aucune partie de la 14e George 3, chapitre 88, acte de même date qui imposait des droits, ne fait-il pas voir que la chambre Britannique des Communes n'avait pas intention en 1791, lorsque fut passé l'acte de Québec, d'accorder à la législature du Bas-Canada le contrôle du revenu levé par l'acte de la 14e George 3, chapitre 88, mais au contraire, qu'elle voulait garder comme loi, et comme non rappelée, partie de la 14e George 3, chapitre 83, et l'acte entier de la 14e George 3, chapitre 88?—Je ne suis pas avocat; il me paraît que c'est une question pour un avocat. Comme un très humble avocat constitutionnel, je dirai qu'en donnant une nouvelle constitution au pays il aurait été nécessaire de dire ce qui était rappelé et ce qui n'était pas rappelé; l'acte de 1774, chapitre 88, n'est pas du tout mentionné dans l'acte de 1791, et c'est probablement cette omission qui a donné naissance à la différence hâtive d'opinion en 1794.

Le comité doit-il entendre que les droits qui étaient prélevés dans l'origine sous l'acte de la 14e du feu roi, ont été depuis prélevés sous l'acte colonial de 1799?—L'acte n'est pas en force, parce qu'il ne pouvait avoir d'exécution jusqu'à ce que les ministres de Sa Majesté eussent recommandé au parlement de rappeler l'acte de 1774.

Mais il a actuellement passé dans les deux chambres?—Oui, et il a reçu la sanction royale; il est comme loi dans notre livre de statuts, attendant pour devenir en force l'exécution de la condition par le gouvernement britannique.

Cette condition était le rappel de l'acte de 1774?—Oui.

Qui a empêché l'acte recommandé dès l'année 1794, d'être passé avant l'année 1799?—Il passa dans l'assemblée en 1795 ou 95, et fut envoyé en Angleterre pour l'approbation; il fut approuvé par le roi en conseil, mais il revint trop tard pour être mis en force; il revint après que les deux années furent expirées. Dans une session subséquente le gouverneur recommanda le renouvellement de l'acte. Il fut renouvelé et passé, et se trouve comme loi dans notre livre de statuts; mais son exécution dépend de celle de l'engagement des ministres de rappeler l'acte de 1774.

Ainsi, en ce moment, le rappel de l'acte de 1774 par le parlement britannique, mettrait-il en opération, *ipso facto*, l'acte de la législature coloniale de l'année 1799?—Oui; et il donnerait au gouvernement l'appropriation entière de 11,000 £ par an, sans entraves de la part de la législature de la colonie. La contestation est à présent de savoir s'il y aura des appropriations qui n'ont jamais obtenu le consentement de la législature de la colonie. Quand une fois la législature de la colonie aura donné son consentement à l'appropriation, nous nous serons liés les mains; mais tant qu'elle n'aura pas obtenu le consentement de la législature de la colonie, nous nous en tenons au principe étendu que le peuple de la colonie a droit d'approprier les deniers qu'il paye.

Voulez-vous donc dire que par le rappel de l'acte de 1774, la couronne aurait à sa propre disposition, sans restriction de la part de l'assemblée, la somme annuelle de 11,000?—Oui.

La chambre d'assemblée réclame-t-elle aussi le montant annuel de 5,000 £ au lieu du revenu territorial de la couronne?—La chambre d'assemblée a réclamé le revenu territorial de la couronne, parce qu'elle a donné 5,000 £ par an en 1794 ou 95, après que le gouverneur eût annoncé à la législature que la couronne se désaisissait de son revenu territorial en faveur de la province.

La chambre d'assemblée prétend-elle à l'appropriation de ces 5,000 £ annuellement?—Elle dit que si la couronne ne venait pas en avant demander d'autres deniers, il n'en serait rien; mais si le gouvernement vient en avant demander d'autre argent, elle peut dire qu'on a mal appliqué l'argent, et qu'on aurait dû l'appliquer de telle manière.

Voulez-vous détailler le progrès des disputes lorsque ces principes eurent un effet pratique, lorsqu'en 1818 sir John Sherbrook requit la législature de pourvoir au service civil?—J'en suis déjà rendu en 1799 que ce bill passa, lequel donnait une somme au lieu de l'acte de 1774. Les choses allèrent probablement bien jusqu'en 1809, les dépenses augmentaient beaucoup, et l'assemblée en fut alarmée, et eut dispute avec le gouverneur. On dit alors que la Grande Bretagne avait payé une grande partie des deniers pendant tout ce temps; à chaque fois qu'elle demandait le contrôle de la dépense, on lui disait qu'avez-vous à vous mêler de cela puisque c'est la Grande Bretagne qui la paye; elle répondit: eh bien, nous aimerions mieux nous charger de toutes les dépenses, afin de contrôler le tout, car à quelque moment le fardeau nous restera. Alors elle fit la fameuse offre de payer la liste civile, et elle n'en entendit plus parler. La guerre commença en 1812, et elle donna pour la guerre tout ce qu'elle avait et plus qu'elle n'avait; elle autorisa l'émission d'un papier-monnaie provincial, et il n'y eut aucune dispute sur la liste civile ni sur rien autre chose; mais après la guerre sir John Sherbrook arriva; il trouva tout dans un tel désordre qu'il en écrivit en Angleterre, et le gouvernement d'ici lui répondit de faire régler les comptes tous les ans dans la chambre d'assemblée. Alors vint l'acceptation de l'offre de 1810 de payer toutes les dépenses du gouvernement; l'assemblée dit: nous vous déchargerons de toutes les dépenses; cependant ces dépenses s'étaient accrues d'environ 40,000 £ à environ 60,000. L'assemblée dit alors: nous payerons toutes les dépenses; elle convint alors de donner au gouverneur la somme demandée, qui était en addition au revenu qu'il supposait être approprié, et elle se réserva le droit d'examiner toute la dépense l'année suivante.

Y eut-il un bill de passé cette année là, ou une résolution passée par la chambre d'assemblée promettant d'indemniser le gouverneur?—Précisément, une adresse pour l'argent. L'année suivante le duc de Richmond demanda un ajout de 16,000 £ ce qui alarma l'assemblée; elle avait déjà accepté une augmentation de moitié depuis le temps où elle avait offert de se charger des dépenses, mais quand le duc de Richmond vint demander 16,000 £ de plus, elle commença à s'alarmer; elle nomma des comités pour examiner la dépense et la vérifier; elle en examina et vérifia chaque item, et elle commença à la voter par items, laissant de côté tout l'accroissement des dépenses, mais offrant de les payer telles qu'elles étaient en 1817, et elle passa un bill où elle accordait toutes les dépenses, lequel elle envoya au conseil législatif. Le conseil législatif rejeta le bill, sur le motif qu'il n'était pas sûr de recevoir un bill annuel.

Le conseil législatif n'objecta-t-il pas aussi à ce que le vote fût fait par items?—Non, parce que c'était un bill annuel. Dans le même temps l'assemblée fit bon son vote de l'année précédente, parce qu'elle se croyait engagée en honneur à n'avoir aucune que-

relle sur ce qu'elle avait avancé par son adresse, quoiqu'il y eût quelques items de dépense auxquels elle avait objection, et le bill passa. Alors le duc de Richmond mourut malheureusement, et en 1820 l'assemblée fut convoquée d'une manière irrégulière, et il n'y eut pas d'estime, ni de vote de soumis à l'assemblée. Sir Peregrine Maitland convoqua l'assemblée avant que les rapports fussent tous faits, et l'assemblée objecta que le gouverneur ne devait pas la convoquer avant que la chambre fut complète, parce que, disaient-ils, s'il la convoquait avant le temps fixé pour les rapports, il pourrait la convoquer avant le rapport de la moitié des membres. Les choses en demeurèrent en cet état jusqu'à la nouvelle de la mort du roi, et alors il y eut une dissolution. Lord Dalhousie arriva vers la fin de 1820, et demanda que tout ce que la chambre avait à donner fût donné d'une manière permanente: elle lui dit de suite qu'elle ne donnerait rien en sus de ce qu'elle avait déjà donné d'une manière permanente. Ainsi, il n'y eut rien de fait; cependant la chambre passa un bill, d'une certaine forme, qui, disaient-ils, rencontrerait moins d'objection; le bill monta au conseil législatif, et fut refusé. Il fut refusé par le conseil législatif, parce qu'il était détaillé, et non pour la vie du roi. L'année suivante lord Dalhousie demanda un bill pour la vie du roi; l'assemblée dans une longue adresse qu'elle envoya ici en Angleterre, détailla ses raisons pour n'y pas accéder, et finalement la législature se sépara sans qu'aucun bill fût passé. Lord Dalhousie demanda une somme, qu'on lui dit ne pouvoir accorder jusqu'à ce qu'on eût reçu de ce pays-ci une réponse à la représentation. La session se termina sans qu'aucun bill fût passé, et alors vint le fameux projet d'Union. L'année suivante, en 1823, il y eut un bill de passé pour partie de l'argent. En 1824 le receveur-général faillit, et les appropriations déjà faites par la législature ne furent pas payées; les membres s'alarmèrent, et quelques-uns d'eux, contre lesquels je protestai, votèrent une réduction d'un quart de la dépense pour balancer le vide du coffre; ce qui naturellement ne fut pas adopté, et fut rejeté par le conseil législatif. En 1824 lord Dalhousie vint en Angleterre, et sir Francis Burton prit les rênes du gouvernement. En 1825 toutes les parties tombèrent d'accord sur un bill qui ajoutait une somme indéfinie au montant indéfini des appropriations déjà faites pour former le montant total de la dépense. Car l'assemblée avait oublié l'adame de 1824 au sujet du coffre vide, et était prête à continuer les dépenses au même taux. Ce bill fut accepté par le conseil législatif, ou il n'y eût que deux membres opposants, et il fut accepté aussi par le lieutenant gouverneur; et tout le pays fut dans une grande joie, à la fin de toutes nos difficultés.

L'assemblée n'avait-elle pas réduit l'estime?—L'assemblée avait encore persisté dans son refus à reconnaître certaines nouvelles places, dont les possesseurs étaient absents, des sinécures, auxquelles elle avait fait objection en 1819; elle y objecta, et elle avait finalement décidé qu'elle ne les payerait pas en 1819; elle refusa encore de les reconnaître, et une ou deux d'entre elles furent abolies, ou au moins elle consentit à les remplacer par des pensions; mais elle vota cependant une somme moindre d'environ 3,000 £ que celle demandée par le lieutenant gouverneur. Alors tout le pays fut en paix; il n'existait pas deux partis dans le pays; malheureusement ce bill fut mal compris dans ce pays-ci, au moins il n'y fut pas approuvé; il avait reçu la sanction du roi, et formait parti de la loi du pays, mais je crois qu'il n'y fut pas approuvé par la personne qui était alors à la tête du département des colonies. Ensuite en 1826 l'assemblée offrit le même bill que sir Francis Burton, et le conseil avait accepté en 1825; et en 1827 elle offrit encore de passer le même bill. Le bill de 1826 est le seul qui soit revenu avec des amendements. Le conseil avait auparavant déclaré qu'il ne procéderait sur aucun bill semblable, mais cette fois il y procéda, au moins jusqu'à le renvoyer avec des amendements. C'est là l'histoire entière de la dispute sur les bills d'appropriation, et l'acte de 1774, en autant que j'en sais; et la conclusion finale est qu'il n'y a pas eu de chambre du tout cette année dernière.

Vous-avez dit que le bill de 1825 qui avait été accepté par le conseil législatif avait produit une satisfaction universelle en Canada?—Oui, cela est.

En matière de fait, le bill de 1825 n'annulait-il pas entièrement des charges au montant de 3,000 £ par an, que la couronne appliquait en vertu de l'acte de la 14e George 3, à divers objets du gouvernement civil dans les Canadas?—Je ne sais pas jusqu'à quel point c'était les annéantir, mais certainement l'assemblée refusa de payer ces items.

Ainsi, en matière de fait, l'assemblée en refusant de payer ces items, c'est immiscée dans le pouvoir qu'avait la couronne de charger du paiement de ces items le revenu levé sous l'acte britannique?—Je crois que l'assemblée s'est immiscée dans le pouvoir de la couronne de les charger sur le revenu qu'on avait considéré comme revenu public de la province, mais cela n'empêchait pas la couronne de les charger sur les autres revenus qu'elle retirait de la province; cela n'empêchait pas la couronne de payer ces salaires à même le produit de quelques actes de Charles Premier ou de Charles Deux, et autres actes, du produit desquels nous n'avons jamais entendu parler. Le Haut-Canada a réclamé ce produit, mais nous ne l'avons jamais fait. Cela n'empêchait pas la couronne de les payer à même le revenu des biens des jésuites, si ce revenu lui appartenait; cela n'empêchait pas la couronne de les payer des revenus de ces terres; car la couronne a la propriété de la plus grande partie des terres réservées dans la province; cela n'empêchait pas la couronne de les payer à même des revenus d'aucune autre source, qui ne forment pas partie du revenu public de la province.

Quoique la couronne eût pu payer ces items au montant de 3,000 £ à même quelques autres revenus, dans le fait cela n'empêchait-il pas la couronne de les payer à même le revenu à même lequel ils avaient été payés jusque là, savoir le revenu de l'acte de la 14e Geo. 3?—Je crois qu'il est impossible de dire à même quel revenu on les avait payés jusque là, car tous les revenus de la couronne étaient versés dans les mains du receveur-général, et ils y étaient gardés avec beaucoup de confusion; je crois que la caisse militaire payait quelques-unes des dépenses; il y avait continuellement des versements réciproques entre la caisse civile et la caisse militaire, quelquefois elles se vidaient l'une dans l'autre, et d'autres fois le coffre devenait tout-à-fait vide. Quant aux 3,000 £ la dispute à ce sujet est très peu importante; ce à quoi elle se réduisait, était que l'assemblée avait dit ne pas vouloir voter ces items mal fondés, si on les continuait comme sinécures, mais toutes les fois que le gouvernement a demandé à la législature de les payer en forme de pensions pour la vie du possesseur, elle les a payés. En matière de fait elle a payé sous le titre de pensions pour la durée de la vie des individus quelques-uns des items auxquels elle avait objecté lorsqu'on les lui avait recommandés comme salaires, &c.; son objection était celle-ci: si nous donnons ces sommes à des sinécures et à des absents, le fardeau nous restera pour toujours; au moment qu'il en mourra un, la place sera donnée à quelque autre.

Quand le même bill qui avait été envoyé au conseil en 1825, fut rejeté et 1826 et en 1827, donna-t-on quelque raison de ce rejet?—Oui.

Quelles raisons?—Des dépêches avaient été soumises par le gouverneur à la législature après que la chambre d'assemblée avait voté l'argent.

La seule raison donnée pour le rejet de ce bill, était-elle que ces 3,000 £ n'étaient pas inclus dans le vote?—Non; cependant les dépêches s'expliqueront elles-mêmes, comme elles ont été soumises à la législature.

Sous les obstacles que vous avez décrits à l'égard du vote par le parlement de l'appropriation des revenus de la colonie, de quelle manière les revenus de la colonie ont-ils été appliqués dans la pratique?—Les pétitionnaires se plaignent de ce que l'argent a été appliqué par la seule autorité du gouverneur et du conseil, sans acte de la législature. Le revenu se divise naturellement en deux branches, celle que nous considérons déjà appropriée par des dispositions législatives pour le soutien du gouvernement civil, et celle qui n'est pas ainsi appropriée. Nous disons que rien n'est approprié que ce qui l'est par la législature de la colonie; le gouverneur dit, et d'autres avec lui que le revenu de l'acte de la 14e du roi est approprié; le total des deniers a été mêlé ensemble dans les mains du receveur-général, celui qui est approprié et celui qui ne l'est pas. Il y en a une partie que tous reconnaissent n'être pas appropriée, et les dépenses du gouvernement ont été payées par le gouverneur lui-même, avec le consentement du conseil exécutif, à même le coffre tel qu'il est, sans aucune appropriation; de sorte que maintenant il y a eu sur les deniers d'appliqués par le gouverneur, environ 140,000 £ de payés par le gouverneur, sans appropriation.

appropriation du tout, pas même par lui alléguée. Le gouvernement colonial se justifie sur la nécessité du cas, mais la nécessité fournira toujours pour tout une loi et un prétexte.

Les choses demeurent-elles maintenant en cet état?—Elles sont encore empirées, la législature est suspendue; l'acte de 1791 est suspendu dans la colonie; l'acte requiert que la législature soit assemblée une fois en douze mois pour veiller aux affaires de la province, mais la législature n'est pas assemblée, et il n'est pas probable qu'elle le soit avant la fin du mois de mai. Un certain nombre d'actes temporaires expirent le premier de mai.

Sont-ce des actes en vertu desquels ils se perçoivent des revenus?—Non; si c'en eût été, l'histoire aurait été toute autre; mais ce sont des actes d'utilité publique; des actes qui régissent l'inspection de la potasse et du bœuf, et autres choses de ce genre. Au moins qu'on ne prétende que le simple rassemblement de la législature est une convocation de la législature pour la dépêche des affaires, et qu'on peut pendant 20 ans de suite assembler la législature et ne pas la laisser procéder aux affaires, l'acte du parlement est actuellement suspendu en ce moment, et l'argent appliqué comme il plait au gouverneur et au conseil.

Puisqu'il n'y a eu aucun vote de la législature pour le paiement des dépenses, à quelles ressources le gouvernement a-t-il eu recours pour ses dépenses?—A la caisse du receveur général; tous les deniers prélevés par des actes de cette législature et de la législature coloniale, ont été déposés entre les mains d'un receveur-général nommé en ce pays. Plusieurs de ces actes sont des actes permanents, car la législature du Bas-Canada n'a pas eu la précaution de faire les actes de revenu annuels aussi bien que les bills d'appropriation. Dans d'autres colonies on s'est fait une règle de faire les actes de revenu annuels, mais nous avons eu la folie de faire ces actes permanents, de sorte que le revenu vient dans la caisse quoiqu'il ne soit pas approprié, et l'exécutif prend à même la caisse sans appropriation.

N'y aurait-il pas une action contre le receveur-général, pour la livraison des sommes sans appropriation convenable?—Le receveur-général est un officier du trésor.

Tous les actes de revenu sont-ils permanents?—Je crois qu'ils le sont tous.

Y a-t-il jamais eu dans l'assemblée quelque proposition de passer un acte d'indemnité?—Oui, elle a passé une indemnité en 1823 pour toutes les dépenses qu'elle avait votées, elle a passé un acte d'indemnité pour libérer l'administration de sir John Sherbrook du surplus qu'il avait payé au delà du montant de l'acte d'appropriation, surplus de six ou sept milliers de louis. Elle a passé un acte pour libérer les administrations subséquentes, et même en l'année 1820 qu'il n'y eut pas d'estimé soumis à la chambre; elle a passé un acte indemnissant pour le tout jusqu'en 1823.

La raison pour laquelle le conseil législatif n'a pas passé ces bills, était-elle qu'ils prétendaient indemniser le gouvernement pour ce au sujet de quoi le gouvernement considérait n'avoir pas besoin d'indemnité?—Non; je crois que la raison était qu'il y avait dans l'acte quelque expression informelle; c'était une indemnité à Sa Majesté, s'aurait dû être une indemnité à ceux qui ont avisé Sa Majesté de prendre l'argent.

Ces bills ont-ils été perdus dans le conseil?—Tous, excepté le bill d'indemnité en faveur de sir John Sherbrook.

Le bill qui indemnissait Sa Majesté a-t-il actuellement passé dans la chambre d'assemblée?—Oui, pour tout ce qu'elle avait voté; elle n'a jamais indemnisé pour ce qu'elle n'avait pas voté.

Les actes permanents de revenu lèvent-ils assez de fonds pour le soutien du gouvernement civil?—Oui, plus qu'il n'en faut; mais les dépenses du gouvernement se sont toujours accrues avec les revenus, parce qu'elles n'ont jamais été contrôlées par les représentants du peuple dans les colonies.

Y a-t-il beaucoup de sinécures dans le Bas-Canada?—Non; je crois qu'il n'y en a en tout que sept ou huit, auxquelles on a objecté dès le commencement; il y en avait plusieurs autres, mais elles ont été converties en pensions, mais on insistait à ce que les individus fussent maintenus dans leurs places; maintenant les officiers sinécouristes ne résident pas dans les colonies, et n'ont aucuns devoirs à remplir.

Vous avez dit que l'assemblée objectait aux items inclus dans les 3,000L. parce qu'elle craignait d'être obligée de continuer ces salaires après le décès des individus qui les retiraient, le comité doit-il comprendre qu'en autant qu'il y va de votre opinion, vous ne voyez pas d'objection à payer ces items, pourvu qu'il fut entendu qu'on le discontinuerait après la mort des parties?—Comme membre de la législature, je ne puis dire ce que je ferais; comme particulier, je n'aurais pas d'objection à ce que ces personnes qui ont obtenu un salaire par notre négligence, continuassent à en jouir pendant leur vie.

L'assemblée du Bas-Canada n'a-t-elle pas invariablement objecté aux augmentations annuelles de toute espèce?—Depuis qu'elle réclame le contrôle de la dépense; mais elle n'a jamais exercé aucun contrôle sur la dépense; on lui a résisté.

Quelle était dans la dépense générale du Bas-Canada la proportion du revenu de la couronne à celui qui se prélève dans la province par des actes locaux?—Il y a beaucoup de confusion quant à l'application des termes "revenu de la couronne;" ce qu'on appelle communément revenu de la couronne se compose des actes antérieurs à 1774, ceux de Charles 2, George 1er et les autres; nous n'avons pas de comptes réguliers de leurs produits; l'autre partie du revenu de la couronne, est celui de la 14e du roi qu'on appelle aussi revenu de la couronne, et le revenu territorial; tous ces revenus ensemble peuvent former de 30,000L. à 40,000L.

Supposant qu'ils se montent à cette somme, quel est le montant moyen du revenu levé par des statuts locaux pour les objets du gouvernement?—Le total du revenu du Bas-Canada a été dernièrement d'environ 90,000L. il s'est monté en gros à environ 150,000L. par an, dont une partie considérable passe pour les frais de collection, peut-être 12 ou 15 par cent, ce que nous regardons comme énorme; ensuite un quart de revenu net est remis au Haut-Canada, excepté du revenu territorial; le reste ensuite compose le revenu net du Bas-Canada, de 90,000L.; là dessus, je crois que le gouvernement exécutif réclame l'appropriation de 30,000L. à 40,000L. de sorte qu'il resterait environ 50,000L. à l'appropriation de la législature, suivant la prétention du gouvernement exécutif de la province; cette somme est pour balancer toutes les dépenses des améliorations locales, et les appropriations charitables; ces dernières se montent annuellement à environ 15,000L.

Vous avez dit que la législature du Bas-Canada n'ayant aucun contrôle sur les salaires des officiers du gouvernement civil, ces salaires étaient excessifs; voulez-vous désigner quels salaires d'officiers nommés par la couronne vous considérez comme excessifs?—Je considère qu'il y en a un grand nombre d'excessifs; je dirai par exemple que tous ceux qui sont accumulés par trois ou quatre à la fois sur la même personne, sont des salaires excessifs; quant aux pétitionnaires, je dirai que l'opinion générale dans le pays est que les salaires sont trop élevés, en égard aux moyens de subsistance dans le pays.

Les pétitions pour lesquelles vous êtes agent sont-elles exclusivement signées par la population française du Bas-Canada?—Non, elles sont signées par la population du Bas-Canada généralement, excepté ceux des townships, du district de St. François et de celui de Gaspé, pour lesquels il n'a pas été envoyé de pétitions.

Avez-vous une idée du nombre de signatures anglaises à ces pétitions?—Oui, en conséquence de quelque chose qu'on avait dit; nous avons pris la peine de compter; le nombre total, tel qu'à moi-même certifié par le secrétaire du comité de Montréal, est au-dessus de 87,000; et les deux messieurs de Montréal ont compté les signatures à la pétition de leur district, ou au moins cette partie qui en contient 40,000 et ils ont trouvé qu'il y avait 2,676 noms anglais dans les 40,000, environ un seizième du total.

Sont-ce principalement des catholiques?—Ce sont des catholiques et des protestants. Je n'en connais pas la proportion; j'ai compté la pétition de Québec à la suite comme elle se déroule, jusqu'à 1,171 noms. On a eu soin dans cette pétition de désigner ceux qui étaient propriétaires et ceux qui ne l'étaient pas; ils sont généralement désignés comme propriétaires; et deux témoins présents lors de la réception des signatures certifient que la pétition a été connue et approuvée des signataires, parce que malheureusement beaucoup d'entre eux ne savent pas écrire. Des 1,171 noms que j'ai comptés, j'en ai d'abord trouvé 200 de la ville de Québec et du voisinage, j'y ai trouvé 48 signatures

véritables, le total des noms anglais était de 19 sur les 200; il y avait quatre noms anglais avec des croix; ensuite 64 de St. Nicolas, sur la rive sud, cinq signatures, pas de noms anglais; 200 de St. Henri en bas de Québec, 16 signatures, pas de noms anglais; 200 du même endroit, 13 signatures, 5 noms anglais, quatre avec des croix; 187 du Cap Saint-Ignace, à 45 milles en bas de Québec, 10 signatures, pas de noms anglais; 200 de la Rivière-Ouelle, à 60 milles en bas de Québec, 33 signatures, trois noms anglais; 120 de Québec; 81 signatures, 34 noms anglais, et six avec des croix. De sorte que des 1,171 il y a 206 signatures dont 61 noms anglais, et 14 noms anglais avec des croix; ce qui fait un cinquième du total de signatures réelles, et un dix-neuvième du total de noms anglais.

La pétition a-t-elle été envoyée du tout dans les townships?—Pas du tout; parce qu'il n'y a pas eu de temps suffisant; on n'a eu l'idée d'envoyer quelqu'un en Angleterre qu'après la prorogation de la chambre, et on souhaitait que ce quelqu'un arrivât ici avant la convocation du parlement.

Croyez-vous que ces pétitions eussent reçu beaucoup de signatures dans les townships, si on les y eût envoyées?—Je crois qu'elles auraient reçu des signatures dans les townships.

Samedi, 24e jour de mai 1828.

John Neilson, écuyer, réintroduit; et examiné.

Avez-vous apporté avec vous quelques-uns des papiers mentionnés dans votre témoignage précédent?—J'ai apporté copie des bills que j'ai mentionnés. (Le témoin les remet.)

Généralement, sont-ce là les bills qui ont passé dans la chambre d'assemblée, et qui ont été rejetés par le conseil?—Les mêmes. J'ai dit que quelques-uns des bills avaient été renvoyés à l'assemblée, ce qui n'était pas parfaitement correct. J'ai consulté les journaux du conseil législatif, et j'ai pris de ces journaux un mémoire du sort de ces différents bills; je l'ai ici. (Le témoin le remet.)

Vous avez dit dans votre examen précédent que chacun des deux corps législatifs avait établi certains réglemens permanents par lesquels ils décidaient qu'ils ne passeraient pas réciproquement certains bills venus de l'autre corps; avez-vous ces réglemens?—Je les ai. (Le témoin les remet.)

L'assemblée a-t-elle jusqu'ici rejeté toute proposition qui ait été faite pour l'arrangement d'une liste civile, ou un système fixe de paiement pour un certain nombre de fonctionnaires liés au gouvernement et à l'exécutif?—On n'a jamais fait une telle proposition pour aucun nombre fixe de fonctionnaires attachés à l'exécutif.

Quelles propositions a-t-on faites?—La première proposition était que tout l'argent que l'assemblée voterait fut voté d'une manière permanente pour le soutien du gouvernement. La suivante était qu'il fut pour la durée de la vie du roi; et enfin l'exécutif a prétendu qu'il était déjà pourvu au salaire de certains employés du gouvernement civil à même les deniers qui sont appropriés généralement pour le soutien du gouvernement civil et l'administration de la justice; de sorte qu'il n'a été fait aucune proposition directe à l'assemblée de pourvoir au salaire de tels et tels employés, mais cette proposition générale de donner d'une manière permanente tout ce qu'elle voulait donner.

A-t-on fait quelques propositions pour l'octroi d'une certaine somme d'argent à même laquelle seraient payés certains fonctionnaires y spécifiés?—Non; ou a proposé que, comme il était déjà pourvu aux salaires de certains employés, l'assemblée eût à pourvoir à ceux des autres; tel est la nature de la proposition qu'on a faite la dernière fois à l'assemblée.

Quand vous dites qu'il est déjà pourvu aux salaires de certains employés, avez la bonté de dire quels employés y étaient inclus et à même quel fonds on disait qu'il y était pourvu?—Il y a eu quelque variation dans les listes soumises à la chambre, quant aux officiers aux salaires desquels on disait être pourvu à même les deniers de la 14e du feu roi, et par l'appropriation de la 35e du feu roi par la législature provinciale; cependant on trouvera ces détails en recourant aux listes soumises à la chambre d'assemblée, et qui sont dans ses journaux.

Pouvez-vous donner ces détails?—Certainement je ne le puis pas, mais j'en puis donner une idée générale.

Pouvez-vous donner le montant annuel des revenus produits par ce que vous appelez l'acte de 1774, qui ont été échangés contre les droits dus auparavant à la couronne de France; excède-t-il £5,000 par an?—Le revenu annuel de la 14e du feu roi a beaucoup varié, depuis £2,000 jusqu'à £20,000; il était d'environ £10,000 lorsqu'a été passé un acte récent du parlement qui rapportait l'acte pour accorder certaines remises de droits sur les exportations du Canada aux Indes Occidentales; depuis ce temps les produits de la 14e du feu roi ont presque doublé; ils se sont montés à £19,000 ou à £20,000; je mentionne le total sans déduire les frais de collection.

Voulez-vous décrire quel est l'autre partie du revenu approprié dont vous avez parlé, produite par la 35e du feu roi?—Ce sont £5,000 votés par la législature comme une aide pour le soutien du gouvernement civil et l'administration de la justice.

Est-ce par un vote permanent?—Oui.

De quelle manière cette somme est-elle appropriée en détail?—Il n'y a pas de détails dans l'acte; c'est une appropriation générale en forme d'aide pour le soutien du gouvernement civil et l'administration de la justice.

Le gouvernement a-t-il proposé de faire de cette somme une appropriation fixe et particulière?—Non, ces prétentions ont été à en disposer comme il le jugerait à propos.

L'assemblée législative s'oppose-t-elle à cette prétention?—Elle s'y oppose en autant que le gouvernement demande d'autres deniers à l'assemblée; elle dit alors: nous devons prendre garde qu'il soit fait du tout une due application, parce que vous pouvez détourner ceci pour aucun objet que vous jugeriez à propos, et qui ne serait pas même pour le soutien du gouvernement civil et l'administration de la justice, et cependant revenir nous demander le surplus.

Vous est-il jamais venu à l'esprit qu'on pourrait calquer un mode d'approprier l'argent au soutien des différents fonctionnaires liées avec le gouvernement de manière à ne les pas laisser dépendre d'un vote annuel, mais de faire quelque arrangement semblable en principe à une liste civile?—Je suis très disposé à répondre à cette question, excepté cependant que je ne puis m'engager comme membre de l'assemblée; j'exposerai ce que l'assemblée a fait, et vous pourrez juger de là ce qu'elle serait disposée à faire. Elle a déjà accordé un salaire au lieutenant gouverneur durant sa résidence. Elle a déjà offert par bill de pourvoir au soutien des juges durant bonne conduite. La grande difficulté jusqu'ici, à ce qu'il me semble par rapport à un arrangement, a été qu'on a nié à l'assemblée ses droits, ou au moins ce qu'elle concevait être ses droits. Je ne pense pas que l'assemblée soit si fort difficile pour en venir à un arrangement; mais il est de son droit très strict de contrôler tous les deniers prélevés dans la colonie; si on ne le niait pas, je supposerais que ce ne serait pas chose difficile de faire un arrangement satisfaisant à toutes les parties; mais elle conçoit que le seul moyen de repression qu'elle ait contre tout ce qui pourrait être nuisible aux intérêts de la colonie, est le contrôle qu'elle a sur les deniers prélevés dans la colonie; si on lui nie cela, on lui nie toute part ou tout contrôle dans le gouvernement du pays.

On comprend que vous dites qu'elle ne va pas si loin, quo de soutenir qu'il est à désirer que

que toutes les personnes liées au service exécutif du gouvernement, dépendent de son vote annuel pour leurs salaires ?—Je ne puis répondre là dessus ; il y en a qui sont de cette opinion, et très naturellement, parce que telle a été la pratique dans les autres colonies. Je crois que dans la Nouvelle-Ecosse, où les choses vont très bien, on a fait dépendre tout le revenu du vote annuel de la législature, de sorte que non seulement l'appropriation, mais la perception même des deniers dépend du vote annuel de la législature ; la le gouvernement et l'assemblée agissent très bien de concert ; dans les anciennes colonies on a retenu l'assujétissement de tout le revenu au vote annuel ; la chose peut paraître extraordinaire, mais en considérant les circonstances des colonies elle n'est pas aussi extraordinaire.

Les gouverneurs envoyés de ce pays sont bien loin de la mère-patrie, ils ont de grands pouvoirs, beaucoup plus grands que l'exécutif n'en a ici ; ils ont à leur disposition toute la force militaire, ils ont durant bon plaisir de patronage le toutes les places, presque jusqu'aux officiers des paroisses ; et si quelque chose est mal, il n'y a pas de remède à attendre dans la colonie, excepté des pouvoirs de l'assemblée qui a des moyens de répression contre le gouverneur, ou en venant se plaindre en ce pays-ci ; or de venir en ce pays est chose assez difficile. Quand le gouvernement a un veto pour empêcher le public de rien contribuer pour subvenir aux frais nécessaires pour venir ici demander justice, il faut le faire, comme on l'a fait en ce cas-ci, par une espèce de misérable souscription ; c'est pourquoi les assemblées ont été extrêmement jalouses du pouvoir sur les deniers prélevés dans les colonies.

Dans votre opinion pourrait-on faire quelque arrangement de l'espèce indiquée dans la question ?—Je suis persuadé, en jugeant parce qui a été fait, qu'on pourrait pourvoir à certains offices ; et je suis persuadé qu'on pourvoit d'une manière permanente à l'administration de la justice.

Y a-t-il autant de différence d'opinion sur le montant des salaires, que quant aux places pour lesquelles il faudrait pourvoir ?—On considère en général que les salaires sont élevés ; dans le fait ils le sont ; il est inutile de cacher les choses, ou de fermer les yeux. Le peuple de ce pays commence à regarder autour de soi, et à voir ce qui se passe en d'autres parties du monde, et particulièrement dans le pays voisin ; il voit que là les gouvernements sont bien administrés, et le sont à bon marché ; et naturellement comme il paye pour l'administration du gouvernement, il s'attend qu'il sera administré aussi bien et avec aussi peu de frais que dans les pays voisins. Dans l'état de New-York, par exemple la population est triple de la nôtre, et les ressources quatre ou cinq fois plus considérables, et les dépenses pour le soutien du gouvernement civil ne sont pas plus élevées que chez nous. Le peuple du Bas-Canada ferme les yeux à tout, mais celui du Haut ouvre de grands yeux, et celui du Bas les ouvrira aussi ; de sorte qu'en parlant généralement, je dois dire qu'il est extrêmement dangereux d'augmenter les dépenses du gouvernement civil dans les colonies de l'Amérique du Nord, beaucoup au-delà des dépenses du gouvernement civil dans les états voisins.

Entretient-on objection au montant de ces salaires ; non seulement sur la comparaison de ce qui se passe aux Etats-Unis, mais par rapport aux revenus que possèdent généralement les personnes qui vivent dans le pays ?—Certainement ; parce que les fonctionnaires salariés du gouvernement civil sont mieux payés que les plus riches propriétaires de fonds, ou que les personnes engagées dans les branches d'industrie les plus profitables ; ils deviennent dans le fait par ce moyen les seigneurs du pays. Les personnes qui ont le plus grand revenu seront toujours les seigneurs d'un pays, et ils ont un revenu plus grand que les particuliers qui ont des biens fonciers, ou que ceux qui exploitent les branches d'industrie les plus avantageuses.

Quel est le revenu moyen des plus riches d'entre les propriétaires fonciers ?—Je suppose que le plus riche d'entre les propriétaires fonciers ne retire pas plus de 1,500l. par an ; et les individus les plus marquans dans les professions pensent qu'ils font de fort bonnes affaires lorsqu'ils gagnent 1,500l. par an, et c'est un gain qui ne dure peut-être pas plus de huit ou dix ans.

A-t-on proposé d'inclure dans la liste des salaires à être pourvus d'une manière permanente, des individus auxquels on ait fait objection ?—Il y a quelques nouvelles places auxquelles la chambre d'assemblée a objecté constamment ; il y en a une pour l'audition des comptes publics à laquelle on a objecté, parce que le gouvernement ne voulait consentir à aucune loi pour la régler ; il voulait que l'assemblée accordât une dépense annuelle d'environ 1,800l., pour une place pour l'audition des comptes publics, lorsqu'il n'y avait aucune loi pour régler une telle place ; dans le fait, l'audition des comptes publics n'est pas une audition du tout ; c'est seulement l'audition des individus qui reçoivent l'argent.

Pouvez-vous mentionner quelque autre place à laquelle on ait fait objection ?—Généralement l'assemblée a objecté à toutes les nouvelles places créées sans son consentement depuis 1819.

Y a-t-il eu beaucoup de places créées depuis 1819 ?—On a attribué des salaires à quelques-unes qui en avaient pas auparavant.

La liste civile a-t-elle proportionnellement augmenté depuis 1819 ?—Non, elle a un peu augmenté ; mais on a proposé en 1819 de l'augmenter à la fois de 16,000l. et c'est ce qui a donné l'alarme aux membres de l'assemblée.

Sur quelle somme cette augmentation a-t-elle été proposée ?—Elle se montait auparavant à 60,000l. ou à 70,000l.

Pensez-vous qu'il soit à désirer que les salaires des juges leur fussent votés suivant bon plaisir ?—Je ne le pense pas, on les vote annuellement dans les Etats-Unis ; mais je pense que cela n'est pas nécessaire, parce que la constitution y déclare que leur salaire n'accroîtra ni ne diminuera pendant le temps qu'ils resteront en place. Dans l'état de New-York on vote ces salaires annuellement, et la constitution ne déclare pas qu'ils n'accroîtront ni ne diminueront, car on les a actuellement diminués ; mais je pense qu'ils devraient être également indépendans de la couronne et du peuple.

Le comité doit-il comprendre que vous êtes d'opinion que s'il y avait un arrangement satisfaisant au sujet du principe disputé de l'appropriation du revenu, l'assemblée consentirait à voter la liste civile aux termes que vous décrivez ?—Il m'est impossible de répondre pour l'assemblée ; je suis depuis dix ans dans la chambre d'assemblée ; j'y a été presque aussi souvent dans la minorité que dans la majorité ; mais j'en crois généralement qu'il n'y aurait pas une forte objection à quelque chose de semblable à une allowance pour le salaire du gouverneur pendant le temps de sa résidence, et je suis sûr que tous seraient unanimes s'il s'agissait de rendre les juges indépendans de la couronne et du peuple.

Serait-elle disposé, dans votre opinion à faire un semblable arrangement par rapport à d'autres fonctionnaires, outre le gouverneur ou les juges ?—Je ne sais pas quel autre fonctionnaire on pourrait proposer ; je suis sûr que cela donnerait lieu à des discussions très considérables.

N'a-t-on pas fait une distinction entre les différentes classes de fonctionnaires dans la province ?—On l'a fait ; elle était, qu'il y avait une classe de fonctionnaires locaux et une autre qui appartenait au gouvernement impérial ; c'était une distinction pour mettre la colonie et la mère-patrie en collision, et pour mettre aussi en collision les officiers qui prétendaient être attachés à la mère-patrie et ceux qui étaient attachés à la colonie.

Etait-ce une distinction que le gouvernement avait tenté d'établir entre ceux qu'on considérait comme liés plus immédiatement au gouvernement civil et à l'administration de la justice, aux salaires desquels il était pourvu, pour cette raison, et ceux qui n'ayant pas de salaires déjà pourvus, dépendaient à cet égard du vote de l'assemblée ?—Oui, ce l'était ; mais on faisait une distinction entre tous les fonctionnaires qu'on disait être impériaux et permanens, et les autres qu'on appelait provinciaux.

L'origine de cette distinction n'est-elle pas venue de l'insuffisance des fonds pour pourvoir aux salaires de tous ?—Certainement ; si y avait eu des fonds suffisans pour tous, je ne pense pas qu'on nous ait du tout troublé de cette distinction.

Les habitans du Bas-Canada qui descendent des colons primitifs, ne préfèrent-ils pas de beaucoup la tenure sous laquelle sont les terres dans les seigneuries, à celle du franc et commun socage ?—On a beaucoup parlé sur ce sujet, dans le fonds il ne s'occupent pas beaucoup de la tenure, de façon ni d'autre, leur grand objet est d'avoir des terres à bon marché, et de les avoir aisément et sans beaucoup de dépense, et vous verrez qu'ils ne se tromperont jamais sur ce point ; ce qui sera le moins cher et le plus facile sera ce qu'ils aimeront le mieux.

Ne font ils aucune préférence entre les deux tenures ?—Je parle des paysans qui s'éta-

blissent sur les terres, y font l'ouvrage, et donnent de la valeur au pays. Il y en beaucoup de bruit au sujet des tenures, causés par la tentative de changer les lois du pays en même temps qu'on essayait de changer les tenures. Or les lois qui régissent les propriétés particulières, qui régissent l'héritage des enfans, et tout cela, ont toujours été chères à tous les peuples ; il faut que ce soit de bien mauvaises lois pour que le peuple ne s'attache pas à celles sous lesquelles il a vécu pendant un temps considérable, et sous lesquelles il a possédé ses propriétés avec sûreté. Au moment qu'on a parlé de changer les lois, on a excité l'alarme dans tout le pays : ce serait la même chose si on parlait de changer les lois qui régissent les propriétés en Angleterre ou en Ecosse.

Faites-vous allusion à l'acte appelé acte des tenures du Canada ?—Oui. A-t-il causé quelque alarme ?—Il en a causé en autant qu'on le regardait comme le commencement d'un système de changemens dans les lois qui régissent les propriétés, et qui les ont régies depuis l'établissement même de la colonie.

Savait-on que ce n'était qu'un acte qui laissait aux personnes le choix de prendre avantage de ses dispositions ou non, suivant qu'il leur plairait ?—Oui mais d'abord il soumettait toutes les terres en franc et commun socage aux lois d'Angleterre, ce qu'on n'avait jamais regardé être le cas, parce que les cours de justice avaient uniformément agi sur le principe que les lois du Canada s'étendaient à toute la superficie du Canada, et que ces terres étaient soumises aux lois du Canada.

L'acte qui rétablissait la loi civile française ne limitait-il pas son effet aux seigneuries, et ne prévenait-il pas expressément qu'il ne s'étendit aux terres accordées en franc et commun socage ?—Il y a une clause à cet effet dans l'acte de 1774, mais cette clause avait grand besoin d'explication. Dans le fait on comprenait que les lois du Canada s'étendaient à toutes la superficie du Canada ; et les cours ont agi d'après cette manière d'entendre.

A quelles lois du Canada faites vous allusion ?—Aux lois du Canada qui ont été rétablies par l'acte de 1774.

A-t-il existé quelque opinion que la loi civile française avait effet en Canada pendant les années qui se sont écoulées entre la conquête et 1774 ?—Je n'en sais rien. Depuis 1774, jusqu'à la passation de l'acte appelé acte des tenures du Canada, dans la 6e. année du Roi, on a compris que les lois du Canada s'étendaient à tout le pays, et on a exécuté les lois d'après cette manière d'entendre, ainsi qu'ont eu lieu toutes les procédures des cours de justice ; je ne puis dire positivement s'il y a eu à cet effet des décisions dans les cours du Canada, mais d'autres messieurs pourront le dire avec plus de certitude.

Une telle pratique n'aurait-elle pas été directement opposé aux dispositions de l'acte de 1774, et entièrement incompatible avec elles ?—Je sais qu'il y a une disposition à cet effet, mais je ne puis dire que les cours du Canada aient agi en opposition directe à l'acte du parlement.

Pouvez-vous dire, d'après vos propres connaissances, qu'il y ait jamais eu une décision à cet effet dans les cours du Canada, dans une cause contestée ?—Non, je ne puis le dire n'étant pas avocat ; je n'ai qu'une idée générale de la chose telle qu'elle existe dans le pays ; et l'idée générale était que toutes ces terres étaient régies par les lois du Canada.

Cette idée prévaut elle-maintenant ?—Il n'y a là dessus maintenant aucune idée du tout ; car personne ne sait quelle loi les régit, personne n'entend la manière de faire les contrats d'immeubles suivant la loi d'Angleterre, et quand les gens veulent, comme de coutume, passer un acte qu'ils payaient 7s. 6d., ou leur demande cinq guinées, et cela peut-être plus que le lot de terre ne vaut.

Cela s'applique-t-il à toutes les terres tenues en franc et commun socage ?—Oui ; il est déclaré que depuis l'année 1774 jusqu'au tems actuel les lois d'Angleterre régissent toutes les propriétés dans les townships ; Or chaque individu a divisés ses propriétés suivant les lois du Canada. J'ai fait moi-même des avances à des personnes dans la croyance qu'elles possédaient leurs terres dans le pays sous les lois du Canada ; mais il paraît maintenant que suivant la loi anglaise c'était le fils aîné qui avait tous les biens-fonds, et qu'ils n'avaient rien, étant les cadets ; et je me trouve sans sûretés pour mon argent.

Avez-vous consenti ce contrat dans l'impression que les lois qui réglaient les décisions pour rapport aux terres des seigneuries, avaient cours dans les townships ?—On l'entendait généralement ainsi ; je n'en ai eu aucun doute que dernièrement.

Quand le doute a-t-il commencé ?—J'ai entendu exprimer des doutes il y a bien des années, mais ensuite d'après les procédés des cours on a regardé la chose comme n'étant plus sujette à aucun doute et conséquemment les gens l'ont regardée comme n'étant plus contestée.

Voulez-vous dire que dans les cours dont vous parlez les décisions ont toujours été réglées jusque dernièrement sur l'effet de la loi du Canada, dans le partage des terres dans les townships ?—Je n'ai pas dit qu'il y eût eu de décision sur ce point ; mais la croyance générale parmi le peuple de Québec, où je réside depuis 37 ans, a été que ces terres étaient régies par les lois du Canada.

Qu'est-ce qui a occasionné des doutes dans la pratique à ce sujet ?—La passation de l'acte de tenures du Canada en ce pays-ci, lequel déclare que ces terres ont toujours été régies par les lois d'Angleterre, et dans le fait, il a un effet rétro-actif à prendre depuis le commencement même ; des personnes qui s'étaient crues propriétaires de terres dans le pays, ont cessé de l'être, et il serait difficile de dire qu'elles en sont les propriétaires.

En déclarant que la loi est telle, fait-il plus que répéter et raffermir les dispositions de l'acte de 1774 ?—Je comprends qu'un acte déclaratoire énonce ce qui a toujours été loi, et certainement la clause de l'acte de 1774 donne couleur à cette déclaration ; mais elle est en opposition à ce qu'on a généralement compris.

Avez-vous jamais entendu donner quelque explication de la disposition de l'acte, contraire à l'effet des lois d'Angleterre sur les terres accordées en franc et commun socage ?—Cette clause, prise avec celle de l'acte constitutionnel qui parle de la concession des terres en Canada (car on observera qu'il n'a été concédé en Canada de terres en franc et commun socage qu'après la passation de l'acte constitutionnel,) cette clause dis-je semble impliquer que les terres du Bas-Canada, continueront d'être concédées en seigneurie, et que les terres du Haut-Canada seront accordées en franc et commun socage. Elle déclare cependant que si quelque personne le désire, on pourra accorder des terres dans le Bas-Canada en franc et commun socage ; mais l'acte de 1791 semble faire entendre que la tenure seigneuriale doit prévaloir dans le Bas-Canada, mais que dans le Haut-Canada ce devrait être la tenure en franc et commun socage.

Quelle a été la pratique entre 1774 et 1791 ?—Entre 1774 et 1791 il y a eu des concessions seigneuriales ; de fait, il paraissait dans le temps que c'était l'intention du gouvernement britannique de réserver en quelque mesure le Bas-Canada pour les Canadiens, et le Haut-Canada pour les émigrans britanniques.

Voulez-vous lire la clause dans l'acte de 1774 ?—"Pourvu toujours, que rien de contenu dans cet acte ne sera entendu on ne sera expliqué s'étendre à aucunes terres qui ont été accordées par sa Majesté, ou qui seront ci-après accordées par sa Majesté ses héritiers ou successeurs, pour être tenues en franc et commun socage." Le comité se rappellera que cet acte a rencontré une extrême opposition dans ce pays-ci ; et le cri général était qu'on établissait les lois françaises ; dans le fait on fit de cet acte un des articles de plainte dans la déclaration d'indépendance des Etats-Unis d'Amérique. Ceux qui s'opposèrent alors à l'acte, le firent certainement avec beaucoup de violence, et firent probablement introduire cette clause, qui restreignait l'effet de l'acte aux anciennes concessions. Cependant il dépendait entièrement des actes du gouvernement, qu'il y eût ou n'y eût pas quelque chose de semblable dans le Bas-Canada ; si le gouvernement préférait de concéder les terres de cette manière, cet acte aurait été applicable, mais si le gouvernement ne jugeait pas à propos de faire de semblables concessions, il ne pouvait y avoir d'effet, parce qu'il n'y avait alors aucunes terres accordées en franc et commun socage.

Le Roi a-t-il jamais accordé des terres en seigneuries ?—Oui. Y a-t-il quelque doute que la loi française n'ait cours sur ces terres ?—Aucun doute ; il y a la seigneurie de Mount Murray, en bas de Québec, qui a été accordée par le Roi.

A quelle date a-t-elle été accordée ?—Je ne sais pas si c'est subséquemment à l'acte, je crois que celle de St. Armand a été accordée subséquemment à cet acte, mais je sais qu'il n'y a eu aucun octroi de terres en friche en franc et commun socage, qu'après la passation de ce acte ; l'acte est de 1791, et les premières concessions ont été faites en 1796.

Voulez-vous lire la clause dans l'acte de 1791 ?—Voici la 43e. clause de l'acte ;—"Et qu'il soit

soit de plus statué par la susdite autorité, que toutes terres qui seront ci-après concédées dans la dite province du Haut-Canada seront concédées en franc et commun socage, de la même manière que les terres sont maintenant tenues en franc et commun socage dans cette partie de la Grande-Bretagne appelé Angleterre" (voici une disposition positive par laquelle toutes les terres concédées dans cette province doivent être en franc et commun socage.) "Et que dans chaque cas où des terres seront concédées ci-après dans la dite province du Bas-Canada, et où le concessionnaire d'icelle désirera qu'elle soient concédées en franc et commun socage, elles seront ainsi concédées" (c'est à dire seulement quand les personnes le désirent) "mais sujettes néanmoins à telles altérations, en regard à la nature et aux conséquences de cette tenure en franc et commun socage, qui pourront être établies par aucune loi ou lois qui pourront être faites par sa Majesté, ses héritiers ou successeurs, par et de l'avis et consentement du conseil législatif et de l'assemblée de la province." Il me paraît que par cette clause, et dans le fait par les déclarations des ministres eux-mêmes, on avait intention de réserver les terres du Bas-Canada pour l'accroissement de la population du Bas-Canada, tandis que la province supérieure était destinée aux loyalistes venus des Etats-Unis, et aux émigrants de ce pays-ci.

Fondez-vous votre opinion sur la clause que vous venez de lire?—Oui.
Voulez-vous désigner quelle partie de la clause vous même à cette conclusion?—Parce que elle enjoint positivement que toutes les concessions soient en franc et commun socage dans le Haut-Canada, et qu'elle dit qu'il pourra être accordé des terres en franc et commun socage dans le Bas-Canada, si les parties le demandent; c'est là laisser à entendre que l'ancienne tenure doit être continuée dans le Bas-Canada.

La question n'est pas si l'intention de la législature était de permettre la concession de terres dans le Bas-Canada sous la tenure en seigneurie, mais si c'était l'intention de la législature que la loi française s'étendit aux terres concédées en franc et commun socage: Qu'y a-t-il dans la clause de l'acte de 1791 qui vous mène à expliquer la clause de l'acte de 1774 de manière à ce que la loi anglaise ne dût pas prévaloir sur les terres concédées en franc et commun socage?—Il me paraît que là où des terres ont été accordées en franc et commun socage, sous l'acte de 1774, les lois anglaises devaient s'étendre à ces terres; mais il me paraît, par l'acte de 1791, que l'ancienne tenure devait être conservée dans le Bas-Canada. On a compris dans le fait que les lois du Canada avaient cours dans toute l'étendue du pays.

L'acte de 1791 permet que des terres soient accordées dans la province du Bas-Canada en franc et commun socage aux personnes qui désireront de semblables concessions: Qu'y a-t-il dans cet acte qui vous fasse supposer que les terres accordées en franc et commun socage d'après cette permission, ne sont pas sujettes à l'opération de l'acte de 1774?—Il paraît qu'elles seraient sujettes à l'opération de l'acte de 1774, mais la difficulté semble venir de ce qu'il n'a été fait aucunes concessions qu'après l'acte de 1791, qui semblait impliquer que l'ancienne tenure devait continuer dans le Bas-Canada.

Dans la pratique, les successions aux immeubles dans les townships ont-elles eu lieu suivant la loi anglaise, ou suivant la loi française?—Les successions y ont eu lieu, je m'imagine, suivant les lois des Etats-Unis. Il y a eu peu de choses dans les townships en matière de loi ou de gouvernement. Ces établissements ont été faits moins comme formant partie du Canada, que des Etats-Unis.

Entendez-vous appliquer cela au township de Godmanchester?—Ces concessions ont été faites depuis lors, mais je parle de la grande masse de population qui habite le quartier situé près du lac Memphramagog.

Dans la pratique, les successions ont-elles eu lieu dans les townships près du St.-Laurent suivant la loi anglaise ou suivant la loi canadienne?—Je ne puis dire.

Mais dans les parties qui ont été établies le long de la frontière américaine, les successions ont eu lieu suivant la loi américaine?—Je le suppose ainsi, c'est-à-dire que les partages ont eu lieu suivant la loi américaine. En dépit de toutes les lois les peuples suivront leurs anciennes habitudes et leurs usages; il faut des siècles à un peuple pour changer de mœurs; ces gens venus des Etats-Unis disposeront de leurs biens comme ils le faisaient aux Etats-Unis: or les Etats-Unis ont rejeté cette partie des lois d'Angleterre par laquelle les propriétés foncières passent au fils aîné, il s'y fait partage égal entre les enfants.

Un particulier n'a-t-il pas dans les Etats-Unis la liberté de donner son bien par testament à qui il lui plaît?—Oui, et il en est ainsi en Canada; et on peut y faire en se mariant les arrangements que l'on veut; mais si on ne fait ni arrangements ni testament, la loi du pays a alors son effet. Il a été passé un bill dans le Haut-Canada pour y introduire une loi semblable à celle que nous avons dans le Bas-Canada.

Peut-on disposer par testament des terres tenues en seigneurie?—Certainement il y a un acte de la législature exprès.

Quelle est la pratique qui prévaut dans les seigneuries à cet égard, les particuliers y partagent ils généralement leurs terres par testament?—La chose se fait généralement par donations; la grande masse de la population du Bas-Canada est composée de cultivateurs, la manière dont ils s'arrangent est celle-ci; le père prend un des garçons, ordinairement le plus jeune, pour qu'il reste avec lui, et il travaille sur la terre pendant que les aînés vont ailleurs prendre de nouvelles terres; il fait avant de mourir ce qu'on appelle une donation, ou un don de sa terre en entier à celui de ses fils qui vit avec lui, et qui fait l'ouvrage de la terre quand il n'est plus capable de le faire lui-même; celui-là devient propriétaire de la terre du père, et les autres se sont dispersés et ont pris de nouvelles terres; et le plus jeune reçoit ce don sous l'obligation de payer certaines sommes à ses frères et à ses sœurs, les frères améliorent leurs nouvelles terres avec cet argent; les sœurs prennent des maris; dans le fait c'est leur dot.

Vous avez dit que le mode anglais pour les actes de transport des propriétés, qu'on a adopté dans les townships, est très coûteux; connaissez-vous le mode auquel on a recours dans les Etats-Unis?—Je crois que la chose se fait également à bon marché dans les Etats-Unis et en Canada.

(On montre un contrat au témoin.)

Avez-vous jamais vu un document semblable à celui que vous tenez dans votre main?—Jamais; je n'ai jamais eu de propriétés dans ce pays-là.

Descrivez ce qu'il vous en paraît?—C'est une concession de terres par l'Etat de New-York à un particulier. Les concessions faites à des particuliers par notre gouvernement ne sont pas beaucoup plus compliquées que celle-ci. Ceci ressemble beaucoup à une de nos concessions, excepté que nos officiers en loi jugent à propos d'y mettre beaucoup plus de mots.

Ayez la bonté de regarder ce document (on montre un contrat au témoin), qu'annonce-t-il être?—Il paraît que c'est un transport de terre fait par un particulier à un autre dans l'Etat de New-York.

Combien croyez-vous qu'ait pu coûter un semblable contrat?—Je n'en ferais pas monter le coût plus haut qu'à environ quatre piastres.

Pouvez-vous vous former une idée de ce que coûterait un contrat pour le même objet fait suivant les formes anglaises?—Je puis rien en dire, mais je crois qu'il y a bien peu de personnes en Canada capables de dresser un bon titre suivant les formes anglaises; ceux auxquels j'en ai entendu parler, disaient qu'ils ne pourraient en faire faire un à moins de cinq guinées; or, je crois, il y en a beaucoup qui seraient fort contents d'avoir cinq guinées pour certains lots de terre.

Dans le fait, le transport des terres en Canada occasionne-t-il des frais considérables?—Je puis transporter mes biens dans les seigneuries pour 75. 6d.

Y a-t-il quelque différence entre les frais d'une concession de terre en seigneurie et en franc et commun socage?—Les titres des seigneuries du Bas-Canada ne sont pas plus grands qu'un petit morceau de papier.

Qu'en est-il dans les townships?—Il y a un long rouleau de parchemin, mais cela dépend plus du point de l'officier de la couronne qu'autre chose.

Est-il difficile de faire la recherche d'un titre dans les seigneuries?—Non cela n'est pas difficile. Le notaire tient une minute, et quand le notaire meurt, la minute est enlevée et déposée dans les archives du banc du roi, où elles sont toutes arrangées dans des volumes, et il y a un répertoire de tout, de sorte qu'on peut en allant trouver un acte fait par aucun

notaire que ce soit. La loi oblige le notaire de tenir ses minutes dans un certain ordre, et quand il meurt le roi prend possession de tout son greffe, et il est déposé au bureau du prothonotaire du district dans lequel le notaire a exercé.

N'a-t-on pas fréquemment proposé d'établir un bureau pour l'enregistrement des contrats?—On a fait de fréquentes propositions.

Ont-elles réussi?—Non, aucune.

Voulez-vous dire quelles démarches on a prises pour les mettre à exécution: des bills pour cet effet ont-ils été introduits dans la chambre d'assemblée?—Il n'y a eu qu'un bill introduit dans la chambre d'assemblée, et il a été perdu par une majorité de quatre ou de cinq.

Voulez-vous détailler les motifs d'objection à l'établissement de l'enregistrement?—Il y a un grand nombre de motifs d'objections; les différents membres ont eu différentes raisons dans leur vote à ce sujet. D'abord, j'ai voté en faveur de la mesure, et ensuite j'ai voté contre; c'est-à-dire que je votai pour l'introduction de la mesure, et que quand je vins à l'examiner en détail je trouvai que la chose n'était pas praticable. Le seul motif que j'eusse été de prévenir la fraude; et je trouvai que le bill proposé occasionnerait plus de fraudes qu'il n'en préviendrait, et pour cela je pensai qu'il était mieux de rester comme nous étions. Il est de vérité, que presque chaque chef de famille dans la province est propriétaire de terre, et malheureusement les gens n'ont pas d'instruction; du moins beaucoup d'entre les propriétaires de terres ont été privés des moyens d'éducation; ils ne peuvent faire leurs propres affaires; ils ne pourraient se conformer aux formalités requises par l'acte d'enregistrement; ils seraient obligés d'employer des agents en loi et autres personnes de cette description, avec lesquels l'expérience a prouvé qu'il n'y a pas toujours de sûreté, principalement avec ceux dont la grande masse du peuple est obligé quelquefois de se servir; ceux là sont d'une espèce inférieure, et peuvent tromper les gens de toute manière. Or, il n'est pas un individu que cette loi n'eût obligé de venir de tems à autre dans ces bureaux d'enregistrement, et de se mettre dans le fait entre les mains d'un agent de loi pour qu'il fit ses affaires pour lui, et il en est à peine aucun qui eût été en sûreté. Sous ces circonstances il perdrait leurs privilèges; les femmes, les mineurs perdraient leurs privilèges; des personnes qui auraient avancé de l'argent perdraient leur privilèges; et il se ferait probablement des entrées frauduleuses dans le livre d'enregistrement qui donnerait le privilège; de sorte qu'en réalité un grand nombre d'entre le pauvre peuple seraient privés de leurs seuls moyens d'existence, qui sont la terre sur laquelle ils travaillent.

Ne serait-il pas possible à un individu, dans l'état actuel des choses, d'emprunter de l'argent et d'aller chez un notaire donner ce qui serait suivant les apparences une sûreté foncière, et que cependant il en eût fait d'autres transports de cette terre, ou d'autres sommes empruntées appliquées dessus, de sorte qu'en réalité ce qui serait une sûreté apparente ne serait pas une sûreté?—Sans doute.

L'enregistrement ne prévient-il pas la possibilité d'une chose semblable?—Il aurait une tendance à prévenir la possibilité d'une chose semblable.

La difficulté d'établir l'enregistrement vient-elle de la nature des tenures, et du mode de distribution des terres des seigneuries?—Pas du tout; elle vient de ce que le peuple ne sait ni lire ni écrire, et de l'état de dispersion de la population du pays.

Etes-vous d'opinion que si le peuple était plus instruit un semblable enregistrement serait avantageux?—Il n'y a aucun doute qu'on pourrait établir l'enregistrement pour Québec et pour Montréal avec un degré passable de sûreté, en diminuant le risque de la répétition des fraudes qui se commettent maintenant. J'aurais cependant dû dire par rapport à ces fraudes qui se commettent, que la raison pour laquelle ils se commettent fréquemment, est qu'on a laissé tomber la loi qui punissait cette espèce de fraude; la loi française avait des dispositions très sévères contre ceux qui hypothéquaient des biens déjà hypothéqués sans le déclarer; on les considérait comme faisant partie des lois pénales; mais en conséquence de l'introduction de la loi criminelle anglaise il ne s'est trouvé aucune loi qui statuât suffisamment pour cette espèce de crime. Le crime était particulier au système des lois françaises, et il était prévu par le code criminel français, mais il n'était pas suffisamment prévu dans le code criminel anglais.

La chambre d'assemblée a-t-elle jamais proposé quelque remède?—Oui on a proposé dans la chambre d'assemblée de renouveler cette punition, de sorte que les personnes coupables de cette espèce de fraude auraient été sujettes dans le pays au pilori et à l'emprisonnement, comme elles l'étaient en France.

Est-il difficile d'emprunter de l'argent en Canada en conséquence de ce mode de transmission des propriétés?—Non, mais il y a sur ce sujet un grand nombre d'erreurs; on a parlé de fraudes beaucoup plus considérables qu'elles ne l'ont été réellement par une circonstance inévitable dans un pays nouveau; on a supposé des gens millionnaires lorsqu'il n'en était rien. Il y a treize ans les terres valaient en Canada le double d'aujourd'hui; alors il était honnête de la part d'un homme dont la terre valait 2,000l. de prendre 2,000l. sur cette terre; mais maintenant que la terre a diminué de manière à ne valoir que 1,000l., il a pris 1,000l. de plus que la terre ne vaut, et il paraît avoir commis une espèce de fraude, mais il n'y a pas eu de fraude en réalité; mais au moment qu'un homme a prêté son argent de cette manière et qu'il le perd, il trouve convenable d'accuser la personne de fraude et de déception quand ce n'est pas le cas; cela est dû à la grande variation de la valeur des propriétés foncières dans le pays. Ce parlement peut par un seul acte faire augmenter ou diminuer de moitié la valeur de toutes les terres du Canada. Si par exemple vous admettez notre grain en ce pays moyennant un certain droit, vous ferez augmenter immédiatement la valeur des terres en Canada; si vous le rejetez, les terres du Canada en diminueront de valeur; et vous pouvez dans le fait, par une seule clause d'un bill de céréales, augmenter ou diminuer probablement de moitié la valeur des terres du Canada; d'après ces circonstances il n'est pas surprenant que les gens perdent quelque fois l'argent qu'ils ont prêté sur des propriétés foncières; et tout homme qui perd son argent, se récrie fort.

Y a-t-il quelque difficulté en Canada à emprunter de l'argent sur des propriétés?—Il y en a, parce que peu de personnes ont de l'argent à prêter.

N'est-il pas l'usage des personnes qui ont accumulé des fortunes en Canada de les transmettre en Angleterre plutôt que de les appliquer dans le pays?—Oui; les personnes qui sont allées au Canada et ne s'y sont pas mariées, lorsqu'elles y ont fait de l'argent, sont naturellement disposées à revenir la dépenser ici parmi leurs anciennes connaissances, leurs parents et leurs amis; elles n'ont personne qui les attache au pays, elles reviennent ici et y transportent leurs biens; mais ceux qui, comme moi, se marient dans le pays, et y acquièrent des propriétés, y demeurent, et gardent leurs biens dans le pays.

Pensez-vous qu'il existe dans l'esprit des personnes d'origine anglaise qui ont fait de l'argent en Canada, quelque dégoût de la tenure des terres de l'état de la propriété et des lois qui concernent les biens fonds, qui les détournent d'employer leurs capitaux à l'amélioration du pays?—Cela ne m'en a pas détourné; quant aux autres, les préjugés y font beaucoup, et l'ignorance beaucoup; aussi les gens qui vont s'établir en Canada pensent souvent qu'ils ne doivent s'informer de rien, mais que tout doit aller suivant leur gré; que les lois du pays doivent être faites pour leur convenir exactement au moment où ils y arrivent; et parce que ce n'est pas le cas, ils sont mécontents et s'en vont.

Les personnes qui s'établissent dans les townships, et qui possèdent des terres sous la tenure en franc et commun socage, sont-elles exposées à quelques autres difficultés, qu'à celles qui proviennent de l'administration des cours de justice?—Je ne pense pas que ces gens se plaignent de rien, excepté de ce qu'ils sont tout à fait séparés par leur position; parce que malheureusement des concessions leurs ont été faites dans un quartier éloigné, en préférence à des concessions plus près du fleuve. Mais leur grand objet a été d'obtenir une représentation dans l'assemblée de la province; et ils se sont assemblés en leur manière ordinaire sur les plaines de Stanstead et ont déclaré qu'ils étaient contents du bill qui était passé dans l'assemblée, et ils se sont adressés, par pétition, à l'assemblée et au conseil, les priant de passer ce bill; ils disent que dans le cas où le bill passerait, ils pensent pouvoir obtenir un remède à tous leurs griefs; que la première chose qu'ils demandent est d'avoir une représentation dans l'assemblée de la province; et l'assemblée de la province consent à se joindre à eux pour amener le redressement de ces griefs; mais la première personne venue qui a par hasard quelque liaison avec les townships; parle à tort et à travers comme si elle était dé-

putée par les townships. On nous a conté de cette manière vingt différentes histoires ; mais du moment qu'ils auront des représentants de leur choix, qui parleront pour eux, tout le monde les croira, et il n'y a aucun doute qu'ils n'obtiennent du remède à tout ce dont ils se plaignent. Il y a une chose qu'on désire leur donner, et qu'ils ont dans les Etats-Unis ; c'est le pouvoir de régler leurs petites affaires locales, ce qui, je conçois, contribue beaucoup à la prospérité des Etats-Unis ; chaque quartier du pays règle les affaires d'utilité commune, comme les chemins et ponts. Ce qu'un particulier peut faire, il le fait, mais ce qu'un particulier ne peut faire se fait par les efforts communs de tous, en la manière déterminée par la majorité ; au lieu que dans les townships il ne se peut rien faire sans délais et sans frais.

Descrivez la différence qu'il y a à ce sujet entre l'état de choses du Canada et celui des Etats-Unis ?—En Canada nous avons été harassés par un vieux système français d'administration ; c'est-à-dire une administration où le peuple ne prend aucune part quelconque, tout doit venir de la cité de Québec et de la cité de Montréal, et les gens doivent venir à Québec et à Montréal pour tout faire, au lieu d'être mis en état de le faire eux-mêmes dans leurs propres quartiers. Dans les Etats-Unis on a le système anglais, dans lequel chaque quartier local a certains pouvoirs pour régler ses propres affaires, que par ce moyen il règle à moins de frais et mieux ; tandis que chez nous un individu doit entreprendre le voyage de Québec, faire beaucoup de frais, faire la cour à monsieur celui-ci et à monsieur celui-là, frapper à cette porte-ci et à cette porte-là, et passer les jours et les semaines pour venir à bout de faire une petite amélioration à un chemin, ou quelque chose de ce genre, d'une utilité commune à un district, tandis que dans les Etats-Unis tout se fait sans qu'il sorte du territoire réservé de son district.

L'arrangement au sujet des chemins, par lequel le comité entend qu'ils sont placés sous la direction du grand voyer, n'est-il pas populaire auprès des habitants des seigneuries ?—Le système est très-bon ; mais quant à cette place comme quant à bien d'autres, on l'a surchargée d'honoraires qui degoutent le peuple. On ne peut faire opérer le grand voyer sans lui payer des forts honoraires, que la personne qui demande le changement doit commencer par déboursier. Peut-être si la chose est juste, après qu'elle aura été discutée dans une cour de justice, il pourra être remboursé par les autres, mais avec tout cela il faut qu'il avance les honoraires du grand-voyer ; cela empêche de commencer des améliorations aux chemins ou toute chose de ce genre ; mais le système par lequel tout individu est obligé de faire l'ouvrage sur sa propre terre tel qu'il existe dans le pays, est très-bon.

Pourvoit-il à ce que les chemins soient tracés aux endroits convenables ?—Voici le système : le grand voyer doit assembler les habitants et prendre leur avis sur l'endroit où il faut tracer le chemin ; et il doit se guider sur leur avis, à moins qu'il n'y ait quelque chose de très-déraisonnable ; mais peut-être les grands-voyers, comme les autres hommes, agissent-ils négligemment et avec irrégularité, et il y a des mécontents sur ce point ; peut-être on peut penser qu'un grand-voyer favorise celui-ci au celui-là, mais on le pense souvent que ce n'est pas le cas.

De quelle manière le grand-voyer est-il payé ?—Il a un salaire du gouvernement, et il lui est accordé des honoraires de façon ou d'autre.

Comment est-il nommé ?—Il est nommé par le gouverneur.

Est-il nommé d'une manière permanente et pour quelle étendue ?—Il est nommé durant bon plaisir ; il y a un pour le district de Québec, un pour le des Trois-Rivières, et un pour le celui de Montréal, et ils peuvent tous nommer des députés en différentes parties du pays, avec l'approbation du gouverneur.

Le grand-voyer reside-t-il constamment dans le district dont il a la charge ?—Je le crois.

Lors d'une application pour un nouveau chemin, faut-il qu'il transmette cette application au gouvernement ?—Non, il agit sur sa propre discrétion, sujette à ratification dans les sessions de quartier du district.

Supposant qu'il soit convenable d'adopter dans le Bas-Canada un système de chemins semblable à celui que vous dites opérer si bien dans les Etats-Unis, de quelle manière pourrait-on le mettre à effet ?—Sans doute par un acte de la législature locale. Tout le système comme je l'ai déjà dit, a été jusqu'ici un système français d'administration, qui ne laisse rien à faire au peuple, il serait nécessaire d'organiser les comités de donner aux propriétaires certains pouvoirs d'intervention dans leurs propres affaires.

Les comtés sont-ils subdivisés ?—Il n'y a eu aucun changement dans la division des comtés depuis l'année 1792.

Quelles subdivisions existent à présent ?—Les parties du pays anciennement établies sont divisées en paroisses, et les nouveaux établissements sont divisés en townships et en comtés ; mais cette division n'a simplement été faite que par rapport à la représentation ; il n'y a aucune organisation de comtés, il n'y a pas de sessions de quartier, et pas de cours de justice ; tous sont obligés de venir à Québec, à Montréal, et aux Trois-Rivières.

Y a-t-il des magistrats nommés pour les comtés ?—Il y en a.

Dans votre opinion, serait-il à souhaiter qu'on établit des sessions de quartier ?—Oui, pourvu que les magistrats fussent qualifiés ; mais on refuse de qualifier les magistrats. Si on y met des personnes qui n'ont pas de propriété et pas de poids dans le pays, on ne fera que créer de la confusion.

Qui refuse de qualifier des magistrats ?—Le conseil législatif.

Y a-t-il eu quelque tentative pour établir un système d'organisation locale ?—Il y a eu des tentatives partielles dans le bill de judicature ; on y avait subdivisé le pays pour les objets de la justice.

Si on avait fait de semblables tentatives dans le dessein d'améliorer le pays en faisant de nouveaux chemins, aurait-on éprouver de la résistance de la part de l'assemblée ?—Certainement non. L'assemblée ne résistera à aucun changement qui sera pour le bien général du peuple, car ses membres sont les vrais représentants du peuple ; ils doivent faire ce qui est avantageux au peuple ; s'ils ne le font pas ils feraient mieux de s'en aller chez eux et de se mêler de leurs affaires.

Supposez-vous que dans le cas où on établirait un système d'organisation locale dans les townships, il serait probable qu'avec le temps il ferait son chemin jusque dans les seigneuries, après qu'on y serait convaincu de ses avantages ?—Le peuple du Bas-Canada lui-même a désiré d'avoir part à la direction de ses affaires locales.

D'après la connaissance que vous avez des habitants du Bas-Canada d'extraction française, croyez-vous qu'en voyant un tel système établi dans leur voisinage immédiat, ils s'y conformeraient avec le temps, et voudraient l'adopter ?—Là-dessus plusieurs d'entre nous ont plutôt craint qu'autrement qu'ils ne se conformassent trop vite à ce qu'ils voient dans leur voisinage immédiat, mais je conçois qu'on pourrait introduire parmi eux, de leur propre consentement, un grand nombre d'améliorations, sans les faire absolument telles que dans leur voisinage, car ce n'est pas tout-à-fait ce que nous voudrions.

Quelle est la proportion des membres français et anglais dans l'assemblée législative ?—La proportion de ceux qu'on appelle Anglais a été rapidement en diminuant pendant les cinq ou six dernières années ; il n'y a dans la chambre d'assemblée que deux membres natifs de ce pays-ci.

La question se rapporte aux descendants des parents anglais, pour les distinguer des Canadiens français ?—Il y a beaucoup de bons noms anglais sans que ceux qui les portent puissent dire un mot d'anglais, et beaucoup de noms français quoique les individus ne parlent pas un mot de français ; dans le fait la langue de la majorité l'emporte toujours pour un certain temps, ensuite on continue sur le langage de la majorité passé, mais dans le commencement c'est toujours le langage de la majorité qui l'emporte.

Ce langage est-il la langue française ?—C'est la langue des neuf dixièmes de la population.

Quelle est la proportion de membres rapportés par des constituans d'extraction anglaise ?—Il est impossible de le dire, car ceux d'extraction anglaise sont entre-mêlés avec ceux d'extraction française. Il serait aussi difficile de dire en ce pays quels sont ceux d'extraction écossaise ou d'extraction normande ; mais quand des Anglais se sont établis dans un quartier habité par des Canadiens français, ils ne peuvent, comme de raison, faire l'élection d'aucun membre, parce qu'ils forment la minorité. C'est toujours la majorité qui députe.

N'y a-t-il pas un certain nombre de membres de la chambre d'assemblée que vous regardez comme les représentants des habitants anglais ?—Je conçois que nous avons tous le même intérêt dans le pays, mais nous ne tirons pas de ligne ; on dit quelquefois, cet homme est Ecossais, quelquefois, c'est un Yankey, d'autres fois, c'est un étranger, c'est un protestant, c'est un catholique ; mais ce sont là des distinctions tout-à-fait insignifiantes qui n'ont aucune existence réelle ; nous avons tous les mêmes droits et les mêmes intérêts dans la colonie, quoique nos préjugés soient quelquefois différens.

Fait-on dans la chambre d'assemblée autant de cas des intérêts et des opinions des habitants des townships, que des intérêts et des opinions des habitants des seigneuries ?—Je ne puis rien dire là-dessus, car nous n'avons pas été à même de juger de leurs intérêts et de leurs opinions, vu qu'ils n'ont eu aucun représentant entièrement de leur choix.

Vous êtes membre de la chambre d'assemblée ?—Je le suis.

Par quel endroit êtes-vous député ?—Par le comté de Québec.

Quels sont principalement vos constituans ?—La majorité en est de ceux qu'on appelle d'extraction française.

Avez-vous toujours été député par le comté de Québec depuis que vous êtes dans la législature ?—Toujours.

Quelle est la proportion des protestants et des catholiques dans l'assemblée législative ?—Les catholiques en ont environ les sept huitièmes, mais ils n'ont pas absolument autant de membres que leur population leur donnerait droit d'en avoir.

Ainsi dans le fait si les habitants des townships avaient un objet distinct et séparé des habitants des seigneuries, il n'aurait aucun moyen de se faire entendre, ou au moins aucun moyen d'emporter cet objet dans l'assemblée ?—Pas jusqu'à ce qu'ils y aient des représentants ; je crois qu'ils n'ont pas une grande chance, par ce que tous ceux qui sont liés avec les townships content une histoire différente à ce sujet, et on les soupçonne beaucoup d'y avoir des vues privées.

A-t-on fait quelque tentative dans la chambre d'assemblée pour leur donner une représentation ?—Nous avons passé un bill quatre ou cinq fois, mais il a toujours été rejeté par le conseil.

De quelle manière l'assemblée proposait-elle par ces bills d'étendre la représentation ?—La première tentative a été faite en l'année 1823, lorsque j'étais en ce pays-ci ; M. Davidson était alors président du comité, et j'ai vu le rapport à l'occasion ; il avait consulté l'arpenteur-général pour en obtenir un état de la population, parce que nous n'avions pas pu obtenir de recensement ; nous avons travaillé pendant quatre ou cinq ans pour avoir un recensement, et le conseil législatif avait refusé le bill ; cependant l'arpenteur général donna l'état de la population d'une manière aussi rapprochée que possible, suivant les différentes divisions et on cadastra la représentation pour toute la province d'après ces détails ; le bill fut introduit et envoyé au conseil, qui procéda dessus assez longuement et y fit quelques amendemens, mais il ne revint pas à l'assemblée. L'année suivante, en 1824, il fut passé un bill pour ordonner un recensement général de la population, et l'assemblée passa un autre bill qui échoua dans le conseil.

Quel nombre de membres se proposait-on d'ajouter ?—Le bill de 1823 proposait d'élever le nombre à 68, c'est-à-dire d'en ajouter 18 ; et je pense que le dernier bill qui a été envoyé au conseil, savoir, en 1826, en proposait environ 80.

Le principe sur lequel on se proposait de les répartir n'était-il pas le nombre de la population et l'accroissement qui avait eu lieu dans la proportion d'Anglais depuis la première répartition en l'année 1792 ?—Le principe de la répartition était de donner dans toute l'étendue de la province un représentant à un certain nombre d'électeurs qualifiés ; je pense que le nombre qui devait donner droit à deux représentans était de 7,000 et quelque chose ; mais il y a, là-dessus, un long rapport dans le journal de la chambre d'assemblée ; on faisait la proportion égale dans toute la province, dans les nouveaux établissements, dans les seigneuries et dans les townships ; tous étaient traités de la même manière ; jusqu'à il y a 36 ans les établissements s'étaient fort peu étendus d'aucune part, depuis ce temps ils se sont étendus dans toutes les directions, tant dans les établissements seigneuriaux que dans ceux des townships.

Quelles nouvelles subdivisions de la population faisait-on dans le but de les mettre à même d'exercer ce nouveau droit d'élection ?—Je ne puis le dire ; un grand nombre de comtés étendus étaient divisés en deux, j'ai remplacé M. Davidson comme président du comité qui avait introduit le bill, et je me rappelle que je cadastrai entièrement les townships à part des seigneuries, afin qu'il n'y eût aucune collision dans l'élection ; afin que les représentans des townships fussent indépendans des habitants des seigneuries, prévoyant que, s'ils étaient mis en contact, les votes se détruiraient réciproquement jusqu'à un certain point, de sorte que par ce bill les townships auraient eu environ dans l'assemblée cinq représentans entièrement de leur choix, ce qui aurait été assez pour faire bien comprendre leurs intérêts ; car si le représentant d'un comté dit : mon comté a besoin de ceci, tout le monde lui donne croyance.

Le bill contenait-il quelques dispositions pour adapter la représentation à la population à mesure qu'elle s'accroîtrait, et à la surface du pays à mesure qu'elle deviendrait cultivée ?—On se proposait dans le temps d'avoir un bill de recensement tous les dix ans, et de régler la représentation sur le cens ; c'est maintenant la pratique constante des pays voisins ; et je crois que c'est une pratique bien sûre ; elle prévient tout ce qui n'est pas dans l'ordre.

Quelle est la règle établie dans les Etats-Unis d'Amérique, particulièrement dans le district de Vermont, quant à l'augmentation des représentans qui doivent siéger dans l'assemblée de l'état ?—Le principe universel dans tous les Etats-Unis d'Amérique, est que la représentation et la population doivent aller de pair ; elle doivent être proportionnées l'une à l'autre. Dans Vermont, j'ai vu la constitution de 1793, qui dit que la représentation sera répartie aussi également que possible. Il y avait alors bien peu d'habitans, et je crois qu'on donnait deux représentans à une ville, pourvu qu'elle contint 85 électeurs qualifiés ; et si elle n'avait pas 85 électeurs qualifiés, elle avait droit cependant d'avoir un représentant.

En quoi consiste la qualification d'un électeur ?—D'abord d'être milicien ; ensuite, de payer les taxes jusqu'à un montant fixe ; je crois qu'on a fait dernièrement un changement dans l'état de New-York, par lequel il suffit de contribuer aux taxes directes pour quelque somme que ce soit.

N'y a-t-il pas dans Vermont un principe composé qui tient compte de l'étendue de terre et de la population ?—Pas à ma connaissance ; je n'ai jamais vu, dans l'état de Vermont, rien de plus récent que la constitution de 1793.

Quelles dispositions existent dans le Haut-Canada, pour augmenter le nombre de représentans dans l'assemblée ?—Je sais que dans le Haut-Canada il y a eu des dispositions de faites par la législature locale pour augmenter la représentation ; mais je ne puis parler des détails.

Quelle serait dans votre opinion l'objection à l'établissement, dans le Bas-Canada, d'un système semblable à celui qu'on vient de décrire, qui admettrait un principe composé, plutôt que celui qui repose uniquement sur la population ?—Je pense qu'il serait très-peu sûr, et très-peu satisfaisant pour le peuple en général. Je ne pense pas que le peuple des townships, ou aucune autre portion du peuple du Bas-Canada, aimât à voir un abandon du principe général, que le nombre des représentans doit être proportionné au nombre d'électeurs qualifiés.

Pour quelle raison serait-il peu sûr ?—Je pense qu'il est peu sûr, dans une chose de cette espèce, de dévier si considérablement des privilèges dont le peuple jouit dans les états voisins ; le peuple du Canada pense qu'il a droit à des privilèges à peu près correspondans à ceux qui existent de l'autre côté de la ligne, et je ne pense pas qu'il soit sûr pour ce gouvernement de dévier trop, en matière de privilèges populaires, de ce qui existoit dans les Etats-Unis d'Amérique.

Si vous étiez convaincu que la pratique qu'on a décrite existe dans le pays voisin, penseriez-vous qu'il y eût le moindre danger à l'adopter dans le Bas-Canada ?—Il n'est pas probable que je fusse convaincu là-dessus ; il peut y avoir quelque chose dont je ne suis pas au fait, mais je suis presque certain qu'il n'y a rien qui autorise à se départir du principe établi dans toutes les constitutions Américaines que j'ai vues ; mais quand mé-

me il en serait ainsi, je ne pense pas que cela fût juste; je pense qu'il est essentiel que la justice existe partout; je pense que c'est le fondement de tout gouvernement et de toute sécurité.

Voulez-vous donc dire que le nombre de la population formerait la seule base de la loi?—Non, ce devrait être le nombre d'électeurs qualifiés.

Quelle qualification proposeriez-vous?—La qualification est une qualification qui a été établie par acte du parlement, elle est territoriale dans les comtés, et, dans les villes, elle rend habiles les propriétaires de maisons ou les locataires qui paient un certain loyer.

Vous dites que dans l'état de Vermont, lorsqu'il y a 85 électeurs qualifiés dans une ville, cette ville a droit d'avoir deux représentants; mais le nombre de représentants augmente-t-il ensuite en proportion rapide, à mesure que le nombre des électeurs qualifiés augmente?—Je n'ai rien vu de la constitution de Vermont, excepté la constitution de 1793, qui dit que, quand il y aura 85 électeurs qualifiés dans une ville, cette ville pourra envoyer deux représentants, et que toutes les villes qui n'auront pas ce nombre pourront en envoyer un; c'est-à-dire, que toute ville qui a des habitants peut en envoyer un, mais que les villes qui ont un nombre excédant 85 peuvent en envoyer deux; or, une représentation de cette espèce est la représentation la plus monstrueuse, car j'ai vu une chambre de 600 ou 700 membres tous assis ensemble, faisant constamment les affaires. Dans le fait chaque paroisse envoie deux représentants, et je crois que dans quelques cas il en envoient autant qu'ils en veulent payer.

Le nombre de représentants augmente-t-il en proportion du nombre d'individus qualifiés?—Non.

Ainsi le nombre des électeurs n'est pas proportionné à la population?—On y refait les cens tous les dix ans, et c'est d'après ces cens que les représentants sont cadastrés, de manière à ce que tous les endroits soient également représentés.

Ainsi il paraît qu'une ville qui contient 500 ou 5,000 électeurs qualifiés, à la même représentation qu'une ville qui contient 85 électeurs qualifiés?—C'est là la constitution de 1793; mais la constitution de 1793 établit en principe qu'elle sera répartie aussi également que possible parmi les électeurs qualifiés, et on la règle de temps à autre par des actes spéciaux.

Vous ne savez pas qu'aucun changement ait eu lieu depuis ce temps?—Non.

Ainsi suivant le système de 1793, il n'y a aucune proportion d'établie entre le nombre des électeurs et le nombre des élus?—Peut-être que le meilleur moyen sera de recourir à la clause, alors chacun pourra y donner l'interprétation qui est la plus exacte.

Les Messieurs du Canada sont-ils généralement opposés à être élus membres de l'assemblée, ou est-ce entr'eux un objet de compétition?—Il y a eu beaucoup de compétition à la dernière élection.

Y a-t-il eu beaucoup de contestation?—Presque universellement.

Connaissez-vous le système de représentation du Haut-Canada?—Je sais qu'il y a eu une augmentation dans la représentation.

Le principe de la représentation y est, que chaque nouveau comté maintenant formé ou organisé, ou qui pourra par la suite être formé ou organisé, une population de 1,000 âmes sera représentée par un membre, et que lorsqu'elle se montera à 4,000 âmes elle sera représentée par deux membres, et que chaque ville où il se tiendra des sessions de quartier, et où il y aura 1,000 âmes, sera représentée par un membre; pensez-vous que cela soit un système équitable?—Nous n'en demandons pas tant, nous aurions pensé que cela nous aurait donné une représentation trop nombreuse. La représentation est la double de la nôtre sur le présent système.

Pensez-vous que ce fût une représentation équitable, que celle dont les bases ne consisteraient pas dans le nombre, mais dans le principe de la population?—Je n'y voit aucune grande objection, mais je lirai un extrait de la pétition des townships, dans laquelle les habitants se déclarent contents de ce bill; cette pétition a été présentée en 1825 au conseil législatif et à l'Assemblée du Bas-Canada, on y dit: "Que les pétitionnaires apprennent avec la satisfaction la plus cordiale qu'un bill avait été introduit dans la dernière session, et qui y avait passé, pour établir une nouvelle division de la province en comtés, et pour en répartir plus également la représentation dans le parlement provincial, et pour d'autres objets, et qu'ils regrettent profondément qu'il n'ait pas passé et ne soit pas devenu loi; que c'est dans des mesures d'une nature semblable, spécialement en tant que les townships de l'est y sont intéressés, qu'ils anticipent le remède le plus efficace aux grands nombres de difficultés auxquelles ils ont été longtemps assujettis comme peuple, et pour prévenir jusqu'à un point considérable les maux dont les menacerait pour l'avenir la continuation du présent état de choses." Cette pétition a des signataires en plus grand nombre qu'aucune autre que j'ai jamais vu venir des townships; depuis ce temps le même bill a été envoyé deux fois au conseil législatif, et on y a effacé tout ce qui a rapport à l'augmentation de la représentation.

Sur quels motifs croyez-vous qu'on l'ait rejeté?—Je crois que le conseil trouvait la chambre d'assemblée assez nombreuse, mais il est impossible de rien dire; nous avons été sept ans sans obtenir d'acte pour autoriser un recensement.

Savez-vous si des divisions ont eu lieu dans le conseil législatif sur les amendements, ou s'ils ont passé à l'unanimité?—Je ne puis le dire, mais on peut voir les procédés dans le journal du conseil législatif pour 1827. Le bill a été envoyé au conseil en 1824, en 1825, en 1826 et en 1827; on y procéda en 1825 pour ôter la clause qui avait rapport à l'augmentation de la représentation; en 1826 il n'y eut aucun procédé sur le sujet; en 1827 le bill a été introduit, et l'impression ordonnée.

Savez-vous quel est le système que l'on suit à l'égard de la qualification des membres du congrès, quant à la répartition du nombre de représentants que chaque état doit envoyer?—Oui, la population est le principe sur lequel on agit, il doit être réglé tous les dix ans par un recensement.

Ne dépend-il pas entièrement de la population sans égard au nombre de représentants dont le congrès peut être un jour composé?—Je crois qu'il n'est pas du tout réglé jusqu'à quel nombre il pourra s'accroître; mais, comme de raison, on se bornera à un nombre convenable pour faire des affaires.

N'est-il pas de fait que le nombre des représentants envoyés au congrès par un état s'accroît en proportion de l'augmentation de la population?—La constitution de 1789 dit que la représentation des états sera réglée suivant leur population, et je crois qu'elle est fixée sur le recensement tous les dix ans.

Les townships n'ont-ils pas exprimé le désir qu'il fût fait des chemins à travers les seigneuries, depuis les townships jusqu'au fleuve, à fin de leur donner accès à la partie de la province qui est la plus peuplée et la plus riche, et de leur donner aussi accès au fleuve pour transporter leurs produits au marché?—Oui.

Qu'est-ce qui a eu lieu en conséquence de ces représentations?—Il a été fait pour cet objet, de temps à autre, des octrois considérables de deniers, qui ont été dépensés sous la direction du gouvernement exécutif, et au sujet desquels les habitants des townships disent presque universellement qu'on n'en a rien fait de bon.

Quelles sommes ont été accordées et quand?—Je ne le sais pas exactement; quoique les habitants du Bas-Canada fassent des chemins chacun sur leurs terres, et qu'ils y soient obligés par la loi, je pense que, depuis la dernière guerre, on doit avoir dépensé sur les fonds provinciaux près de £100,000 pour des chemins.

De quelle manière cet argent a-t-il été prélevé?—Il a été pris à même les deniers non appropriés, à la disposition de la Législature.

Comment l'a-t-on appliqué?—Le gouverneur nomme des commissaires, et les commissaires procèdent à l'application de l'argent; le peuple se plaint beaucoup de cela dans tout le pays; on dit que les commissaires ont travaillé à faire des chemins pour leur propre avantage, et qu'ils ont fait des chemins où ils n'étaient d'aucune utilité, et que la conséquence est que le peuple n'en retire aucun avantage.

Quel intérêt les commissaires peuvent-ils avoir là dedans?—Ils ont de larges parts de terres, et chacun aime à avoir un chemin sur ses propres terres.

Quels ont été les commissaires?—On le verra par les journaux de l'assemblée.

Par qui sont-ils nommés?—Par le gouverneur.

Sont-ils nommés d'une manière permanente, ou y a-t-il un corps de commissaires nommés pour faire faire un chemin particulier?—Ils sont nommés pour un comté ou pour

un district particulier; je pense que M. Felton, M. Herriot, et M. Badeaux, le sont pour les Trois-Rivières.

Voulez-vous mentionner quelques-uns des chemins qui ont été faits avec les deniers publics?—Je n'en puis mentionner aucun, car tout le monde dit qu'il n'y en a aucun d'existant; l'argent, a été dépensé, et le chemin a repoussé; il y avait un chemin appelé Chemin de Craig, pour lequel on a dépensé beaucoup d'argent; il y avait un chemin appelé Chemin de Labay, pour lequel on a dépensé beaucoup d'argent; et il y avait un chemin de Sorel aux townships, pour lequel on a dépensé beaucoup d'argent.

La confection d'un chemin en Canada signifie-t-elle plus que d'abattre une route à travers la forêt, et d'enlever les bois et les nuisances?—Oui, il est nécessaire de faire plus que cela; cependant la première ouverture ne consiste qu'en cela. Elle suffit au passage d'un traîneau pendant l'hiver; la seconde ouverture permet à un cheval de passer en été; la suivante suffit pour le passage d'une charrette en été, et la suivante est suffisante pour les voyages ordinaires au marché avec une charrette à provision, et alors on pense qu'on a été bien loin dans l'amélioration des chemins.

A quelles circonstances attribuez-vous que les chemins que vous décrivez avoir été faits soient repoussés de nouveau?—Les chemins ont été faits sans aucune raison; on a tenté de faire des chemins à travers d'immenses déserts, là où il n'y avait personne d'établi; à travers les réserves de la couronne et du clergé, quand il n'y avait personne pour y veiller. C'était un gaspillage d'argent que de faire un chemin de cette espèce. On ne peut tenir un chemin en réparation sans qu'il y ait des habitants le long de ce chemin, et sans qu'on n'y voyage.

Un des grands objets du gouvernement des Etats-Unis n'a-t-il pas été d'étendre les grandes lignes de chemins; et n'a-t-on pas trouvé que l'extension de ces lignes de chemins amenait uniformément la population sur ces lignes?—Je ne puis répondre là-dessus; on travaille beaucoup en fait de chemins dans ce pays là; on fait des chemins militaires et d'autres chemins, et je n'ai aucun doute que là où on fait de bons chemins, il est plus aisé de s'établir le long, que là où il n'y en a que de misérables, comme on en fait en Canada.

Des chemins ayant été faits, tels que vous les avez décrits, à quoi attribuez-vous qu'ils n'aient pas eu l'effet de produire des établissements sur la ligne?—D'abord, on ne peut trouver quels sont les propriétaires des terres, car elles ont été concédées il y a 20 ou 30 ans à des personnes dont quelques unes demeurent en Angleterre, ou en Ecosse; et on ne peut se placer le long d'une réserve de la couronne, ou d'une réserve du clergé, parce qu'on n'y peut être assisté par personne; les bêtes sauvages sortent de la réserve de la couronne, ou de celle du clergé, et viendront dévorer votre récolte. C'est autant qu'un homme puisse faire dans ce pays-là, la première la seconde et la troisième année, de tirer sa subsistance de son travail, sans faire les travaux de ses voisins; et ensuite on croit que la marche de la population, comme disent les américains, est vers l'ouest où le climat est plus doux; le Bas-Canada possède le climat le plus dur de toutes les provinces de l'Amérique du Nord. Les gens aiment, lorsqu'ils le peuvent, à prendre avantage du long cours d'un fleuve comme le St. Laurent, pour aller dans un climat plus doux.

La population ne s'est-elle pas accrue très-rapidement dans le Bas-Canada dans les townships qui avoisinent la frontière américaine?—Je pense qu'ils n'ont commencé à être établis qu'en 1798, et je crois que maintenant il y a dans cette contrée environ 24,000 âmes.

De quelle origine?—Ce sont des gens qui émigrent des Etats-Unis, des américains nés. Les premières concessions ont été faites en 1796, et les gens sont principalement venus des Etats-Unis dans le commencement 1798, et jusqu'en 1812 que la guerre a commencé; et je crois que depuis la guerre les établissements ont été en augmentant.

Qui peut engager les gens à s'établir de préférence sur les frontières des Etats-Unis, plutôt que dans la partie des Canadas qui est près des townships?—Le bât des américains était d'avoir de bonnes terres à bon marché; et plus elles étaient rapprochées de leur propre pays, plus il leur était facile de les prendre.

Les avaient-ils à meilleur marché dans le Canada qu'aux Etats-Unis?—Certainement qu'oui.

A quoi attribuez-vous cela?—Je l'attribue à un grand nombre de causes; l'une d'elles est que les américains savent mieux arranger les choses que nous.

Sont quel rapport savent-ils mieux arranger les choses?—Généralement ils arrangent extrêmement bien leurs affaires pour leur profit et pour leur avancement; ils ont parmi eux d'excellents réglemens pour l'avantage commun dans l'établissement des terres, et pour leur donner de la valeur lorsqu'elles sont établies; nous n'avons pas de si bons réglemens à cet égard.

L'attribuez-vous à un meilleur système de gouvernement?—Je pense que leur système de gouvernement local est beaucoup meilleur que le nôtre. Il y a une autre circonstance; quelques-uns des gens qui émigrent des Etats-Unis au Canada sont des déserteurs, des personnes qui se sont eudettés dans les Etats-Unis; elles viennent en Canada; et s'y établissent, parce que leurs créanciers n'y ont pas de prise; ce ne sont pas là les meilleurs gens pour avancer un établissement.

A quoi attribuez-vous la différence de valeur entre les terres des Etats-Unis et celles du Canada?—Je dirais que leurs affaires locales sont mieux conduites que les nôtres. Je sais qu'à Derby, où je suis allé en 1811, les terres de l'autre côté de la ligne valaient huit piastres par acre, et de notre côté elles n'en valaient pas deux.

Les habitants des townships se sont-ils jamais adressés pour quelques objets à l'assemblée législative?—Oui.

Pour quels objets?—Ils ont demandé des bureaux d'enregistrement; ils ont demandé des cours de justice; ils ont en une cour de justice; on les a séparés en un nouveau district.

Etait-ce là tout ce qu'ils demandaient?—Je ne sais pas que cela le fût; ils voulaient probablement des cours sur un plan plus étendu. C'est une juridiction limitée; mais par l'acte de 1817, les townships ont été séparés en un nouveau district; on a nommé un juge anglais pour eux seuls, on a bâti une prison, et quelques autres choses de cette espèce; cependant il y a eu beaucoup de difficultés sur ce sujet. Ils ont eu un acte pour le recouvrement des petites dettes, et pour des cours de juges à paix et autres choses de ce genre; mais je soupçonne pourtant qu'ils voudraient avoir des cours sur un plan plus étendu; ils sont mécontents des cours qu'ils ont.

A-t-on généralement fait attention à leurs pétitions?—On y a fait attention, mais je dois dire que dernièrement toutes les affaires législatives du Bas-Canada ont été beaucoup négligées; les différends entre le gouvernement exécutif et l'assemblée, et les objections du conseil législatif à procéder sur les bills envoyés par l'assemblée, ont empêché les affaires législatives d'aller avec cette activité avec laquelle elles devraient aller.

Quant aux chemins, vous avez mentionné qu'on avait voté depuis la guerre 100,000 pour en faire en différentes parties du pays; voulez-vous dire depuis 1815?—En 1815, on a commencé à faire des appropriations; en 1815, il a été accordé 15,000. et il y a eu un autre octroi considérable de 55,000. en 1817, et depuis les octrois ont été graduellement.

A-t-on fait un seul bon chemin avec cet argent?—Bien peu, je crois.

Ces sommes ont-elles été octroyées sur l'application du gouvernement exécutif, ou sont-elles provenues d'une motion dans la chambre?—Quelques-unes ont été accordées sur des pétitions, d'autres, je crois, sur des motions dans la chambre; mais il n'a été fait aucun octroi de deniers publics sans approbation de la part du gouvernement exécutif.

Ont-ils été appropriés à la confection de chemins particuliers?—Ils ont été appropriés à des comtés particuliers.

Y a-t-il eu quelque rapport de la manière dont l'argent avait été employé?—Il y a eu des rapports de faits, mais il y a en ce moment beaucoup de désordre dans l'affaire; il y a des deniers avancés au montant de 150,000. qui n'ont pas été réglés.

Les commissaires ont-ils des salaires?—Non.

Ces messieurs résident-ils dans les comtés?—Quelques-uns résident dans les comtés, quelques-uns dans les villes, quelques-uns résident à Québec, et d'autres à Montréal; mais la chose a été tout à fait mal conduite; et il n'y a aucune régularité.

La chambre d'assemblée n'a-t-elle pas quelquefois refusé de passer des bills qui lui ont été envoyés?—Je ne sais pas qu'on ait refusé aucun bill de chemins.

Vous rappelez-vous que des bills de chemins aient été introduits dans la chambre d'assemblée,

semblée, et que la chambre d'assemblée ne les ait pas passés?—Oui, je me rappelle d'un au sujet des réserves de la couronne et du clergé.

Vous rappelez-vous pourquoi il n'a pas été passé?—Je ne puis le dire, il a été référé à un comité, et il y a eu un rapport de fait.

Pensez-vous qu'il existe dans la chambre d'assemblée quelque disposition à décourager les établissements dans les townships?—Je ne le crois pas.

Existe-t-il une forte impression dans le Bas-Canada d'extraction française, quelque indisposition à voir les émigrants anglais occuper des terres sur les derrières des seigneuries, et les cultiver?—Je ne pense pas qu'il en existe; il est bien naturel cependant que les cultivateurs désirent voir leurs enfans s'établir sur les terres qui sont sur les derrières de leurs habitations; mais je ne pense pas qu'il y ait d'indisposition à l'établissement du pays par des gens venus d'Europe; l'idée générale parmi le peuple est que l'Amérique est assez grande pour tout le monde.

Existe-t-il une forte impression dans le Bas-Canada, que l'acte de 1791 prétendait réserver le Bas-Canada pour les Canadiens français?—J'ai entendu exprimer cette idée.

Croyez-vous qu'elle prévaille généralement?—Je ne crois pas généralement; mais je suis convaincu que beaucoup d'entre les Canadiens français pensent qu'il est dur pour eux de ne pouvoir avoir des terres avec la même facilité que les autres applicans.

Quel obstacle met-on à la concession de terres aux descendans des Canadiens français?—D'abord ils aiment à avoir tout à l'ancienne manière; ils ont fait application pour des terres en fief, et on leur en a refusé.

Ont-ils objection à prendre des terres sous la tenure du franc et commun socage?—Ils n'ont pas d'objection à prendre des terres sous la tenure du franc et commun socage, mais ils ne peuvent pas s'en procurer; les terres s'accroissent à une grande étendue sur les derrières, 20, ou 30 ou 40 milles; s'ils peuvent trouver quel est le propriétaire d'un parti de terres proche de leurs établissemens, ils s'adressent directement à lui, et il leur demande un prix extravagant, un prix qu'ils ne peuvent payer.

A qui ces terres se concèdent-elles?—Depuis l'année 1796, jusqu'à une époque peu éloignée, la façon était de concéder un immense parti de terres, appelé township, à un chef de township; ce chef fournissait un grand nombre de noms, qu'on insérait dans la patente, et il s'arrangeait sous main pour avoir des transports de ces personnes, de sorte qu'il devenait possesseur du tout; mais en quelques cas où ces personnes sont devenues actuellement concessionnaires, elles n'ont jamais pensé à établir les terres; le chef avait coutume de leur donner 5s. pour avoir leurs noms, et en plusieurs cas ils étaient regardés comme propriétaires. Au tems présent on ne les peut plus trouver, ou ce sont tous des personnes qui sont revenues en Angleterre ou en Ecosse, et on ne peut dire quel est le propriétaire des terres; mais si on trouve le propriétaire des terres qui sont sur les derrières des seigneuries, où les gens désirent s'établir, il leur demande pour ces terres un prix extravagant.

Proposerez-vous d'intervenir dans les droits de ces propriétaires?—Le roi a concédé toutes ces terres à condition qu'elles seraient établies, et les propriétaires n'ont pas rempli la condition. On a proposé dans la chambre d'assemblée de passer un bill pour autoriser le gouvernement du roi à procéder à l'échelle de toutes terres qui seraient dans le voisinage immédiat de tous les établissemens actuels; mais il échoua, et il y eut un acte de passé ici en 1825, qui est du même genre, mais il donne au gouvernement le pouvoir d'échetter dans toute l'étendue du pays, peut-être à 100 milles de tout établissement. Or il est dur de parler d'échetter la terre d'un homme lorsqu'il est hors de la portée de tout établissement, après qu'on lui a fait faire les frais d'honoraires pour la patente, et autres déboursés. Sans nul doute quand l'établissement se rapproche de lui, il est convenable qu'il remplisse les obligations d'établissement, et s'il ne le fait pas, qu'on la lui ôte; mais on pense qu'on pourrait se servir de ce pouvoir pour spéculer avec les gens sur l'échelle des terres, et c'est ce qui a excité l'alarme.

Comment proposeriez-vous d'en agir au sujet de ces terres?—Que la législature passât un acte pour que, quand il y a des établissemens dans un township, les terres des habitans voisins fussent échettées s'ils ne remplissent pas les obligations d'établissement.

Ainsi vous proposeriez de mettre à effet l'acte de 1825?—Sous la restriction qu'il ne s'étendrait à aucunes terres qu'à celles qui seraient dans les limites d'un établissement.

Vous venez de dire que le prix qu'on demandait pour ces terres était exorbitant, et vous aviez dit auparavant que les terres étaient à meilleur marché dans le Canada que dans les Etats-Unis?—Elles le sont, à beaucoup meilleur marché que dans les Etats-Unis; il y a eu tant de terres exposées en vente en Canada, qu'à moins qu'elles ne soient dans le voisinage immédiat d'un établissement, elles ne se vendront pas plus de 3/4, 7/8, 10d., 1s., et 1s. 3d. par acre; mais quelque fois dans le voisinage d'un établissement elles rapporteront un prix plus élevé. Au moment que vous allez vous établir le long de la terre d'un de ces occupants, vous augmentez la valeur de sa terre, et de ce moment si vous lui proposez d'acheter sa terre il en demande un prix exorbitant; il ne l'établira pas, parce qu'il trouve qu'il peut trouver un prix pour sa terre au moyen du travail d'autrui.

Vous avez dit que beaucoup de personnes dans le Bas-Canada désiraient fort qu'il y eût un agent de nommé pour résider en ce pays, et qu'on avait refusé la nomination d'un semblable agent; pour quel objet désiriez-vous qu'un agent fût nommé?—Pour faire attention généralement aux intérêts de la colonie dans ce pays, surtout par rapport aux sujets qui sont devant le parlement. Le parlement s'est réservé le droit de régler notre commerce, et de fait c'est la législature suprême de l'Empire, et l'expérience nous a démontré que, dernièrement, elles avait, dans quelques occasions, fait des lois qui nous concernent; or nous pensons que comme nous ne sommes pas ici représentés, il serait avantageux au bien-être de la colonie, et probablement à l'intelligence plus parfaitement de ce qui se passe ici, qu'une personne pût y résider pour faire attention à ces objets. Il peut arriver qu'il y ait, dans la colonie des abus dont il serait nécessaire d'informer le gouvernement de la mère-patrie; or s'il y a des abus, il serait mieux qu'il y eût quelque personne autorisée par la colonie, et reconnue par le gouvernement, à faire des représentations au gouvernement, de sorte que la chose pût être examinée et réglée tranquillement, qu'on pût mettre fin aux abus de gouvernement qui existeraient, au moyen d'instructions aux gouverneurs. Un agent pourrait, jusqu'à un certain point, faire entendre la colonie au gouvernement de ce pays, et faire aussi mieux entendre le gouvernement de ce pays auprès de la colonie, en outre de l'attention qu'il ferait aux affaires du parlement.

Savez-vous qui nommait les agens des Etats-Unis en ce pays, pendant qu'il était encore sous sa dépendance?—Je crois que c'était la législature de la colonie. Je crois que généralement les colonies qui avaient des agens les nommaient par un acte de la législature de la colonie, dont les diverses branches convenaient entre elles de la personne qui serait nommée agent. Je crois que la Nouvelle-Ecosse a eu des agens, le Nouveau-Brunswick a un agent, la Jamaïque a un agent; nous avons demandé un agent depuis 1807, et certainement s'il y avait eu un agent, on aurait prévenu beaucoup d'alarmes et d'animosités dans le pays.

La nouvelle-Ecosse a-t-elle maintenant un agent de cette espèce?—Je ne sais pas si elle en a maintenant; je sais que le Nouveau-Brunswick a maintenant un agent.

Comment proposeriez-vous que l'agent fût nommé?—Par un acte de la législature.

Avec le consentement du gouverneur?—Aucun acte ne peut passer sans le consentement du gouverneur. La dernière fois en a proposé d'avoir une conférence avec le conseil législatif à ce sujet, mais le conseil soutint qu'il ne devait pas y avoir d'agent, que le gouverneur était l'agent de la province. Cela peut-être mais il est très difficile qu'il soit l'agent, surtout par rapport aux objets au sujet desquels il y a des plaintes contre lui.

Qui donnerait des instructions à l'agent si vous en aviez un?—La méthode ordinaire a été la nomination d'un comité par le conseil et d'un autre par l'assemblée pour lui envoyer ses instructions; ou, si on ne s'accorde pas sur le choix de l'agent, on en nomme deux. Le seul objet est que les branches des législatures coloniales puissent se faire entendre en ce pays. La chose pourrait être irrégulière à quelques égards, mais on a trouvé qu'il était nécessaire d'avoir quelque chose de ce genre. Je penserais qu'à tout prendre, les agens ont fait plus de bien que de mal.

Par rapport à l'acte des terres du Canada, qui donne pouvoir de changer la tenure des terres dans les seigneuries, à l'option du propriétaire, y fait-on maintenant des objections dans le Bas-Canada, et les dispositions de cet acte sont-elles un sujet de plaintes?—Il n'a

pas eu d'exécution; le peuple l'a vu avec une espèce d'alarme, parce qu'il croyait y voir un commencement de tentatives pour détruire les lois du pays, sous lesquelles il tient ses propriétés, et particulièrement dans la partie qui déclare que toutes les lois qu'une continuation de tenures aura eu lieu sur quelque terre, cette terre sera soumise aux lois d'Angleterre. Or, il me semble impraticable que ma propriété soit sujette aux lois du Canada, et que celle de mon plus proche voisin soit régie par les lois d'Angleterre. Les gens se sont imaginés que c'était le commencement d'un plan pour la destruction des lois auxquelles ils sont accoutumés, et en conséquence il a excité quelque alarme, et le peuple s'est montré indisposé contre.

Connaissez-vous ce qui a eu lieu à la Nouvelle-Orléans depuis qu'elle fait partie des Etats-Unis?—Il ne peut y avoir là aucune difficulté, parce que c'est la majorité du peuple qui nomme la législature et le gouverneur; la majorité du peuple fait les lois, et on y doit toujours être satisfait, parce que tout ce qui se fait, se fait du consentement du peuple lui-même.

La loi française n'y a-t-elle pas été adoptée?—Je crois qu'on y a adopté un code très ressemblant au code civil; et s'il y avait un code de dressé, il n'y aurait aucune objection aux lois dans le Bas-Canada, car les objections viennent plutôt de l'ignorance que d'ailleurs. Les gens ne se soucient pas de s'informer de ce qu'est la loi, et ensuite ils trouvent qu'ils ont commis des erreurs par leur ignorance de la loi.

Quelles raisons particulières à l'état du Bas-Canada l'ont fait demeurer tant en arrière du reste du continent en matière de connaissances?—Le pays est très étendu, et les gens ont beaucoup de difficulté à établir eux-mêmes des écoles; jusques dernièrement ils n'ont pas eu le pouvoir de posséder des fonds pour des écoles; et avec de semblables difficultés, il est naturel de supposer que l'éducation ne doit pas se répandre aussi rapidement que dans les Etats-Unis, où dès l'origine on a pourvu régulièrement au soutien des écoles, sur un plan assez semblable à celui qu'on suit en Ecosse. Dans le Bas-Canada nous n'avons rien obtenu en faveur des écoles, excepté l'acte de 1801, qui a fait plus de mal que de bien à l'avancement général de l'éducation, car il a alarmé le peuple au sujet de sa religion. Les écoles étaient sous la direction de personnes qu'ils regardaient comme opposées à sa religion, et il pensait qu'on tâchait de faire aller tous les enfans à l'école, afin de les convertir, ou de les pervertir, comme il l'appelaient, et cela a causé assez d'alarme.

Je remets copie des résolutions du conseil législatif du 6 de mars 1821.

[Le témoin les litra, lesquelles furent lues comme suit:]

“ Résolu, Que le conseil législatif a incontestablement le droit constitutionnel d'avoir une voix dans tous bills d'aide ou de subside, ou d'argent d'aucune espèce, prélevé sur le peuple de cette province par la législature d'icelle, ainsi que dans tous bills d'appropriation d'iceux, quelqu'en puisse être l'objet:

“ Résolu, Que le dit droit s'étend à l'approbation ou réjection de tous bills d'aide ou de subside, ou d'argent comme susdit, et de tous bills d'appropriation pour le tout ou aucune partie de telle aide ou subside, ou de tels argens, et qu'une appropriation ne peut être faite légalement, sans la concurrence des trois branches de la législature.

“ Résolu, Que le conseil législatif ne procédera sur aucun bill d'aide ou de subside, qui à sa connaissance, n'aura point été demandé par le représentant du roi en cette province:

“ Résolu, Que le conseil législatif ne procédera sur aucun bill qui fera des appropriations d'argent public, lesquelles à la connaissance de cette chambre, n'auront point été recommandées par le représentant de Sa Majesté:

“ Résolu, Que le conseil législatif ne procédera sur aucun bill d'appropriation des argens payés en conséquence d'une adresse de l'assemblée au représentant du roi, (les adresses de la chambre d'assemblée pour les dépenses d'icelle exceptées,) et si ce n'est dans le cas de quelque événement extraordinaire et inopiné au commencement d'une session, lequel ne donnera point le temps de passer un bill d'appropriation de tels argens dans la session pendant laquelle l'adresse aura été votée:

“ Résolu, Que le conseil législatif ne procédera sur aucun bill d'appropriation d'argent public, pour tout salaire ou pension qui pourra être accordé à l'avenir, ou pour toute augmentation d'icelui, à moins que le Quantum de tel salaire, pension ou augmentation n'ait été recommandé par le représentant du roi:

“ Résolu, Que le conseil législatif ne procédera sur aucun bill d'appropriation de la liste civile, contenant des spécifications par chapitres ou items, ni à moins qu'elle ne soit accordée durant la vie de Sa Majesté le Roi:

“ Résolu, Que rien de ce qui est contenu dans ces résolutions ne sera entendu empêcher ou entreindre la liberté des débats et de décision dans cette chambre, sur le mérite de toute matière qui sera recommandée par le représentant de Sa Majesté, ou sur aucun bill concernant les argens publics, sur lesquels bills cette chambre pourra procéder suivant l'esprit de ces résolutions.”

M. Neilson.—Je remets aussi copie des résolutions de la chambre d'assemblée du 14 mars 1821, lesquelles étaient fondées sur les résolutions du conseil législatif qu'on vient de lire.

[Le témoin les renit, et elles furent lues comme suit:]

“ Résolu, Que cette chambre n'a jamais fait ni prétendu aucune chose contraire à ce qui est détaillé dans les dites résolutions de l'honorable conseil législatif:

“ Résolu, Que l'honorable conseil législatif ne peut constitutionnellement prescrire ou dicter à cette chambre la manière ou la forme de procéder sur des bills d'aide ou de subside, ni sur aucun sujet ou chose quelconque, et que toute tentative du conseil législatif pour cet objet est une infraction aux droits et aux privilèges de cette chambre: que le droit d'initiative dans les bills d'aide et de subside appartient uniquement et exclusivement à cette chambre: que le droit d'initiative dans les bills d'appropriation d'argent public appartient uniquement et exclusivement à cette chambre: que cette chambre est étonnée que l'honorable conseil législatif ait passé des résolutions et adopté des règles qui affectent les droits constitutionnels et les privilèges de cette chambre, sans avoir entendu les raisons qui auraient pu être données au contraire de la part de cette chambre: que les dites résolutions ont été adoptées par l'honorable conseil législatif sans qu'il se soit élevé aucune difficulté ou aucune dispute entre le dit conseil législatif et cette chambre au sujet des matières y avancées, et que les dites résolutions adoptées gratuitement et sans nécessité par le dit conseil législatif, sont de nature à retarder le rétablissement de cette harmonie et de cette bonne intelligence entre les deux chambres qu'il est si à désirer de voir régner, pour le bon gouvernement, la paix et le bien-être du peuple de cette province: que toutes résolutions par lesquels une branche de la législature se fait d'avance et d'une manière générale une règle de ne pas procéder sur des bills d'une certaine forme ou d'une certaine description, qui peuvent lui être offerts par une autre branche, sont contraires aux lois et aux usages parlementaires, à l'acte constitutionnel, et aux libertés, aux droits et aux privilèges des autres branches de la législature et même de la branche qui adopte telles résolutions: que par l'usage parlementaire constant, reconnu par plusieurs actes du parlement du Royaume-Uni et de la législature de cette province, les Communes du Royaume-Uni et l'assemblée de cette province, ont fréquemment voté par adresse des avances de deniers quand les besoins de l'état et du pays l'ont rendu nécessaire, et que cette pratique, au lieu d'être désavantageuse, a été d'un très-grand secours au gouvernement, vu que la pratique contraire produirait des inconvéniens incalculables et des conséquences fatales au gouvernement de Sa Majesté: que c'est le devoir de cette chambre envers Sa Majesté et son peuple de cette province de prendre en considération tous salaires, pensions, et augmentations d'iceux, et d'y pourvoir avec libéralité et justice, quoique le quantum ne soit pas mentionné dans la recommandation faite à cette chambre par le représentant du roi: que l'honorable conseil législatif ne peut, directement ou indirectement, abrégier ou prolonger le temps fixé par des bills de cette chambre pour la collection d'aucune somme de deniers, ni changer le mode établi par un bill de cette chambre soit pour la collection ou pour l'application des deniers publics.”

Mardi,

Mardi, 3e jour de juin 1828.

M. Simon McGillivray, introduit; et examiné:

Connaissez-vous les provinces britanniques de l'Amérique du Nord?—Je les connais, les ayant fréquemment visitées.

En quelle qualité les avez-vous visitées?—Comme marchand, et comme lié avec la compagnie du Nord-ouest, dont le commerce s'étendait considérablement dans l'intérieur, et en suivant les affaires de laquelle, j'ai eu occasion à plusieurs reprises de voyager à travers une partie considérable du pays.

Connaissez-vous principalement le Haut-Canada, ou le Bas-Canada?—A peu près également les deux; mes liaisons sont principalement dans le Bas-Canada; mais j'ai si souvent voyagé dans le Haut-Canada, que j'ai une égale connaissance personnelle des deux pays.

Depuis quel tems connaissez-vous ces provinces?—Je connais le Bas-Canada depuis 1802; le Haut-Canada depuis la guerre, depuis 1815.

Etes-vous propriétaire de terres dans l'une ou l'autre province?—Je ne le suis pas d'une manière divisée. Je crois que je puis être propriétaire de quelques terres en friche dont j'hérite de quelques parents, mais je ne les ai jamais vues.

Y a-t-il suivant votre opinion, dans l'état des lois dans le Bas-Canada, quelque chose qui décourage les sujets britanniques d'acquiescer des terres en cette province?—Certainement il y en a beaucoup; l'état des tenures; les primes sur les mutations des biens, et le dégoût général que j'ai trouvé prévaloir à vivre sous des institutions et des lois françaises.

Croyez-vous que ce dégoût se borne à la population anglaise; ou la population française le partage-t-elle?—Certainement non; les Français sont jaloux de conserver leurs institutions particulières avec aussi peu de changement que possible.

La population française n'est-elle pas beaucoup plus nombreuse que la population Anglaise?—Elle l'est. La population anglaise et la française sont fort peu entre-mêlées; et même là où l'une et l'autre résident ensemble, comme dans les villes, elles ne s'associent pas, mais forment, pour ainsi dire, des castes distinctes. Dans la partie seigneuriale du Canada, le long des rives du St-Laurent, la population française est assez peu mêlée. Il y a un mélange de population anglaise dans quelques-unes des villes; et dans ce qu'on appelle les townships de l'est (étendue considérable de territoire située entre les seigneuries et les bornes de la province); la population est partie d'origine anglaise et partie d'origine américaine, mais on l'appelle généralement anglaise, pour la distinguer de la française.

Les objections à l'état des lois se bornent-elles aux habitants des townships?—Elles se bornent à la population commerciale des villes, et aux habitants anglais des townships.

Vous dites que les primes sur les mutations de propriétés sont une des raisons pour lesquelles les habitants anglais marquent de l'aversion à en acquiescer; pouvez-vous dire le montant de ces primes?—Le montant des primes est à ce que je crois d'un douzième sur chaque transport; et ses effets nuisibles sur les propriétés améliorées sont dès l'abord manifestes, parceque si un homme achète un morceau de terre, seulement un jardin, 200L. ou 300L. et qu'il y bâtit une maison valant 10,000L., il paye la prime sur la valeur additionnelle.

Le douzième va-t-il au seigneur?—Oui.

Se paye-t-il également soit que le transport des propriétés arrive par la mort du possesseur ou par vente?—Cela dépend de la qualité des héritiers. Si ce sont les enfants qui héritent, je crois qu'ils ne payent pas de lods et ventes; je crois que ce n'est qu'en cas de vente que la prime est chargée en entier.

Sont-ce principalement les Anglais qui font le commerce du Canada?—Ce sont les personnes d'origine anglaise et écossaise, et ceux que les Canadiens regardent comme d'origine étrangère, parlant des Anglais comme comprenant tous les autres qui ne sont pas Canadiens.

A quelle circonstance attribuez-vous que les Canadiens ne s'engagent pas dans le commerce?—Ce ne peut-être que matière d'opinion. Il y en a quelques-uns qui sont engagés dans les branches inférieures du commerce; ils tiennent des magasins, et de petites boutiques à la campagne, demi-auberges et demi-magasins, mais généralement ils ne sont pas un peuple commerçant, et de ceux qui se sont occupés du commerce, peu sont parvenus à se distinguer ou à y amasser beaucoup de biens.

Pendant quelle commerce des pelleteries se faisait par le débouché du St-Laurent, n'y étaient-ils pas engagés d'une manière très-active?—Comme commis, domestiques et voyageurs ou hommes de caouts, oui; j'en parle d'après mes propres connaissances. Le commerce des pelleteries s'est fait dans le nord, depuis 1784 ou 1785 jusqu'en l'année 1821, entièrement par une association appelée la compagnie du Nord-ouest, et quoique les propriétaires de la compagnie fussent toujours choisis suivant un système régulier de promotion parmi les commis les plus capables, je crois qu'il n'y a jamais eu que quatre Canadiens qui aient eu des parts dans la compagnie, et l'un d'eux par la circonstance d'une alliance de famille. Je n'ai pas d'objection à énoncer le fait, mais cela n'est d'aucune conséquence, et cela pourrait offenser le parti; mais les bas serviteurs étaient presque tous Canadiens.

Les personnes que vous avez dit être engagées dans les affaires mercantiles dans le Bas-Canada, appliquent-elles leur argent dans le Bas-Canada, ou ont-elles l'habitude de le faire passer en Angleterre?—Ils ont fort l'habitude de le faire passer en Angleterre; et je suis persuadé que cette pratique a tendu à prévenir l'avancement de la colonie, et son amélioration de la même manière que sont améliorés les états voisins.

Connaissez-vous assez le Haut-Canada pour pouvoir dire si la même pratique y a lieu; c'est-à-dire, si ceux qui y font de l'argent dans le commerce le font passer en Angleterre, ou l'appliquent là même?—Je connais à peine un exemple que des personnes qui ont acquis de l'argent dans le Haut-Canada l'aient laissé après. Ils deviennent généralement de grands propriétaires. Il y a différentes personnes que je connais à présent qui parlent depuis longtemps de quitter la province, mais cependant elles continuent à y demeurer.

Voulez-vous dire des personnes qui sont engagées dans le commerce?—Elles ont été engagées dans le commerce, ce sont des propriétaires de moulins, et généralement des trafiquants en produits; parce que le commerce du pays se borne aux produits de la terre, et à l'importation pour la consommation d'articles manufacturés et de denrées coloniales.

Le Comité doit-il en conclure que la tenure des terres et la régie des propriétés est, dans le Haut-Canada, sur un pied plus convenable aux personnes d'origine britannique que dans le Bas-Canada?—Sans doute; et je puis dire de plus, en faveur de cette opinion, que la terre, dans le Haut-Canada, a une valeur beaucoup plus considérable, que d'autre également fertile dans le Bas-Canada, quoiqu'elle soit bien plus éloignée du marché, est bien moins à portée de la navigation.

La supériorité du climat du Haut-Canada contribue-t-elle beaucoup à produire cette augmentation de valeur?—En partie, certainement.

A quoi attribuez-vous le reste?—Au choix de préférence de terres régies par les institutions du Haut-Canada sur des terres régies par les institutions du Bas-Canada; j'ajouterais, pour corroborer cela, que là où il n'y a pas beaucoup de différence de climat, là où les terres ne sont divisées que par une ligne imaginaire entre la province du Bas-Canada et les états de New-York et de Vermont, les terres des townships du côté du Canada peuvent en plusieurs endroits à peine se vendre 1s l'acre, et que de l'autre côté de la ligne elles se vendent 10s, 12s et 15s.

Quand vous dites que les habitants anglais des townships et les habitants anglais des

villes dans le Bas-Canada, désirent la loi anglaise de préférence à la loi française, voulez-vous dire qu'ils désirent la loi Anglaise de primogéniture, et les formes Anglaises des actes translatifs de propriété, ou qu'ils désirent la loi anglaise telle qu'elle est établie aux Etats-Unis?—Je penserais que ceux qui ne sont pas hommes de loi n'entrent pas exactement dans toutes les difficultés qui ont rapport aux formes anglaises des actes, et aux autres difficultés de la loi anglaise.

Le Comité doit-il entendre qu'ils désirent la loi anglaise telle qu'on la pratique dans les Etats de Vermont et de New-York?—Oui, ce n'est que de cette manière qu'ils peuvent la connaître. Je dirai que l'on peut croire qu'ils entendent, et qu'ils désirent seulement, en parlant de la loi anglaise, être exempts des désavantages qu'ils éprouvent dans la loi française.

Le système de lois françaises qui prévaut à Montréal et à Québec affecte-t-il matériellement ou embarrasse-t-il les opérations mercantiles dans le Bas-Canada?—Il crée à plusieurs égards des difficultés considérables. Le défaut d'une loi de banqueroute et de dispositions pour l'arrangement des biens en faillite, cause une difficulté considérable dans le recouvrement des dettes commerciales; et le système d'après lequel tout acte passé devant notaire est tenu pour une sûreté foncière sur tous les biens d'un particulier, fait qu'il est difficile de savoir quand une dette est assurée ou non; parce qu'on peut produire un document en la possession d'un notaire obscur, ou le tirer des archives d'un notaire défunt, d'une date quelconque, presque entièrement oublié par le contractant, et qui à moins qu'il ne soit formellement annullé, vaut hypothèque sur tous ses biens.

Cela empêche-t-il le prêt d'argent sur hypothèque?—Cela l'empêche sans doute, parce qu'il vous est impossible de savoir quand vous pouvez prêter votre argent en sûreté; et cela jette aussi tant de doute sur les titres, que c'est devenu l'usage presque universel de transporter les propriétés au moyen d'une vente du shériff, qui après un certain tems, prescrit toutes prétentions hypothécaires; et, dans le fait, les ventes par le shériff sont si générales, que si vous prenez une gazette du Canada, principalement la Gazette de Québec, vous en trouvez généralement la moitié remplie de ventes par le shériff.

Les personnes engagées dans le commerce dans le Bas-Canada sont-elles du tout gênées dans leurs entreprises par les lois qui subsistent au sujet des biens meubles?—Je ne connais pas qu'ils soient gênés dans les achats et les ventes; quant aux disputes entre marchands, elles sont certainement accompagnées de difficultés, parceque les Anglais préféreraient l'établissement d'un système de procès par jury, à la manière dont les questions y sont décidées.

Par rapport aux lois elles-mêmes, s'y rencontre-t-il quelque chose qui produise des inconvénients, ou dont les marchands aient à se plaindre?—Je crois qu'il y a un grand nombre de réglemens encore en force comme faisant partie de la "Coutume de Paris," qui ne sont plus applicables aux tems modernes, mais je ne puis en parler.

Connaissez-vous le district du Bas-Canada connu sous le nom de townships?—Je n'y ai jamais été; dans le fait ils sont inaccessibles aux voyageurs, et on ne peut les visiter qu'en été à pied ou à cheval, et en hiver quand les chemins de neige sont bons, n'y ayant aucun chemins entre iceux et les bords du fleuve.

Savez-vous du tout de quelle manière se fait le transport des marchandises entre les deux provinces?—Oui.

Les marchands qui importent dans le Haut-Canada sont-ils exposés à des difficultés, ou à des taxes injustes, dans le transport de leurs marchandises à travers la province du Bas-Canada?—Je crois que les marchands ne sont exposés à aucune difficulté, parceque quand ils ont à payer un droit d'importation, il importe peu au payeur où il le paiera. La province du Bas-Canada s'est plaint de ce qu'on la privait d'une partie des droits, et des disputes se sont élevées entre les deux provinces au sujet de la distribution des droits ainsi perçus.

Où les droits se perçoivent-ils maintenant?—Entièrement à Québec, je crois; je ne suis pas sûr s'il ne s'en perçoit pas à présent une partie à Montréal: l'ancien système était de les percevoir entièrement à Québec, mais on s'en plaignait à Montréal.

La consommation de marchandises étrangères est-elle semblable dans les deux provinces, ou la différence d'origine et de mœurs entre les habitants, cause-t-elle une grande différence dans la consommation?—Je penserais que les articles qui paient le plus de droits, sont les liqueurs, le vin et les boissons spiritueuses. Je penserais qu'il se consomme plus de vin dans le Bas-Canada que dans le Haut; probablement on y distille des grains, et on y consomme moins de boissons importées que chez ceux qui sont plus à portée du marché; telle était au moins l'opinion des commissaires qui se sont assemblés pour fixer la distribution des droits entre les deux provinces.

Ainsi, de la manière dont les droits sont imposés, les taxes peseraient plus sur les habitants du Bas-Canada que sur ceux du Haut, suivant la proportion relative de la population?—Je le dirais, en autant qu'il s'agit des boissons; quant aux autres articles, je penserais que d'après les habitudes et la manière plus aisée de vivre de plusieurs des habitants du Haut-Canada, c'est exactement le contraire; de sorte que très-probablement la distribution des commissaires était équitable, lorsqu'ils prenaient la population comme la base de la distribution des droits d'importation.

Y a-t-il quelque raison de soupçonner que dans l'imposition des taxes qui est entièrement entre les mains des habitants du Bas-Canada, on ait exercé ce droit d'une manière injuste sous ce rapport: qu'on ait imposé des taxes qu'on savait devoir tomber plus probablement sur les habitants du Haut-Canada que sur ceux du Bas?—Je ne sais pas qu'il existe une telle impression; je ne pense pas moi-même que ce soit le cas.

Y a-t-il des taxes sur le transport de marchandises venues de l'intérieur?—Il n'y a pas de droits de quelque importance; il s'importe des Etats-Unis quelques marchandises sur lesquelles il y a un droit considérable d'imposé.

Voulez-vous parler des marchandises importées des territoires des Etats-Unis qui sont au sud de la province?—Oui; il paraît qu'on a voulu faire servir ces droits de prohibition; aussi ont-ils eu l'effet de prohiber l'exportation par ce débouché, ce qui a été une des grandes causes qui ont fait faire le canal qu'on a construit dans l'état de New-York.

Quelques-uns de ces droits d'exportation portent-ils sur les produits du Haut-Canada?—Je ne sais pas qu'ils portent sur les produits du Haut-Canada.

Connaissez-vous du tout la manière dont le Gouvernement concède les terres dans le Bas-Canada?—Les concessions faites depuis la conquête ont été faites en townships tracés de la même manière que dans le Haut-Canada; ces townships sont généralement de 10 milles en carré, qui sont divisés en lots de 200 acres, et un certain nombre de ces lots sont réservés à la Couronne et au clergé, généralement un septième à la Couronne et un septième au clergé.

Savez-vous si l'étendue des concessions ou le mode d'après lequel elles ont été distribuées, ont eu une tendance à en retarder la culture?—Sans doute; l'octroi de larges concessions dans les townships voisins des seigneuries, doit avoir tendu à retarder la culture; mais les seigneuries elles-mêmes ne sont pas entièrement cultivées jusqu'aux bornes des townships; il n'y a que la partie en front qui avoisine immédiatement le fleuve; la population y est très-serrée, tellement serrée, qu'à distance les maisons paraissent le long du chemin comme un village continu; mais si on va dans les derrières, à trois ou quatre milles, le pays n'est ouvert que faiblement.

Ensuite, au-delà, et du côté des frontières américaines, n'y a-t-il pas un district appelé les Townships?—Oui, je crois que généralement les seigneuries s'étendent à environ 12 ou 15 milles du fleuve, et tout le pays de là aux bornes de la province, est divisé en townships, qui ont, je crois, été mesurés, et je sais que le gouvernement provincial n'est pas du tout satisfait de l'exactitude de ce mesurage.

Pouvez-vous dire généralement quelles mesures ou quel plan on pourrait suivre, pour venir probablement à bout d'amener à culture les terres que vous décrivez comme en friche, situées entre les seigneuries et la frontière américaine?—Je ne connais aucun plan qui probablement aurait autant d'effet, que de taxer les terres pour faire faire des chemins, ou de faire les chemins et de les faire payer aux propriétaires; et si les absens ou autres ne payaient pas, de vendre une partie de la terre pour payer les contributions.

Quelles sont les difficultés qui empêchent maintenant la confection des chemins?—La difficulté vient de l'état des propriétés; d'abord parce que beaucoup de concessions sont tenues par des absens; ensuite les réserves de la Couronne et du clergé sont un empêchement

ment à l'ouverture de chemins ou à toute communication à travers le pays; il n'y a aucuns moyens de couvrir les dépenses. Les gens des townships que j'ai vus se plaignent beaucoup de la difficulté d'avoir des chemins, parce qu'il n'y a personne qui veuille contribuer avec eux aux frais de l'ouverture de chemins à travers les terres voisines qui ne leur appartiennent pas.

Connaissez-vous du tout le système qu'on suit maintenant pour tracer des chemins?—Je crois que la surveillance du grand-voÿer se borne principalement aux chemins des seigneuries.

Les terres qui sont mise à part en réserve pour le clergé sont-elles disposées de manière à causer de grands inconvéniens aux habitans?—Oui, sans doute, parce qu'en disposant de chaque septième lot pour cet objet, et d'un autre septième pour les réserves de la couronne, et en supposant que les lots intermédiaires qui joignent à la rivière ou au chemin soient occupés et ouverts en partie, on empêche cependant celui dont le lot est au delà des réserves, d'arriver à sa ferme ou de transporter ses produits au dehors, à moins d'encourir la dépense d'un chemin à travers la réserve, et il n'en a pas les moyens; de sorte que les réserves sont en général un empêchement à l'établissement.

Cette raison rend-elle à elle seule suffisamment compte de ce que les terres entre les townships et les seigneuries restent sans être établies?—C'est seulement une des causes, et elle y contribue avec d'autres; parce que l'objet est le même; soit que la terre soit une réserve du clergé ou une réserve de la couronne, ou que le concessionnaire n'y soit pas résident.

Pensez-vous que les propriétaires absents aient été détournés de cultiver leurs terres par les réserves de la couronne et du clergé?—Elles en ont augmenté la difficulté.

Savez-vous à quelles mesures on a eu recours pour forcer les absents à remplir les conditions de leurs concessions en cultivant leurs terres?—Je sais que dans le Haut-Canada on a adopté quelques mesures législatives pour faire des améliorations et pour taxer les terres des absents et les faire contribuer à ces améliorations.

Différentes sectes religieuses dans le pays ne réclament-elles pas les réserves du clergé?—Je pense que la dispute s'est élevée de cette manière. Il y a environ quatre ans le gouvernement contracta avec une compagnie de marchands, desquels j'étais un, pour l'établissement d'une certaine partie des réserves du clergé et de toutes les réserves de la couronne dans le Haut-Canada, à cette compagnie, dans le but de les faire vendre et établir, et ce fut après que cette négociation eût fait quelque progrès que j'entendis parler pour la première fois d'une corporation appelée la corporation du clergé, qui avait acquis un titre à toutes ces réserves cléricales. Cette corporation du clergé fit de fortes remontrances contre les arrangements que le gouvernement avait pris avec la compagnie du Canada, et prétendirent que la valeur de ces réserves du clergé était beaucoup plus considérable que d'autres personnes ne la croyait être, et subséquemment d'autres dénominations religieuses, particulièrement les presbytériens, et différens partis dans la chambre d'assemblée du Haut-Canada, ont réclamé une part dans la distribution du revenu des réserves du clergé. L'église établie réclame le tout comme étant l'église protestante pour le soutien de laquelle les réserves avaient été originellement établies. D'autres y réclament une part, disant qu'elles sont généralement appropriées au soutien d'une église protestante, sans désignation exclusive de l'église d'Angleterre.

Le comité doit-il entendre que cet état de choses provient de différentes réclamations qu'on a faites si longtemps, et l'incertitude où l'on est à qui ces réserves du clergé appartiennent réellement, a produit beaucoup de discorde et de mécontentement dans la province?—Je dirais, pas beaucoup; il a eusé récemment quelques discussions et quelques disputes dans les gazettes; mais c'est une question de date très récente; c'est une question qui avait à peine commencé d'exciter des mécontentemens publics lorsque je quittai la province en 1825.

Ne savez-vous pas que la législature du Haut-Canada a passé des votes à plusieurs reprises sur cette question?—Oui, elle l'a fait récemment.

Avez-vous une notion générale du nombre d'adhérens aux différentes sectes dans la colonie?—Je n'en ai pas, et de fait c'est un point difficile à établir; j'ai travaillé à recueillir quelques connaissances de détails, et je n'ai pu parvenir à le faire.

Diriez-vous généralement parlant que l'église d'Angleterre n'en avait qu'une faible minorité, ou non, dans la province du Haut-Canada?—En la comparant à toutes les autres ensemble je le dirais décidément.

Une résolution à ce sujet n'a-t-elle pas été passée dans la chambre d'assemblée, et emportée par une majorité d'au moins 24, la minorité ne se montant qu'à trois?—Je l'ai entendu dire.

Vous êtes membre de la compagnie du Canada?—Je le suis.

Quelle était la nature du contrat fait entre le gouvernement et la compagnie par rapport aux terres que la compagnie devait posséder?—Le contrat fut fait dans le dessein d'acheter de la couronne toutes les réserves de la couronne qui n'avaient pas alors été concédées (on a trouvé depuis qu'elles se montaient à environ 1,400,000 acres) et la moitié des réserves du clergé qui n'avaient pas été concédées ou données à bail avant le 1er de mars 1824; elles se montaient à environ 840,000 acres; ainsi la compagnie achetait de la couronne environ deux millions et un quart d'acres de terre, au prix qui serait fixé par des commissaires, payable au gouvernement en versemens pendant 15 années.

Les commissaires devaient-ils déterminer un prix commun pour les réserves de la couronne et pour celles du clergé?—Il devait déterminer le prix généralement entre le gouvernement et les acheteurs de toutes ces terres.

A-t-on fixé quelque prix pour les réserves de la couronne?—Oui; les commissaires ont par leur rapport fixé un prix à la fois pour les réserves de la couronne et pour celles du clergé; mais le meilleur témoignage sur ce sujet serait le rapport lui-même, qui se trouve dans le bureau colonial.

Quels paiemens la compagnie du Canada a-t-elle faits au gouvernement?—Je crois qu'en comprenant un paiement qu'on peut regarder comme fait parce qu'il a été ordonné et qu'il sera fait dans le cours de ce mois, le montant en est de £35,000.

Consiste-t-il en partie en rente ou redevance annuelle?—Non, c'est le prix d'achat de tant de terres payé en versemens annuels; la somme payée comprend les versemens des deux premières années.

Les versemens sont-ils fixés annuellement à £15,000?—Ils sont fixés au versement annuel de £20,000 la première année, et de £15,000 l'année suivante, et ainsi de suite de manière à former la somme totale en 16 ans.

Quelles étaient les obligations de la compagnie quant à la prise de possession de terres?—Elle s'est obligée à prendre annuellement possession d'une partie déterminée des terres, ou à payer une amende au gouvernement au lieu des obligations d'établissement; elle est forcée d'occuper chaque année une certaine partie des terres, ou de se soumettre à une amende au cas qu'elle y manque.

Depuis combien d'années est-elle en existence?—Elle a eu sa charte en septembre 1826; je dois dire là-dessus que les procédés de la compagnie ont été considérablement retardés par la dispute à laquelle ont donné lieu les représentations de la corporation du clergé. Il s'est ensuivi un délai pour l'octroi de la charte, et pour mettre la compagnie à même de commencer les opérations, et dans le même temps parut tout à coup en Angleterre ce qu'on a appelé la terreur panique commerciale ou financière, qui a beaucoup déprécié de valeur toutes les spéculations de cette espèce et à été particulièrement nuisible aux intérêts des actionnaires de la compagnie du Canada.

De quelle partie des terres la compagnie est-elle actuellement en possession?—Nous n'avons pris possession actuelle que de celles où nous avons placé des occupants.

Sur quel pied y avez-vous placé des occupants?—Sur le pied de vente à ces individus. Nous avons stipulé avec un homme qu'il paierait tant, et nous le mettrons en possession de la terre, lui donnant un titre après qu'il a payé une certaine proportion du prix convenu.

Les terres sont-elles toutes en un parti?—Non, les réserves de la couronne sont en lots détachés.

Les circonstances et la position des réserves du clergé qui restent vous nuisent-elles beaucoup dans l'amélioration et la culture des terres que vous avez obtenue de la couronne?—Elles ne nous ont pas nuï, et je penserais que, d'après nos arrangements actuels, elles ne nous nuiront probablement pas, parce que je comprends que sous l'autorité d'un acte passé il y a deux ans, le gouvernement a nommé un commissaire pour vendre les réserves du clergé; et si elles sont exposées publiquement en vente, elles ne nuiront pas à la culture de la province. Nous nous sommes plaint de ce qu'on vendait et qu'on donnait ces terres pour rien en opposition à la compagnie qui vendait aussi celles qu'elle avait achetées, mais ceci est une affaire commerciale qui n'intéresse que nous, les actionnaires; et par rapport à l'intérêt général de la province, je supposerais que la mesure que le gouvernement a adoptée en mettant les réserves du clergé en vente, les empêchera de nuire autant à la culture qu'elles l'ont fait jusqu'ici. Je dois dire aussi qu'auparavant, en plusieurs cas où les réserves du clergé avaient acquis par les établissemens dans le voisinage une valeur suffisante pour porter une rente, on les a louées et on a fait cesser ainsi la nuisance à l'amélioration.

Qu'est-ce que la corporation du clergé?—C'est une corporation qui a été organisée en Canada, et confirmée par l'autorité royale en Angleterre.

De quelles personnes est-elle composée?—De l'évêque de Québec, et de certaines personnes nommées en Canada, généralement membres du clergé, à ce que je crois.

Cette corporation est-elle saisie de l'administration des terres du clergé?—Je crois qu'elle l'est.

Les produits étrangers que le Haut-Canada consomme y arrivent-ils par la voie des Etats-Unis ou par celle du Bas-Canada?—Principalement par le Bas-Canada; jusqu'à il y a quelques années, les produits de la Chine et de l'Inde passaient dans les deux Canadas par la ligne des Etats-Unis, en grande quantité; mais, en conséquence de la mesure adoptée par la compagnie des Indes-Orientales, d'envoyer son thé directement à Québec où il n'est pas sujet à l'énormité des droits anglais, je crois que la balance des importations est plutôt à présent de l'autre côté, et qu'il s'en introduit maintenant du Canada dans les Etats-Unis.

N'y a-t-il pas beaucoup de contrebande introduite des Etats Unis dans le Haut-Canada, ou vice versa?—Je pense que non; les droits ne sont pas assez considérables dans le Haut-Canada pour faire de la contrebande un objet de quelque importance; mais les établissemens de douanes des deux côtés du lac se font entre eux une guerre considérable, causée principalement par les restrictions imposées dans les ports Canadiens sur les vaisseaux américains; si un vaisseau a touché au côté anglais du lac, il le regarde comme venant d'un port étranger, et il est assujéti à un fort droit de tonnage.

Ne transporte-t-il beaucoup de produits du Haut-Canada par les canaux américains?—Non.

Comment se fait-il que les habitans du côté sud des lacs, qui sont citoyens américains, trouvent leur affaire à transporter leurs produits par leurs canaux, s'il n'en ai pas ainsi pour les habitans du Haut-Canada?—Parce que leurs produits sont sujets à un droit considérable lorsqu'ils passent par le Bas-Canada. Si on eût ouvert la navigation du Saint-Laurent aux produits du côté sud des lacs, je pense que ces canaux n'auraient jamais été creusés; et que c'était pour éviter nos droits de passage et d'importation dans le Bas-Canada, que le peuple de New-York a été induit à entreprendre des ouvrages si considérables et si difficiles.

Si maintenant ces droits étaient abolis, le commerce se rétablirait-il?—Je penserais que non, parce que les canaux sont creusés, et le grand avantage du havre de New-York, les capitaux accumulés en cette ville, l'esprit d'entreprise de ses marchands, la proximité de son havre des Indes-Occidentales, aussi bien que la facilité d'y aborder pendant toute l'année tandis que le Saint-Laurent est resté fermé une moitié entière; je penserais, dis-je, que toutes ces circonstances contrebalanceraient les avantages; cependant une quantité considérable d'articles massifs descendrait le Saint-Laurent.

Quel est l'objet des droits de passage; les a-t-on imposés pour empêcher qu'on n'importât les articles de commerce américains en Angleterre ou dans les colonies britanniques?—Je pense que c'était là l'objet. Les Canadiens réclamaient l'avantage particulier d'exporter leurs produits en Angleterre et dans nos colonies, soit francs de droits ou avec des droits réduits; et à fin d'empêcher les produits américains de partager ces avantages; on a levé ces droits, en partie dans la vue d'assurer aux habitans du Canada les avantages que leur procure l'exportation de leurs produits en Angleterre et dans nos colonies.

Ce système de droit de passage n'empêcherait-il pas entièrement les produits des états américains de prendre leur cours par le Saint-Laurent lorsque le canal du Rideau sera creusé?—Je pense que le canal du Rideau n'amènera jamais beaucoup de produits; c'est une amélioration importante faite au pays sous le rapport de sa défense militaire; mais tant que le Saint-Laurent sera ouvert, et tant que des embarcations considérables pourront le descendre sans empêchement, je pense qu'il n'en descendra pas beaucoup par le canal du Rideau. Les bateaux peuvent monter par le canal du Rideau, mais je pense que le cours du Saint-Laurent servira toujours de voie pour descendre.

Passera-t-il dans le canal de Welland beaucoup de produits du territoire américain au sud du lac Érié?—Je pense qu'il en passera beaucoup.

Dans la vue de trouver un dernier débouché pour les canaux américains?—Soit par le Saint-Laurent ou par les canaux américains. Suivant un calcul que j'ai vu; je crois qu'il pourrait être avantageux aux chaloupes et aux goélettes qui naviguent sur le lac Érié de passer par le canal de Welland, si on leur permet de passer sans droits de passage, soit pour transporter leurs cargaisons à l'embouchure de la Rivière Oswego, ou pour descendre le Saint-Laurent jusqu'à Prescott.

Le principe sur lequel les droits de passage sont établis s'appliquera-t-il du tout au canal de Welland?—Je n'en suis pas certain; j'espère que s'il s'applique on y fera un changement.

A tout prendre, ces droits de passage ont-ils été nuisibles à la colonie?—Ils étaient destinés à lui être avantageux en encourageant l'accroissement de sa culture, mais je crois que dans le fait ils lui ont été nuisibles.

Ainsi ils n'ont pas eu l'effet d'augmenter la culture de la colonie?—S'ils l'ont augmentée jusqu'à un point considérable, c'est ce que je ne sais pas; je pense que le mal a été plus grand que les avantages.

L'union des deux provinces faciliterait-elle considérablement le commerce de l'une ou de l'autre?—Oui, celui du Haut-Canada.

De quelle manière?—En lui donnant un contrôle sur le port direct d'entrée et de communication avec le reste du monde, qu'il n'a à présent que sous la juridiction du Bas-Canada.

Les habitans du Bas-Canada exercent-ils cette juridiction de manière à gêner le commerce des habitans du Haut-Canada?—La législature du Bas-Canada a exercé ses pouvoirs de manière à gêner le commerce d'une manière générale, particulièrement celui du Haut-Canada, parce que c'était celui qui y était le plus exposé.

De quelle manière ont-ils imposé cette gêne?—Je puis parler des résultats généraux beaucoup mieux que des détails, et je ne suis pas préparé à entrer en explication sur ce sujet.

Quelles sortes de marchandises aviez-vous coutume d'importer dans le Haut-Canada?—Je n'ai jamais beaucoup importé dans le Haut-Canada. Les marchandises que j'avais principalement coutume d'importer d'Angleterre dans le Bas-Canada, étaient des articles de manufacture britannique de différens genres, convenables à la traite avec les sauvages. Je n'ai jamais été engagé dans aucun commerce local dans les colonies; j'ai été engagé dans la traite sauvage et dans le commerce des pelleteries, en qualité de directeur de la compagnie du Nord-Ouest. Nos importations d'Angleterre consistaient en articles manufacturés, en armes, en munitions et en étoffes, pour soutenir le commerce avec les sauvages, et nous achetions en Amérique des provisions, du tabac et du rum; et ces articles s'acheminaient par le Haut-Canada aux territoires sauvages du Nord-Ouest; c'était là le commerce dans lequel j'étais principalement engagé; et ce commerce n'ayant éprouvé

éprouvé aucune gêne par le fait de restrictions législatives, il s'ensuit que je ne suis rien moins que préparé à répondre à la dernière question.

Ces marchandises passaient-elles d'une province à l'autre sans payer de droit?—Oui; ayant payé les droits d'importation dans l'une ou l'autre province, elles passaient franches de l'une à l'autre, et il n'y avait pas de remise.

Connaissez-vous des cas où différens réglemens de commerce au sujet des mêmes articles aient existé à la fois dans les deux provinces?—Je ne suis pas suffisamment au fait des détails du commerce local pour répondre à cette question.

Les habitans du Haut-Canada ne se plaignent-ils pas de ceci, que les droits prélevés dans le Bas-Canada y sont appliqués aux objets locaux de cette dernière province, et ne sont pas appliqués aux objets de la province supérieure?—Autant que je l'entends c'est là la principale plainte, et cette plainte roule plutôt sur la distribution des droits, que sur une inégalité ou une injustice dans leur imposition.

Pouvez-vous dire d'une manière générale qu'elle est la nature de l'arrangement par lequel se détermine la part de revenu à laquelle le Haut-Canada a droit?—Je crois que je le puis parce que j'ai eu beaucoup de conversations avec un monsieur envoyé pour décider le dernier arbitrage. M. Chipman, du Nouveau-Brunswick, me montra ses papiers. Il avait été envoyé pour régler la différence d'opinion entre M. Richardson et M. Baby, commissaires nommés pour le Bas et le Haut-Canada; lesquels étant d'une opinion différente M. Chipman fut choisi par le gouvernement pour donner l'opinion prépondérante. Je me trouvai à Montréal dans le tems qu'ils se rassemblèrent, et après que la décision fut donnée, M. Chipman me montra ses papiers, et le principe sur lequel il avait décidé, était que la population des deux provinces était la juste base de la distribution.

Croyez-vous que ce principe ait donné satisfaction aux deux provinces?—Je crois que toutes deux s'en sont plaint; et cependant je ne pourrais imaginer un mode plus équitable de décider la question.

Le Bas-Canada ne considère-t-il pas que ceci conduit à une diminution sérieuse de ses pouvoirs?—Dans le principe le Bas-Canada réclamait le total des droits, et regardait comme injuste la réclamation du Haut-Canada à y avoir une part quelconque.

Est-on maintenant convenu pour toujours du principe que le montant relatif de la population servirait de base pour régler la distribution?—Non; il n'a été émis qu'en un seul cas par une sentence arbitrale; et je crois que c'est pour quatre années.

Ce principe a-t-il été adopté depuis?—C'en est le plus récent.

L'avait-on suivi dans les arbitrages antérieurs?—Je ne sais quel était le principe antérieur.

N'objecte-t-on pas à la base qu'on avait adoptée, celle de la proportion relative de la population des deux provinces, comme n'étant pas convenable par rapport à la consommation des articles taxés dans les deux provinces?—On y a objecté sur ce motif, ainsi que sur beaucoup d'autres.

Ne croyez-vous pas que même dans ce cas, on objecta dans le Bas-Canada à la part accordée au Haut, comme étant trop grande par rapport à sa consommation?—On y a objecté ainsi.

Croyez-vous probable que les deux provinces se contentent de cette manière d'ajuster leurs différends par rapport aux droits, comme d'un arrangement permanent?—Je ne le crois pas; je pense que la province du Haut-Canada ne sera jamais contente avant d'avoir un port d'entrée pour son commerce étranger.

En même tems vous ne pouvez suggérer aucun mode pour mieux ajuster ces difficultés? Comme principe de distribution des droits entre deux législatures indépendantes, je ne le puis.

Ne croyez-vous pas que toutes les difficultés disparaîtraient dans une union des colonies?—Je ne le sais pas; plusieurs difficultés disparaîtraient, celles qui ont rapport à la distribution des droits disparaîtraient certainement; mais on ferait naître beaucoup de nouvelles difficultés.

Sous quels rapports la chose ferait-elle naître ces difficultés?—Des difficultés naîtraient de la mauvaise humeur qu'elle exciterait dans le parti français, qui penserait qu'on a dessein d'éteindre et de détruire la ligne particulière de séparation qu'il cherche à maintenir entre lui et ses co-sujets d'origine anglaise, dans sa propre colonie ou dans la colonie voisine; et dans le cas d'une union, je craindrais tant de difficultés de cet esprit particulier de mécontentement, de ce projet de déchaîner les deux partis dans la même législature pour éprouver lequel aurait le dessus, que je croirais l'union une mesure dangereuse, sans une disposition pour régler pour un certain nombre d'années le revenu et l'appropriation, qui ont été dans le Bas-Canada les principales sources de discorde; de manière à laisser les deux parties se mêler un peu ensemble avant qu'ils en vissent en collision directe sur les points qui les ont agités depuis quelques années.

Une union n'exciterait-elle pas les plus grandes alarmes dans l'esprit de la population française du Bas-Canada?—Sans doute, des alarmes temporaires; je pense qu'elles ne seraient que temporaires, et c'est pour donner le tems à ses alarmes de s'amortir, que je considère qu'elle devrait être accompagnée de l'autre mesure que j'ai mentionnée.

Voulez-vous dire une espèce de garantie pour le soutien de leurs lois et de leur église, et de leurs institutions de différente nature?—Pour leurs biens et leur église je présume qu'il ne serait requis aucune garantie, parce qu'on ne contemplerait aucun changement; mais quant à leurs lois, je pense que si on les regarde comme oppressives pour leurs co-sujets, on ne devrait pas attendre de garantie pour le maintien de ces lois oppressives; et ce que je veux dire est une loi passée en Angleterre pour régler le montant et l'appropriation des droits d'importation à prélever dans le Canada au moins pendant 10 années; pendant lequel tems il y aurait un changement d'hommes et de sentimens, qui probablement préviendrait tout-à-fait le retour des sujets récents de discussion, et reconcilierait tous les partis à leur situation sous les dispositions de l'union.

Les habitans du Haut-Canada auraient-ils objection à admettre dans leur province l'influence du Bas-Canada, ce qui serait une conséquence nécessaire de l'union?—Quant à une réunion de sentimens des habitans du Haut-Canada sur ce point, j'en puis à peine parler; mais il y a dans le Haut et dans le Bas-Canada beaucoup d'intérêts opposés à l'union. En premier lieu les propriétaires de terres et de maisons aux deux présens sièges du gouvernement, soit que ce soit à Québec ou à York dans le Haut-Canada, s'attendraient que finalement il serait choisi quelque situation centrale pour servir de siège à la législature générale; et ceux qui ont des propriétés dans le voisinage de ces deux places qu'avantagent à présent les sessions des deux législatures, seraient opposés à l'union comme étant nuisible à leurs intérêts; ceux aussi qui ont beaucoup d'influence dans les gouvernemens locaux, peut-être les personnes alliés aux conseillers de l'une et l'autre province, qui ne pourraient suivre le gouvernement s'il transportait son siège ailleurs, considéreraient la mesure comme détruisant le système de gouvernement qui leur était avantageux.

Parlant généralement, les habitans du Haut-Canada sont-ils favorablement disposés envers l'union des deux provinces?—Ils le sont décidément, en général.

Ils ne craignent pas une influence nuisible de la part de la législature réunie, sur leurs propriétés et leurs institutions?—Ils ne craignent pas qu'on pût faire aucun changement par rapport aux propriétés; ils considèrent plutôt l'extension de leurs institutions dans la province voisine.

Ne croyez-vous pas que les deux provinces ont les mêmes intérêts à beaucoup d'égards? Je dirais à tous égards, excepté du côté des préjugés et de l'ignorance d'une portion de la population.

N'ont-elles pas les mêmes intérêts particulièrement par rapport à l'amélioration de la navigation et aux voies de communications par terre, et aux réglemens de commerce en général, d'autant qu'elles produisent les mêmes articles pour l'exportation, et qu'elles ont besoin des mêmes approvisionnemens du dehors?—Je pense qu'elles se ressemblent sous ces deux rapports.

Connaissez-vous la distance du point le plus à l'est du district de Gaspé jusqu'au fond du Lac Érié?—Il y a au meilleur de ma connaissance environ 1,500 milles.

Résulterait-il de la distance seule quelques inconvéniens dans la conduite des affaires d'un gouvernement exécutif dans une contrée aussi étendue?—En Amérique les rivières sont généralement les grands chemins du pays, et tout se concentre tellement vers le fleuve, qu'une distance de deux ou trois cent milles le long d'une rivière, est moins considérable

que la dixième partie de cette distance dans l'intérieur des terres. Il y a jusqu'à Gaspé une distance plus grande que celle qu'il est nécessaire de faire entrer dans le calcul, parce qu'il existe à peine une population, ou un siège pour une population future en bas de Kamouraska, qui est à environ 100 milles de Québec, et d'où la distance au fond du lac Érié peut-être estimée à environ 1,000 milles.

Supposant qu'à mesure que le tems s'avance, l'intérieur du pays devienne plus peuplé, serait-il possible dans votre opinion de conduire le gouvernement avec une seule législature et un seul pouvoir exécutif, sur une surface aussi vaste que celle qui serait alors occupée? Si j'en juge par les états voisins, je n'y verrais aucune difficulté.

Les états voisins n'ont-ils pas des législatures subdivisées?—Ils en ont, qui se bornent aux intérêts locaux et municipaux.

Avez-vous jamais examiné s'il serait possible d'adopter quelque chose du même genre, à l'égard des deux provinces du Canada, laissant le régleme des affaires locales aux législatures locales, et ayant quelque chose qui ressemblât à un congrès?—On a suggéré un congrès général de toutes les provinces de l'Amérique du nord; l'exécution en serait accompagnée de difficultés considérables.

Sans appliquer la réponse aux provinces du Nouveau-Brunswick et de la Nouvelle-Ecosse, pouvez-vous dire quel en serait l'effet par rapport aux provinces du Haut et du Bas-Canada?—Je crois qu'on y rencontrerait toutes les difficultés d'une union législative, et on n'y trouverait pas plusieurs de ces avantages.

Ce plan ne mettrait-il pas les habitans du Bas-Canada à même de conserver ces intérêts qu'ils croient en danger, en rapport avec leur église et leur loi française, et les pouvoirs de cette assemblée réunie ne pourraient-ils pas s'appliquer seulement aux sujets qui regardent en commun les deux provinces, comme leur défense mutuelle, les taxes, l'appropriation du revenu à des objets publics et généraux?—Ils le pourraient certainement; ce serait pourtant une machine compliquée, mais on pourrait l'établir.

Cela obvierait-il à quelques-uns des maux qu'on craint de l'union?—Oui jusqu'à un certain point; mais alors je ne sais jusqu'à quel point cela délivrerait la population anglaise du Bas-Canada de l'effet de ces lois françaises dont elle se plaint.

Ne pourrait-on pas adopter un système de représentation en égard à la population anglaise du Bas-Canada, par lequel on pourrait remodeler l'assemblée du Bas-Canada de manière à la faire étendre et aux townships et aux seigneuries, en changeant le droit de représentation?—On pourrait changer le droit de représentation en distribuant le territoire en comtés d'une manière différente, mais aussi longuement que la législature française contrôlerait la navigation du St-Laurent, ce qui aurait encore lieu, selon moi, les difficultés subsisteraient.

Et la supposition que tous les réglemens de la ligne de communication par eau qui devrait être commune aux deux provinces, ne fussent établies que par l'assemblée combinée?—Cela pourrait parer aux difficultés quant aux réglemens d'améliorations commerciales.

Serait-il possible d'adopter un double système de droits sur le St-Laurent, c'est-à-dire, un pour la province du Bas-Canada, et un pour celle du Haut, sans donner lieu à la contrebande?—Je pense que cela ferait naître des difficultés de plusieurs espèces; il serait très-difficile de le mettre à exécution; et si les droits étaient assez forts pour faire une bonne affaire de la contrebande, elle n'aurait aucunes bornes.

Supposant qu'il se perçût des droits uniformes sur le St-Laurent, et qu'on les distribuât entre les deux provinces suivant un certain mode, y aurait-il nécessairement quelque injustice dans la distribution?—Il doit y avoir une autorité suprême pour régler la distribution, et pour juger quelle partie l'avantage général requerrait d'appliquer d'une manière plus avantageuse d'un côté ou d'un autre. Une représentation générale du peuple serait probablement le meilleur moyen de fixer ce point.

L'assemblée législative du Haut-Canada a-t-elle augmentée en nombre depuis l'acte de 1791?—Oui, elle s'est accrue d'environ trois fois au tant.

Savez-vous suivant quelle règle elle s'est accrue?—Je ne le sais pas exactement, mais je crois que quand un nouveau comté est tracé, il a droit de députer un membre aussitôt qu'il atteint une certaine population, et d'en députer deux quand il arrive au double.

Dans votre opinion, le système de représentation qui est fondé sur le principe composé de la population et du territoire, est-il plus convenable à un état situé comme le sont les Canadas, que celui où on n'aurait égard qu'à la population?—Je croirais que, décidément, le meilleur principe est de combiner la population et le territoire.

C'est-à-dire de jalonner une certaine étendue de terre, et de lui donner un représentant quand ses habitans se montent à un certain nombre, et de ne pas augmenter la représentation à mesure que la population augmente?—Le pays est par comparaison encore dans l'enfance, considérant ce que peut devenir sa population, je voudrais qu'une certaine étendue de territoire, possédant un certain nombre d'habitans, beaucoup moins qu'un territoire voisin d'égale étendue, eût cependant un poids égal dans la représentation.

Y a-t-il des plaintes dans le Haut-Canada au sujet de la représentation?—Je crois que non.

Y a-t-il des plaintes dans le Haut-Canada sur la constitution du Conseil Législatif?—Ceux qui sont opposés aux mesures du gouvernement se plaignent du conseil législatif qui a généralement siégé du côté du gouverneur lorsqu'il y a eu quelque question sur laquelle on différait; mais je n'ai entendu aucune plainte sur la composition du conseil; cependant partout où il y a des partis, il y aura toujours des plaintes.

Comment le conseil législatif est-il composé?—De personnes recommandées par le gouverneur, et nommées par le mandamus du Roi.

Sont-elles nommées à vie?—Oui.

Ne sont-ce pas pour la plus part des personnes qui tiennent des places sous le gouvernement?—Oui beaucoup d'entr'eux.

La grande majorité des membres du conseil législatif ne se compose-t-elle pas de fonctionnaires qui tiennent leurs places durant le bon plaisir du gouvernement?—Je ne sais pas s'il compose la majorité, mais je sais qu'il y en a beaucoup.

Y a-t-il entre les habitans du Haut et du Bas-Canada une différence marquée de sentimens, et y a-t-elle la conscience des intérêts réciproquement divisés?—Les masses n'ont pas entr'elles beaucoup de communications; je ne puis juger de leurs sentimens que par les opinions de leurs principaux représentans dans la chambre d'assemblée. Les gens du Haut-Canada sont une race plus active et voyagent davantage, et ils visitent souvent le Bas-Canada; mais les habitans de cette dernière province quittent rarement leur pays.

Ne croit-on pas généralement qu'il a régné généralement des jalousies et des animosités entre les deux provinces?—Il en a régné plus entre la population anglaise et la française dans le Bas-Canada, qu'entre les deux provinces.

Par rapport à la distribution des droits, n'a-t-il pas régné des jalousies entre les assemblées législatives des deux provinces?—Il en a régné certainement.

Connaissez-vous quelque cas où des améliorations importantes au sujet de la navigation et des chemins entre les deux provinces, aient été négligées par le défaut de concurrence entre les deux législatures?—Je ne connais pas les détails de la manière dont elles ont été négligées, mais il paraît clairement à toutes personnes qui voyagent dans le pays, qu'elles ont été négligées.

Croyez-vous que cette négligence soit venue du défaut de concurrence entre les législatures coloniales?—Je le crois.

Entendez-vous que les droits de passage s'appliquent maintenant aux blés qui venant des États du nord-ouest passent par le Canada?—Oui, aux blés des États-Unis, si on les importe.

Ne permet-on pas au marchand qui importe de mettre ses effets sous cautionnement pour l'exportation?—Je ne sais pas que cela soit.

N'a-t-on pas fait pour cela un régleme depuis deux ans?—Je crois que par ce régleme on fait des ports libres de certains ports de la colonie, et on a établi le système des cautionnemens pour l'exportation, mais cela ne s'appliquerait pas aux droits de passage à travers le Canada. Si le Canada était entouré par la mer de manière à ce que l'on pût importer des marchandises au même port d'où on les aurait exportées, l'application aurait lieu; mais je ne sais pas qu'on pût recevoir à Kingston, à Prescott, ou au Co-

teau du lac, les produits américains venus du lac Ontario, et les envoyer à l'embouchure du St-Laurent pour les embarquer de là.

Ne pourrait-on pas les recevoir sous cautionnement à Montréal et à Québec?—Comment y parviendraient-ils? Ils ne peuvent y parvenir que par la route que j'ai indiquée dans la dernière réponse.

Ne croyez-vous pas que les habitans du Haut-Canada croient avoir un avantage sur ceux des Etats-Unis par rapport à leur position commerciale?—Je crois cependant que les plus intelligens d'entr'eux seraient disposés à se défaire de quelques-unes des restrictions que le parlement britannique a imposées au commerce.

La question se rapporte à la position locale; croyez-vous que dans les circonstances où se trouve les Etats-Unis et le Canada, ils se croient mieux situés pour le commerce que les habitans des Etats-Unis?—Je penserais que non.

Ne regardent-ils pas le St-Laurent comme fournissant une meilleure navigation pour leurs communications avec l'Europe, que celle qu'offre le canal d'Erie?—D'après leur position particulière c'est la meilleure voie qu'ils aient, et cependant il se trouve que les marchés de New-York sont aussi bons qu'aucun qui leur soit ouvert. Je ne sais pas qu'ils pensent avoir des avantages particuliers sur le peuple du pays voisin, excepté qu'ils paient moins de taxes; de fait ils n'en paient aucunes, à moins que ce ne soit pour des objets d'améliorations locales, et les droits d'importations sur les marchandises du Royaume-Uni sont très-modérés, de sorte qu'ils ont l'avantage de consommer tous les articles importés en ne payant qu'un faible droit, à moins qu'ils ne viennent des Etats-Unis.

Ne croyez-vous pas que le St-Laurent offre une meilleure sortie des lacs à la mer, qu'aucune autre qui s'offre par l'entrepôt de New-York?—Très-indubitablement; mais la chose a été jusqu'ici sujette à des restrictions législatives qui en ont en partie détruit la valeur.

La facilité de la navigation sur le St-Laurent ne sera-t-elle pas considérablement augmentée par l'application de la vapeur?—Elle l'a été, et le sera encore d'avantage.

Les canaux qu'on creuse maintenant ne rendront-ils pas cette communication beaucoup plus facile pour les gros vaisseaux, qu'aucune qui existe à travers les Etats-Unis?—Il n'y a aucune communication pour les gros vaisseaux par les canaux des Etats-Unis, et le canal de Welland est le seul qui prête passage aux gros vaisseaux dans le Canada.

Ne savez-vous pas que dans le canal d'Erie, état de New-York, il n'y a que quatre pieds et demi d'eau?—Je le sais.

Connaissez-vous les dimensions des embarcations qui passeront par les canaux au moyen desquels on se propose de réunir les lacs en Canada?—Je crois que les dimensions des écluses du canal du Rideau et du canal de La Chine conviennent à des embarcations qui tirent environ cinq pieds d'eau, qui auraient 100 pieds de long et vingt de large, et que les dimensions sont les mêmes dans le canal de Grenville aux rapides de l'Ottawa.

Savez-vous qu'il y a un ordre pour élargir ces écluses?—Je ne sais pas qu'il y ait un ordre pour les élargir; et élargir celle du canal de La Chine qui sont déjà construites, ce serait les reconstruire.

Ne croyez-vous pas que toute communication par de gros vaisseaux sera toujours beaucoup plus avantageuse qu'une communication au moyen de bateaux?—Sans nul doute.

Ne croyez-vous pas que cela apportera une augmentation considérable d'avantage à l'exportation des produits des bords des lacs?—Je pense que non, parceque je pense que le St-Laurent conservera toujours ses avantages sur la ligne de canaux depuis le lac Ontario jusqu'à l'Ottawa. Je pense que pour l'exportation le fleuve sera toujours le canal de navigation.

Ne croyez-vous pas que tous ces avantages servent de motif aux habitans des colonies britanniques, par rapport à la question de fidélité et d'attachement à leur liaison avec l'Angleterre?—J'ai été accoutumé à croire que la population de nos colonies n'avait jamais mis ce sujet en question; qu'elle était attachée à son pays et à ses propriétés, et qu'elle n'avait jamais entretenu aucun doute sur les avantages comparés dont elle jouit ou dont jouissent ses voisins.

Ne croyez-vous pas que les causes de mécontentemens dans les colonies proviennent généralement de réglemens qui regardent le commerce et les communications, et que la Grande-Bretagne pourrait aisément se défaire de toutes objections de cette espèce?—Il y a eu beaucoup de motifs d'opposition dont je pense qu'on aurait pu se défaire, si on les eût mieux compris, et qu'on y eût fait plus d'attention qu'on ne l'a fait; on a permis que de faibles motifs de plainte entrassent les sentimens de certaines personnes, quand peut-être un peu d'attention à temps aurait pu éloigner ces causes.

Mais vous croyez que pour tous les objets importans le peuple du Haut-Canada est fermement attaché à sa liaison avec l'Angleterre?—Je le crois; je crois qu'il a bien peu de griefs sensibles dont il puisse se plaindre. J'ai entendu rapporter différens motifs de griefs; un de ces motifs vient des réserves du clergé. Les réserves du clergé n'enlèvent sa propriété à aucun individu, elles forment un obstacle à l'amélioration, mais on le surmonterait en disposant de ces réserves. Le gouvernement a emporté quelques mesures qui ont excité du mécontentement; l'une d'elle est l'acte qui autorise deux magistrats à envoyer hors du pays un individu qu'ils regardent comme séditieux. Je crois que M. Robert Gourlay est la seule personne qui ait jamais été envoyé hors du pays; c'est là un grief par hypothèse plutôt qu'un grief réel.

Quoique vous regardiez comme un grief par hypothèse qu'un individu puisse être classé du Haut-Canada à la discrétion du gouverneur, imaginez-vous que la majorité de la population de cette province regarde la chose comme un grief par hypothèse ou comme un grief réel?—La chose a causé un grand mécontentement dans la province, et c'est parcequ'elle a causé du mécontentement, que je crois qu'il serait impolitique de persister à en empêcher le rappel.

Vous dites que les réserves du clergé n'enlèvent à personne sa propriété; croyez-vous qu'elles ne diminuent pas la valeur des propriétés dans le pays?—Elles ont diminué la valeur des propriétés qui étaient situées au-delà, mais on aplanira la difficulté en disposant de ces réserves.

N'ont-elles pas produit beaucoup d'irritation dans la province?—Leur distribution a produit de l'irritation entre les parties qui voulaient participer à leurs revenus, et elles ont empêché l'amélioration par leur continuation dans l'état où elles sont demeurées jusqu'ici; mais je distinguerais ceci d'un grief personnel actuel, et d'une oppression qui pèse sur un individu.

Le mode d'après lequel on pourvoit à la construction de chemins dans le Haut-Canada est-il sujet à quelque objection?—Je ne sais pas qu'il le soit, il consiste, au meilleur de ma connaissance, à lever des contributions locales sur les propriétaires de terres.

De quelle manière se détermine la ligne de chaque chemin?—Je ne le sais pas exactement; je crois que c'est par certains commissaires nommés par le gouvernement. Je sais qu'il y a eu quelques plaintes tant dans le Bas que dans le Haut-Canada, de ce que les personnes qui étaient autorisées à tracer les lignes des nouveaux chemins, ont dépensé une grande partie de l'argent sur des parties du chemin qui tendaient à améliorer leurs propriétés individuelles.

Ne croyez-vous pas sur ce point qu'on retirerait un grand avantage en employant des ingénieurs du gouvernement pour tracer ces lignes principales de communication, en vue de l'avantage général du pays?—Sans aucun doute je le crois ainsi.

Ne serait-il pas mieux d'adopter le système d'administration qu'on suit dans les Etats-Unis, et que chaque district eût ses propres inspecteurs?—Oui, cela pourrait être un bon plan à quelques égards, mais il pourrait y avoir des districts où le chemin serait en certains endroits plus coûteux qu'en d'autres, et c'est pour cela que peut-être, dans cette vue, un système général serait avantageux dans l'ensemble à tout le pays.

Jeudi, 5e. jour de juin, 1828.

John Neilson, écuyer, réintroduit; et examiné.

Désirez-vous offrir quelques explications au sujet d'aucune partie du témoignage que vous avez déjà rendu?—Je désire soumettre un tableau de la composition du conseil ex-

écutif, que je regarde comme inévitablement lié avec la composition du conseil législatif. Voici la liste du conseil exécutif pour 1827: Jonathan Sewell, orateur du conseil législatif, juge-en-chef de la province et du district de Québec, et président de la cour d'appel; le Révd. C. J. Stewart, lord évêque de Québec; John Richardson, marchand; James Kerr, juge B. R. Québec, et de la cour de vice-amirauté; M. H. Percival, collecteur des domanes; William Smith, greffier du conseil législatif; John Hale, faisant fonctions de receveur-général; C. E. Delery, assistant-greffier du conseil législatif; John Stewart, seul commissaire des biens des jésuites; A. W. Cochran, secrétaire du gouverneur, greffier en loi du conseil législatif, greffier de la cour de prérogative, et auditeur des patentes de terres; James Stuart, procureur-général. De ce nombre, il y en a sept qui sont conseillers législatifs. Trois d'entre eux sont greffiers du conseil législatif, et un est procureur-général. Sur le tout il s'en trouve un, de natif du Bas-Canada.

Que sont les autres?—Ils sont venues de différentes parties des domaines du Roi; ils sont nés pour la plupart dans les autres colonies, et dans les ci-devant colonies. C'est là le seul corps dans le pays qui ait quelque contrôle sur la dépense. Ils sont délégués par la trésorerie pour exercer les pouvoirs de la trésorerie, et ils font rapport à la trésorerie, et sur leur rapport les gouverneurs ont une décharge finale; ils sont dans le fait auditeurs des comptes.

Croyez-vous que ce soit là un contrôle suffisant?—Non, ce n'est aucun contrôle du tout.

Que proposeriez-vous de substituer?—La chose devrait être réglée par une loi. Il y a eu des bills d'introduits dans la chambre d'assemblée pour régler cet objet.

Peuvent-ils être démis suivant bon plaisir?—Ils peuvent tous être démis suivant bon plaisir.

Le conseil exécutif exerce-t-il quelque autorité responsable?—Non, on a soutenu ici qu'il n'était pas responsable.

A-t-il dans le fait, quelque autorité reconnue par la constitution?—Rien de plus qu'une instruction envoyée d'Angleterre, qui requérait que toutes les lois pour prélever des deniers dans les colonies contiennent une clause qui établirait qu'il serait rendu compte de ces deniers à sa Majesté par l'entremise des lords de la trésorerie; on peut regarder les conseillers exécutifs comme remplissant en vertu de ces lois les fonctions des lords de la trésorerie.

Sont-ils reconnus, en matière de fait, autrement que comme un conseil que le gouverneur peut consulter ou non suivant son plaisir?—Ils sont certainement le seul corps exécutif officiel dans le gouvernement; je ne sais pas de quelle manière le gouvernement impérial les reconnaît; je ne connais pas qu'ils soient reconnus par aucune loi de la colonie, au-delà de ce que j'ai déjà dit.

Le gouverneur est-il obligé de les consulter ou de suivre leur avis après qu'il l'ont donné?—Je pense que non.

Quand ce corps a-t-il été établi dans l'origine?—Immédiatement après la conquête de la colonie; dans le fait il remplace le conseil privé du Roi.

Leurs fonctions sont-elles définies en aucune manière?—Elles ne le sont par aucune loi à ma connaissance; naturellement ils agissent sous les instructions du Roi.

Sont-ils salariés?—Ils ont chacun 100l. comme conseillers exécutifs; mais ils tiennent tous d'autres situations comme je l'ai mentionné.

Comment paraît-il qu'ils agissent du tout; quelques documens publics sont-ils signés de leurs noms?—Tous les warrants pour le paiement de deniers sont contresignés par leur greffier.

En est-il quelques-uns qui aient des sièges dans l'assemblée?—Pas à présent; anciennement il y en a eu; mais maintenant il y en a aucun.

Il n'y a aucune loi contraire; n'est-ce pas?—Non.

Se sont-ils offerts au peuple comme candidats?—Je crois fort que dans les derniers tems on ne les eût pas reçus. Par fois des membres de la chambre d'assemblée ont été nommés conseillers exécutifs; mais je me rappelle bien peu d'exemples que des conseillers exécutifs se soient offerts aux élections; il y en a des exemples, je crois; l'un est celui de feu M. Young; et M. Richardson avait continué d'être élu anciennement.

Est-ce une situation qui rendrait vacant le siège de celui qui y serait nommé dans la chambre d'assemblée?—Non. On a tenté d'établir la même loi qui existe ici pour rendre les sièges vacans; mais le conseil a refusé le bill; ainsi leur qualité de membres du conseil ne rendrait pas leur siège vacant.

Ce bill a-t-il passé dans la chambre d'assemblée?—Oui.

Avez-vous copie de ce bill?—J'en fournirai une au comité.

Y a-t-il quelque personne qui tienne une place considérable dans le service exécutif, qui ait aussi un siège dans l'assemblée?—Il y a toujours eu dans la chambre quelques officiers de l'exécutif qui ont conduit les affaires de la part du gouvernement.

Y en a-t-il maintenant?—Oui, il y a l'auditeur des comptes publiques, M. T. A. Young; la chambre n'existe pas à présent. Les principaux conducteurs de la part du gouvernement à la dernière session étaient M. Taschereau, assistant adjudant-général de la milice, M. Ogden, solliciteur-général, et M. Christie, président des sessions de quartier à Québec.

Quelle est la personne qui a la principale direction des finances du pays; y a-t-il quelque place qui corresponde du tout à celle de chancelier de l'échiquier ici?—Non, on a considéré généralement parmi nous qu'il y avait un meneur pour le gouvernement dans la chambre, et ce membre était l'assistant adjudant-général de la milice, ci-devant magistrat de police, maintenant juge du banc du roi pour le district de Québec.

A-t-on considéré qu'il y eût quelque objection à ce que des officiers qui appartaient au gouvernement prissent l'initiative d'une mesure dans la chambre d'assemblée?—Pas du tout; le fait est qu'ils ont toujours pris l'initiative dans les mesures liées avec le gouvernement; mais généralement les membres ne se croient pas obligés de se charger des mesures du gouvernement, à moins que ces mesures ne leur soient agréables.

On ne fait aucune objection à ce qu'un membre du gouvernement prenne l'initiative dans une mesure?—Assurément non; les affaires se conduisent avec nous par message, et le membre qui se charge du message est ordinairement regardé comme la personne autorisée par le gouvernement à conduire la mesure dans la chambre.

Avez-vous quelque autre explication à donner au sujet de votre témoignage précédent?—J'ai dit précédemment que l'objection au bill envoyé au conseil en 1819 par la chambre d'assemblée, était que ce bill était annuel; et en consultant les journaux je trouve que l'objection venait de ce qu'il était par items, et aussi de ce qu'il était annuel; j'ai dit aussi que le revenu permanent suffisait aux dépenses du gouvernement. Par revenu permanent, j'entends tout le revenu qui est permanent, et non celui qui est approprié pour nos dépenses coloniales; mais en consultant je trouve qu'il a été dernièrement en diminuant.

A quelle cause attribuez-vous cette diminution?—Le revenu dépend principalement de la consommation par les habitans des marchandises importées; cette consommation va en diminuant à cause de la diminution des moyens du pays pour l'achat des marchandises.

Y a-t-il une diminution dans les moyens du pays pour l'achat des marchandises?—Oui, il y en a une très-considérable.

A quoi l'attribuez-vous?—J'ai déjà dit que la propriété foncière avait éprouvé dans tout le pays pendant les 12 ou 15 dernières années, une baisse générale en valeur, la valeur de la propriété foncière dépend entièrement du prix qu'on peut avoir pour le produit de ces biens; le prix de toute espèce de produits a diminué considérablement, et conséquemment la valeur des biens-fonds a diminué, et les moyens du peuple pour l'achat des articles manufacturés, ont aussi diminué.

L'accroissement des consommateurs en nombre n'a-t-il pas été plus que suffisant pour contrebalancer toute diminution?—Il ne l'a pas été.

Le prix des produits bruts n'est-il pas généralement plus élevé en Canada que dans les Etats-Unis?—Non, il ne l'a pas été dans les derniers temps; avant la guerre, et pendant la dernière guerre, il était considérablement plus élevé; mais depuis 1817 il a été en décroissant, et je crois maintenant qu'il est plus bas que dans les Etats-Unis. Le prix du blé à Albany est d'environ 5s. la mesure, et on ne peut le vendre ce prix dans le Bas-Canada.

nada. Je désire dire par rapport au bill pour indemniser Sa Majesté, que j'ai mentionné, que ce fut par une simple erreur cléricale qu'on employa ces mots. J'ai dit qu'il n'y avait eu qu'un bill d'enregistrement introduit dans la chambre d'assemblée, cela aurait pu lui servir à entendre que je ne pensais pas à celui, venant du conseil, qui avait aussi été introduit. Il n'y en a eu qu'un d'introduit par la chambre d'assemblée, mais il y en a eu un d'envoyé du conseil, lequel a été référé à un comité; c'était quinze jours avant la fin de la session qu'il fut envoyé du conseil, et il n'y eut aucun rapport de fait sur le sujet. Lors de mon examen précédent je ne me rappelais pas le sort du bill de chemins que j'ai dit avoir été envoyé du conseil. Il avait été envoyé presque à la fin de la session. Il fut conduit par les membres qui conduisaient ordinairement les affaires du gouvernement dans la chambre, et référé à un comité; et ce comité fit actuellement rapport qu'il était trop tard pour la session d'alors.

Est-ce là le seul bill de chemins qui ait été rejeté dans la chambre basse?—C'est là le seul bill de chemin dont j'ai aucune connaissance, qu'on ait dit avoir été rejeté; mais il ne fut pas rejeté, la session était trop avancée.

En quelle année était cela?—Je pense que c'était en l'année 1824. En parlant des townships, et de la sécurité que leur aurait procuré le bill de représentation passé par l'assemblée, j'aurais dû énoncer un fait, qui est important; que ce bill, ou aucun autre, n'aurait pu donner aux townships une part suffisante dans la représentation, à moins qu'on ne fit cesser des doutes semblables à ceux qu'on a élevés dans le Haut-Canada, au sujet du droit qu'ont ces gens de voter; et on ne peut faire disparaître ces doutes que par un acte de la législature de ce pays.

Faites-vous allusion au bill des aubains?—Oni, on aurait dû passer en faveur de ces personnes, un bill semblable à celui qu'on a passé pour le Haut-Canada, elles n'auraient pas en autrement une représentation équitable sous aucune circonstance; au moment qu'elles seraient venues pour voter, on aurait révoqué leur droit en doute, et elles auraient été privées de leur droit de voter; dans le fait elles n'auraient pas été représentées. Les townships ont généralement élu un membre jusqu'ici; le membre pour Bedford a dépendu uniquement de leur élection, parce qu'ils forment une majorité dans ce comté; mais dernièrement ils ont élu un monsieur canadien, le colonel De Rouville. Dans mon examen précédent on m'a demandé quel était le nombre de membres anglais maintenant dans la chambre; je ne pouvais le dire avec quelque certitude, sans recourir à la liste. J'ai depuis eu recours à la liste, et je trouve que ceux qu'on appelle membres anglais dans la chambre sont à présent au nombre de huit; il y en avait onze dans la chambre précédente, mais trois d'entre eux ont perdu leur élection; sur les huit, quatre sont nés dans le Bas-Canada, deux en Ecosse, un dans le Haut-Canada, et un dans la Nouvelle-Ecosse; quatre d'entre eux sont opposés à l'administration coloniale, et quatre sont en sa faveur. Par rapport à l'arrangement de la liste civile, au sujet duquel on m'a proposé une question, on ne peut naturellement qu'espérer de voir réaliser les détails que j'ai donnés sur ce sujet, pourvu qu'on remédie aux plaintes faites par l'assemblée et le peuple, ou que la marche des affaires n'annonce un remède probable; car une des grandes objections vient de ce que des subsides permanents ne feraient qu'assurer des griefs permanents; il serait donc nécessaire qu'on eût remédié aux griefs dans le temps où il serait accordé des subsides permanents.

Dans le fait, depuis l'année 1819, à l'exception des années 1823 et 1825, le gouverneur n'a-t-il pas payé ces exigences comme il l'a trouvé à propos, à même les deniers qu'il reconnaissait être à la disposition de la législature coloniale?—Oni.

Jusqu'à quel montant?—Je ne puis en dire le montant exact. Je pense qu'un des messieurs qui sont venus avec moi pourra donner sur ce sujet des détails plus particuliers, mais je crois que le montant est d'environ £140,000.

Cela a-t-il laissé un résidu considérable, ou aucun résidu du tout, pour les améliorations locales, l'éducation, et les autres besoins du pays?—Je pense qu'il y aurait eu un surplus si les deniers qu'avait le receveur-général n'eussent pas été perdus; je pense que depuis ce temps la presque totalité a été dépensée de manière ou d'autre. Je sais qu'on n'a pas remis le £30,000 dont l'emprunt avait été autorisé pour compléter le canal de La Chine, et nous n'avons aucun bilan correct de la caisse. Nous n'avons jamais reçu les comptes du receveur-général jusqu'au temps de sa faillite, et nous ne pouvons dire quel est le véritable état des deniers de la caisse; il a été fait en outre, à même la caisse, des paiements pour des objets que nous ne regardons pas du tout comme liés avec la province; par exemple, les paiements du clergé, les deniers versés de la caisse militaire dans la caisse civile. Les deniers sont versés de la caisse militaire dans la caisse civile, et ils sont alors payés au clergé à même la caisse civile.

Quand M. Caldwell rendait ses comptes, les a-t-on examinés jusqu'au dernier moment?—Non, nous n'avons pu trouver aucune décharge du trésor postérieure à 1814; quelques balances ont été établies jusqu'en 1819, mais il n'y a eu aucune décharge. Il a failli en 1823, et les comptes ont été mis devant nous en 1824. Il y a eu à ce sujet un message du gouverneur, par lequel il paraissait qu'il n'y avait eu aucune régularité; les warrants même n'étaient pas émanés régulièrement pour autoriser les paiements.

Quelles sommes d'argent ont été avancées sans warrants légaux?—Je ne sais pas ce qu'on peut considérer comme warrants légaux; je crois que d'après la loi il aurait dû y avoir des warrants de la trésorerie ici. Les autres warrants considérés comme légaux sont des warrants signés par le gouverneur, et contresignés par le greffier du conseil; mais indépendamment de tous ces paiements on a fait des avances sur ce qu'on appelle des lettres de crédit. Au temps de la faillite du receveur-général il y en avait au montant de 116,000£, et depuis ce temps on a introduit un mode nouveau, que nous regardons comme encore pire que le premier, c'est ce qu'on appelle warrants comptables. A dire vrai, le receveur-général a sa décharge contre la trésorerie, et le receveur-général court moins de risque qu'auparavant; c'en est le résultat. Mais l'argent de la province sort sans comptabilité suffisante, ou sans que les dépenses aient été appuyées d'ordres écrits, et même sans avoir passé par l'examen du conseil.

La chambre d'assemblée n'a-t-elle pas, en l'année 1823, passé une résolution par laquelle elle déclarait lord Dalhousie responsable de ces deniers ainsi levés?—Elle a passé un grand nombre de résolutions; je crois qu'elle n'a jamais déclaré lord Dalhousie personnellement responsable, mais elle a déclaré qu'elle tiendrait pour responsable toute personne concernée dans la sortie des deniers de la province sans l'autorité de la loi.

N'a-t-elle pas, dans le même temps, déclaré par certaines résolutions que lord Dalhousie avait ainsi dépensé l'argent?—Oni, je crois que les résolutions que j'ai remises l'autre jour sont pour cet objet; les résolutions de 1824.

Sur quelle autorité est-il dit, dans la pétition présentée à la chambre des communes, que M. Caldwell a été maintenu dans l'exercice de ces fonctions de receveur-général longtemps après que sa malversation a été publiquement connue et reconnue?—Cela se trouve dans la pétition de Montréal. Il est de fait qu'il a été ainsi maintenu pendant quelque temps.

Comment savez-vous ce fait?—C'est par les journaux de l'assemblée; quand le receveur-général eut failli, ses comptes furent soumis à la chambre d'assemblée, il y eut un comité de nommé, et un examen eut lieu sur toute l'affaire. Un grand nombre de documents parut alors, quelques-uns desquels établissaient le fait que sa faillite était connue un espace de temps considérable avant qu'il eût été suspendu; à dire vrai, je pense que cela ne s'est pas étendu à un temps plus considérable que le temps nécessaire pour envoyer une personne en Angleterre, et pour la laisser revenir; une personne fut députée par lord Dalhousie et par le receveur-général, savoir, le beau-frère du receveur-général, M. Davidson.

La province a-t-elle souffert quelque perte additionnelle de ce qu'il a été maintenu durant ce temps?—Il est probable qu'il y aurait quelque perte, parce qu'il serait entré quelques revenus, et c'était chose dangereuse de laisser tomber le revenu entre les mains d'une personne pressée dans ses affaires d'aussi près que devait l'être alors M. Caldwell.

La charge a-t-elle été dans la pratique remise aux soins de quelque autre personne?—Oni; ce fut subséquemment, en août, mais les journaux de la chambre d'assemblée pour 1824 feront voir les faits en entier.

Quelles démarches a-t-on prises pour garantir le public contre des pertes ultérieures,

aussitôt qu'on connut la malversation et l'insolvabilité de M. Caldwell?—On ne prit aucune démarche à ma connaissance; dans le temps je me trouvais en ce pays, et je parle seulement d'après la connaissance que j'ai des procédés de 1824; je pense que peu après la prorogation de la législature en 1823, on ne trouva pas dans la caisse assez de fonds pour balancer les appropriations de la législature, alors il y eut une longue correspondance entre M. Caldwell et le gouverneur, et je crois qu'on se détermina à envoyer quelqu'un en Angleterre; ceci doit s'être passé en avril, et je pense que dans le mois de juillet ou d'août suivant deux personnes furent nommées pour conduire temporairement la besogne.

Ne savez-vous pas que M. Caldwell plaida justification jusqu'à un certain point pour cette défalcation, sur ce que l'assemblée lui avait refusé tout salaire, et qu'il avait été forcé de se servir de cet argent en récompense de ses services?—Non, je crois qu'il ne s'est pas plaint de cette manière, mais je sais pour certain qu'il fit application en 1814 pour une augmentation de salaire.

La lui accorda-t-on?—Non.

Put-il alors entendre qu'il se servirait de cet argent?—Non, certainement non; si on l'avait entendu ainsi toute la province se serait récriée, et moi-même je n'aurais jamais fait d'application pour avoir de lui des lettres de change, car je ne me serais jamais fié à lui si j'avais su qu'il se servirait sans autorité d'une pièce de douze sols sur les fonds publics.

Quel était son salaire?—Son salaire a été établi ici par le gouvernement, je crois peu après la passation de la 14^e. du Roi, à la somme annuelle de 400£ et 100£ pour un commis; mais il y eut une recommandation de sir George Prevost pour lui accorder un salaire; ou ne pouvait procéder du tout sans recommandation de la part du gouverneur; et du moment qu'on eut cette recommandation on eut dessein de faire quelque chose pour le règlement de la caisse; la chose ne fut pas terminée dans cette session là, et la session suivante il n'y eut aucune recommandation, et la chose n'est jamais revenue depuis devant l'assemblée; il y a eu des rumeurs de tems à autre; on introduisit un bill en 1815, et probablement ces rumeurs étaient en quelque manière fondées sur l'application pour une augmentation de salaire.

Le receveur-général retient-il les deniers en ses propres mains, ou les dépose-t-il dans quelque banque?—Tous les deniers perçus pour le Roi dans le Bas-Canada, soit en vertu de statuts britanniques ou en vertu de statuts provinciaux, ont été versés entre les mains du receveur-général, et il les a tous gardés dans sa propre maison; je parle maintenant de M. Caldwell; je crois que depuis ce tems le colonel Hale a fait faire une voute pour y garder l'argent.

L'argent est-il absolument et entièrement sous sa garde?—Il l'était, du tems du colonel Caldwell.

Pouvez-vous dire quelle serait le montant le plus considérable de deniers qu'il pourrait avoir en mains en égard aux cours ordinaire des finances du pays?—Le revenu entre très-irrégulièrement; il entre, je pense, dans les quartiers de mai et d'octobre; la partie sur laquelle on accorde quelque crédit moyennant un cautionnement, se paye en grande partie dans le quartier de mai, et l'autre partie entre principalement en octobre. Or les warrants pour les paiements émanés d'ordinaire au 1^{er}. de mai et au 1^{er}. de novembre, ce qui naturellement doit tirer très-rapidement les deniers des mains du receveur-général lorsque les fonds sont très-bas. Je suppose que depuis la faillite du receveur-général, il n'a jamais pu avoir en mains un montant au-dessus de 20,000£, 30,000£ ou 40,000£.

Quelle a été la perte actuelle soufferte par l'insolvabilité de M. Caldwell?—Le déficit actuel en argent était de 96,000£ sterling; mais en outre il y avait eu 116,000£ d'avancés sur des lettres de crédit, pour lesquels M. Caldwell n'avait pas obtenu de décharge. Le receveur-général était responsable pour environ 216,000£ jusqu'au tems où il fut déchargé de ces 116,000£. Je pense qu'il n'en est pas même déchargé à présent, parce qu'on ne règle jamais le compte des avances, de sorte que dans la réalité il y aurait contre lui à la trésorerie une créance de 216,000£, quoique le déficit réel ne fût que de 96,000£.

Quand M. Hale fut nommé pour lui succéder, exigea-t-on de lui des sûretés suffisantes?—Aucune du tout; la nomination fut à ce que je crois, regardée comme temporaire, mais les sûretés sont un sujet qui a été entièrement négligé dans le Bas-Canada.

Avait-on exigé quelque sûreté de M. Caldwell?—Il avait donné des sûretés en ce pays; mais on avait décidé qu'il en donnerait aussi dans la colonie; mais on n'a jamais pris ces sûretés.

Les cautions en ce pays ont-elles été obligées de payer quelque argent?—Je pense que non; j'ai entendu dire qu'il avait été fait avec le gouvernement colonial quelques arrangements au moyen desquels il retenait ses biens, et accordait 2,000£ au gouvernement. Une contestation est encore pendante dans les cours du Canada entre la couronne et M. Caldwell.

A-t-on jamais su quelles étaient ces cautions en ce pays?—Oni, leurs noms se trouvent dans le journal de la chambre d'assemblée.

A-t-on adopté quelques procédés contre ces personnes?—Pas que je sache.

Par qui sont examinés les comptes du receveur-général?—D'abord par le conseil exécutif de la province, ensuite ils sont remis au gouverneur qui les transmet à la trésorerie; et nous n'avons pu trouver aucune décharge postérieure à 1814; de sorte qu'en réalité le gouverneur, le conseil de la province, et le receveur-général ont eu la direction du revenu entier de la province, sans aucun contrôle actuel.

Est-il requis que les comptes soient examinés à des époques fixes?—Oni, par les instructions du Roi au gouverneur ils doivent être examinés dans la colonie tous les six mois, et transmis ici à la trésorerie.

Le gouverneur doit-il requérir l'audition des comptes une fois tous les six mois?—Oni, les instructions ordonnent d'une manière très-précise que le gouverneur fit attention à la dépense convenable des deniers publics et qu'il en rendit compte, et le receveur-général est, par sa commission, requis d'en donner un état.

Par qui est nommé le receveur-général?—Il est nommé par le Roi, non pas comme agissant dans la colonie, mais comme agissant ici, de fait par les lords de la trésorerie.

De quelle manière pensez-vous qu'on pût donner plus de sûretés à la place de trésorier, et en faire mieux remplir les devoirs?—Cette place devrait être réglée par la loi, de sorte qu'on ne pût faire aucun déboursé autrement que dans une certaine forme, et on devrait mettre chaque année devant la législature des comptes réguliers de la recette et des paiements avec les ordres par écrit, de sorte que la législature et le public pussent voir le véritable état de leurs affaires.

Quelles mesures a-t-on adoptées pour prévenir le retour des inconvénients que le public soufferts à cause de la faillite du receveur-général?—L'assemblée a passé un bill à ce sujet et l'a envoyé au conseil, mais le conseil a rejeté le bill; on n'a jamais rien communiqué à l'assemblée depuis la faillite de M. Caldwell, mais j'ai entendu dire dans des conversations privées, qu'il a été envoyé des instructions pour pourvoir à un remède. Je ne les ai jamais vues, et je n'en sais pas la nature, au-delà de la recommandation de prendre certaines précautions pour que les deniers ne sortissent pas de la même manière qu'ils sortaient du tems de M. Caldwell; mais aussi longtemps que la colonie, qui fournit les deniers, n'aura aucun contrôle, il y aura toujours du désordre; il pourrait y avoir une douzaine de clefs et une douzaine de serrures, et cependant tous pourraient être d'accord; il n'y a que ceux qui payent les deniers qui puissent avoir un contrôle efficace.

De quelle manière pensez-vous que ce contrôle devrait être exercé?—Il devrait y avoir une loi pour régler la recette et les déboursés de la place du receveur-général, et les comptes devraient être régulièrement mis chaque année devant la législature, de manière à ce quelle pût voir le véritable état des choses. A présent les comptes soumis à la législature sont extraits des détails de ceux du receveur-général; mais ce ne sont pas les détails du receveur-général. Ce sont des comptes dressés dans le bureau du conseil exécutif, qu'on soumet à la législature; mais ce ne sont pas les comptes réels de la caisse; ce sont ceux-là que nous voulons voir.

Comment diffèrent-ils des comptes de la caisse?—Nous ne pouvons le dire, parce que nous n'avons aucun compte régulier de la caisse; ou nous envoie tel compte que l'on veut sur l'état de nos affaires.

Vous avez un compte qui s'annonce comme un compte général, mais vous ne pouvez dire

dire s'il est véritable?—Nous ne pouvons dire s'il est véritable, parce que nous ne voyons pas le compte du fonctionnaire qui fait les payemens.

Comment proposez-vous d'y remédier par une loi?—Il a été passé une loi, qui est semblable à celle de la Jamaïque.

Ne donne-t-on pas un compte signé par quelque officier responsable?—Il est signé par quelqu'un, mais il n'y a pas de responsabilité.

Par qui est-il signé?—Il est signé quelque fois par l'inspecteur-général des comptes, et quelque fois par l'auditeur-général des comptes; ce sont seulement des comptables préparatoires du conseil exécutif, et le conseil exécutif n'est pas responsable.

Ainsi vous avez leur autorité pour dire que le compte est correct?—Nous avons leur autorité, certainement.

Par qui le compte est-il transmis à l'assemblée?—Il est transmis par un message du gouverneur où il dit qu'il met ce compte devant l'assemblée.

La colonie n'est-elle pas à se plaindre du défaut de fonctionnaires de deniers publics outre le receveur-général?—La province a à se plaindre, et se plaint sévèrement à ce sujet. Le shérif de Québec, nommé en 1817, faillit vers le même tems qu'ont lieu la faillite du receveur-général, et il se trouva un déficit au montant d'environ 27,000L. sur les deniers déposés entre ses mains par des jugemens des cours de justice. Ces deniers étaient ceux de pauvres individus de toute espèce, qui avaient eu le malheur d'aller devant les cours, des veuves et des orphelins; et ils sont encore à chercher un remède. Quand je suis parti pour ce pays, le shérif qui avait été nommé conjointement avec le successeur de M. de Gaspé, avait aussi arrêté ses payemens; mais je suis flatté de voir que la cour a déclaré l'autre shérif responsable solidairement, de sorte que le public ne perdra pas autant qu'on le craignait. Le shérif venant en Angleterre, il en fut nommé un autre conjointement avec lui durant son absence, et les parties qui n'ont pu retirer leur argent ont poursuivi l'autre shérif, et il a été considéré qu'ils étaient conjointement responsables, et je crois qu'il y a eu un jugement à cet effet; mais alors la chose ira probablement en cour d'appel, devant le conseil exécutif, et c'est là un autre risque.

Comment sont nommés les shérifs?—Par le gouverneur.

Sont-ils des fonctionnaires annuels ou permanens?—Ils sont nommés durant son plaisir. Ne se plaint-on pas que depuis le défaut de fonctionnaires dans cette situation, il en a été nommé d'autres sans qu'on ait exigé des sûretés suffisantes?—On s'en plaint, je sais qu'on a exigé aucunes sûretés de M. Sewell, qui est actuellement shérif, et je ne connais pas qu'on ait exigé aucunes sûretés de l'autre; il y a eu beaucoup de plaintes à ce sujet.

Quels sont les fonds qui sont dans les mains du shérif?—Les gens vont demander dans les cours de justice le recouvrement des deniers qui leur sont dûs, le jugement est prononcé, le shérif exécute ce jugement, prélève l'argent et cet argent demeure en ses mains jusqu'à ce qu'il soit distribué par le jugement de la cour, suivant la proportion qui appartient à chacun. Ainsi l'argent demeure en ses mains jusqu'au jugement final et à la distribution, qui est fréquemment retardée pendant un tems considérable; et c'est à même ces deniers que la déflation a eu lieu.

Les ventes par le shérif sont-elles très-communes?—Elles ont été très-communes.

Quelle est la cause qui les rend si communes?—Elles ont été très-communes depuis la fin de la dernière guerre, parce que le pays a appauvri; les biens-fonds en particulier ont diminué de valeur; ceux qui avaient des réclamations sur ces biens ont insisté à être payés, et ont poursuivi, et ainsi ils ont été saisis par le shérif et vendus.

Y a-t-on eu recours comme au mode le plus sûr de transport en conséquence des déficiences de la loi?—Oui, en plusieurs cas; la législature a passé un bill qui pourvoyait aux ventes volontaires par le shérif. C'est une procédure qui ressemble à un décret sous la loi Française; les parties viennent en cour et disent qu'elles désirent avoir les avantages d'un décret; par cette procédure on donne avis public au monde entier que telle propriété doit être vendue, de sorte que chacun peut venir en avant et produire sa réclamation; ensuite la vente a lieu, et le tout est sous l'inspection de la cour qui voit à ce que chacun ait son dû; ainsi chacun ayant obtenu son dû, le titre de la propriété est plus assuré qu'il ne le serait autrement.

Ainsi une partie considérable de la propriété du public est tombée sous les ventes du shérif à cause des déficiences de la loi?—Pas du tems de M. De Gaspé; la loi n'existait pas alors.

Mais il est de fait que pour obtenir un titre assuré on est obligé d'avoir recours à une vente par le shérif?—On l'a fait depuis que la loi existe, et je crois qu'on l'a fait aussi avant que la loi existât; les gens voulaient avoir une vente en vertu d'un jugement, afin qu'il ne pût y avoir aucune contestation par la suite; mais ces ventes, à ce que je comprends, ne prescrivent pas maintenant certaines réclamations.

Prescrivent-elles une hypothèque antérieure sur la propriété?—Oui, toutes les hypothèques, excepté les droits des mineurs et des absens; personnes qui dans le fait ne peuvent venir en avant et répondre pour elles-mêmes.

Ainsi ce n'est pas contre eux un titre assuré?—Ce n'est pas un titre assuré contre des personnes qui n'ont pas de pouvoir d'exercer leur droit de réclamation, elles ne peuvent en être privées; on l'entend ainsi universellement.

Vous avez dit que la direction des deniers publics pour les objets d'amélioration intérieure, était meilleure dans les États-Unis qu'en Canada; pouvez-vous mentionner quelques exemples qui vous autorisent à faire cet avis?—Je conçois que la même somme de deniers sert davantage là que chez nous, et je l'attribue à une meilleure direction et à une plus grande responsabilité; j'en donnerai un exemple: le Canal de Lachine a coûté environ un demi-million de piastres; il a neuf milles de longueur. Le Canal de New-York a coûté environ huit millions de piastres, c'est-à-dire seize fois autant, et il a 320 milles de long, et, à tout prendre, il a été sujet à des dépenses aussi considérables, sinon d'avantage, que le canal de Lachine, à cause du nombre des écluses, et de la grande élévation du pays que traverse le canal, de sorte qu'il y a contre nous une différence remarquable dans le résultat de la dépense.

A quoi attribuez-vous cette différence?—Je l'attribue au manque de comptabilité suffisante dans notre dépense.

Était-ce un ouvrage du gouvernement?—Oui, l'ouvrage n'est pas trop bien surveillé; quand un particulier fait faire un ouvrage sans le surveiller, il n'est pas de moitié fait si bien, ni de beaucoup à frais aussi modérés. Notre canal produit à peine quelque revenu; leur canal en donne un très-grand; c'est là une autre preuve de bonne conduite; je dois dire généralement qu'ils conduisent leurs affaires mieux que nous.

Ne se sert-on pas du canal de Lachine?—On s'en sert; mais il ne donne qu'un faible revenu. Je ne suppose pas qu'il donne plus de 2,000L. à 3,000L. par année.

Il est dit dans la pétition qu'un grand nombre d'officiers de milice ont été destitués sans cause raisonnable?—Il y a eu un grand nombre de destitutions, et on allégué quelles ont été faites sans raison suffisante et sans cause raisonnable.

Quelle a été suivant ce qu'on croit dans l'opinion publique la raison de la destitution de ces officiers de milice?—L'opinion presque universelle était dernièrement que la chose est due à la part qu'ils ont prise à la mission au sujet de plaintes en Angleterre.

Quels motifs a-t-on pour entretenir cette opinion?—Il n'y a aucun doute que plusieurs d'entre eux n'aient été présens aux assemblées où on a adopté les pétitions, et je crois que plusieurs d'entre eux ont présidé à ces assemblées.

Le gouverneur a-t-il assigné quelque motif pour leur destitution?—Oui, un très-mauvais motif; qu'ils s'étaient montrés les instrumens actifs d'un parti hostile au gouvernement de sa Majesté.

Ont-ils été destitués par un ordre général?—Ils ont été destitués par un ordre général; il y a eu environ 200 destitutions dans les derniers 18 mois, soit destitutions, ou des congés donnés d'une autre manière; on a généralement fait et défait toute la milice. L'ordre général pour les dernières destitutions, est comme suit:—il est daté "Bureau de l'adjudant-général des milices, Québec, 21 février 1828:—Le gouverneur et commandant-en-chef a vu avec regret que plusieurs officiers commandans des bataillons de milice, oubliant leur devoir de montrer l'exemple de la subordination et du respect pour l'autorité à ceux qui sont placés sous leur commandement, se sont montrés les agens actifs d'un parti hostile au gouvernement de sa Majesté; une telle conduite tendant à exciter le mécontentement dans le pays, et à causer parmi le peuple du mépris pour le gouvernement exécutif, il ne

peut être permis de la passer sous silence, et en conséquence son Excellence, en vertu des pouvoirs à lui confiés par sa Majesté, signifie aux officiers ci-dessous mentionnés que sa Majesté n'a plus besoin de leurs services:—3e. bataillon de Buckinghamshire, lieutenant-colonel François Legendre; 1er. bataillon de Bedford, R. Hertel de Rouville; 3e. bataillon du comté de St. Maurice, A. Pontin de Courval; 1er. bataillon de Kent, R. Boucher de Labrière; 2d. bataillon de Huntingdon, Major M. Raymond. Le gouverneur en chef ne croit pas moins de son devoir public, qu'un acte de justice de sa part envers la milice loyale de la province, d'en mettre les membres en garde, afin qu'ils ne soient pas induits en erreur par les artifices et les fausses représentations de personnes mal intentionnées, pour nourrir des soupçons mal fondés sur les vues et les actes du gouvernement, ou pour s'écarter de ce respect pour son autorité, et de cet esprit d'obéissance aux lois qui convient à des sujets fidèles et loyaux. Par ordre de son Excellence le gouverneur-en-chef.

(Signé) "F. VASSAL DE MONVIEL, Adj. Gén. M. F."

Ces officiers accompagnaient-ils leur corps dans le tems; étaient-ils en fonctions?—Tout homme en Canada, depuis l'âge de 18 ans jusqu'à celui de 60, est milicien, et personne n'est incorporé à moins d'être tiré de la milice; ils sont tous miliciens sujets aux devoirs de la milice, quoiqu'ils résident sur leurs terres; mais il n'y a maintenant aucune milice incorporée.

S'assemblent-ils du tout pour se discipliner et pour s'exercer?—Ils s'assemblent pour l'appel du rôle, de manière à ce que les milices soient maintenues en existence; dans la vue de les trouver prêtes, lorsqu'en vertu d'une loi il peut-être nécessaire d'en incorporer une partie.

Sont-ils fournis d'armes?—Non, ils n'ont pas d'armes.

Paraissent-ils en uniforme?—Non.

En matière de fait, le gouverneur en vertu de ses fonctions militaires, possède-t-il sur tous les sujets dans le Canada le pouvoir militaire ainsi exercé sur la milice?—Il en serait ainsi; mais en matière de fait, la grande masse du peuple du Canada est d'opinion qu'il n'a aucune autorisation à cet égard, parce qu'elle est d'opinion que la loi n'existe pas.

Quelle loi?—Le gouverneur et le conseil ont laissé expirer les lois de milice en 1827, et ils ont fait revivre alors une vieille ordonnance passée en 1788 ou en 1789, avant l'existence de la constitution actuelle, et c'est sous cette ordonnance qu'on a dernièrement fait tout ce bruit. Généralement le peuple est d'opinion que la loi n'est pas en force; mais dans le commencement, quand il s'est agi d'une simple parade pour l'appel des noms, personne ne s'y est opposé; mais quand on en est venu à exiger plus qu'on n'avait coutume sous les lois qui avaient existé depuis l'établissement de la constitution, le peuple s'est récrié sur ce sujet, et ces clameurs ont conduit, en quelque manière, aux difficultés actuelles. Il y a actuellement 63 officiers de destitués par des ordres généraux, et il y en a un grand nombre de mis à la retraite.

Rassemble-t-on durant la paix quelque partie de la milice?—Non, le système a été comme suit: toute la population du Bas-Canada a été déclarée sujette à porter les armes sous certaines circonstances, lorsqu'il existe une rébellion dans le pays, ou dans le cas d'invasion; pour cet objet tous les particuliers sont enrôlés; ils font un rôle de toute la population mâle depuis l'âge de 18 ans jusqu'à celui de 60, et on fait l'appel du rôle tous les ans, pour voir s'ils sont tous en bon état, et il y a des dispositions qui règlent qu'en tems de guerre il y aura un tirage de la milice pour former la milice incorporée. Pendant la dernière guerre nous avons eu sur les frontières environ 7,000 ou 8,000 hommes ainsi tirés; on avait tiré même jusqu'au troisième citoyen non marié pour l'envoyer aux frontières.

Y a-t-il des commissions?—Les officiers ont tous des commissions; toute la population mâle du pays est généralement organisée en milice; en tems de paix ce n'est rien, mais en tems de guerre tout individu est sujet à marcher.

Les officiers reçoivent-ils quelque paye en tems de paix?—Rien, ce n'est qu'un fardeau; ils perdent leur tems et quelquefois ils encourrent des dépenses assez fortes; ils dépensent de l'argent à dresser des compagnies volontaires.

Quel est à peu près le nombre entier des officiers?—La milice de la province se compose en tout de 66 bataillons et de 7 compagnies; le nombre total des officiers des 66 bataillons, comprenant ceux qui ont eu des retraites, est de 2,954.

En y comprenant les officiers non commissionnés?—Non, les officiers commissionnés seulement, depuis le rang d'enseigne et au dessus.

Ne fait-on pas quelque réclamation au sujet des biens qui appartenaient ci-devant aux jésuites, et l'assemblée ne prétend-elle pas que les produits en devraient être appropriés sous sa direction au soutien de l'éducation publique?—On a réclamé les biens des jésuites depuis l'année 1793, par des pétitions à la législature. Les prétentions de la part du peuple, sont que les biens qui appartenaient aux jésuites, leur avaient été donnés pour l'éducation générale de la jeunesse du pays, et que l'ordre des jésuites étant éteint, les biens devaient être appliqués aux objets pour lesquels ils avaient été donnés dans le principe; qu'en réalité, les jésuites d'après leur vœu de pauvreté, ne pouvaient tenir de propriétés que pour des collèges; et le résultat de la dissolution de l'ordre des jésuites en France, a été qu'on a appliqué les biens aux objets pour lesquels il avaient été accordés dans le principe, mais sous quelque autre autorité.

La réclamation a-t-elle quelque autre fondement que le raisonnement général que vous venez de faire?—Il a été fait différens rapports sur ce sujet par la chambre d'assemblée, et le rapport sur l'éducation en 1824, qu'on trouvera dans les journaux.

Quelle réponse le gouvernement a-t-il faite aux demandes de l'assemblée à cet égard?—Il n'y a eu à cet égard aucune réponse.

De quelle manière a-t-on disposé des produits des biens des jésuites?—Nous n'en avons aucun compte.

Savez-vous par qui est perçu le revenu provenant de ces biens?—Il y avait ci-devant une commission, et un trésorier, et le trésorier recevait l'argent, et le versait entre les mains du receveur-général; j'ai entendu dire qu'une partie de cet argent avait été perdue dans sa faillite; depuis ce tems, il est émané une nouvelle commission, et il n'y a eu qu'un seul directeur de nommé. Je ne sais pas qui reçoit l'argent à présent.

Y a-t-il d'autres biens dans la province du Bas-Canada qui soient sur le même pied, et au sujet desquels on a fait des réclamations semblables à celles qui existent à ce que vous venez de dire pour les biens des jésuites?—Non.

La couronne possède-t-elle quelques autres propriétés qui aient appartenu anciennement à des corps ecclésiastiques?—Pas que je sache.

Quels établissemens a-t-il dans le Bas-Canada pour l'éducation; a-t-on pourvu aux dépenses de quelques-uns à même les fonds publics?—Aucun, si ce n'est que la législature a accordé quelques sommes annuelles pour différentes sociétés d'écoles à Québec et à Montréal, pendant les six ou huit dernières années, mais il n'en a été fait aucun à même les fonds publics de la province, c'est-à-dire subséquemment à la conquête en 1760; antérieurement on avait fait des établissemens. Il y avait le séminaire des missions à Québec, et le séminaire du collège de St. Sulpice à Montréal; ils conservèrent leurs propriétés, et quoique dans le principe ils n'eussent été établis que pour l'éducation ecclésiastique, ils entendirent leur système, et embrassèrent l'éducation générale. Maintenant le séminaire de Québec, qui avait été établi dans le principe pour former des ecclésiastiques, embrasse le cours entier des sciences, ainsi que le séminaire de Montréal.

S'est-il élevé quelque dispute sur le caractère du système d'éducation à établir; les Canadiens ont-ils quelque désir qu'il fût d'un caractère français et catholique; et les habitans anglais désirent-ils qu'il fût d'un caractère plus général?—Il y a eu de la part des catholiques romains beaucoup de jalousie au sujet de l'éducation; je crois qu'elle a été causée par des instructions envoyées d'ici subséquemment à la conquête.

Quand ces instructions furent-elles envoyées?—Elles doivent avoir été envoyées peu de tems après la conquête, mais on les a fréquemment renouvelées depuis, et elles semblaient aux catholiques romains une espèce de prosélytisme réduit en système, qui naturellement produit un certain degré d'alarme. Il a été passé un acte en 1801 pour l'établissement d'écoles; elles devaient être dotées par le roi comme écoles de fondation royale, et elles devaient être sous la direction d'une corporation que le gouverneur devait nommer;

nommer; cette corporation ne fut nommée qu'en 1817, et il arriva qu'elle fut principalement composée de membres d'une seule religion; l'évêque de l'église d'Angleterre et le clergé de l'église d'Angleterre, étaient à la tête de la corporation, et la majorité des membres était de l'église d'Angleterre, et cela tendait à confirmer les soupçons que le peuple entretenait par rapport au prosélytisme, et il était inutile après cela de penser à lui faire envoyer ses enfans à l'école; car à peine y a-t-il eu depuis la conquête un exemple de la conversion d'un catholique romain, et je crois qu'il y en a eu bien peu du côté opposé; mais cependant tous les partis paraissent parfaitement attachés à leur religion, et craignent tout ce qui ressemble au prosélytisme. En conséquence, ces écoles ont échoué. On ne leur a donné aucunes propriétés, comme l'avait proposé la couronne; elles n'ont eu que bien peu d'écouliers; mais on a appliqué à les soutenir environ 30,000^{l.} des deniers de la province. Nonobstant, je suppose qu'en tous elles n'ont pas instruit 1,200 enfans par année depuis leur établissement.

D'où était tirés ces 30,000^{l.}?—Du revenu provincial.

A-t-on fait quelques démarches pour l'établissement d'écoles dans les townships?—Oui, mais on ne veut pas de ces écoles dans les townships; on ne veut pas dans les townships d'écoles qui puissent paraître sous la direction d'une église particulière.

Dans votre propre opinion, quel serait le meilleur système d'après lequel on pourrait établir dans la colonie des écoles pour l'instruction de la population en général?—Le système que la chambre d'assemblée proposa par un bill en 1814, était semblable à celui d'Ecosse, et à quelques-uns des modes adoptés dans la Nouvelle-Angleterre. C'était d'avoir des écoles dans chaque paroisse; les paroissiens avaient le pouvoir de se cotiser pour soutenir ces écoles, et de nommer des personnes, ou une espèce de syndics, pour en avoir la direction.

Pourrait-on établir des écoles auxquelles les catholiques et les protestans pourraient également avoir un accès commun?—Du moment que vous faites une distinction entre un protestant et un catholique, vous les séparez l'un de l'autre; on ne doit les regarder ni comme protestans ni comme catholiques, ou autrement il y aura immédiatement une distinction entre eux.

Le pouvoir de contribuer par des dons charitables aux objets de l'éducation n'est-il pas limité par la loi en Canada?—Il l'est. Après beaucoup d'efforts pour établir des écoles dans le Bas-Canada, et je pense qu'on avait rejeté cinq ou six fois le bill qui accordait une certaine somme pour chaque école qui serait établie, et qu'en laissant la direction aux ecclésiastiques des différentes dénominations, chaque dénomination devant avoir la direction de ses propres écoles, et qui accordait 200^{l.} pour établir une école et y préposer un maître pourvu qu'il y eût un certain nombre d'écouliers,—enfin on convint d'un bill qui leur accordait le pouvoir de posséder des propriétés jusqu'au montant au plus, à ce que je pense, de 75^{l.}, pour le soutien d'écoles. Avant ce tems le peuple ne pouvait posséder de propriété pour le soutien d'écoles, même si c'était un don, parce que les héritiers de la personne qui avait fait le don venaient le revendiquer; le statut de Main-morte s'y opposait; de sorte qu'il n'y a d'autres écoles pour l'éducation du peuple que celles qui sont établies par charité. Cependant le peuple fait de grands efforts en faveur des écoles, et soit que la loi lui procure de l'aide ou non, il acquerra de l'éducation.

Ces bills ont-ils été rejetés par le conseil législatif?—Oui.

Sur quels motifs?—Je ne puis le dire; l'expression générale parmi les membres de ce corps était qu'ils ne voulaient pas avoir d'autre acte que l'acte de 1801; et l'acte de 1801 ne pouvait avoir d'exécution à cause des craintes religieuses.

A-t-on exprimé quelque aversion pour le système d'après lequel le peuple devait se cotiser lui-même?—Non; cependant ce bill n'est jamais allé jusqu'au conseil législatif; il fut introduit justement à la fin de la guerre, et on le remplaça par un autre qui faisait un don à chaque paroisse, soit que ce fût une paroisse de l'église catholique romaine, de l'église d'Angleterre, ou de l'église d'Ecosse, ou de dissidents, pourvu qu'on y établît une école, et qu'on y eût un certain nombre d'écouliers, ces écoles devaient avoir 200^{l.} à même les fonds provinciaux; mais il rencontra de l'opposition dans le conseil législatif. Vue que ce bill avait échoué si souvent, on en introduit et on en passa finalement un autre qui, comme je l'ai mentionné, permettait à chaque paroisse de posséder des propriétés pour l'usage des écoles, donnant à ces écoles le pouvoir de posséder des biens au montant annuel de 75^{l.}

Entendez-vous dire qu'un grand désir d'instruction s'est montré dans les townships?—Il n'y a aucun doute là-dessus; il n'y a pas d'américain qui ne pense que l'éducation de ses enfans forme une partie essentielle de ses devoirs.

Était-ce là empêcher le peuple de se cotiser volontairement pour cet objet?—Le peuple n'avait aucune autorité légale pour le faire; s'il en avait eu il l'aurait fait il y longtemps.

A-t-on fait quelque tentative pour introduire un acte qui donnât cette permission?—Non, je ne crois pas; au moins je ne connais d'autre tentative que le bill général de 1814.

Craignez-vous que le parti canadien n'opposât quelque difficulté à une disposition semblable?—Je puis assurer au comité que le parti canadien fera tout en son pouvoir pour avancer l'éducation, n'importe par quel parti; il est persuadé que le pays ne peut aller bien sans une éducation générale.

Y a-t-il eu un tems où les mesures du gouvernement étaient communément soutenues par la majorité de la chambre d'assemblée?—Certainement; après l'établissement de la constitution en 1792 jusqu'en 1806 et en 1807, le gouvernement a eu une majorité constante dans la chambre, ou au moins le gouvernement a généralement réussi dans toutes ses mesures.

A quoi attribuez-vous le changement qui a eu lieu depuis ce tems?—La grande cause du changement a été l'administration de sir James Craig; il se conduisit d'une manière très-violente envers la chambre d'assemblée et envers le peuple en général, qu'il accusa de beaucoup de choses, et finalement, à la veille d'une élection générale il fit emprisonner trois des principaux membres de l'assemblée sous l'accusation de pratiques traissières, et les y retint jusqu'à ce que quelques-uns d'eux eussent souscrit à toutes conditions pour en sortir, et d'autres continuèrent à être détenus jusqu'à ce qu'on leur ouvrit les portes de la prison, et qu'on les fit sortir; la vérité était que parmi le peuple on n'avait aucune notion de la trahison.

Croyez-vous que ces procédés ont eu une influence permanente sur l'assemblée?—C'a été là la fin de toute l'influence de l'administration, parce qu'ils impliquaient non seulement le gouverneur, mais tous les individus qui étaient dans l'emploi du gouvernement; ils y prirent une part active et conséquemment ils perdirent leur influence auprès du peuple.

Depuis ce tems le gouvernement n'a-t-il eu aucune majorité dans l'assemblée?—Il n'a jamais pu commander une majorité. Durant l'administration de Sir George Prevost, elle a unanimement soutenu toutes ses mesures, parce qu'il s'agissait alors de défendre le pays et de faire ce qui était nécessaire pour l'aider dans cet objet, et l'assemblée a presque été seule dans ce tems à soutenir le gouvernement. Durant l'administration de Sir John Sherbrooke, le peuple était généralement du côté du gouvernement, et il avait une majorité pour toutes ses mesures dans la chambre d'assemblée, mais depuis le tems de Sir James Craig, il n'a eu aucune majorité à laquelle il pût commander.

Le comité a devant lui une lettre adressée par M. Papineau et par vous au sous-secrétaire d'état au sujet de l'union, et vous dites dans cette lettre que les habitans des établissemens que vous appelez une continuation des établissemens américains dans le Bas-Canada, sur les frontières des Etats-Unis, ont bien peu de relations ou d'intérêts communs avec le corps des sujets de sa Majesté dans le Bas-Canada?—Ils avaient certainement alors fort peu de relations; leurs relations étaient principalement avec les Etats-Unis.

Comment se faisait-il qu'étant sujets du même roi, et vivant sous le même gouvernement, on pût croire, suivant votre opinion, qu'ils avaient peu de relations ou d'intérêts communs avec le reste des sujets de sa Majesté?—Ils demeurent à environ 100 milles de Portland, sur le bord de la mer, dans les Etats-Unis; et ils sont, je suppose, à 100 milles du St. Laurent; leurs relations principales ont été avec le pays d'où ils étaient venus, leurs liaisons y sont entièrement, et les chemins entre ces établissemens sur les frontières des Etats-Unis et le fleuve St. Laurent, passent à travers une forêt. On ne peut en

pays avoir qu'une bien petite idée d'un chemin à travers une forêt en Amérique; si on faisait un chemin aussi bon que l'est ici aucun chemin macadamisé, on ne pourrait y passer en sûreté pendant une semaine, car le premier ouragan qui vient au printemps de l'année, ou le premier orage accompagné de tonnerre qui arrive en été, jetterait les arbres à travers ce chemin, et c'est pour cela qu'on ne peut y passer à moins qu'il n'y ait des gens établis le long pour nettoyer le chemin; or toute l'étendue de cette contrée est encore une forêt naturelle entre ces établissemens et les anciens établissemens sur le fleuve St. Laurent; ou a fait des chemins, mais ces chemins se remplissent par le manque d'habitans, même quoiqu'ils soient praticables pour des charrettes; après que l'ouvrage est fait ils se remplissent par la chute des arbres, et il n'y a personne pour s'occuper des chemins.

Le comité doit-il entendre qu'il serait impossible d'entretenir des chemins entre les townships sur les frontières américaines et les seigneuries sur le St.-Laurent jusqu'à ce que l'espace intermédiaire soit établi?—Il n'y a rien à faire pour rendre les chemins praticables jusqu'à ce qu'on fasse des établissemens. Si on se débarrassait des réserves de la couronne et du clergé, et si on accordait des terres aux gens sous la condition de s'y établir, ces terres seraient établies; mais les gens n'aiment pas à aller au loin dans les bois et à rencontrer ces réserves de la couronne et du clergé; c'est une chose formidable en toute circonstance de vivre à 16 milles peut-être de tout être humain; il est impossible à un homme de vivre s'il n'a des voisins pour le secourir; il ne peut abattre une forêt, il ne peut empêcher les arbres pourris qu'ont séchés les feux dans les bois, de tomber, de tuer ses bestiaux, et de détruire ses clôtures, dans la réalité il est impossible à un homme de s'établir en Amérique et d'y vivre sur une terre à moins d'avoir des voisins au tour de lui.

Vous dites dans cette lettre que les lois qui régissent les propriétés et les droits civils, les usages, les mœurs, la religion, et même les préjugés qui régissent dans les deux provinces, diffèrent essentiellement, et vous dites aussi que les habitans du Haut-Canada, à cause de leur distance de la mer, et du besoin qu'ils ont d'un marché extérieur, ont en grande partie cessé de consommer les espèces de marchandises sur lesquelles il se prélève des droits dans le port de Québec; et vous prétendez faire voir que leurs intérêts sont si distincts, qu'il n'y aurait aucun moyen de les engager à co-opérer ensemble aux mesures de bien public, ou à entretenir les mêmes vues par rapport à la politique générale: est ce encore là votre opinion?—Il est vrai que les lois, les usages, les mœurs et les préjugés des deux pays diffèrent essentiellement; il est vrai aussi que dans le Haut-Canada on commence à consommer considérablement les articles de manufacture américaine, particulièrement dans la partie du pays qui est au-dessus du Lac Ontario, et que je crois contenir environ la moitié de la population de la province; et je crois qu'il y a une grande ligne de démarcation dans l'ensemble entre les vues et les intérêts des deux provinces; je ne puis dire positivement qu'on ne pourrait les amener à opérer ensemble; je crois qu'elles ont maintenant l'une envers l'autre des dispositions très-amicales, et des dispositions amicales seraient très-éfficaces pour produire la co-opération sous des circonstances très-difficiles; mais en parlant généralement, ce serait agir d'une manière très-dure envers le peuple du Haut-Canada, que de l'obliger à venir dans le Bas-Canada, pour faire ses lois locales, ou d'obliger le peuple du Bas-Canada d'aller dans le Haut-Canada pour y faire les siennes. Les Etats-Unis le long de cette frontière ont l'avantage d'avoir cinq législatures locales différentes le long de la même ligne. On ne gagne rien à être membre de l'assemblée de la province; ce n'est que du travail, sans aucun profit. Dans ce cas les membres devraient voyager 700 milles à travers un pays très-difficile à traverser, pour s'occuper de toutes leurs petites affaires: cela rendrait la place presque inaccessible à toute personne qui n'aurait pas une fortune plus considérable que celles qu'on trouve dans le pays.

Tout le commerce entre la province supérieure et la mère-patrie ne doit-il pas se faire nécessairement par le St.-Laurent et par le Bas-Canada?—Naturellement on n'y peut commercer avec la mère-patrie à travers les Etats-Unis.

Ce commerce peut-il être réglé avec un égard convenable aux intérêts de la province supérieure, si tout le contrôle législatif sur icelui est entre les mains du gouvernement de la province inférieure?—Cela n'est pas le cas maintenant; il n'a pas existé un semblable contrôle législatif depuis l'année 1822; on passa alors l'acte du commerce du Canada qui le mit hors du contrôle de la législature du Bas-Canada; et je crois que depuis ce tems il n'y a eu aucune plainte à ce sujet.

Les habitans du Bas-Canada ne se plaignent-ils pas de ce que les dispositions de l'acte du commerce du Canada sont une violation du pacte qui a été fait avec eux au sujet des impôts, et qu'elles privent l'assemblée législative d'une partie du pouvoir à elle inhérent pour l'imposition des droits dans le Bas-Canada?—Ils se sont plaint très-hautement de ce qu'on avait prolongé par un acte de la législature de ce pays, quelques actes provinciaux temporaires qui prélevaient des droits, ils concevaient que si ce n'était pas absolument taxer la colonie, c'était cela à très-peu de chose près; mais cependant il n'y a eu aucune remontrance formelle à ce sujet, parce qu'ils étaient dans le doute si ce pays ne pouvait prétendre à quelque pouvoir de cette espèce, vu la circonstance de la nécessité de régler un différend entre les deux provinces, qu'elles ne pouvaient régler elles-mêmes; cela leur faisait presque douter de leurs motifs de plaintes, autrement vous auriez entendu de la part du Bas-Canada plus de plaintes que vous n'en avez jamais entendues jusqu'ici.

Le comité doit-il conclure de ce que vous dites que les intérêts commerciaux du Haut-Canada requièrent un règlement des droits dans le Bas-Canada, qui équivale dans la réalité à l'invasion des privilèges que le Bas-Canada réclame?—Non, je pense que vous avez été bien bons envers nous, vous nous avez ôté un trouble considérable, car on ne doit plus nous regarder davantage comme saisis du pouvoir de faire des réglemens au sujet du commerce, cela se fait ici par un acte; il ne peut y avoir aucune querelle entre le Haut-Canada et le Bas-Canada au sujet des réglemens de commerce.

Regardez-vous tous les droits de douanes comme des réglemens de commerce?—Ils y équivalent, et nous n'avons de droits de douanes que les droits qui se trouvent combinés en quelque manière dans l'acte qui règle généralement les droits des douanes.

Mettant de côté tout objet quant au règlement du commerce, supposez-vous que le parlement ici pût imposer un droit de douanes dans le Bas-Canada, dans le but unique d'augmenter le revenu?—Certainement non; nous soutenons que vous n'imposerez aucun droit si ce n'est pour le règlement du commerce, et on ne doit pas s'attendre à ce qu'aucun corps législatif se serve de ce pouvoir pour quelque autre objet; nous nous attendons que ce seront *bonâ fide* des droits pour le règlement du commerce, et nous entendons qu'il doit être disposé du produit de ces droits, quel qu'il puisse être, par la législature provinciale. Par rapport à la levée de droits sur les marchandises qui passent entre le Haut et le Bas-Canada, il est de fait que le Haut-Canada lève à présent des droits sur les importations des Etats-Unis, sur une frontière de 700 milles; si les habitans du Haut-Canada désiraient prélever un droit sur les importations dans le Haut-Canada, et si on ne croyait pas qu'ils interviennent dans les pouvoirs généraux de ce pays pour le règlement du commerce; ils n'auraient aucune difficulté à prélever des droits sur les marchandises qui passent du Bas-Canada dans le Haut-Canada, puisqu'ils lèvent des droits sur les marchandises qui passent des Etats-Unis dans le Haut-Canada. Les seules voies accessibles de communication d'une province à l'autre, sont le fleuve St.-Laurent et la rivière des Outaouais; on pourrait aisément y lever des droits, et je pense qu'après la prochaine élection la législature du Haut-Canada demandera à percevoir elle-même son revenu.

De quelle manière serait-il possible au Haut-Canada de percevoir lui-même son revenu?—Il pourrait percevoir les droits sur la frontière du Bas-Canada bien plus aisément qu'il ne les perçoit sur la frontière des Etats-Unis; cela ne formerait pas un vingtième de la dépense, car l'étendue totale de la ligne frontière des deux provinces qui ne soit pas un désert à travers lequel il ne peut passer aucuns effets, ne peut excéder 30 ou 40 milles.

Supposant qu'il s'importe du rum dans le Bas-Canada, et qu'un marchand du Haut-Canada désire l'y transporter, ce rum ne serait-il pas sujet à un double droit sous l'arrangement que vous avez suggéré, savoir, que le Haut-Canada recueille ses propres revenus, ne doit-il pas d'abord être payé un droit pour le Bas-Canada, et ensuite un autre droit pour le Haut?—Non, il devrait y avoir une remise. Dans l'acte constitutionnel ce pays s'est réservé expressément le pouvoir de régler ces remises; on aurait droit à une remise ce en faisant preuve que les marchandises ont été transportées dans le Haut-Canada.

Pensez-vous qu'il fût possible de faire un arrangement de cette espèce, et que tous les droits dus à l'entrée fussent payés nécessairement au port d'entrée, mais qu'au lieu que le Bas-Canada donnât au Haut une proportion indéfinie de ces droits, ce dernier imposât les droits qu'il jugerait à propos sur ses importations, en recevant du Bas-Canada la remise de tous les droits qui auraient été payés sur les marchandises lors de leur transport à travers cette province?—Je n'ai aucun doute qu'on ne pût faire un semblable arrangement.

Pensez-vous qu'il soit possible de mettre en force les réglemens des douanes sur la ligne frontière?—Si on les met en force sur une frontière de 600 ou de 700 milles, on peut surmen. les mettre en force sur une frontière de 30 milles; il n'y aurait aucune difficulté à recueillir des droits sur les frontières du Haut-Canada sur toutes les marchandises dont l'enveloppe n'aurait pas été brisée; je crois qu'il y aurait de la difficulté à recueillir les droits ou à accorder les remises sur tout ce qui aurait été défilé. Il serait facile d'établir que la chose était dans l'état où elle était arrivée à la douane à Québec, et dans ce cas la remise devrait être faite du moment qu'elle est établie, mais si on n'y pourvoyait pas, il y aurait beaucoup de ruses et de friponneries, par exemple on ouvrirait une tonne de rum, et on y mettrait de l'eau de manière à en faire deux tonnes, et alors la remise aurait lieu pour les deux tonnes. C'est pourquoi il serait nécessaire d'arranger la chose de manière à avoir la certitude que les marchandises qui iraient dans le Haut-Canada seraient la même espèce de marchandises qui aurait été entrée à Québec.

Comme à présent chaque tonne du rum qui s'importe dans la province supérieure doit passer à travers l'autre province, où est maintenant la sûreté?—Il se commet maintenant beaucoup de friponneries; mais dans le fait la consommation du rum a presque cessé dans le Haut-Canada; on y consomme du *whisky* de manufacture domestique. Je crois qu'il n'existe aucune plainte de la part du Haut ni du Bas-Canada; ils se soumettent aux réglemens qu'on a fait.

Quel serait dans votre opinion le meilleur moyen de régler la chose?—Supposant qu'un marchand du Haut-Canada fasse venir des effets d'Angleterre, il faudrait ou qu'ils fussent francs de droits dans le Haut-Canada sur quelque certificat d'entrée à la douane à Québec, ou bien que le Haut-Canada eût une remise sur chaque article qui aurait payé le droit dans le Bas-Canada, pourvu qu'il fût établi à la douane dans le Bas-Canada, qu'il n'y ait la même espèce de marchandises a été *bona fide* transportée au Haut-Canada, et qu'il n'y ait aucune tromperie; mais quoiqu'on ait beaucoup parlé, je crois que l'assemblée législative du Haut-Canada ne fait aucune plainte là-dessus. On y est maintenant à la veille d'une élection générale, et je puis dire qu'on fera attention à tous ces sujets, car on y est fort au fait des intérêts publics et on les suit avec assez d'exactitude; mais il reste à décider au gouvernement de ce pays s'il sera imposé des droits sur les articles importés dans les colonies. Si les législatures coloniales exerçaient ce pouvoir jusqu'à un certain point, elles pourraient exclure entièrement le commerce britannique, et suivant mon opinion ce serait chose très-imprudente pour la législature de la Grande-Bretagne, qui a la surveillance générale de tout l'empire, de permettre à des parties de cet empire de tourner le cours de son commerce comme il leur plairait.

Les importations du Haut-Canada sont-elles en partie pour sa consommation, et en partie pour l'importation dans les Etats-Unis?—Il se fait fort peu d'importations dans les Etats-Unis. Quoique le peuple de New-York paye des droits plus élevés, il fournit le Haut-Canada. Je crois que les américains entrent en compétition partout au-dessus de Kingston. Anciennement le thé anglais ne pouvait pas du tout entrer dans le St.-Laurent; avant le dernier changement les américains faisaient descendre leur thé à Québec et à Terre-Neuve.

De quelle manière rendez-vous compte de cela?—Il y a beaucoup plus de capitaux dans les Etats-Unis, et là où il y a plus de capitaux on peut faire le commerce avec un moindre profit. Nos marchands ne commerceront pas sur leurs propres capitaux; ils commerceront en réalité sur les capitaux des marchands de ce pays; je m'imagine que la chose n'est pas conduite aussi bien que le commerce américain.

Sur quel étalon a-t-on déterminé la proportion des droits qui a été appropriée en faveur du Haut-Canada?—Elle a été déterminée par des arbitres choisis par le gouverneur du Haut-Canada et par le gouverneur du Bas, et dans le cas de différence d'opinion le gouvernement de ce pays a nommé un tiers-arbitre; et la chambre d'assemblée du Bas-Canada a regardé ce mode comme le plus équitable possible, car dans la réalité on l'avait par des ruses presque mise en querelle avec le Haut-Canada. Elle a été fort contente d'être débarrassée de tout ce qui pourrait la mettre de nouveau en querelle. Le conseil législatif avait laissé périr la loi ordinaire qui autorisait un arrangement avec le Haut-Canada, et l'arrangement expira; cela fit élever entre le peuple des deux provinces une querelle qui peut difficilement s'élever maintenant.

Ne fait-on pas des objections à la proportion accordée au Haut-Canada, comme étant trop grande par rapport à sa consommation?—Je concevrais qu'elle est plus grande qu'elle ne devrait être, par la raison qu'au dessus du lac Ontario il s'introduit en quantité considérable des articles venus des Etats-Unis. Nos droits sont imposés sur une grande variété de marchandises qui ne peuvent remonter plus haut que le lac Ontario, et ainsi les arbitres s'étant servi de la population comme de base, c'est une base erronée; il ne sert à rien qu'il y ait 200,000 âmes dans le Haut-Canada, s'il n'y en a que 100,000 qui consomment les articles imposés.

Ainsi on objecte à la base de la sentence arbitrale?—La base tirée de la population est certainement erronée, mais le Bas-Canada n'a pas opposé d'objection au dernier ajustement; bien loin de là, on a obtenu de la chambre d'assemblée un vote pour le salaire des arbitres.

Y aurait-il quelque objection à ce que le parlement impérial fit la distribution de tout le revenu perçu aux ports de la province inférieure, en proportion de la population respective des deux provinces établie à des époques fixes?—Oui il y en aurait.

Dans votre manière de voir, quel est le mode, en regard aux intérêts des deux provinces, que vous croyez le meilleur, celui auquel on a eu recours de diviser suivant la population les revenus perçus dans le Bas-Canada, et de les appliquer aux besoins du Haut-Canada, ou celui qui établirait un système séparé de douanes pour le Haut-Canada, qui y lèverait des droits, et qui établirait des remises à même la recette du Bas-Canada?—Je penserais qu'en autant que ce pays y ait intérêt, le mode à préférer serait l'arbitrage en vertu de l'acte du commerce du Canada. Je ne fais objection à rien dans l'acte du commerce du Canada, excepté qu'on a fait revivre les droits. En principe général, je dirais que moins que ce pays se mêlera de mesures législatives qui concernent les colonies, mieux ce sera tant pour les colonies que pour la mère-patrie. Si cette dernière intervenait fréquemment, cela occasionnerait des mal-entendus, là où il n'en doit exister aucun.

L'arrangement qui existe à présent n'oppose-t-il pas de grandes difficultés à l'augmentation des taxes dans le Canada, si on trouvait la chose nécessaire?—Oui; et il a été fait ici à ce sujet au gouvernement, une représentation sur l'application de M. Galt, agent de la compagnie du Canada. La chambre d'assemblée a passé certaines résolutions sur cet objet qui étaient mentionnées. Il y a eu quelque chose de soumis à lord Goderich; on l'a pris pour arbitre.

Croyez-vous que l'union des deux provinces fût un remède convenable à ces difficultés?—Elle ne s'accorderait nullement avec les intérêts des deux provinces, et ne les satisfait ni l'un ni l'autre.

D'après la connaissance que vous avez du Bas-Canada, quels seraient selon vous les sentimens de cette province à l'égard de l'union?—Le Bas-Canada a pour l'union une aversion manifeste; les deux provinces partagent décidément la même aversion.

Suivant vous, quels seraient les sentimens du Haut-Canada par rapport à cette question?—Je crois que le Haut-Canada a une aversion manifeste; on n'y veut rien avoir à démêler avec nous pour la direction intérieure des affaires. La vérité est que chaque partie de la population de l'Amérique désire avoir autant que possible une direction de ses affaires locales renfermée dans des limites étroites. Dans les Etats-Unis, lorsqu'un état était très étendu, on l'a divisé en différens états pour la commodité des affaires locales. On a séparé l'état de Maine du Massachusetts; on a fait deux ou trois nouveaux états en Virginie et en Pennsylvanie. Là le but est de sous-diviser les états plutôt que de les réunir.

Que penseriez-vous d'un plan quelconque pour ajouter à la province supérieure Mont-

réal et le territoire qui est entre Montréal et le Haut-Canada?—Je penserais certainement que ce plan serait très mal-avisé; d'abord ce serait rejeter tout d'un coup sous l'opération d'un nouveau système de lois, les propriétés entières de 100,000 personnes qui les tiennent sous un autre système, et qui n'entendent rien au premier ou n'en ont que des notions extravagantes; car je suis persuadé que tout système de lois est bon dans un pays où il est depuis longtemps établi.

Croyez-vous que ce plan heurterait considérablement les sentimens de la population de cette partie du pays?—Oui il les heurterait, et certainement beaucoup.

Ne peut-on pas conclure des réponses que vous avez faites, qu'il serait à désirer s'il était possible que les deux provinces réglassent séparément leurs affaires intérieures, mais qu'il y eût entre elles quelque principe d'union sur les points qui leur sont communs, et sur ces points seulement; comme par exemple sur le revenu qu'il serait nécessaire de percevoir dans les ports du Bas-Canada?—Je crois que le système ira bien tel qu'il est à présent; ces deux provinces, et les autres provinces britanniques de l'Amérique, devraient avoir avec le gouvernement de ce pays les mêmes rapports qu'ont les différens états de l'union américaine avec le gouvernement général des états. Le siège du gouvernement britannique est ici, et le siège du gouvernement général des Etats-Unis est à Washington; les législatures provinciales peuvent très bien faire tout ce que font les gouvernemens des états, et le gouvernement britannique peut faire tout ce que fait le congrès, et tout le système marchera vers l'avantage mutuel au moyen de l'union et de la bonne intelligence.

Ne pensez-vous pas que les deux colonies aient les mêmes intérêts à plusieurs égards, particulièrement par rapport à l'amélioration des chemins et des communications par eau?—Oui, et sur ce point elles agiront de concert avec la plus grande cordialité. Les deux provinces ont un intérêt majeur à améliorer la communication par le cours du Saint-Laurent; car, qui fait augmenter la valeur des propriétés à Québec, et qui y fait prospérer le commerce, si ce n'est le commerce qui remonte et qui descend le fleuve? et quelle chose peut être plus avantageuse aux habitans du Haut-Canada, que d'avoir à bon marché les marchandises qui remontent le fleuve pour eux, ou d'amener leurs effets aux marchés à un prix modéré? C'est pourquoi elles ont toutes deux le même intérêt à améliorer les communications intérieures. Nous en sommes si bien persuadés, que sans avoir beaucoup de données au sujet du canal de Welland, et seulement dans l'idée qu'il ferait du Saint-Laurent un canal de communication plus avantageux pour une grande étendue de pays, la chambre d'assemblée, dont les huit-dixièmes des membres étaient dans le temps Canadiens français, vota une somme de 25,000*l.* pour prendre des actions dans ce canal.

Quand vous avez dit être d'opinion que, par rapport aux objets de gouvernement général, les relations des colonies de l'Amérique du Nord avec ce pays étaient très semblables à celles qui existent entre les divers états d'Amérique et leur gouvernement central, vous avez dû savoir qu'il y a beaucoup de différences importantes qu'il faut prendre en considération; comment proposeriez-vous de suppléer au défaut de représentation en ce pays?—Nous ne nous sommes jamais plaint sur ce point, et nous ne pensons pas à avoir une représentation.

Ne prétendez-vous pas que les colonies fussent en quelque manière représentées en ce pays?—Nous avons demandé un agent pour faire des représentations sur les intérêts de la colonie, particulièrement dans des temps où il peut exister une différence d'opinion entre le pouvoir exécutif et la branche représentative; car nous ne craignons pas beaucoup que les choses aillent mal ici, si on nous donne la facilité d'être entendus.

Vous pensez qu'un agent nommé par la législature coloniale serait une représentation suffisante pour les colonies en ce pays?—Je pense qu'il n'y aurait aucun danger qu'il se fit rien de pernicieux, s'il y avait ici une personne par l'entremise de laquelle toutes les parties pussent être entendues; il n'y a aucune opposition d'intérêts entre la colonie et la mère-patrie; c'est pour nous un avantage d'être liés à un pays ancien riche et puissant, et c'est un avantage pour ce pays d'avoir des colonies sujettes à ses réglemens de commerce, et où il peut s'approvisionner indépendamment des autres pays. La seule chose qui puisse jamais les mettre en opposition, est de ne s'entendre pas bien l'un et l'autre et particulièrement la sensibilité de toutes les colonies; elles sont comme tous les enfans, plus chatoilleuses que leurs pères.

Ainsi vous pensez que l'expédient le plus avantageux pour applanir les difficultés, serait que chaque colonie eût un agent résident en ce pays?—Oui; et je crois que toutes les parties auraient alors une facilité raisonnable à se faire entendre; c'est à dire que le conseil législatif consentit à nommer avec l'assemblée un agent commun, ou que ces deux branches eussent chacune le leur.

Ne croiriez-vous pas que si la chose était possible, il serait avantageux que le même agent fût nommé par le conseil législatif et par l'assemblée?—S'ils pouvaient s'accorder sur le choix.

L'absence de tout pouvoir du parlement britannique pour l'imposition de taxes autrement que pour le règlement du commerce, ne met-elle pas le parlement britannique à l'égard des colonies sur un pied entièrement différent de celui où se trouve le congrès vis-à-vis des états américains?—Il y a en cela une différence considérable.

Cette différence n'est-elle pas assez grande pour impliquer la nécessité de changer les rapports où le gouvernement se trouve à l'égard des Canadas, ou pour rendre impossible dans l'exécution l'arrangement que vous avez suggéré?—Je conçois qu'il y a certainement une démarcation distincte dans les relations qui proviennent des restrictions que s'est imposées la législature d'ici, de ne point taxer les colonies pour y prélever un revenu. Le congrès des Etats-Unis impose des taxes pour prélever un revenu; et il peut même imposer des taxes domestiques. Il y a un pouvoir général d'imposition dans toute l'étendue des Etats-Unis; cependant il n'a pas dans le fait exercé ces pouvoirs autrement que pour régler le commerce, parceque ses revenus découlent presque en entier des droits sur les marchandises importées.

Samedi, 7e jour de juin 1828.

John Neilson, écuyer, réintroduit; et examiné.

La proposition de l'union qui fut amenée devant le parlement britannique en 1822 n'excita-t-elle pas des sentimens d'opposition très-prononcés parmi les habitans du Bas-Canada?—Oui.

Quelle impression régnait dans le Bas-Canada sur les motifs qui avaient induit le gouvernement à amener cette question de l'union, quelles étaient les parties qu'on supposait avoir demandé?—On supposait que c'était le gouvernement provincial du Bas-Canada, ou plutôt les personnes qui composaient le service exécutif du Bas-Canada.

Supposait-on que quelques personnes en ce pays liées à ce qu'on appelle l'intérêt anglais dans le Bas-Canada, eussent fait une demande de cette nature?—On supposait certainement que tout avait été tramé dans le Bas-Canada; on ne pouvait supposer que le parlement ou le gouvernement de ce pays s'immisçassent dans un pareil plan, à moins qu'il ne vint d'abord des autorités du Bas-Canada en correspondance avec le gouvernement d'ici; telle a été l'impression universelle.

S'il y avait eu dans l'acte d'union des dispositions plus définies pour le maintien des lois et des institutions françaises, croyez-vous qu'il aurait été moins impopulaire?—Le plan

plan n'aurait été populaire à aucun prix ; généralement il était loin de l'être auprès de la population anglaise du Bas-Canada, qui le regardait comme très mal fondé en justice ; ceux même qui étaient en faveur de l'union étaient opposés au bill.

Comment rendez-vous compte des expressions dont on se servit l'année suivante pour exprimer tant de reconnaissance et de satisfaction ?—Ce sont là très souvent des expressions de forme, mais les pétitionnaires en faveur de la mesure n'étaient pas contents du bill tel qu'il était ; il y en avait plusieurs qui voulaient l'union, mais je n'ai jamais entendu une seule personne s'annoncer entièrement en faveur du bill.

Si les parties qui dans leur pétition avaient exprimé tant de reconnaissance, étaient opposées à la mesure dans ses détails, à quelle partie spéciale faisaient-elles objection ?—J'ai entendu dire parmi quelques messieurs très favorables à l'union des provinces, que la représentation n'y était pas cadastrée d'une manière équitable, que le bill empiétait en quelques points sur les privilèges du peuple, qu'il introduisait des clauses insolites pour placer des fonctionnaires de l'exécutif dans les assemblées représentatives sans élection de la part du peuple, et autres choses de ce genre ; et de fait toutes les pétitions du Haut-Canada en faveur de l'union s'exprimaient d'une manière défavorable à ces dispositions, les pétitionnaires du Bas-Canada étaient généralement opposés à quelques unes des dispositions, mais plusieurs d'entr'eux étaient en faveur d'une union, espérant que le parlement britannique introduirait un bill plus convenable à cet effet que celui qui était parvenu en Canada ; c'étaient là les sentiments de ceux qui avaient pétitionné en faveur de la mesure. Les sentiments de ceux qui avaient pétitionné contre étaient bien différents, et j'ose dire que le comité est bien au fait de cela.

Le comité doit-il entendre que si on eût adopté les modifications suggérées par les pétitionnaires qui étaient en faveur de l'union, le bill aurait été agréable ?—Pas certainement à la grande majorité du peuple des deux provinces.

Si on eût fait les modifications que vous mentionnez, aurait-il été agréable à ceux qui étaient en faveur de l'union ?—Je suppose qu'il en aurait été reçu favorablement ; mais je puis dire qu'ils auraient aimé à voir d'abord quelles en étaient les clauses.

Ne savez-vous pas que les habitants du Haut-Canada ont fait de fortes représentations sur l'impossibilité absolue de former un établissement de douanes à Montréal, pour les mettre à même de lever des droits dans leurs propre province sur les marchandises qui y entrent par la ligne du Bas-Canada ?—Je sais parfaitement qu'il a été fait des représentations à ce sujet.

Avez-vous quelque raison de croire qu'ils aient depuis lors changé d'opinion à ce sujet ?—Je ne puis dire ; mais je sais qu'ils n'ont transmis aucune plainte depuis ce temps au sujet de la division des revenus ; quant à la collection des droits sur la frontière, j'ai déjà en l'honneur de dire que je ne pouvais assurer positivement qu'ils la trouvaient praticable ; mais que mon opinion était qu'elle était praticable jusqu'à un certain point ; qu'ils percevaient des droits sur une frontière de 600 ou 700 milles, et que de là je supposerais qu'ils pourraient percevoir quelques droits sur une frontière de 30 milles ; qu'une nouvelle élection se faisait cette année dans le Haut-Canada ; et que le peuple y serait sans aucun doute capable de dire ce qu'il pouvait ou ne pouvait pas faire.

Le comité ne vous a-t-il pas entendu correctement, en comprenant que vous lui avez dit qu'il n'existait aucune objection au principe de l'arbitrage pour le règlement de la proportion des droits prélevés nécessairement dans le Bas-Canada qui devait être appliquée au service du gouvernement civil de l'autre province ?—J'ai dit qu'en tant qu'il y allait de mon opinion, je n'avais d'objection à aucune partie des mesures adoptées en ce pays pour terminer les différends entre les deux provinces, excepté en ce qu'elles allaient jusqu'à prolonger des actes temporaires de la province qui levaient des droits, ce que je conçois être une imposition de taxes à peu de chose près, et conséquemment une espèce d'infraction aux déclarations de ce pays.

Vous savez que quelqu'anonyme qui pût être l'introduction de ces clauses dans le bill de 1822, ou voulait par leur introduction empêcher que le gouvernement du Haut-Canada ne fût privé de ses moyens d'existence par l'expiration du revenu dans votre province ?—Nous n'avons jamais douté des intentions du gouvernement général, ni du parlement, par rapport à ce bill ; nous avons toujours conçu qu'il était destiné à mettre le Haut-Canada hors de la dépendance du Bas ; mais le bill a été reçu avec beaucoup de mécontentement par rapport à une circonstance. Nous n'avions eu aucune occasion d'avoir personne pour représenter ici le Bas-Canada, quoiqu'il y eût quelqu'un pour représenter le Haut-Canada.

La question se rapporte au point pratique de la nécessité de continuer ces droits ?—Par rapport à la continuation de ces droits, je répète ce que j'ai dit ailleurs, que je la crois très dangereuse pour la pratique future, et qu'elle est une espèce d'infraction à ce que je crois être les droits constitutionnels des colonies ; mais en matière de fait nous aurions été nous-mêmes obligés de continuer ces droits s'ils n'avaient été continués ici. On refusa d'en renouveler une partie en 1821 ou en 1822, parce qu'alors il n'y avait aucun besoin de cet argent. Le gouvernement nous disait dans le temps, " nous n'avons pas besoin que vous nous donniez d'argent ; l'Angleterre payera elle-même la liste civile si vous ne la payez comme nous le demandons." Tel était le langage des membres qui agissaient de la part du gouvernement dans la chambre d'assemblée. Quand on proposa de renouveler le bill de 1821 ou 1822, il fut référé à un comité ; un rapport fut fait ; et finalement la chambre refusa de continuer un des actes temporaires, en disant, " très bien, si c'est la Grande Bretagne qui paye les dépenses, nous n'avons pas besoin de cet impôt ; nous en déchargerons le commerce." C'est là la cause pour laquelle on a laissé expirer ce droit ; mais du moment qu'il s'est agi de pourvoir aux dépenses du gouvernement, il nous aurait fallu faire revivre ou continuer ce bill ; nous n'aurions pu payer les dépenses du gouvernement, même sur le pied dont nous étions convenus, sans pourvoir à un revenu suffisant pour cela, et aussi pour les autres objets indispensables, par exemple quelque chose de semblable aux votes mêlés ici, les hôpitaux, l'éducation, et les diverses appropriations annuelles qui se font d'ordinaire ; et outre cela les améliorations des chemins et de la navigation intérieure. Avec tout cela nous avions à pourvoir au canal de Chambly et au canal de La-Chine ; nous aurions certainement continué ces droits nous-mêmes ; ainsi, dans le fait, quoique l'exemple soit dangereux, vous ne nous avez rien ôté que ce que nous aurions donné nous-mêmes. Cependant, comme exemple, la chose pourrait faire hésiter beaucoup, à consentir à de nouveaux droits requis pour des objets temporaires.

Ainsi admettez-vous que si l'assemblée du Bas-Canada, pour quelque raison que ce soit, n'avait pas renouvelé ces actes temporaires, l'effet aurait été de priver d'autant le Haut-Canada des moyens de soutenir son gouvernement civil ?—Certainement, les ressources du Haut-Canada auraient diminué ; mais cette province n'aurait par là éprouvé aucune injustice de la part du Bas-Canada, parce que c'était un acte temporaire. Lors que le Haut-Canada consentit qu'on imposât dans le Bas les droits dans lesquels il devait partager, il y consentit en la manière où les actes étaient passés pour un certain temps, de sorte que le Haut-Canada n'aurait eu aucune raison de se plaindre ; c'est nous qui avons eu raison de nous plaindre, parce qu'on a continué ces actes au delà du temps. Personne n'avait jamais eu l'intention de rendre ces actes permanents, et ainsi le Haut-Canada n'a pu être trompé là-dessus.

On ne vous fait pas ces questions dans le dessein d'établir aucun motif de plainte de la part du Haut-Canada contre le Bas, mais seulement pour en tirer le fait que la conduite du Bas-Canada au sujet de la discontinuation de l'acte, expose nécessairement le Haut-Canada à une baisse de revenus qui fait tort à ses moyens pour le soutien de son gouvernement civil ?—Il est clair que s'il existe un revenu dans lequel le Haut-Canada a une part, et qu'il soit discontinué, le Haut-Canada est par là privé d'autant sur son revenu.

N'êtes-vous pas préparé à admettre que le Haut-Canada n'a en lui-même aucun moyen d'obvier aux inconvénients d'une semblable cessation de son revenu ?—Je ne puis le dire. J'ai dit le contraire, je conçois qu'il peut percevoir des droits pour son compte.

Mais supposant qu'il se trouvât que le fait ne fût pas tel, n'admettez-vous pas que dans ce cas il n'a aucun moyen de parer à l'inconvénient ?—S'il n'a pas d'autres moyens, certainement.

Ne savez-vous pas qu'il a été fait des plaintes par le Haut-Canada, sur ce qu'il ne pouvait imposer de taxes sur les articles qui lui rapporteraient un revenu plus avantageux que celui qu'il retire maintenant sous l'opération de l'imposition séparée et exclusive par le Bas-Canada ?—Je sais qu'il s'est plaint de ne pouvoir prélever un revenu suffisant ailleurs qu'au port de Québec, et je sais que c'est sur ce motif que des plaintes ont été transmises ici en Angleterre, et que M. Robinson a été envoyé pour appuyer ces plaintes, et si on nous eût entendu dans le même temps, nous aurions pu tomber sur quelque plan qui aurait satisfait toutes les parties, mais nous n'avons pas été entendus.

Comme il s'est passé plusieurs années depuis, et que vous avez eu le temps de considérer la nature de ces remèdes, pouvez-vous maintenant les faire connaître au comité ?—Ces remèdes doivent dépendre du consentement des deux parties. Je puis dire ce que je crois être faisable, mais les deux parties doivent le trouver tel, ou cela ne servira de rien.

Dites ce qu'on pourrait faire suivant votre manière de voir ?—J'ai déjà dit que je pensais que le Haut-Canada pouvait percevoir un revenu sur les frontières du Bas-Canada. J'y ai réfléchi depuis, et je pense la chose faisable ; et si elle n'était pas faisable, il serait encore possible d'établir à Québec un magasin d'entrepôt, où on recevrait les articles importés pour le Haut-Canada, et d'où on les livrerait, de manière à s'assurer qu'ils ne fussent pas vendus ni distribués dans le Bas-Canada. Si par exemple les marchandises étaient entrées dans les magasins du roi à Québec, il n'y a rien au monde qui les empêchât de passer franches de tout droit à travers le Bas-Canada, moyennant un certificat de leur entrée dans le Haut-Canada, et du paiement des droits ou des sûretés données. On l'a pratiqué en d'autres pays. L'autre mode que j'ai suggéré était qu'on lui accordât des remises. Je suis persuadé que les deux provinces conviendraient d'un plan qui courrait suffisamment à l'avantage mutuel de l'une et de l'autre dans la levée des droits nécessaires à leurs besoins, sans intervention et sans querelle ; mais il faudrait qu'elles s'entendissent l'une et l'autre sur ce qui pourrait être agréable aux deux parties.

Ainsi vous êtes d'opinion qu'il serait possible de faire un arrangement d'après lequel le Haut-Canada se taxerait lui-même ?—Oui, et d'après lequel il serait content ; je n'en ai pas le moindre doute ; on pourrait le faire on sur les frontières, ou à Montréal, ou à Québec, et en accordant une remise. Si les articles étaient achetés dans leur entier tels qu'ils sont importés, la remise pourrait être payée sur la preuve de l'entrée dans le Haut-Canada, ou du paiement des droits ou des sûretés données ; on pourrait avoir un magasin d'entrepôt à Québec et y déposer les marchandises, et les envoyer sous un certificat de la douane au port d'entrée dans le Haut-Canada ; cela causerait une dépense un peu plus forte, mais elle ne tirerait pas à conséquence ; et je suis persuadé qu'on pourrait faire tout cela à de moindre frais que n'en occasionne actuellement la collection au port de Québec.

Dans les vues que vous avez du sujet, le comité doit-il entendre que vous proposez de régler par arbitrage la proportion des droits qui sont chargés d'une manière égale dans les deux provinces, mais en même temps que si le Haut-Canada juge nécessaire pour ses propres besoins d'augmenter les droits sur quelque article particulier, ou d'imposer un droit sur un article qui n'est pas taxé dans le Bas-Canada, il sera possible de mettre cette intention à exécution ?—Nous n'avons jamais fait d'objection au système d'arbitrage adopté ici dans l'acte ; nous avons consenti à cet arbitrage, et je crois que pour le présent il satisfait toutes les parties. Ce serait mieux si on pouvait adopter un mode d'après lequel chaque province prélèverait ses propres droits, parce qu'elles auraient le pouvoir de taxer tels articles qu'il leur plairait à chacune ; mais en réalité, je pense que la levée de semblables impôts sur le commerce par les législatures coloniales jusqu'à un montant considérable, peut être sujette à un grand nombre de difficultés, et très dangereuse. Ce pays doit régler le commerce, et il vous faut faire attention à la situation où ces colonies se trouvent placées par rapport aux Etats-Unis d'Amérique ; si vous jugez à propos de laisser les colonies prélever des droits sur les articles qu'elles peuvent tirer de ce pays, et n'en prélever aucun sur ceux qu'elles peuvent faire venir des Etats-Unis, peut-être que, sans intention, votre commerce pourrait être exclu du pays.

Les bills de commerce de 1822 et de 1824 n'imposaient-ils pas des droits dans leurs clauses sur les articles importés des Etats-Unis ?—Je sais qu'il a été imposé des droits dans le Bas-Canada, et dans le Haut-Canada indépendamment des actes du parlement britannique ; ceux du Bas-Canada ont cessé ; on a cru généralement que la chose n'était pas du tout convenable ; le gouvernement de l'empire a réglé le commerce entre les Etats-Unis et le Bas-Canada ; comment pourrions-nous changer ces réglemens en imposant des droits ? si nous imposons des droits nous changeons les réglemens de commerce. Je ne sais pas ce que le gouvernement de ce pays a intention de faire, mais le système général de communication entre les provinces britanniques de l'Amérique du Nord et les Etats-Unis nous paralyse ra probablement.

Soit que les droits soient imposés par des actes du parlement britannique, ou qu'ils le soient par des actes provinciaux, regardez-vous la ligne frontière des Etats-Unis et des provinces britanniques de l'Amérique du Nord, de nature à rendre extrêmement dangereuse dans la pratique la levée des droits sur les articles importés des Etats-Unis en ces provinces ?—Je crois qu'il est absolument impraticable pour aucun but avantageux. Il y a entre les provinces britanniques et les Etats-Unis d'Amérique, des établissements sur la frontière dans une étendue de plus de 1,000 milles, et sur plus de 500 il n'y a qu'une communication par eau, un large fleuve et des lacs : les établissements sont éparés le long de cette étendue, et on peut passer le fleuve en tout sens de nuit ou de jour. On introduit par contrebande tous les articles sur lesquels il y aura quelque profit à faire ; tous les douaniers du monde n'empêcheraient pas les gens, des voisins et des amis, des parents, des frères et des sœurs, des personnes qui se visitent mutuellement presque tous les soirs, d'apporter avec eux tout ce qui leur promettra un profit, ou d'échanger des articles pour leur avantage mutuel. Ensuite il faut regarder une autre chose ; les lois de revenus ont été impopulaires dans tout l'univers ; les gens n'ont pas regardé les offenses contre ces lois sous le jour où il devraient les voir, comme un acte immoral, mais il les ont violés volontairement, ne pensant pas commettre un acte bien immoral ; ils s'unissent pour aider les contrebandiers au lieu de les arrêter ; chacun pense avoir une espèce d'intérêt à avoir des effets à aussi bon marché que possible, et sous l'impulsion de cet intérêt nul n'hésite à violer la loi ; ainsi vous avez des deux côtés des gens intéressés jusqu'à un certain point à ce système de contrebande et de commerce illimité ; et quand des deux côtés des frontières la masse du peuple s'intéresse à ce système, comment pourrait-on y mettre opposition ?—Il y a dans le caractère du peuple d'Amérique quelque chose de si conforme à cette espèce de commerce réciproque, indépendamment de tous les réglemens, que pendant la dernière guerre notre armée était approvisionnée à travers l'armée américaine de la plus grande partie des articles qu'elle consommait. Sous ces circonstances, je demanderais s'il est praticable d'empêcher la contrebande sur une frontière aussi étendue, s'il y a quelque profit à la faire, et s'il n'y a aucun profit à la faire, à quoi servent les lois et les réglemens ?—Si on établissait un système de douanes le long des frontières, on inspirerait à la fin aux habitants limitrophes des deux côtés des sentimens hostiles au gouvernement britannique, car trop communément, et surtout en Amérique, on attribue au gouvernement les actes de ses fonctionnaires ; s'il se fait quelque chose, c'est au nom du gouvernement britannique, et si on a querelle avec ces fonctionnaires, on a en quelque sorte querelle avec le gouvernement, de sorte qu'en réalité l'espèce d'incommodité que le peuple aura à souffrir à cause de la collection par tous ces douaniers sur les frontières d'un revenu qui n'en sera pas un, inspirera au peuple des mécontentemens envers le gouvernement britannique, et conséquemment le mécontentement régnant de cette manière, tant parmi les Américains de leur côté que parmi les nôtres en deça des lignes, nous courrons le risque comme je l'ai dit, d'être paralysés.

Comment les Etats Américains règlent-ils le commerce entre le Canada et leur territoire ? On y rencontre à peine quelque règlement ou quelque difficulté. Je suis venu par cette voie ; j'importais tout ce qui devait m'être nécessaire en ce pays, des livres, des papiers et autres articles ; quand j'arrivai au premier bureau de douanes il vint à l'auberge où j'étais arrêté un monsieur qui me dit qu'il était officier de douanes, et me demanda d'avoir la bonté de lui détailler ce que j'importais. Je lui dis ce que j'avais avec moi, et il me souhaita bonjour et bon voyage : ce fut là toute la cérémonie ; il n'y avait rien à payer ; mais

mais chez nous on fait payer les gens pour la moindre chose, pour des permissions d'entrée, et le reste.

Se transporte-t-il du Canada aux Etats-Unis des marchandises de valeur de quelque espèce que ce soit?—Il se fait un commerce d'un certain genre, mais il ne paraît pas considérable, ni d'un côté ni de l'autre, par les rapports des douanes.

Si les Etats-Unis d'Amérique peuvent fournir le Canada des articles manufacturés dont il a besoin, pensez-vous qu'ils y ruineront le commerce de la Grande-Bretagne?—Ils le feraient sans doute; et c'est pour cette raison que je pense qu'il est extrêmement dangereux pour ce pays de donner trop de latitude aux législatures coloniales pour l'imposition de droits sur les articles importés à Québec, parce que cela augmente le prix de ces articles et diminue l'appât pour leur consommation. Il est aisé de percevoir des droits dans le port de Québec, mais on ne peut les percevoir avec la même certitude le long des frontières; ceci tend à engager les législatures coloniales à en imposer de plus onéreux au port de Québec, et à fermer par là la porte au commerce britannique qui doit entrer à ce port. Les droits imposés là donnent pour ainsi dire une prime à l'importation clandestine d'un autre côté: or il est de fait qu'on a vendu à Montréal des articles manufacturés venus des Etats-Unis; des cotonnages grossiers à l'usage des travailleurs. On doit observer que dans ces pays là le travail manuel occupe la grande masse du peuple. Les plus riches y portent souvent des étoffes de manufactures domestiques, faites dans leur propre famille.

Est-il à votre connaissance, pour prendre un exemple, qu'avant qu'on eût ouvert au thé un commerce direct avec Québec, le prix du thé était moins élevé dans le Haut-Canada que dans le Bas?—Il l'était certainement.

Peut-on l'attribuer à une autre cause qu'à la contrebande qui s'introduisait constamment des Etats-Unis?—Les Etats-Unis fournissent de thé et de beaucoup d'autres articles de valeur tous les endroits en bas de Québec. Il est entièrement impossible de prévenir la contrebande en Amérique; la seule chose à faire est de ne lui présenter aucun appât.

Pouvez-vous donner la proportion du thé qui s'importait des Etats-Unis et de celui qui entraît à Québec?—Nous n'avons d'autre moyen d'en juger que la diminution de nos importations. Nous avons trouvée que l'importation anglaise diminuait annuellement; quelques-uns disaient que la consommation du thé avait cessé, ce qui était une chose très-peu probable; on connut enfin la vérité, qui était que le thé des Etats-Unis entraît en compétition.

Les articles manufacturés qui s'emploient généralement dans les Canadas ne sont-ils pas principalement d'une qualité grossière, qui ne supporte pas si bien les frais de transport?—Naturellement.

Croyez-vous probable que les Etats-Unis doivent nécessairement fournir bientôt la masse la plus considérable de ces articles?—On ne peut le prévenir qu'en introduisant dans ces contrées des articles de manufacture britannique à aussi bon marché que possible, et conséquemment en tenant les droits et les autres frais sur leur introduction au taux le plus bas qu'il soit possible.

Quelle espèce de marchandises, outre les cotonnages grossiers dont vous parlez, s'introduit par contrebande des Etats-Unis dans le Canada?—Les soieries, et toutes les marchandises des Indes Orientales; mais M. Cavillier, qui est ici, peut donner là dessus de meilleurs renseignements, parce qu'il a été longtemps engagé dans le commerce, et je ne le suis pas.

D'après les détails que vous donnez sur l'impossibilité d'empêcher l'introduction de contrebande par les Etats-Unis, n'est-il pas plus convenable de prélever par des taxes intérieures plutôt que par des droits d'importation, les revenus nécessaires au service du gouvernement en ces provinces?—Vous avez un gouvernement fort mal fourni, si vous le faites dépendre des taxes intérieures. J'ai dit que les revenus actuels étaient à peu près égaux aux dépenses; je ne doute pas que si le besoin en était nous trouverions le moyen de prélever plus d'argent; nous en préleverions sur les licences et autres choses de cette espèce. Si c'était nécessaire, il n'y a aucun danger qu'on manquât de trouver les moyens de prélever des fonds suffisants pour les besoins réels du pays; mais il serait à souhaiter que le pays eût le moyen d'étendre ses améliorations, sous la comptabilité convenable; il devrait lutter dans la carrière avec les pays voisins, autrement il fera non seulement rire de lui, mais il se ruinera.

Ne croyez-vous que les difficultés qui surviendraient selon vous en voulant prévenir la contrebande entre les Etats-Unis et les Canadas, seraient en grand partie également applicables à tout essai pour l'établissement d'une échelle séparée de droits entre les provinces du Haut et du Bas-Canada?—Il n'y a pas de doute que ce serait le cas; mais la ligne n'est pas bien étendue, et les marchandises ne pourraient entrer que par les deux rivières; l'endroit le plus sûr est sans aucun doute le Port de Québec.

Existe-t-il quelque qualification des membres qui siègent dans l'assemblée législative?—Aucune qualification.

Existe-t-il quelque qualification des membres qui siègent dans le conseil législatif?—Aucune qualification.

Dans votre opinion, serait-il avantageux d'introduire une qualification?—Les inconvéniens sont venus de l'exercice de la prérogative par rapport au conseil législatif; l'acte constitutionnel donne au roi le droit d'en nommer les membres.

Quel serait l'effet de poser des limites à la prérogative, en établissant que personne n'y serait appelé s'il ne possédait une certaine étendue de biens fonciers?—Si vous pouviez avoir un conseil législatif indépendant, vous auriez quelque chose de ressemblant à la constitution britannique, et les affaires du pays iraient bien. Dans ce cas il y aurait un corps qui aurait un poids dans l'opinion du pays lorsque le gouverneur et l'assemblée seraient en désunion, et il ferait pencher la balance du côté pour lequel il se déciderait; s'il était composé d'hommes indépendans liés au pays, il serait impossible de résister à la décision du conseil, formé d'individus respectables et intelligens, dans les disputes entre le gouverneur et l'assemblée; mais dans les circonstances actuelles tout le monde suppose que le conseil opine justement comme il plaît au gouverneur, et il n'a aucun poids.

Avez-vous jamais pesé dans votre esprit quelque plan au moyen duquel on pût selon vous composer mieux le conseil législatif du Bas-Canada?—Je suis prêt à dire ce que je suggérerais, mais on doit le regarder entièrement comme ma propre suggestion individuelle et non comme celle des pétitionnaires. Il y a deux manières d'améliorer la composition du conseil législatif, l'une qui est je crois celle qu'a en vue la majorité du peuple du Bas-Canada, consiste dans l'exercice de la prérogative pour y appeler des personnes indépendantes de l'exécutif, et qui dans le fait peuvent se soutenir par leurs propres ressources. Ceci nous a paru le mode le plus conforme à la constitution sous laquelle nous vivons. Si on trouvait ce moyen impraticable, l'autre mode serait de faire élire le conseil législatif par des électeurs d'une qualification plus élevée, et de déterminer la qualification foncière des personnes qui pourraient siéger dans le conseil. Je concevrais que ce dernier plan serait assez sûr pour toutes les parties; cependant il paraît dévier de la constitution sous laquelle nous vivons.

Vous êtes alors d'opinion que les défauts du conseil législatif ne sont pas dans la constitution originelle de ce corps, mais dans la manière dont le choix des conseillers a été fait?—Certainement; c'est peut-être inévitable; parce qu'il est impossible que le gouvernement d'ici voie dans la colonie par d'autres yeux que par ceux des personnes qui sont dans la colonie; il faut qu'il reçoive les recommandations qu'on envoie de la colonie, et si les personnes recommandées ne sont pas indépendantes, et ne sont nullement propres à jouer un rôle dans le conseil, il faut cependant les nommer notwithstanding cela, car on ignore que ce ne soit pas le cas.

Quand vous dites que ces changemens amélioreraient la constitution du conseil législatif, vous servez-vous du mot améliorer en ce sens, qu'ils constitueraient un corps qui tomberait d'accord avec les vues de la chambre basse, au lieu de tomber d'accord avec les vues du gouverneur, comme il le fait maintenant?—Je supposerais qu'il ne devrait être forcé à tomber dans les vues d'aucune des deux autres branches. A présent nous supposons qu'il est absolument forcé à tomber d'accord avec le gouverneur. Ce serait alors un corps indépendant, qui tiendrait la balance entre les deux autres, et qui donnerait une certaine stabilité aux lois et aux institutions existantes.

Croyez-vous que si on exigeait quelque qualification des membres du conseil législatif, la province continuerait à consentir que la couronne eût la nomination du conseil législatif?

—Les sentimens généraux du peuple n'ont pas été en faveur d'un changement, mais on a montré plutôt des dispositions de satisfaction envers les droits ordinaires qu'exerce la couronne sur ces matières. On n'a jamais imaginé, au moins nous, que le conseil législatif dût être autre chose qu'un corps émané d'une certaine manière de la couronne.

Etes-vous d'opinion que la loi devrait priver d'un siège dans le conseil législatif, une certaine classe de fonctionnaires de l'exécutif?—Oui certainement.

Voulez-vous les désigner?—Je dois dire que dans ce pays les juges devraient être exclus du conseil législatif; car cela les engage inévitablement dans la politique, et au lieu de juges, ils deviennent en quelque manière des partisans politiques.

Pensez-vous que cela dût s'appliquer également au juge-en-chef?—Si le juge-en-chef doit être tout ce qu'il est à présent, membre du conseil législatif, président du conseil exécutif, président de la cour d'appel, et prenant une part active dans toutes les affaires publiques de la province, il doit lorsqu'il est sur le banc être incapable de se défaire de dispositions dans un certain biais; on croit aussi que ce biais existe; par exemple, lorsqu'on aise une poursuite elle doit être sanctionnée dans le conseil, afin d'en allouer les frais, naturellement le conseil exécutif a opiné en faveur de la poursuite, et le juge-en-chef est le juge qui doit siéger sur le banc et la décider, et il court risque d'être préjugé. Il est de fait que le peuple croit qu'à présent il existe un biais dans toutes les affaires où la couronne est intéressée.

Si le juge-en-chef ne faisait pas partie du conseil exécutif, pensez-vous qu'il y eût quelque objection à ce qu'il fût membre du conseil législatif?—Si le juge-en-chef, et tout autre juge, ne devenaient des agens politiques actifs, il n'y aurait aucun mal à ce qu'on les trouvât n'importe où; mais la société étant peu nombreuse, ils mettent un intérêt actif à la politique.

N'est-ce pas parce qu'ils sont conseillers exécutifs qu'ils se mêlent de politique?—Oui, c'est là le grand mal de leur situation au conseil législatif, mais dans le conseil législatif ils prennent une part active à la passation des bills; ils sont en faveur du bill ou y sont opposés, et on a trouvé fréquemment que leur interprétation dans les cours, s'accorde avec l'interprétation du conseil.

Le juge-en-chef est-il d'office président du conseil exécutif?—Non, l'acte constitutionnel dit que le gouverneur nommera le président.

Est-il quelque autre classe de fonctionnaires de l'exécutif que vous voudriez exclure du conseil législatif?—Je ne vois pas d'objection à ce qu'il y ait des fonctionnaires de l'exécutif dans le conseil législatif, pourvu qu'ils n'en composent pas la majorité.

Ainsi en addition aux objections qui proviennent de la nature des places, vous voudriez mettre des bornes au nombre?—Le roi peut le faire en tout temps.

Croiriez-vous qu'il fût désirable d'établir par une disposition de cette espèce, qu'il n'y eût qu'une certaine proportion du conseil législatif qui pût être composée de salariés et d'employés du gouvernement?—Certainement je le dirais, que ce serait une règle convenable à suivre par le gouvernement.

Croyez-vous qu'il soit possible qu'en un pays dans des circonstances semblables à celles du Bas-Canada, le conseil législatif puisse réellement commander la confiance et le respect du peuple, ou être en harmonie avec la chambre d'assemblée, à moins que d'une manière ou d'une autre, on introduise l'élection comme principe de sa composition?—Tout cela dépend en vérité des instructions qui seraient envoyées par le gouvernement de ce pays; si les conseillers dépendent du gouverneur, leur marche sera suivant les instructions venues de ce pays, parce que la marche du gouverneur doit être conforme à ses instructions.

Pensez-vous que la colonie pût avoir quelque sûreté de la composition convenable et indépendante du conseil législatif, à moins que le principe d'élection ne fût introduit d'une manière ou d'une autre?—En jugeant par expérience je devrais dire qu'il n'y aurait aucune sûreté; mais je crois que c'est possible de remédier pour l'avenir aux erreurs du passé; mais comme les choses ont été, nous ne pouvons conclure que nous aurions quelque sûreté.

Croyez-vous qu'aussi long-temps que la couronne aura la nomination du conseil législatif, des réglemens quelconques pourraient le constituer de manière à commander la confiance du peuple?—Je l'espérerais.

Supposant qu'on fasse au sujet du conseil législatif des réglemens semblables à ceux dont vous avez parlé, supposant qu'il ne se y trouve pas une majorité de personnes qui eussent des places de profit sous le gouverneur; avez-vous des craintes que dans ce cas les habitants du Bas-Canada regardassent le conseil législatif avec jalousie?—Je crois qu'il acquiescerait un grand poids, mais maintenant il y a eu beaucoup de différends et beaucoup de circonstances désagréables qu'il n'est pas nécessaire de répéter, et il faudra quelque temps pour que la confiance revienne après des circonstances si désagréables; mais je n'ai aucun doute que si on appelait au conseil les personnes les plus éclairées et les plus indépendantes du pays, il deviendrait dans l'opinion publique le contrepoids de la chambre d'assemblée, c'est-à-dire, si la chambre d'assemblée avait tort; si elle avait droit et que le conseil eût tort, je supposerais que l'assemblée l'emporterait naturellement; mais comme les choses en sont à présent, suivant l'opinion populaire, il n'existe aucun contrepoids à la chambre d'assemblée.

Si on jugeait à propos d'introduire une qualification pour assurer l'indépendance des membres du conseil législatif, ne croyez-vous pas qu'en fait de principes, il serait désirable d'introduire une qualification par rapport aux membres de la chambre basse d'assemblée?—A présent je ne vois pas à quoi pourrait servir la qualification, car ils sont tous qualifiés même au-delà de ce qu'on propose dans le bill d'union; je ne connais qu'un seul membre qu'on pourrait dire n'être pas pleinement qualifié d'après cet acte. Ainsi, en voyant qu'il n'est pas résulté d'abus du système actuel; on pourrait peut-être regarder comme chose odieuse de vouloir les qualifier, lorsqu'ils sont pleinement qualifiés à présent dans le degré requis.

Quelques particuliers dans le Bas-Canada possèdent-ils des propriétés assez considérables pour qu'il y existe une aristocratie, dans laquelle il serait possible au gouvernement de choisir un conseil législatif, qui, d'après les circonstances du rang et de la fortune, entraînerait auprès de la province le poids qui doit appartenir à un semblable corps?—Dans tous ces nouveaux pays les biens s'accroissent et disparaissent rapidement, de sorte que dans le fait la propriété n'est pas assez permanente pour la faire servir de base à un calcul d'après lequel elle donnerait à des particuliers une supériorité sur les autres; mais je supposerais que relativement, on pourrait former à même la population du Bas-Canada, en prenant ensemble les talens et les propriétés, quelque chose de semblable à une aristocratie; cependant la chose est moins sûre que dans ce pays ou dans un autre ancien pays, parce que la richesse est moins assurée.

Le défaut de cette sûreté n'est-il pas d'une moindre conséquence quand la place est à vie et non pas héréditaire?—Oui; mais si la nomination était à vie, il y aurait de grands dangers que la composition ne fût mauvaise. Dans un corps héréditaire il n'y a pas de choix, l'accession se fait d'elle-même indépendamment des volontés d'un autre corps, et ainsi il peut agir d'une manière indépendante; mais s'il est constitué par une volonté étrangère, il sera naturellement disposé à agir suivant l'opinion de ceux qui l'ont nommé.

Ne règne-t-il pas dans la colonie une impression générale, qu'on n'a jamais rempli l'intention du gouvernement anglais dans l'introduction de l'acte du Canada de 1791, par rapport au conseil législatif?—Non, il y a eu à peine plus de deux branches du gouvernement dans le pays, c'est-à-dire, un corps représentatif, et un gouvernement exécutif; il y a eu un tel mélange entre le conseil législatif et le gouvernement exécutif, que dans la réalité ils n'ont été qu'une seule et même chose.

Vous avez dit qu'il pourrait y avoir un corps suffisant, réunissant les propriétés et les talens, d'où on pourrait tirer une aristocratie; mais comme on ne peut assurer les talens par aucune législation, y a-t-il dans la colonie quelque corps que ses propriétés mettent dans une telle position, que ses membres seraient les personnes qu'on devrait convenablement choisir?—Oui, toutes ces choses sont relatives; dans un pays pauvre, un homme qui n'a que ce qu'on regarderait ici comme un faible revenu, est souvent par rapport au pays dans la même situation où un homme riche se trouve ici.

Borneriez-vous la qualification des conseillers législatifs à la possession de propriétés foncières?—Les propriétaires fonciers de tous les pays sont le pays, ils sont les maîtres du sol du pays, et ainsi ils doivent y former un parti dominant; mais je crois qu'il est de justice

justice que chaque classe de la société ait sa juste part dans toutes les situations publiques; nul doute qu'en justice les propriétaires fonciers ne dussent former la majorité d'un semblable corps.

N'y a-t-il pas dans les deux Canadas une inclination croissante à voir les institutions devenir de plus en plus populaires, et sur ce point de plus en plus ressemblantes à celles des Etats-Unis?—L'inclination en faveur des institutions populaires a fait de grands progrès dans les deux Canadas; ce n'est pas là leur disposition, mais on les y a poussés, on les a tenus dans un état d'agitation constante, et certainement on y est plus en faveur d'un gouvernement populaire qu'on ne l'était il y a quelques années. J'ai entendu dire qu'il y a dix-huit ou dix-neuf ans que la population du Bas-Canada regardait une forme populaire de gouvernement comme très-incommode; les habitans disaient même qu'ils avaient tous les avantages qu'on rencontrait aux Etats-Unis sans avoir le même trouble qu'ils en étaient orgueilleux; mais dans les derniers tems ils se sont fortement attachés aux privilèges populaires, parce qu'ils craignaient des innovations dans leurs institutions; et les disputes, les dissolutions et les troubles qui ont eu lieu, les ont fait entrer encore davantage dans les idées dominantes de l'époque sur le gouvernement représentatif.

Comme vous avez dit que cette inclination en faveur des privilèges populaires s'accroît dans les provinces du Canada, ne croyez-vous pas qu'il fût sage de chercher, dans tous les changements aux institutions de la province, à rencontrer de plus en plus les désirs du peuple, et à rendre ces institutions extrêmement populaires?—C'est excellent; mais il est très-dangereux de se presser là dessus avec les gens; je crois qu'il leur faut de l'appétit avant qu'on leur donne de la nourriture. Je crois que le peuple du Bas-Canada avance à pas rapides dans son affection pour le gouvernement représentatif. Il y a vingt ans je n'aurais pas cru moi-même; mais ce n'est pas un peuple naturellement démocrate, et il n'a pas un fort attachement aux Etats-Unis.

Ayant dit qu'il pourrait y avoir des objections à ce que le conseil législatif fût nommé à vie, croyez-vous qu'il existe des matériaux pour la formation d'un conseil héréditaire? La réponse que j'ai déjà faite sur le peu de stabilité des biens dans le pays, expliquera en quelque manière l'opinion que j'ai, qu'un conseil législatif héréditaire ne conviendrait pas dans le Bas-Canada; il pourrait devenir composé de mécontents héréditaires, et il tomberait dans le mépris. L'Amérique est un pays nouveau où doit regner partout une industrie active, ou bien ses ressources diminueront. Vous pouvez vous faire de l'Amérique une idée passablement correcte, en supposant un certain nombre de personnes qui abattent une forêt et la transforment en champs cultivables, pendant que d'autres font toutes les parties de l'ouvrage qui sont indispensables pour l'exécution de ce travail immense. En toutes circonstances, le respect qui doit s'attacher à une aristocratie héréditaire, et qui est nécessaire pour lui donner une existence utile, ne se soutiendrait pas en Amérique.

Vous avez dit par rapport à la chambre d'assemblée qu'il serait bon d'y introduire quelques membres du gouvernement; le gouvernement a-t-il une influence tellement prononcée sur quelques endroits particuliers pour lui donner l'assurance d'avoir un certain nombre de membres?—Le gouvernement y a fait entrer quelques membres, et il a eu autrefois une majorité de membres qui lui étaient agréables, mais depuis un tems considérable, ils ont de façon ou d'autre perdu la confiance des électeurs. Il a encore fait introduire un membre à Gaspé et à Sorel, et aux Trois-Rivières, mais il a eu fort à faire; il a été défait à Sorel, et aux Trois-Rivières il n'a réussi que pour l'élection d'un des membres.

Sous ces circonstances, ne croyez-vous pas qu'il serait bon que certains membres du gouvernement, placés dans des situations actives, eussent le droit de siéger et de parler dans la chambre d'assemblée sans y voter?—La chose serait très-extraordinaire, et la place serait fort désagréable au messieurs qui y assisteraient; ils n'auraient pas les privilèges de membres, et ils se trouveraient au milieu de personnes qui les verraient avec une sorte de jalousie et de soupçon.

Savez-vous que c'est le cas dans la constitution française, que les ministres français assistent et parlent à la chambre, mais qu'ils n'y votent pas?—Non; nous nous sommes plutôt occupés de la constitution britannique.

Avez-vous quelques papiers à remettre au comité?—Je remettrai des copies de divers autres bills dont il est parlé dans mon témoignage; l'un est un bill pour rendre vacans les sièges des membres de l'assemblée dans les cas y mentionnés; un autre est un bill pour remédier aux octrois de terres en friche de la couronne faits sans prévoyance, et un autre est relative à la décision des accusations par impeachment dans la province.

[Le témoin les remet.]

Denis Benjamin Viger, écuyer, introduit; et examiné.

Etes-vous né dans le Bas-Canada?—Oui.

Etes-vous lié à la pratique de la loi?—Je suis avocat.

En quelle cour pratiquez-vous?—A Montréal. Je pratique par fois à la cour d'appel à Québec, mais ma résidence est à Montréal.

Quel nombre de cours publiques de justice y a-t-il dans la province?—Nous avons une cour du banc du roi, dans le district de Québec, et une cour du banc du roi dans le district de Montréal; il y a aussi en outre des cours provinciales en d'autres districts: il y a un juge provincial aux Trois-Rivières, il y a un juge provincial à Gaspé, et un autre, établi depuis peu, à St. François.

St. François est-il dans les townships?—Oui.

Administrez-vous le même code de lois dans toutes ces cours?—Nous l'avons toujours ainsi entendu jusqu'à l'acte de la 6e. George 4, acte déclaratoire où le parlement d'Angleterre décidait que les lois d'Angleterre étaient les lois des townships. Je dois ajouter en réponse à la question précédente par rapport au district des Trois-Rivières, que deux juges de la cour du banc du roi de Montréal, ou de Québec, vont à chaque terme aux Trois-Rivières tenir une cour du banc du roi, et alors il s'y trouve trois juges; deux juges forment un quorum; mais en cas qu'il y ait une différence d'opinion, il y a eu généralement trois, et ces deux juges exercent avec le juge provincial tous les pouvoirs de la cour du banc du roi, tels qu'ils sont établis par le statut provincial de 1793.

L'énumération que vous avez faite des cours de justice renferme-t-elle toutes celles qui existent dans la province?—Oui, excepté les sessions de quartier de la paix, qui se tiennent dans chaque district.

La loi criminelle ne s'administre-t-elle qu'aux sessions de quartier de la paix?—Non, il y a des termes criminels de la cour du banc du roi deux fois l'année dans le district de Montréal et dans le district de Québec, et il y a deux termes criminels aux Trois-Rivières, tenus par le juge-en-chef soit de Montréal ou de Québec, avec le juge provincial et ceux qui viennent de Montréal ou de Québec. Si j'avais su que je serais examiné sur ce point, j'aurais apporté la loi passée en 1793, qui expliquerait la chose de suite.

Cette loi était-elle une loi provinciale?—Oui. C'était la loi par laquelle les cours du banc du roi et des sessions de quartier ont été établies dans le Bas-Canada, ou au moins mises sous un meilleur système.

Y a-t-il quelque établissement semblable aux circuits d'Angleterre?—Non. Nous avons essayé depuis les trois dernières années à établir ce système dans notre pays. Je dressai un bill, il passa dans notre chambre basse, mais il ne passa pas dans le conseil législatif. Mon grand objet était d'essayer, eu égard aux principes constitutionnels, d'établir les cours du banc du roi en Canada sur le pied où elles sont en Angleterre, parce que je ne crois pas qu'au moyen d'un autre système on puisse bien administrer la justice, surtout par rapport aux procès par jury, quoique je ne pense pas qu'il fût avantageux à notre pays de changer les lois telles qu'elles existent à présent à l'égard des affaires civiles, ce pendant en tant que la chose est praticable, j'ai cru qu'il était avantageux d'établir les cours presque sur le pied où elles sont en Angleterre, et d'avoir des circuits. Après beaucoup de division dans la chambre d'assemblée, elle en vint à un vote presque unanime en faveur du bill.

En quelle année était cela?—Le bill a été introduit successivement les trois dernières années, en 1825, en 1826 et en 1827. Je remettrai copie du bill passé dans la chambre d'assemblée, qui est intitulé, "bill pour faciliter l'administration de la justice dans la province."

[Le témoin les remet.]

Connaissez-vous les motifs sur lesquels le conseil législatif le rejeta?—Je me trouvais présent une fois au conseil législatif lorsqu'on y discutait le bill; à ma grande surprise les juges qui en étaient membres étaient ceux qui s'opposaient à la partie du bill qui avait rapport aux jurés. Il faudrait beaucoup de temps pour détailler leurs raisons; ils semblaient penser que le peuple n'aimait pas ces procès par jurés, et ils tiraient cette conjecture du petit nombre de procès par jurés qui venaient devant eux. Je dois mentionner que nous n'avons que deux espèces d'actions civiles qui se décident par le verdict d'un jury, les affaires de commerce, et les torts personnels, c'est à dire les causes où il s'agit d'injures personnelles, comme de diffamation et d'assaut; mais ils ne savaient peut-être pas que le système de jurés, tel qu'établi en Canada pour les affaires civiles, est la pire espèce de jurés qu'on puisse imaginer, et cela pour une raison bien claire. L'ordonnance de 1785 établit que dans les causes civiles, dans les districts de Montréal et de Québec, qui contiennent l'environnement des neuf-dixièmes de la population du Bas-Canada, les jurés seraient pris de la cité de Montréal pour le district de Montréal, et de la cité de Québec pour le district de Québec, de sorte que par ce moyen on n'a que les citoyens de Montréal et de Québec pour servir de jurés à une population d'environ 450,000 âmes, ce qui certainement n'est pas conforme aux principes constitutionnels des procès par jurés. On devrait les tirer de la masse entière de la population, parcequ'il devrait y avoir une association d'idées communes entre les parties et les jurés. La raison pour laquelle, généralement parlant, le peuple a de l'aversion pour les procès par jurés, est, premièrement, qu'ils sont extrêmement coûteux; et en second lieu, qu'on ne peut jamais être assuré d'avoir des jurés qui aient une association d'idées communes avec ceux dont ils décident la cause. En général le grand avantage du procès par jurés, est qu'ils peuvent former une opinion sur la criminalité ou l'innocence de la partie, d'après les circonstances, et d'après la connaissance qu'ils ont du rang des parties, de leur caractère dans la société, et de leurs usages, et cet avantage est perdu en Canada, parceque quoique ces jurés puissent être des hommes très-respectables et très-honnêtes, il arrive quelquefois qu'ils ne comprennent même pas la langue des personnes qu'ils ont à juger. Je dirais qu'il n'y a pas en Canada un seul procès par jurés en matière criminelle qui se fasse conformément aux lois d'Angleterre, au moins à Montréal, parceque je n'ai jamais vu de petits-jurés qui ne fussent tirés de la cité de Montréal. Les citoyens de Montréal exercent par cette pratique une sorte de pouvoir de vie et de mort sur une population de bien près de 300,000 âmes. Je ne sais sur quoi cela peut être fondé. Je suis que la loi y est contraire; les ordres des juges sont de tirer des jurés du corps du district, de la juridiction du shérif, comme on le fait en Angleterre; cependant il est singulier qu'on n'en ait jamais tirés d'ailleurs que de la cité de Montréal, et quoique nous soyons plaignant, et que notre chambre d'assemblée ait passée des résolutions à ce sujet, on continue encore à présent, et je regarde la chose comme un grand abus, à suivre la même marche dans nos cours de justice. Ces circonstances peuvent avoir donné lieu à quelques préjugés contre les jurés généralement. Dans ma pratique, mes clients ont souvent témoigné le désir de faire décider leurs causes par des jurés, pourvu qu'ils fussent tirés du voisinage.

Quelles autres objections faisait le conseil législatif à la mesure que vous aviez proposée?—Je crois qu'il n'aimait pas les circuits.

Désirez-vous appliquer la décision par jurés aux causes civiles?—Je n'aime en aucun cas les changements soudains. Je ne désirais pas dans le moment étendre le procès par jurés au delà de la latitude que la loi lui donne à présent; mais j'aurais pensé qu'il aurait été avantageux sous peu de temps de l'étendre à d'autres causes où la décision roule sur de simples matières de faits; par exemple, où il s'agit d'accorder des dommages pour voie-de-fait; il me semblait qu'il convenait de remettre la décision de ces causes à un jury; je ne penserais pas qu'il fût avantageux dans les causes où il s'agit uniquement de propriétés foncières, de titres, de conventions. Lorsque ce bill passa dans la chambre d'assemblée, je ne voulais pas déranger trop le système, je voulais seulement asseoir l'administration de la justice civile et criminelle sur les principes constitutionnels anglais, principalement d'avoir des circuits, d'avoir un juge qui n'eût pas de liaisons avec les parties, qui se rendit sur les lieux, et y reçut les verdicts des jurés.

Quel est le nombre de juges dans les cours établies?—Il y a quatre juges du banc du roi à Québec et quatre à Montréal; un juge provincial aux Trois-Rivières, un à Gaspé, et un à St. François.

Pouvez-vous dire quelle proportion de ces juges est d'extraction française, et quelle autre d'extraction anglaise?—Il y a d'extraction française un des juges de Québec, un de Montréal, et le juge provincial des Trois-Rivières; tous les autres sont des américains, des écossais, des irlandais, ou sont venus des provinces voisines.

Quelle occasion ces messieurs d'extraction anglaise ont-ils de s'instruire des lois françaises?—Ils étudient généralement chez un avocat du pays. Il n'y a en Canada aucun collège où on enseigne le droit civil. Je pense qu'il serait fort à désirer pour nous d'avoir un professeur de droit civil; mais il nous a fallu penser à tant de choses que nous n'avons pu en établir. Quand je parle du droit civil, on doit observer que quoiqu'on parle beaucoup de la coutume de Paris et des ordonnances du roi de France, elles ne forment qu'une faible partie de nos lois. On peut appeler le droit commun du Canada, le droit civil tel qu'on l'interprétait et qu'on le pratiquait au parlement de Paris. Là où la coutume de Paris ou les ordonnances des rois se taisent, nous prenons comme raison écrite les principes généraux du droit civil; c'est en ce sens qu'on peut le regarder comme le droit commun du Canada.

Vous avez dit qu'une partie des juges de la cour du banc du roi avaient coutume d'aller aux Trois-Rivières en certaines occasions pour y tenir une cour; voulez-vous détailler les procédés?—Aux Trois-Rivières le juge provincial décide seul dans les causes au-dessous de £10; mais dans les causes au-dessus de £10 sterling, il faut que deux juges siègent pour rendre la cour compétente; et pour cette raison un des juges de Québec va aux Trois-Rivières à chaque terme, et un des juges de Montréal y va aussi.

Cette pratique se borne-t-elle aux Trois-Rivières; ou s'étend-elle à Gaspé et à St. François?—Elle se borne aux Trois-Rivières; à Gaspé et à St. François la juridiction est limitée; à Gaspé, je pense qu'elle est limitée à £100; et elle est limitée à £20 à St. François.

Dans votre manière de voir serait-il avantageux d'étendre les pouvoirs des cours de Gaspé et de St. François?—Je ne puis le dire; je pense qu'il serait mieux d'établir un système de circuits, au moins pour St. François.

Y a-t-il quelque espèce particulière de causes qui se décident dans ces cours provinciales?—La cour du banc du roi siège aux Trois-Rivières pour tout le district, y compris celui de St. François, dans toutes les causes qui ne sont pas de la juridiction du juge de St. François; la même chose a lieu à Québec pour Gaspé.

Les juges provinciaux n'ont-ils seuls aucune juridiction criminelle?—Non.

Lorsque la cour du banc du roi siège aux Trois-Rivières d'où tire-t-on les jurés?—Je ne me suis jamais trouvé aux Trois-Rivières aux séances de la cour; mais je suis informé qu'ils sont peut-être tirés d'un meilleur plan, non seulement de la ville, mais du voisinage. Ce n'est pas le cas à Montréal ni à Québec; je parle des petits jurés; depuis quelques années les grands-jurés ont été en partie tirés du corps du district.

Y a-t-il quelque juridiction criminelle à Gaspé ou à St. François?—Aucune, excepté les sessions de quartier.

Les juges décident-ils jamais d'une manière contradictoire les uns avec les autres, quelques-uns suivant la loi française, et quelques-uns suivant la loi anglaise?—Les juges ont quelquefois commis des erreurs en empruntant trop aux lois anglaises; mais pour généralement parler on suppose que nos juges s'attachent aux principes du droit civil tel qu'il est établi en Canada.

En combien d'endroits se tiennent les sessions de quartier?—A Montréal, aux Trois-Rivières, à Québec, à St. François et à Gaspé.

Combien de fois l'année?—Quatre fois l'année.

Chaque cour de session de quartier a-t-elle un juge distinct?—Cesont les juges de paix qui tiennent ces sessions de quartier; mais à Montréal, à Québec et aux Trois-Rivières, il y a ce qu'on appelle des présidents de sessions de quartier, qui sont payés; et on a fait une semblable nomination pour Gaspé. Le juge de St. François y préside aux sessions de quartier.

Quelle est la nature de la juridiction de ces sessions de quartier; est-elle civile et criminelle?—Elle est principalement criminelle; mais elle s'étend aussi aux affaires de chemins et aux lois pénales.

Quelle espèce de personnes sont les juges de paix?—Pour parler suivant les réglemens et les lois d'Angleterre, je devrais dire qu'il faudrait les prendre dans la classe des propriétaires; cependant on ne s'y est pas conformé. Nous avons passé une ou deux fois dans la chambre d'assemblée, un bill pour les qualifier à peu près de la même manière qu'en Angleterre; le conseil législatif n'a pas consenti à ce bill.

De quelle classe de personnes a-t-on généralement tiré les juges de paix?—Ce sont en grande partie des marchands ou des commerçans à la campagne aussi bien que dans les villes.

Dans les townships dans quelle classe de personnes les a-t-on pris?—Je ne connais pas assez les townships pour le dire. Le plus grand nombre des habitans des townships se compose de cultivateurs; et je sais qu'on a admis dans la commission un certain nombre de cultivateurs respectables.

N'avez-vous pas entendu dire qu'il y a de la difficulté à trouver des personnes pour remplir la place de magistrats?—Nous nous sommes quelquefois imaginé que le choix n'était pas toujours bon, mais le gouverneur exerçait la prérogative; la loi laisse la chose à sa discrétion, et nous ne nous en sommes pas mêlés.

Les habitans des townships ont-ils le pouvoir de se cotiser eux-mêmes pour des objets d'amélioration locale?—Il n'y a dans le Bas-Canada aucune loi à cet effet; par les lois du Bas-Canada tout particulier est tenu de faire son propre chemin, et cela se fait généralement en vertu d'un ordre du grand-voyer, et ensuite il y a une répartition de l'ouvrage, et l'argent se paie de la même manière; et il y a une espèce de cotisation au sujet des églises. Il faut qu'il y ait des arrangemens préliminaires, il faut faire application au gouverneur, et après il y a des commissaires de nommés pour cet objet; il y a ensuite une espèce de cotisation; mais les paroisses n'ont par les lois du Bas-Canada aucun pouvoir régulier de se cotiser pour quelque objet que ce soit, excepté de la manière que je viens de mentionner.

Pendant quelle partie de l'année les cours du banc du roi siègent-elles à Québec et à Montréal?—Quatre termes de vingt jours chaque pour les causes civiles, et deux termes de dix jours chaque pour la juridiction criminelle, outre les termes de juridiction civile au dessous de 10*l.* sterling.

De quelle manière se conduisent les procédures; plaide-t-on par écrit?—On plaide par écrit dans la cour supérieure, non dans la cour inférieure; dans la cour au-dessous de 10*l.* on ne fait aucun plaidoyer par écrit, à moins que les juges ne l'ordonnent dans quelques causes compliquées, mais dans toutes les causes au-dessus de dix louis les procédures se font généralement par écrit.

Vous avez mentionné qu'à Québec et à Montréal il y avait des cours du banc du roi composées chacune de quatre juges; sont-elles subdivisées en tribunal supérieur et en tribunal inférieur?—Oui, un seul juge décide dans les causes au-dessous de 10*l.* et dans les causes au-dessus de 10*l.* il faut deux juges. Généralement les quatre juges siègent; mais deux juges rendent la cour compétente pour les affaires civiles.

Dans les causes au-dessous de 10*l.* y a-t-il quelques plaidoyers par écrit?—Il n'y a pas de plaidoyers par écrit, excepté lorsque le juge, trouvant que l'affaire est compliquée, ordonne qu'on plaidera par écrit.

Examine-t-on les témoins en cour?—De vive voix dans les causes au-dessous de 10*l.* et dans les causes au-dessus de 10*l.*, le témoignage s'écrit généralement; cependant quelquefois on se dispense d'écrire le témoignage dans les causes au-dessous de 20*l.*, parce que dans ce cas il n'y a pas d'appel des décisions de la cour du banc du roi.

Lorsque la cour du banc du roi dispense de plaider par écrit dans les causes au-dessous de 20*l.*, examine-t-on les témoins de vive voix?—Oui, on en prend note, comme on fait en Angleterre.

Lorsqu'on a recours à des plaidoyers par écrit, devant qui les témoins sont-ils examinés?—En présence de deux juges, et c'est là un des maux auxquels on voulait remédier par le bill, en autorisant les juges à nommer des commissaires pour prendre ce témoignage à la campagne, parce que les frais sont énormes; quelquefois les témoins viennent d'une distance de 90 milles, quelquefois ils sont obligés de venir à différentes reprises, et on avait intention d'autoriser la nomination de commissaires pour les examiner à la campagne.

Les discours des avocats s'ont-ils de vive voix?—Oui.

Même dans la cour supérieure?—Dans les deux cours.

Y a-t-il beaucoup d'appels de la cour supérieure à la cour d'appel?—Je n'en pourrais dire exactement le nombre, mais j'en sais que la proportion est assez considérable.

Comment est constituée la cour d'appel?—La cour d'appel n'est ni plus ni moins que le conseil exécutif de la province; tout membre du conseil exécutif est *ipso facto* membre de la cour d'appel.

Les frais de procès sont-ils considérables?—Ils sont très-dispendieux.

Avez-vous jamais cherché dans votre esprit quelque moyen de diminuer ces frais?—J'y ai pensé, mais j'ai vu qu'il y avait bien peu de remède, parce qu'une loi de 1801 donne à nos cours le pouvoir de faire des tableaux d'honoraires, et nous supposons que ce ne serait pas une chose facile que de retirer ce pouvoir.

Les honoraires sont-ils amples?—Nous les regardons comme amples dans le pays, en proportion de la quantité d'espèces en circulation et en proportion du prix des choses.

A qui vont ces honoraires?—Une partie des honoraires va aux greffiers de la cour, aux avocats, aux shérifs et aux huissiers.

Sont-ils versés dans un fond à même lequel se prennent les salaires de ces personnes?—Pas du tout. Les juges sont payés à même les fonds publics de la province; les juges n'ont pas d'honoraires en Canada, excepté dans la cour d'amirauté, et ces honoraires y ont été un grand sujet de plainte.

Y a-t-il beaucoup de différence dans la manière d'intenter une action, suivant que la demande se rapporte à la propriété foncière ou aux biens meubles?—Par les lois du Canada toute personne qui intente un action est obligé de détailler les motifs sur lesquels il reclame soit une propriété foncière, ou des marchandises ou une somme de deniers; il faut qu'il fasse connaître à celui qu'il poursuit le titre sur lequel il se fonde, et qu'il déduise des conclusions précises sur le montant et sur la nature des choses qu'il reclame, et s'il manque d'aucune manière à demander ce qu'il veut obtenir, le juge ne peut jamais par les lois du pays lui rien accorder de plus; et voilà peut être où est la différence entre la nature des procédures en Canada et en ce pays. En Angleterre il y a des formes particulières d'actions, et on prend une conclusion générale; au lieu que dans le Canada, le juge qui sert à la fois de juge et de jury, ne peut jamais donner plus que ce que le demandeur reclame précisément, et c'est là-dessus que le défendeur doit motiver sa défense.

Le demandeur peut-il ensuite amender sa déclaration?—Il faut qu'il en obtienne la permission du juge. On l'accorde en quelques cas, s'il ne s'agit que d'un ajout à l'action, mais il ne peut changer la nature de son action.

Mais soit que l'action se rapporte à des immeubles ou à des meubles, le mode de l'intenter est le même?—Oui, il y a en Angleterre des formes spéciales d'action, nous ne sommes pas restraints à une forme précise d'action; mais par exemple, il y a à l'égard des propriétés foncières un mode d'action établi par l'usage et conforme aux principes du droit, tellement qu'on ne peut réussir sans prendre cette forme d'action. Il est nécessaire d'établir un certain nombre de principes et de faits, et ensuite de tirer la conclusion de ces principes, et de là résulte la nécessité de s'attacher à de certaines formes, quoiqu'il n'y ait rien de positif on ne soit pas restraints par les formes.

La cour du banc du roi agit-elle à la fois comme cour d'équité et comme cour de droit?—Par les lois du Canada il y a des causes où elle n'a aucun droit d'exercer une juridiction d'équité; c'est-à-dire, qu'en autant que la loi est écrite il faut qu'elle obéisse à cette loi; mais il y a un grand nombre de causes où la loi elle-même lui accorde une certaine juridiction d'équité. Naturellement elle exerce dans ces cas une juridiction d'équité; et outre que le droit civil est, comme je l'ai dit, la raison écrite qui guide les juges dans tous les cas où il n'y a pas de disposition précise, les cours ont, généralement parlant, des règles fixes d'équité qui peuvent les guider aisément.

La cour prononce-t-elle son jugement de vive voix?—Oui, et elle donne généralement ses raisons de vive voix; mais généralement elle ne les entre pas sur le registre dans le jugement écrit. Comme elle juge également du droit et du fait, je pense qu'il serait fort à propos que les motifs fussent déduits dans le jugement écrit.

Sur le tout, existe-t-il de la satisfaction ou du mécontentement dans l'esprit des personnes soumises à l'administration de la loi, par rapport à la manière dont on l'administre?—Je ne pourrais dire qu'il existe dans le Bas-Canada une très-grande confiance dans l'administration de la justice, et cela vient d'un grand nombre de raisons.

Voulez-vous avoir la bonté de donner quelques-unes de ces raisons?—A Québec, les juges sont généralement conseillers exécutifs; ils sont en même temps conseillers législatifs, et on suppose généralement qu'ils ont trop d'influence dans les affaires de la province, de sorte qu'on ne suppose pas toujours leurs décisions impartiales; en outre, il y a une telle contradiction à ce que le juge soit en cour le matin, l'après-midi au conseil exécutif, et le même jour au conseil législatif, faisant les lois en ordonnant l'exécution, et ensuite jugeant sur ces mêmes lois, qu'il est impossible, au moins comme nous le supposons, que ces individus soient exactement juges, et ne soient que cela. Peut-être dans un pays comme celui-ci n'y aurait-il pas le même inconvénient à ce que les juges exerçassent ces différentes fonctions, parce qu'il y a le frein de l'opinion publique, et que les chambres du parlement sont composées d'un nombre immense de membres; mais là, les juges forment une proportion considérable du conseil exécutif et du conseil législatif et ce sont eux qui y ont la plus grande influence.

Les qualifications des juges, dans l'opinion du peuple de la province, sont-elles de nature à les faire considérer comme des personnes capables d'administrer la loi d'une manière convenable?—Je dois dire qu'il y a des juges qu'on ne regarde pas comme de grands jurisconsultes.

Croiriez-vous nécessaire qu'en amendant l'administration de la loi en Canada, on fit quelques établissemens additionnels de la nature de circuits?—Je pense véritablement qu'il serait essentiel d'introduire des circuits, en tant qu'il est praticable, d'après le système sous lequel ils sont établis en Angleterre.

Quelles sont les circonstances que vous avez trouvées servir d'obstacles à l'introduction du système tel qu'il existe en Angleterre?—La seule chose est, que la distribution des cours ne pourrait être exactement par comtés comme en Angleterre, à cause de la distribution de la population, telle qu'elle se trouve en Canada.

Pourriez-vous expliquer généralement le plan que vous proposiez d'adopter dans ce but?—Le but que la chambre d'assemblée avait en vue était de subdiviser les grands districts en cercles, qui auraient compris chacun une proportion raisonnable de la population, de sorte que les juges pussent exercer leur juridiction dans chacune de ces subdivisions.

Les divisions avaient-elles égard aux comtés?—C'était impossible, et la raison en est que les divisions des comtés sont sujettes à des changemens continuels dans un pays où la population croît rapidement.

Sur quel principe proposiez-vous de diviser de nouveau le pays pour l'établissement des circuits?—De faire une subdivision basée sur la population; c'est-à-dire, d'établir les sièges de la juridiction dans les lieux où il y avait une population à laquelle elle pût être utile.

Proposait-on de faire à perpétuité l'arrangement qu'on avait en vue?—Des choses de cette nature ne peuvent être faites d'une manière permanente dans un pays comme le nôtre, parce qu'il y aurait probablement quelques-unes de ces divisions qu'il deviendrait nécessaire de subdiviser encore à mesure que la population croîtrait.

Combinez-vous ceci avec l'autre projet que vous avez mentionné, d'examiner les témoins à la campagne?—Exactement; on se proposait de faire examiner les témoins par des commissaires dans ces mêmes subdivisions; et je dois dire que dans ce cas, comme dans beaucoup d'autres, je ne pensais pas faire la meilleure loi possible; mais mon but était de faire la meilleure qui pût convenir aux circonstances.

Quel nombre de circuits jugeriez-vous nécessaire?—Le nombre est établi dans le bill: nous pensions que dans le district de Québec sept cercles auraient suffi outre Québec, et à Montréal huit outre Montréal.

Entendez-vous que suivant la constitution du Canada la loi civile anglaise doit s'administrer par rapport aux propriétés situées dans les townships, ou par rapport à toutes les propriétés tenues en franc et commun socage?—Nous avons toujours pensé que les lois françaises avaient cours partout dans le Bas-Canada, jusqu'à ce que le parlement eût passé l'acte de la sixième année de Sa Majesté à l'égard des tenures dans les townships: nos juges ont agi d'après ce système. Depuis cet acte, je ne crois pas qu'il y ait de moyens d'intenter des actions suivant les lois anglaises, au sujet d'immeubles dans les townships.

Voyant que c'est l'intention de la législature qu'on administre les lois anglaises à l'égard des immeubles situés dans les townships, quel est dans votre opinion l'arrangement le plus propre à faire exécuter ce système de lois?—Je pense qu'il est très-difficile, pour ne pas dire impossible, de faire marcher ensemble dans les cours les deux systèmes tels qu'établis; et je ne vois pas comment ce système pourrait opérer dans le Bas-Canada, il établirait une marche tellement contradictoire, qu'elle mettrait tout en confusion.

Ne préviendrait-on pas essentiellement cette confusion en établissant des cours distinctes, c'est-à-dire, en établissant au complet de nouvelles cours où la loi pourrait s'administrer à l'égard des biens situés dans les townships, et en conservant les cours établies à présent, dans lesquelles on suit les lois françaises?—Je ne puis donner d'opinion sur une chose qui n'est presque qu'une simple théorie; parler des effets de l'établissement d'un nouveau système de lois dans un pays où on ne l'a jamais mis en pratique, serait raisonner sur une simple supposition, sur laquelle je suis incapable de répondre; je sais que les cours différentes, des juridictions différentes et des lois différentes, produiront nécessairement de la confusion; quand un système est établi, il faut prendre les choses comme elles sont; mais on ne peut dire comment il opérerait dans un pays où il n'est pas établi.

Voyant que c'est l'intention décidée de la législature de mettre à effet l'établissement des lois anglaises à l'égard des terres des townships, pensez-vous qu'il eût été mieux de les faire administrer dans les cours telles qu'elles sont établies à présent, ou d'après quelque autre mode?—Je ne sais pas comment on pourrait arranger la chose à présent.

Peut-on les administrer dans les cours telles qu'elles existent à présent?—Il serait très-difficile; peut-être convient-il de dire que les actions intentées suivant les règles de droit civil sont très-simples, et qu'elles peuvent atteindre le but aussi pleinement et aussi facilement que d'après tout autre système. Je ne puis imaginer comment il serait possible d'établir en Canada des cours où le juge déciderait un jour suivant les lois d'Angleterre et un autre jour suivant les lois du Canada, cela jetterait la plus grande confusion dans la pratique des cours; nous avons à présent assez de confusion, créée par la tentative qui a été faite quelquefois, de prendre des règles de droit anglais pour les introduire dans notre jurisprudence.

L'acte des tenures du Canada a-t-il été du tout mis en opération en Canada?—Je ne sais quelle opération il peut avoir à présent; il a détruit des droits qui existaient depuis 30 ou 40 ans, les droits des mineurs, les droits des femmes, les ventes du shérif, les hypothèques appliquées sur les terres, tout a été balayé par l'acte de la 6e. du Roi.

Le comité doit-il conclure de ce que vous avez dit que l'acte des tenures du Canada a excité de grands mécontentemens, et qu'on l'a regardé dans la colonie comme une mesure malencontreuse?—Il a certainement causé le plus grand mécontentement dans le Bas-Canada, principalement dans ce qu'on appelle la population canadienne, parce qu'il détruisait tout d'un coup le système qu'on avait jugé s'étendre à toute la province, qu'on avait

avait mis en pratique depuis plus de 40 ans et même toujours depuis la conquête. Des personnes avaient acquis des terres dans le pays en vertu de titres faits suivant les formalités des lois françaises, qui sont extrêmement simples et qui opèrent très-bien sans aucune difficulté, et contre lesquelles il n'y a jamais eu de plainte du tout. Des femmes avaient acquis des droits de communauté, des familles avaient acquis des droits suivant la loi canadienne des successions, des créanciers avaient prêté leur argent sur hypothèque, espèce de *mortgage* que nous avons en Canada, qu'on supposait affecter ces terres; et un grand nombre de ces terres ont été vendues par le shérif. Or, si la loi déclaratoire qu'a passée le parlement doit avoir son effet, tous ses droits ont cessé et sont détruits, et toutes les ventes qui ont eu lieu depuis 30 ou 40 ans sont nulles et non valides; et en second lieu il a créé beaucoup de mécontentement parmi les Canadiens, parce qu'ils connaissent les lois du Canada pour le transport des propriétés, qui sont extrêmement simples, et ne sont pas coûteuses, et auxquelles tout le monde peut aisément se conformer; mais cet acte du parlement établit un système de transport de propriétés parfaitement inconnu aux habitans du Canada, et qui a le désavantage d'être extrêmement coûteux. En Canada on peut faire un excellent titre, conformément aux lois du pays, pour de 5s à 10s environ, et il faudrait payer autant de guinées pour en faire un suivant les lois anglaises. Je puis dire, pour donner une idée de l'opinion même d'un jurisculte anglais sur nos lois de transport de propriétés, que j'ai entendu dire de dessus le banc au feu juge-en-chef Monk, qui n'était pas fort préjugé en faveur des institutions canadiennes, qu'un notaire ordinaire du Canada, après une couple d'années de pratique, entendait la manière de transporter les biens mieux que le plus habile praticien d'Angleterre. Je pourrais ajouter beaucoup d'autres raisons, mais celles-ci suffisent pour donner une idée des sources du mécontentement causé par cet acte, et d'autant plus qu'il était particulièrement établi par la 43e. section de l'acte de la 31e. de George 3, notre acte constitutionnel, que "les terres du Haut-Canada devaient être octroyées en franc et commun socage, (de la même manière qu'en cette partie de la Grande-Bretagne, appelée Angleterre,) et que quand des terres seront ci-après accordées dans la dite province du Bas-Canada, et que le concessionnaire désirera les avoir en franc et commun socage, elles seront ainsi concédées, sujettes néanmoins à tels changemens par rapport à la nature et aux conséquences de la tenure en franc et commun socage qui pourront être établis par une loi ou des lois qui pourront être faites par Sa Majesté, ses héritiers ou successeurs, par et avec l'avis et le consentement du conseil législatif et de l'assemblée de la province." Or, nous avons naturellement compris par là, que s'il devait se faire quelque changement, il devrait être fait par la législature du Bas-Canada, qui retoucherait le système suivant les intérêts du pays, et qui comme de raison connaîtrait mieux les circonstances du pays que des personnes qui sont éloignées de 3000 milles. Je ferai voir, par le fait, quelle en a été l'opinion en Canada. Après que cet acte eût été passé en Angleterre, le même conseil législatif, composé de conseillers exécutifs qui y ont la plus grande influence, et de fonctionnaires qu'on supposait avoir désiré l'établissement des lois d'Angleterre, a été le premier à envoyer à la chambre basse un bill pour introduire de nouveau nos formes de transport pour les propriétés des townships, la loi des hypothèques, et quelques autres règles prises de notre droit civil même.

Croyez-vous que la loi des successions pour les biens tenus en franc et commun socage, supposant que le propriétaire meurt sans tester, devrait être la loi qui a cours dans les seigneuries, ou la loi anglaise?—J'incline à penser qu'il serait à désirer qu'elle demeurât comme elle était avant l'acte déclaratoire, c'est-à-dire que la division devrait se faire également, conformément aux lois du Canada.

Quand vous dites qu'il s'est élevé des mécontentemens parmi les Canadiens au sujet des dispositions de l'acte des tenures du Canada, le comité doit-il entendre que vous voulez dire que les possesseurs de terres dans les townships sont mécontents de ces dispositions, et qu'ils désirent que les lois canadiennes des successions s'y appliquent aussi bien que dans les seigneuries?—Je ne connais pas les sentimens de la majorité des habitans des townships; je puis dire par rapport aux Canadiens, que naturellement ils désirent conserver leurs lois de successions.

Y a-t-il quelque chose dans l'acte des tenures du Canada qui ait une tendance quelconque à contrarier les lois de successions à l'égard des terres que les Canadiens possèdent dans les seigneuries?—C'est vraiment beaucoup le cas; parce que si on change par un arrangement avec le gouvernement en vertu de ce même acte la tenure d'une terre dans les seigneuries, cette terre serait régie immédiatement par les lois d'Angleterre, de sorte qu'une terre serait régie par les lois d'Angleterre, et que la terre voisine serait régie par les lois du Canada; et le comité peut juger quelles seraient les conséquences.

Comme il ne peut y avoir de changement de tenure en vertu de cet acte excepté au désir du propriétaire, avez-vous quelque raison de croire qu'une personne qui voudrait que le changement s'opérât sur ses terres, serait disposée à se plaindre du changement qui aurait lieu en conséquence?—Oui; un homme qui pourrait désirer un changement de tenure ne voudrait pas que sa terre fût placée sous un nouveau système de lois; cela servirait d'obstacle au changement de tenure.

Supposant que personne ne veuille changer la tenure de sa terre en vertu de cet acte, de quelle façon l'acte affecte-t-il les seigneuries de manière à les priver de ce qu'elles regardent comme un avantage, savoir des lois françaises?—Certainement si aucun changement n'a lieu il ne peut résulter aucun inconvénient, excepté en tant qu'il y aurait dans les cours de justice un différent système, qui occasionnerait une grande confusion dans les idées des avocats et des juges.

La loi de la 6e. de George 4. n'est-elle pas comme suit, que pourvu que le gouvernement, et le seigneur qui tient son fief de lui, changent le système de tenure en celui du franc et commun socage, le seigneur peut forcer son vassal à changer sa tenure?—Non; l'acte n'autorise rien de forcé, mais il y a dans l'acte même quelque chose qui est un grand obstacle, parce que si le seigneur changeait son titre les cultivateurs du sol auraient le droit d'exiger du seigneur de changer leurs tenures aussi, et sur son refus de le forcer de se soumettre à l'arbitrage; et c'est un obstacle à ce que les tenures soient commuées en franc et commun socage, parce qu'il n'y a pas de seigneur qui serait disposé à accepter pour ses droits un prix en argent qu'il n'aurait pas fixé lui-même.

A-t-on du tout agi en conséquence de l'acte dans les seigneuries?—Je ne connais que deux exemples d'application au gouvernement pour un changement de tenure, et je pense qu'il n'a pas été conclu d'arrangement.

Y a-t-il un grand nombre de Canadiens qui résident dans les townships?—Un grand nombre dans quelques townships, et il y en aurait un beaucoup plus grand nombre si on avait facilité leur établissement.

Mardi, 10 jour de juin, 1828.

Denis Benjamin Viger, écuyer, réintroduit; et examiné.

Supposant que le propriétaire d'un immeuble tenu à titre de simple redevance dans le Bas-Canada, meurt sans avoir fait de testament, et laisse une famille, comment se réglerait la succession?—Nous n'avons, généralement parlant, que deux espèces de propriétés foncières en Canada, savoir les fiefs et seigneuries, et les rôtures, outre le franc-aleu, franc et commun socage. Dans la première espèce, c'est-à-dire dans les seigneuries, le fils aîné à une part plus forte que les autres enfans dans le partage des immeubles; quand il s'agit de rôtures, tous les biens de la succession se partagent également entre les enfans.

Supposant qu'il laisse une veuve, a-t-elle quelque droit dans l'une ou l'autre espèce de biens?—Par les lois de notre pays, maris et femmes sont associés et propriétaires en commun de toute espèce de meubles qu'ils ont de part et d'autre au tems du mariage ou qu'ils peuvent acquérir par la suite par héritage ou autrement; mais les immeubles qui leur adviennent par succession, ou qu'ils ont acquis avant le mariage ne tombent pas dans cette espèce de société qu'on appelle communauté dans notre droit. On doit observer que la loi n'est pas absolue. Un homme qui se marie peut par son contrat de mariage renoncer à tous ces droits, et la femme n'a alors que ce qui est stipulé au contrat de mariage.

Dans le cas où il mourrait sans avoir testé, et où la femme prendrait sa moitié, que devient cette moitié à sa mort?—La partie de ce qu'on appelle communauté dont la femme est une fois saisie par la mort du mari, passe d'abord aux enfans de la femme, et en second lieu, s'il n'y a pas d'enfans, elle passe à ses propres parens et non aux parens du mari.

Y a-t-il quelque distinction dans vos lois entre le douaire et la communauté?—Oui, beaucoup.

Le douaire se rapporte-il aux biens immeubles et la communauté aux meubles?—Le douaire affecte quelquefois les immeubles, aussi bien que les meubles, mais cela dépend de circonstances particulières; le douaire établi par la loi est le droit qu'a la femme de jouir de la moitié des immeubles que le mari avait lors du mariage, et de ceux qui lui adviennent par succession en ligne directe de ses ancêtres: La propriété, ou le droit à la chose elle-même, appartient aux enfans; elle n'a que la jouissance des biens pendant sa vie, c'est à la femme que donne la coutume; mais il y a très souvent un douaire de stipulé par le contrat de mariage; généralement parlant, il consiste en une somme d'argent, qui est assurée par hypothèque.

Ainsi, dans le fait, si une personne meurt sans testament, laissant des biens qui lui sont dévolus partie par succession, et partie par acquisition durant le mariage, la femme aura droit à son douaire sur les uns et à sa part de communauté dans les autres?—Exactement.

Supposant que le mari fasse un testament, quels pouvoirs aura-t-il, en premier lieu, sur les biens qui lui sont advenus par succession, et secondement sur ceux qu'il a acquis durant le mariage?—Il a le droit de disposer de tous les biens qui lui appartiennent, soit qu'ils viennent de succession, ou qu'ils fassent partie de la communauté, et de les léguer de la manière qu'il lui plaît, sans préjudice néanmoins aux stipulations du contrat de mariage.

C'est-à-dire que s'il a des biens qui lui aient appartenu avant le mariage, il a le droit de les léguer en entier comme il lui plaît?—Oui.

Quant à ceux qu'il a acquis postérieurement au mariage, il n'en peut disposer que pour moitié?—Oui, ainsi que de ceux qu'il a acquis par succession. Le mari et la femme ont réciproquement le droit de disposer de tout immeuble qui leur advient par succession; les immeubles qui arrivent par héritage au mari ou à la femme pendant le mariage, n'entrent jamais dans la communauté, à moins qu'il n'y ait une stipulation particulière à cet égard dans le contrat de mariage; en conséquence le mari et la femme ont chacun le droit d'en disposer par testament suivant qu'il leur plaît.

Supposant qu'un homme se marie et qu'il fasse une fortune considérable pendant la durée du mariage; supposant de plus qu'il ait un enfant issu de son mariage qui meure pendant la vie de son père et de sa mère; supposant ensuite que la mère décède pendant la vie du mari, que devient sa part dans la communauté?—Sa part passe à ses propres parens, excepté pourtant qu'il y a à peine un contrat de mariage où il ne soit stipulé que dans le cas où il n'y aurait pas d'enfans nés du mariage, le survivant des conjoints jouira des biens pendant sa vie à l'exclusion des parens du prédécédé.

Mais s'il n'y a pas de semblable contrat, la loi est telle que vous dites?—La communauté se divise, et la moitié passe aux parens de mari ou de la femme.

Supposant que le propriétaire d'un immeuble ait dessein de le vendre, quel est le mode à adopter pour le transporter à celui qui l'achète?—Le contrat se passe toujours, suivant les lois de notre pays, devant deux notaires, ou un notaire et deux témoins; les formes de ces contrats sont connues de tous les notaires du Canada. S'il n'y a pas de circonstances particulières qui demandent des stipulations spéciales, il n'est pas nécessaire de s'éloigner de ces formes.

L'acte est-il bien court?—Très court, il ne contient ordinairement qu'environ trois pages de papier folio commun.

Rapporte-t-il le titre antérieur de l'immeuble, et comment il est échu au vendeur?—Oui généralement; quoiqu'il ne soit pas essentiel qu'il en soit ainsi pour la forme ou pour la validité de l'acte; il y a des gens qui vendent une terre comme leur appartenant, sans rien mentionner de plus; mais généralement on l'entre, non comme chose de nécessité, mais comme chose de convenance, et afin que l'acheteur puisse connaître de quelles personnes vient la propriété vendue.

Comment l'acheteur s'assure-t-il que son vendeur a un bon titre pour vendre, et aussi que l'immeuble n'est pas grevé?—Cela dépend de sa prudence, et principalement des bons avis qu'il reçoit soit du notaire lui-même ou d'un avocat; par exemple si vous consultez un praticien en Canada sur un achat que vous voulez faire, ce praticien, avant de vous laisser passer l'acte, vous demandera communication du titre de l'immeuble, s'informera si le vendeur a été marié ou non, s'il a existé ou non un douaire sur cet immeuble; par là la chose est très aisée. Je dois en outre observer que les lois de notre pays par rapport à la prescription sont généralement très simples; dix ans de possession, avec un bon titre, lorsque les parties résident également dans la province, suffisent pour opérer prescription en faveur de l'acheteur. Il faut vingt ans pour prescrire contre les absens; je dois ajouter qu'il faut qu'une personne soit majeure et capable d'exercer ses droits, pour que la prescription opère contre elle, généralement une prescription de trente ans suffit à couvrir quelques difficultés dans un titre en bonne forme, qui n'a pas de vice essentiel. Une personne ne pourrait acquérir une terre ou autre immeuble par prescription si son titre n'était pas *bona fide* une vente réelle; si par exemple il n'avait été que preneur à bail, il ne pourrait prescrire contre son propre titre; mais si le titre est bon, la prescription aura généralement effet en sa faveur après trente ans. Or le praticien consulté faisant attention à ces circonstances, et peut-être à quelques autres, trouverait aisément si le vendeur peut donner un bon titre.

Ainsi vous êtes persuadé qu'on peut produire un bon titre, soit de dix-ans, ou de vingt ans, ou de trente ans, suivant le cas?—Cela dépend de circonstances particulières; il faut examiner s'il y a des absens, et s'il y a des mineurs, ou d'autres personnes incapables d'exercer leurs droits; tout cela est très facile à un homme d'expérience; mais il serait très difficile de l'expliquer à des personnes qui ne sont pas exactement au fait des principes de nos lois; tout ce que je puis dire là dessus est que j'ai une pratique d'un peu plus de trente ans, pendant laquelle j'ai donné beaucoup d'avis sur des questions de cette nature. Je ne crois pas que personne n'ait jamais fait de plaintes sur l'insuffisance de ses titres. Il serait nécessaire de dire que quand il y a quelque crainte d'hypothèque, le seul moyen que nous ayons à présent, et je pense le seul moyen possible dans tout bon système, est d'avoir recours à un décret ou vente par le shérif, qui, pour employer une phrase technique, suffirait à purger toutes les charges excepté le douaire; mais quand au douaire, il est toujours aisé de savoir si l'immeuble en est grevé, parce qu'on peut toujours savoir de qui le vendeur actuel a acquis la propriété, ou de qui il tient son titre; il est aisé de savoir si ces personnes étaient mariées ou non, et d'avoir le contrat de mariage pour s'éclaircir sur la nature du douaire. Sans doute tout cela doit être fait par des personnes qui entendent les lois du pays, et ce sont des choses toutes simples; mais je dois avouer qu'un étranger qui arrive en Canada y peut être assujéti à quelques petites difficultés, comme c'est le cas en tout autre pays. Je sais particulièrement qu'il arriva il y a deux ou trois ans un accident à un étranger; il acheta une terre, et quelques personnes lui dirent qu'elle était sujette à un douaire ou à quelque autre charge semblable, quoique celui qui le lui dit ne fût pas homme de loi; je crois que c'était un cultivateur ordinaire; il l'avertit du risque qu'il courrait en achetant ce bien; l'acheteur ne voulut pas l'écouter, il acheta la terre, et il éprouva ce que tout autre imprudent aurait éprouvé dans le même cas, il perdit sa propriété.

Les immeubles ne sont-ils pas assujétiés en Canada à toutes les dettes qu'on appelle en ce pays dettes par simple contrat, créées par quelqu'un qui emprunte de l'argent?—

Toute

Toute espèce de propriété, soit mobilière ou immobilière, peut être saisie et vendue en satisfaction d'un jugement, quelle que soit la nature de la dette.

Quelle est la forme qu'emploie en Canada un propriétaire d'immeubles pour emprunter de l'argent?—Afin d'assurer le droit d'hypothèque au créancier, il constitue généralement cette hypothèque devant notaires, par un acte où le montant des deniers est spécifié; et cela suffit pour lui donner le droit de se faire payer sur le prix de l'immeuble, avant tout autre qui n'a pas une hypothèque antérieure; suivant la maxime de notre droit en ce cas, *potior tempore potior jure*, celui qui a la première hypothèque a la préférence sur les deniers prélevés par le décret ou la vente de shérif, et ainsi de suite pour chaque créancier hypothécaire.

Supposant que l'emprunteur d'une somme d'argent en donne sa reconnaissance sous seing-privé, cela emprunte-t-il hypothèque?—Non, à moins que la reconnaissance ne soit faite devant notaires.

Doit-il y être fait mention de l'immeuble?—Cela n'est pas nécessaire, pourvu qu'elle soit passée devant notaires, ce qui comporte en soi le droit d'hypothèque.

Ainsi le vendeur d'un immeuble qui voudrait tromper son acheteur pourrait lui céder ces hypothèques?—Oui, et c'est exactement là la raison pour laquelle on a recours à une vente par le shérif.

Ce système ne doit-il pas donner lieu à un grand nombre d'inconvénients; jusqu'à ce qu'il y ait une vente du shérif, une personne pourrait emprunter continuellement de l'argent, sans que ceux dont il l'emprunte eussent si sa terre est assujettie ou non à des charges antérieures; un bureau d'enregistrement ne mettrait-il pas fin à ce qu'un homme emprunte sur sa terre plus que sa terre ne vaut; pourriez-vous dire au comité pourquoi on n'a pas adopté quelques réglemens à ce sujet dans le Bas-Canada?—Cette question embrasse une grande variété de sujets. Je dois dire que j'éprouve un grand désavantage à donner mon témoignage en anglais, langue qui ne m'est pas familière; ce sera pour moi une chose bien difficile que de parler avec exactitude, et d'employer les expressions techniques, comme il serait à désirer. J'essaierai de tracer le tableau de la situation de Bas-Canada, et de celle de ses circonstances qui peuvent se rattacher à ce sujet. Je me rappelle qu'il y a quelques années on en a beaucoup parlé dans le Bas-Canada; on a trouvé, après examen, que la situation actuelle du pays ne permettait pas l'établissement de l'enregistrement; la chose était hors de question; mais ce que j'appellerais un bureau de conservation d'hypothèques. Après des discussions avec quelques uns de ceux qui désiraient l'établissement de ces bureaux, et après des explications avec eux sur ce sujet, et sur la nature et les effets du décret volontaire, ils convinrent que c'était là tout ce dont on avait besoin, et qu'ils seraient parfaitement satisfaits s'il était possible de se procurer une vente par le shérif avec un peu plus de facilité. Il fut passé une loi pour cet objet, mais je crois que la dépense était considérable, et que les gens n'ont pas été absolument satisfaits. Il est de fait que le tarif des honoraires est entre les mains des cours de justice, et je ne sais pas si les plaintes sont bien fondées ou non. J'ai dit qu'une personne pourrait avoir consenti des hypothèques et les cacher ensuite; mais je dois observer que par les lois du pays celui qui cache les hypothèques lorsqu'il vend, ou qui déclare en empruntant de l'argent que la terre qu'il hypothèque est parfaitement quitte, est sujet à l'emprisonnement lorsqu'on a découvert qu'il a commis cette espèce de fraude, jusqu'à ce qu'il ait payé le dommage causé. Je ne sais sur quels motifs on a supposé en Canada que cette loi n'était plus en force. On obtient tous les jours des contraintes par corps dans les cours de justice en satisfaction d'un dommage pécuniaire en vertu des anciennes lois. Je ne vois pas qu'il y ait de différence entre les deux cas; cependant l'opinion des juges paraît être, comme je l'ai compris, qu'ils ne pouvaient accorder des décrets des personnes dans le cas de l'espèce de fraude que je viens de mentionner, que nous appelons *stellionat*. Par les lois du pays, lorsque vous avez obtenu un jugement dans les cours de justice, n'importe pour quelle espèce de dette, vous avez le droit de saisir les biens de votre débiteur, tant meubles qu'immeubles, de saisir tout ce qui lui appartient entre les mains de tiers-personnes, et enfin vous avez tous les moyens possibles d'agir contre ses biens, quelle qu'en soit la nature. En outre par une loi passée en 1785, la législation du pays pour le temps d'alors a établi en faveur des marchands et des commerçans, le droit de saisir leur débiteur par corps, quoiqu'il ne soit pas marchand, après avoir saisi et vendu tous les biens qui lui appartiennent, et de le détenir aussi longtemps qu'il néglige de payer la dette. Avant ce temps, ce droit de contrainte par corps ne s'accordait qu'entre marchands et marchands, et en quelques autres cas. Par une interprétation qu'on a donnée à cette ordonnance, et que je ne prétends pas justifier, il a été entendu que la cession de biens, qui forme partie des lois du Bas-Canada, avait été abolie par cette ordonnance de 1785. Je dirai qu'avant d'adopter aucune loi pour l'établissement de bureaux de conservation d'hypothèques, il serait nécessaire de rétablir premièrement la cession de biens; car je regarde notre code actuel comme véritablement barbare; et la chambre d'assemblée du Bas-Canada l'a tenté à plusieurs reprises, en envoyant des bills au conseil législatif, lesquels n'ont pas été passés. Il serait en outre nécessaire d'établir des sous-divisions des districts pour mettre ces bureaux de conservation d'hypothèques dans des endroits où l'accès serait facile, et qui n'occasionneraient pas trop de frais aux habitans de ces différentes subdivisions, pour l'enregistrement des actes qui porteraient hypothèque. Un des motifs du bill pour l'amélioration du système de l'administration de la justice, qui établissait pour cet objet des sous-divisions des districts, était en même temps de préparer les voies à des améliorations futures de ce genre, et à d'autres. Il serait alors possible, si la législature trouvait nécessaire d'établir ces bureaux de conservation d'hypothèques, de les mettre dans les bureaux mêmes des cours qui seraient établies dans les circuits. Il y aurait en outre beaucoup de facilité à établir ces bureaux de conservation d'hypothèques, en mettant strictement en force la loi du pays, qu'on néglige entièrement, et en obligeant en outre le notaire à tenir de doubles registres des actes qu'ils passent chaque année, et à déposer dans ces bureaux une amplification de ses registres. Cela ne coûterait presque rien à la province, et n'ajouterait que bien peu de chose aux frais des actes devant notaires, et remplirait tous les objets des bureaux de conservation d'hypothèques, de la manière qu'il faudrait les établir dans notre province si on supposait à propos d'en avoir; mais avant de le faire il serait nécessaire de rétablir la cession de biens, et alors il serait nécessaire d'abolir en plusieurs cas le droit de contrainte par corps. Je dois observer ici qu'il y a une grande différence entre les lois d'Angleterre et celles du Canada sur un point particulier. La grande nécessité de ces bills d'enregistrement dans les provinces où les lois d'Angleterre sont en force, vient de ce qu'il n'y a pas d'archives pour les actes de vente, comme nous en avons. Les lois du pays obligent les notaires à conserver l'original de l'acte de vente, et il n'en expédient que des copies; toute personne a le droit d'avoir copie de l'acte, pourvu qu'il y ait un intérêt. Au contraire, dans les provinces où les lois d'Angleterre ont cours, l'acte original demeure entre les mains de l'acheteur, ce qui rend nécessaire d'avoir, pour connaître le propriétaire, un bureau public où ces ventes soient consignées.

Vous savez probablement qu'en Ecosse, où la loi est un mélange du droit féodal et du droit romain comme en Canada, on a un système parfait d'enregistrement?—Oui; je ne connais pas exactement les principes sur lesquels il est établi, mais on y a la cession de biens. Avant d'adopter ce système dans notre pays, nous devrions prendre les moyens d'améliorer nos lois, rétablir la cession de biens, et subdiviser le pays. Je dois faire remarquer en outre que pour un acte qu'il y a à enregistrer dans un pays comme l'Angleterre, nous en aurions mille qui auraient besoin de l'être. Or si un individu devait venir d'une distance de 90 milles pour enregistrer l'acte d'un lot de terre qui ne vaut que 20l., ou d'une hypothèque de 12l., ce serait la chose la plus cruelle qu'on puisse imaginer. Ainsi, si nous établissions des bureaux d'enregistrement, ou plutôt des bureaux de conservation d'hypothèques, nous devrions au moins les établir de manière à ne pas en faire un fardeau pour le peuple, et à ce que la loi protège également toutes personnes. Dans le cas où un semblable établissement aurait lieu, il serait nécessaire, comme je l'ai dit, de subdiviser les districts en cercles plus petits, afin de pouvoir finalement établir ces bureaux de conservation d'hypothèques dans les endroits où les cours se tiendraient.

L'enregistrement des immeubles a-t-il été accompagné de quelques difficultés dans les Etats-Unis?—Je ne puis répondre à l'égard des Etats-Unis.

Les lois que vous avez dit s'appliquer à la communauté s'appliquent-elles également

aux personnes qui se sont mariées en Angleterre et qui se sont établies en Canada, et qui après y être arrivées y ont acquis des biens; est-ce un cas qui arrive souvent?—C'est là une question d'une grande difficulté qui embrasse une multitude de considérations même de droit public. On ne l'a pas à ma connaissance, discutée d'une manière directe; cependant je sais qu'en Canada on a agité quelques questions de cette nature par rapport à des personnes qui s'étaient mariées dans les Etats-Unis. Je vois bien peu de difficulté par rapport à celui qui se marie dans les Etats, parce que si j'entends bien le droit public, et il me semble que la chose est d'accord avec les principes d'une bonne politique, aucun étranger n'a le droit de se prévaloir des lois de son pays à l'égard des intérêts immobiliers. Les immeubles doivent être assujettis à la loi du pays. Le cas serait très-différent à l'égard d'un anglais, parce que comme il est sujet du même empire, nous pencherions à supposer qu'il doit avoir des droits réciproques. La raison qui me le fait dire, est qu'on admettait en France comme principe général d'équité et de droit public, que quand un homme qui vivait sous une coutume particulière, se mariait, cette coutume était la loi qui devait régir ses biens; il était supposé contracter mariage avec l'intention que ce mariage eût effet sur ses propriétés conformément à la loi du lieu où il avait fait le contrat. Or si on adaptait ce principe en Canada, on pourrait supposer qu'un anglais s'est marié avec l'intention que les lois du pays où il a contracté mariage eussent effet sur tous les biens qu'il pourrait acquérir dans notre pays qui fait partie de l'empire, et on pourrait supposer de plus que ce privilège pourrait être réclamé réciproquement en différentes parties de l'empire.

Vos observations s'appliquent-elles également aux deux espèces d'immeubles que vous avez dit exister en Canada, excepté en tant que vous avez expliqué leurs différences?—Oui.

La loi des successions a-t-elle eu pour effet de diviser les propriétés en un grand nombre de parties peu considérables?—Oui, en quelques cas; mais je vais faire ici une observation déjà faite sur le même sujet par le Baron de Stael dans ses Lettres en Angleterre. Si je m'en souviens bien, il dit qu'en France, en dépit de la loi existante, qui régle la division des successions également entre tous les enfans, il semble que les biens ont eu une tendance à s'accumuler. J'ai remarqué que depuis quelques années on n'a pas vu en Canada les mêmes subdivisions d'immeubles qui avaient lieu anciennement. D'abord, les gens font des testamens, et préviennent souvent par là la division des biens. Les cultivateurs en particulier partagent généralement leurs biens pendant leur vie; s'ils ont plusieurs terres, ils en donnent une à chacun de leurs enfans; s'ils n'en ont qu'une, ils font généralement choix d'un des enfans à qui ils la donne; il paraît que c'est là à peu-près généralement la pratique actuelle en Canada.

Lorsqu'une seigneurie tombe en succession conformément à vos lois, le vassal ne se trouve-t-il pas avoir un grand nombre de supérieurs?—Oui, en quelques cas; mais depuis quelques années les divisions des biens en seigneurie ont diminué presque dans la même proportion que les divisions des autres biens, comme je l'ai mentionné dans ma dernière réponse.

Ainsi dans le fait le vassal peut d'après vos lois être obligé de tenir ses terres sous un grand nombre de supérieurs?—Le comité ne sait peut-être pas que ce qu'on appelle droit féodal en Canada n'a aucune analogie précise avec ce qu'on appelle droit féodal de ce côté de l'Atlantique. En Canada, les terres se concèdent généralement au cultivateur moyennant une rente annuelle très modique, le cultivateur paie cette rente annuelle, et là finissent tous les droits du seigneur, cette rente est de nature d'une rente foncière. A parler généralement, la seule obligation qu'il ait à remplir d'ailleurs, est d'aller au moulin de son seigneur y faire moudre son grain, et quand il vend sa terre, l'acheteur est obligé de payer les lofs et ventes, prime sur les mutations égale à la douzième partie de la valeur; ce sont à peu-près là tous les devoirs féodaux auxquels nos cultivateurs sont généralement soumis.

De sorte qu'un vassal n'est pas sujet à être tourmenté par un grand nombre de supérieurs?—Pas du tout; cela n'a que peu ou pas d'effet sur le vassal.

Au sujet des lois dans les townships; vous avez dit que suivant votre opinion l'acte de 1774 n'avait eu aucun effet dans les townships jusqu'à ce que l'acte déclaratoire de la 6e. Geo. 4. eût établi qu'il en était ainsi, et que beaucoup d'inconvénients ont eu lieu en conséquence de cet acte de Geo. 4. ?—C'est le cas.

Quel était le mode de transport, et quelle était la loi qui avait lieu dans les townships jusqu'à l'acte de George 4. ?—J'ai vu plusieurs contrats passés suivant la forme prescrite par les lois de notre pays; j'ai compris qu'on les faisait généralement de cette manière.

Les faisait-on aussi suivant la forme anglaise de transport?—Depuis un certain nombre d'années quelques personnes ont en Canada élevé la voix contre nos formes, soit à droit ou à tort. Quelques-uns ont cru qu'il pourrait y avoir un peu de doute dans un tems ou dans un autre, en dépit de la pratique et des opinions soutenues par les juges, et de la pratique de la cour à l'égard des ventes du shérif et des actions réelles et mixtes par rapport aux immeubles, et de beaucoup d'autres actes qui affectaient directement ou indirectement les biens situés dans les townships; et j'ai entendu dire que quelques personnes avaient fait faire les actes de vente pour les mêmes propriétés, tout suivant les formes anglaises qui suivant les formes prescrites par nos lois. On m'a dit qu'il en était ainsi, quoique je n'aie pas vu les actes.

Les cours de justice ont-elles donné quelque opinion sur la loi qui a lieu dans les townships, si dans le cas où une personne décédait sans avoir testé, ses biens doivent se diviser d'après une loi ou d'après l'autre? Je ne connais pas qu'aucune décision directe ait été donnée sur ce point dans nos cours de justice. Il y a un fait qui est assez frappant pour prouver leur opinion, et ce sont les ventes du shérif et les actions au sujet des biens fonciers, qui ont eu lieu pour les townships pendant plus de 40 ans; si les lois d'Angleterre sont réellement les lois des townships, toute ces ventes deviendraient nulles, et seraient invalides; parce que si j'entends bien les lois anglaises sur ce point, la propriété foncière ne peut être vendue; ou peut saisir le revenu, mais non pas vendre la propriété elle-même par exécution; et par rapport aux actions, nos actions pétitoires, possessoires, ou autres qui ont rapport aux immeubles, ne pourraient s'appliquer aux biens régis par les lois d'Angleterre.

Ces ventes ont-elles continué à voir lieu depuis l'acte déclaratoire de Geo. 4. ?—Oui.

Vous avez dit que le mode de transport suivant les formes anglaises, était beaucoup plus coûteux que celui qu'on emploie généralement d'après les formes françaises?—Je l'entends dire ainsi de tous côtés; et je me souviens qu'on y a fait une attention particulière dans le conseil législatif, qui nous a envoyé des bills pour changer la loi récente de la 6e. Geo. 4., que le parlement impérial avait passé à cet égard; nous avons naturellement fait quelques recherches sur le sujet, et d'après tous les renseignemens on a trouvé que le système était beaucoup plus coûteux; il résulte certainement des frais du double acte qu'on fait suivant les formes anglaises, et des doubles actions, tandis que par les lois du Canada un seul acte et une seule action suffisent.

Savez-vous par hasard pourquoi on préférerait le mode de transport par *lease and release*? Il serait très-difficile pour moi d'en donner la raison.

Supposant que vous eussiez un acte anglais d'une page, vous en plaindriez-vous, (on montre au témoin une formule d'acte)?—Nullement; j'ai appris que cette forme a été introduite dans le Haut-Canada, et dans quelques-uns des Etats-Unis; mais ce n'a été qu'en changeant les formes de transport; je dois avouer que cet acte est très-simple, mais il me paraît pas qu'il pût suffire en Canada; je n'aimerais pas une forme tout à fait aussi simple, parce que, quoique vos formes soient très simples, les lois du Canada obligent à donner la description de la propriété, et à entrer dans plus de détails à plusieurs autres égards; même dans nos formes, simples comme elles sont, on entre un grand nombre de choses qui ne sont pas absolument nécessaires. Je donnerai pour exemple quelques expressions qu'on trouve dans tous nos contrats; on est dans l'habitude d'y exprimer généralement que le vendeur s'oblige à la garantie; par les lois du pays cela n'est pas nécessaire, tout vendeur est censé obligé de garantir, et cependant, on entre par habitude cette stipulation dans tous les contrats; je pourrais citer nombre d'expressions de ce genre qui sont absolument inutiles, et dont on pourrait se passer; mais les formules sont généralement imprimées d'avance, et ainsi les notaires y adhèrent par pure habitude.

Savez-vous par hasard si dernièrement les immeubles sont tombés en succession dans les townships suivant le franc et commun socage, ou suivant les lois du Canada?—Je ne

sais

sais pas ce qui s'est passé dernièrement dans les townships à ce sujet, depuis la passation de l'acte déclaratoire que j'ai mentionné. J'aurais dû ajouter à ma réponse précédente que nous avons tous les avantages du système modifié, tel qu'on l'a adopté dans le Haut-Canada et dans les Etats Unis, pour le transport des propriétés foncières, seulement peut-être qu'il est réglé en Canada d'une manière plus précise par notre système de jurisprudence civile; nous avons tous les avantages qu'on a taché de s'y procurer en adoptant de nouvelles formes, différentes de celles qu'on emploie en Angleterre.

Tel que la loi existe maintenant, êtes-vous d'opinion que si une personne décédait avec des propriétés en franc et commun soccage dans les townships, elles passeraient à l'ainé de ses fils?—Si l'acte du parlement doit être exécuté, je supposerais qu'il en devrait être ainsi. La seule difficulté qu'il y ait là dedans, est qu'on a en Angleterre plusieurs différentes espèces de successions. Je pense qu'en Angleterre il y a quelques comtés où les enfans partagent également les biens de la succession. Cependant je suppose qu'il est plus commun de voir la propriété foncière passer en entier au fils aîné; et supposant que l'acte déclaratoire fût interprété de cette manière, je pense que la propriété foncière passerait à l'ainé.

Jusqu'ici ne l'a-t-on pas ainsi entendu?—On a entendu que le partage avait lieu suivant les lois du Canada; et c'est généralement de cette manière qu'on a fait les lois de succession; même dans les Etats-Unis, en changeant le système précédent. Les préjugés sont tellement en faveur de cette espèce de partage, que la chambre d'assemblée du Haut-Canada a passé successivement depuis peu d'années, deux ou trois bills pour établir cet loi d'égal partage entre les enfans; mais le conseil législatif a rejeté ces bills.

Si jusqu'ici les terres des townships, quoique tenues en franc et commun soccage, sont passées du père aux enfans sous le droit commun du Bas-Canada, et supposant qu'en vertu du statut passé récemment la loi anglaise dût maintenant y être appliquée, ne serait-il pas nécessaire de passer un acte pour assurer les titres actuels; c'est-à-dire pour donner quelque sûreté à l'égard des titres acquis de génération sous l'opération des lois françaises?—Certainement qu'un tel acte serait nécessaire; il est de nature à être aisément passé dans le Bas-Canada; et, dans l'acte même du parlement impérial, qui est un acte déclaratoire, il est particulièrement statué que la législature provinciale pourra changer et amender la loi, et c'était conformément à cette même clause de l'acte de 1791 que j'ai citée. On supposait que ceux qui avaient sollicité du parlement britannique la passation de cette loi, avaient vu probablement qu'il y aurait quelque difficulté à la mettre en exécution; et c'est peut-être pour cette raison qu'on a ajouté par une disposition expresse, que le parlement du Bas-Canada pourrait la changer, l'amender et la modifier, de manière à la rendre convenable au Bas-Canada.

Voulez-vous avoir la bonté de désigner au comité la clause de l'acte de 1791 qui a engagé les Canadiens à croire que les lois anglaises n'étaient pas les lois des townships?—Ce n'est pas en conséquence de la disposition expresse qu'on trouve dans la 43e. clause de cet acte que les Canadiens ont été induits à croire que les lois anglaises n'étaient pas les lois des townships, mais nous avons pensé que les expressions de cette clause donnaient une raison nouvelle d'interpréter l'acte de 1774 comme nous l'avons fait. Nous avons pensé que, d'après les règles générales d'interprétation qui s'appliquent aux lois d'une nature publique, quoique les mots semblaient impliquer quelque contradiction aux principes que la loi paraît vouloir établir, et vu qu'on doit interpréter les dispositions de droit public plutôt suivant l'intention de la législature que d'après le sens grammatical des mots, nous avons pensé, dis-je, que le gouvernement d'Angleterre n'avait pas intention d'établir dans le même pays deux différents systèmes de lois, et surtout un pour les personnes et un autre pour les biens dans les townships; parce que si les lois françaises avaient été introduites dans le pays d'une manière générale, cette exception à l'égard des townships n'aurait lieu que pour les biens et non pour les personnes, desorte qu'il y aurait un système de lois pour les personnes, et un autre système de lois pour les propriétés; mais en supposant même que ce n'eût pas été alors l'intention de la législature, l'erreur où tout le monde était tombé en Canada, devrait certainement être regardée comme étant de nature à être au moins respectée. Ce serait le cas de dire que *error communis facit jus*, il ne serait résulté aucune inconvénient de cette interprétation par rapport aux biens fonciers en Canada: nos lois sont simples et bien définies, et telles que chacun les préférerait au système d'immeubles et de transports qui existe en Angleterre. Je ne prétends pas juger les lois d'Angleterre, mais je prendrai l'opinion de tous les écrivains anglais qui en ont parlé. Je suis sûr que toute personne qui prendra la peine d'examiner avec attention les principes de notre droit sur les immeubles, verra que ce système ne peut donner lieu qu'à bien peu d'inconvénients. Et alors est-il juste, quand on y a donné cette interprétation pendant 40 ans, quand elle sert de base au système entier du pays, d'apprendre qu'on a changé la loi de l'autre côté de l'Atlantique? Une autre raison qui devait engager les Canadiens du Bas-Canada à penser qu'ils avaient droit à leurs lois sur les terres qui étaient ouvertes à leur industrie, était que la plus grande partie des personnes qui sont venues s'établir sur ces terres, était composée d'étrangers, et il ne paraît pas juste que ces Canadiens, qui ont été appelés avant et depuis, à la défense de leurs pays en tems de guerre, et à la défense de ces institutions qui leur sont chères, fussent privés des avantages que leur procure la connaissance de leurs propres institutions dans leur propre pays. Le comité observera en outre qu'après la conquête le roi émana une proclamation qui paraissait supposer que la conquête avait eu l'effet de détruire les lois du Canada. Après examen, on a trouvé que la chose n'était pas conforme aux principes internationaux de droit public des nations civilisées; qu'une conquête ne pouvait avoir cet effet; que par la conquête il n'y a que l'allégeance de changée; mais que les propriétés demeuraient, et de suite les lois qui en sont la sauve-garde, et sans lesquelles elles ne pourraient se maintenir; et finalement on a regardé cette proclamation comme une nullité. Il faut remarquer en outre, que même dans l'acte de 1774 il y a une disposition particulière à cet égard. Il est déclaré dans l'acte de 1774, c. 83, section 4e., "Et vu que les dispositions faites par la dite proclamation ont été trouvées inapplicables à l'état et aux circonstances de la dite province, dont les habitans se montaient lors de la conquête à plus de 65,000 personnes, professant la religion de l'église de Rome, et jouissant d'une forme établie de constitution et d'un système de lois, par lesquelles leurs personnes et leurs biens avaient été protégés, gouvernés et régis pendant une longue suite d'années depuis l'établissement primitif de la dite province du Canada." Il est établi dans la cinquième section, "que les habitans pourront professer la religion romaine;" et il est établi dans la 8e. section, que dans les sujets de discussion à l'égard des propriétés et des droits civils, on aura recours aux lois du Canada, comme la règle d'après laquelle ils seront décidés; et toutes les causes qui concerneront ces propriétés et ces droits, seront décidées conformément aux dites lois et coutumes du Canada; jusqu'à ce qu'elles soient changées ou modifiées par des ordonnances passées dans la dite province." Ensuite la 10e. clause va jusqu'à dire que ceci ne s'étendra pas aux terres concédées par sa Majesté en franc et commun soccage; mais auparavant les droits seigneuriaux sont comme de suite maintenus sur les propriétés. Or, on entendait alors que cette exception ne se rapporterait qu'aux charges dont ces terres pourraient être grevées par les lois féodales, mais qu'elle ne s'appliquait pas aux lois ordinaires qui regardaient tous les citoyens; on n'entendait pas que les propriétés dans les townships fussent régies à cet égard par un autre système; nous n'aurions jamais imaginé qu'on nous eût fermé les townships, faute par nous de connaître le système de lois auquel nous devions être soumis en entrant dans ces townships; que le gouvernement prétendit établir deux systèmes de lois dans le même pays, et établir la confusion qui résulterait d'une semblable division de la province; et je crois que c'était l'opinion de quelques-uns des meilleurs juristes d'Angleterre, qui ont été consultés à ce sujet, qu'on ne pouvait entendre cette exception d'une manière différente de celle que j'ai exposée; mais même en supposant que c'eût été une erreur, lorsqu'une erreur de ce genre a eu lieu dans un pays, n'aurais-je pas raison de dire comme je l'ai déjà observé, que *error communis facit jus*. Si la conduite universelle de tous était fondée sur cette sorte d'erreur, on pourrait dire, en un tel cas, *optima interpres legum usus et consuetudo*.

Voulez-vous lire la 43e. clause de la 31e. George 3, et dire s'il n'est pas évident par cette clause de la 31e. de George 3, que c'était l'intention réfléchie du parlement d'établir deux espèces de tenure pour les biens du Canada, savoir qu'il ne prétendait pas abolir les seigneuries, et qu'il prétendait établir le système du franc et commun soccage?—D'après l'acte même j'en viendrais probablement à une exclusion très différente, parce que le

franc et commun soccage n'est ni plus ni moins qu'une tenure connue dans nos lois; qu'est la tenure en franc et commun soccage, si ce n'est le franc alevé?

Voulez-vous expliquer ce que c'est que le franc alevé?—Le franc alevé est la terre qui n'est sujette à aucune espèce de redevance; il y a deux espèces de franc-aleu, le franc-aleu noble, et le franc-aleu roturier; le franc-aleu noble se partage comme les fiefs, et le franc-aleu roturier se partage comme les rotures. Tous les avantages et les privilèges qui accompagnent le franc et commun soccage, nous les avons par le franc-aleu, et c'est à ce que nous avons compris être l'espèce de tenure que le parlement d'Angleterre voulait introduire. De plus, s'il devait y avoir quelque changement dans l'opinion publique, ou dans celle des juges, ou dans la pratique des cours à ce sujet, je demanderais à qui appartiendrait le pouvoir de faire ce changement; quand en outre du pouvoir général de faire des lois rennis à la législature du Bas-Canada, il y a dans la 43e section de l'acte une disposition particulière qui accorde la tenure en franc et commun soccage, "sujette néanmoins à tels changemens quant à la nature et aux conséquences de cette tenure en franc et commun soccage, qui pourront être établis par une loi ou des lois qui pourront être faites par Sa Majesté, ses héritiers ou successeurs, par et de l'avis et consentement du conseil législatif et de l'assemblée de la province." Si on doit prendre les propres termes de cette loi, on doit en conclure que c'était le parlement du Bas-Canada qui devait examiner et décider si les juges avaient mal interprété la loi, et établir des réglemens suivant le pouvoir qui lui en avait été donné.

Y a-t-il en quelque acte, introduit dans l'assemblée du Canada, qui ait reçu la sanction royale, qui fasse des réglemens, ou vienne en contact d'aucune manière avec la loi anglaise des immeubles, par rapport aux terres tenues en franc et commun soccage?—Comme il n'y avait aucun doute sur cette question, on n'en a jamais fait mention, que je sache, dans notre législature.

Quand a-t-on exprimé les premiers doutes à ce sujet, savoir si les lois anglaises devaient avoir cours dans les townships ou non?—Il n'est pas possible de le dire.

Y a-t-il longtemps que la question s'est élevée?—Oui; j'en ai beaucoup entendu parler il y a longtemps; mais les procédés des cours de justice et la pratique générale ont continué dans le même sens.

Les cours de justice en sont-elles venues à décider que les lois anglaises n'avaient pas cours dans les townships?—Je ne connais aucune décision directe à cet égard, mais la pratique des cours a été telle, qu'il est impossible qu'elles eussent agi de la manière qu'elles l'ont fait si elles eussent supposé que les lois d'Angleterre étaient les lois en force dans les townships.

Quel a été dans la pratique depuis quarante ans le cours des successions dans les townships?—Si je mentionnais un cas particulier qui est venu à ma connaissance personnelle, je dirais qu'une propriété très étendue, qui se trouve dans le township de Hull, a été partagée après le décès d'une femme, suivant les lois du Canada, et tous les actes ont été passés suivant les lois du Canada, les droits de communauté ont été reconnus, et le partage a eu lieu entre le père et les enfans, et je connais le notaire qui a fait le tout; mais comme depuis bien des années je n'ai eu que très peu de pratique des townships, je n'ai pas fait une grande attention au sujet.

Croyez-vous que depuis la conquête on n'ait pas uniformément mis le droit d'aînesse en pratique dans les townships?—Autant qu'il est à ma connaissance, je sais qu'on l'a regardé comme non applicable aux townships.

On a rappelé à votre attention la 43e clause de l'acte de 1791, où il est statué qu'à l'avenir, dans la province du Bas-Canada, dans tous les cas où il sera fait des concessions, il sera à l'option du concessionnaire de les avoir suivant les lois françaises ou suivant les lois anglaises du franc et commun soccage; savez-vous ou ne savez-vous pas qu'en réalité on a fait toutes les concessions qui ont eu lieu depuis suivant les lois anglaises du franc et commun soccage?—Je conçois qu'elles ont été faites en franc et commun soccage; j'ai déjà dit que nous avons compris que ce franc et commun soccage était comme le franc alevé, qu'il libérait la terre des charges féodales; mais qu'elles devaient être régies par les autres lois du pays; que l'acte libérait ces terres des charges féodales, et qu'il n'allait pas plus loin.

Le comité doit-il donc comprendre que l'interprétation qu'on a donnée dans le Bas-Canada à la 43e clause de l'acte de 1791, n'est pas que le franc et commun soccage dont il s'agit, était le franc et commun soccage en usage en Angleterre, mais le système de franc-aleu des lois françaises?—On a compris que c'était une tenure libre qui n'était sujette à aucune des charges féodales imposées par nos lois sur les tenures en fief ou en roture, et ainsi nous l'avons regardée comme un franc alevé vu qu'elle ne payait aucune rente ni redevance, mais quand aux successions, aux ventes, et aux autres lois qui regardent les propriétés, nous avons cru que ces terres étaient sujettes aux lois civiles du pays telles qu'elles sont reçues et reconnues dans le Bas-Canada. C'était l'opinion commune, et comme je l'ai déjà dit, cette opinion me paraît aussi confirmée par l'acte même de 1791; parce qu'il est donné à la législature du Bas-Canada un pouvoir spécial de faire des réglemens à l'égard de cette tenure, et ainsi c'était à elle à voir si les juges avaient donné une juste et fidèle interprétation à l'acte de 1791.

On a compris que vous disiez que c'était le devoir de la législature du Bas-Canada de surveiller les jugemens des cours, et que si ces cours interprétaient mal la loi de 1791, il serait de son devoir d'arrêter les progrès de cette interprétation. Vous avez dit aussi que vous ne saviez pas qu'aucun jugement fût consigné dans les procédés des cours du Bas-Canada, par lequel on décidât dans un sens ou dans un autre, quelle était la loi qui avait cours dans les townships; comment donc, sous ces circonstances, l'assemblée législative aurait-elle pu avoir quelque occasion de considérer ce point?—J'ai dit que je ne savais pas qu'il eût été donné en Canada aucun jugement direct sur cette question, quoiqu'une décision eût pu avoir lieu; mais je dois ajouter que la pratique a été telle, qu'il était impossible que les juges fussent d'une opinion différente; à l'égard par exemple de la saisie d'immeubles par le shérif pendant 40 ans, on a saisi continuellement des terres, dont une quantité immense a été vendue par le shérif, et est devenue la propriété des acheteurs à ces ventes. Quant aux successions, je sais qu'on a fait des tutelles suivant les lois du Canada, et que le partage des biens a eu lieu entre l'homme et la femme dans les townships. Je sais que des partages de biens ont eu lieu suivant les lois du Canada, après avoir été en quelque sorte sanctionnés par les juges, devant qui se font toutes les élections de tutelle, de l'avis des parens, suivant les formalités prescrites par des écrivains de notre pays. Non seulement on a, comme je l'ai dit, fait des ventes suivant nos formalités, mais des actions ont été intentées et jugées sur ces ventes, et poursuivies invariablement suivant les formes prescrites par nos lois. Je pourrais citer un grand nombre d'autres détails de pratique journalière, par lesquels il serait évident que, de fait, l'opinion générale en Canada était que les immeubles dans ces townships devaient être régis par les lois du Canada, excepté quant aux charges imposées sur les tenures conformes à l'ancienne loi du pays, desquelles ils étaient exempts par les clauses des actes de 1774 et de 1791.

Vous avez mentionné une clause de l'acte de la 31e Geo. 3, qui après avoir autorisé l'octroi des terres en franc et commun soccage, contient les expressions suivantes: "Sujettes néanmoins à tels changemens par rapport à la nature et aux conséquences de cette tenure en franc et commun soccage, qui pourront être établis par une loi ou des lois qui pourront être faites par Sa Majesté, ses héritiers ou successeurs, par et de l'avis et consentement du conseil législatif et de l'assemblée de la province;" entendez-vous par cette clause quelque chose de plus qu'un pouvoir laissé à la législature du Bas-Canada, de faire, du consentement de la couronne, des changemens quelconques aux lois des immeubles?—La manière dont cette clause y est insérée, fait voir que probablement le parlement prétendait quelque chose de plus que d'exprimer une intention ordinaire de donner au parlement du Bas-Canada le pouvoir de faire des lois; et la raison que j'ai pour le dire, est qu'il n'était pas nécessaire de répéter cela dans cet article particulier; la disposition générale de la loi était que le parlement établi alors dans le Bas-Canada était revêtu du pouvoir de faire des lois sur toutes sortes de sujets pour le gouvernement intérieur du pays. Or, il y a certainement une présomption en faveur de mon interprétation, de ce que le parlement d'Angleterre, a jugé nécessaire d'insérer cette clause, après avoir donné un pouvoir général de faire des lois, ce qui certainement devait com-

prendre le droit de faire des lois pour la pratique du pays qui devait être en franc et commun socage. L'acte va même plus loin, et après avoir dit que le gouvernement de Sa Majesté aura droit de concéder des terres en franc et commun socage, on y dit, en quelque sorte, à la législature du Bas-Canada, " nous vous avons déjà donné la surveillance générale de tout le pays, mais quand on concèdera des terres en franc et commun socage, vous serez particulièrement les juges de l'effet qu'aura cette sorte de tenure ; et je suis sûr qu'il n'est personne dans le Bas-Canada qui n'ait trouvé dans cette expression quelque chose qui, ajoutée aux expressions générales dont on se servait, marquait l'intention de donner à la législature du Bas-Canada le pouvoir de législater, particulièrement à l'égard de ces terres. Mais même en supposant que ce pouvoir n'eût pas été donné, ne serait-il pas convenable que la législature du Bas-Canada eût ce pouvoir plutôt que le parlement d'Angleterre ? Devions-nous supposer, quand on nous donna cet acte de 1791, que la législature d'Angleterre ferait des lois sur des sujets de législation intérieure sans en donner avis à la province du Bas-Canada ? Nous savons très bien que le parlement d'Angleterre a un pouvoir de surveillance sur toutes les colonies, et je puis dire au comité que s'il avait assisté à quelques unes des discussions qui ont eu lieu dans le Bas-Canada, il aurait vu jusqu'à quel point nous nous reposons sur ses pouvoirs pour notre protection, en même temps que nous les reconnaissons avec soumission ; mais on comprend bien, je pense que depuis que les colonies sont devenues plus avancées, il ne faut pas les traiter comme il l'a fallu quelquefois nécessairement dans leur enfance. Comment pouvions-nous supposer qu'on passerait en ce parlement une loi semblable sans que la province connût quel devait être le résultat de cette loi ? — Supposant que nous eussions interprété la loi d'une manière différente de celle dont le parlement l'avait interprétée, n'avons-nous pas même le droit de rappeler des actes du parlement ? Ne changeons-nous pas tous les jours en Canada les lois d'Angleterre ? La loi criminelle telle qu'elle était en 1774 n'a-t-elle pas été changée journellement dans notre parlement provincial ? Personne ne peut nier que le parlement du Bas-Canada ait le droit de législater sur ces sujets ; et comme nous avions même un droit spécial de faire des changements par rapport à ce sujet particulier, nous aurions pu faire tous les changements que nous aurions supposés avantageux au pays, sans avoir recours au parlement d'Angleterre.

Ne savez-vous pas que par le droit constitutionnel d'Angleterre, aucun acte colonial ne peut rappeler les dispositions d'un acte britannique ? — Je ne le suis pas exactement, puisqu'il me paraît être la pratique actuelle dans toutes les colonies britanniques de changer et de modifier les lois d'Angleterre, telles qu'elles sont établies par les statuts, ou par la loi commune d'Angleterre ; et il y a une disposition particulière dans notre acte constitutionnel, qu'on voulait, à ce que je suppose, faire servir à corriger les abus provenant de la trop grande extension de ce pouvoir que pourraient mettre en pratique les législatures du Haut ou du Bas-Canada, parce que dans l'acte constitutionnel même, il y a une réserve particulière en faveur de Sa Majesté du pouvoir de désapprouver les actes passés par le parlement du Haut ou du Bas-Canada, pendant deux ans à compter de leur passage ; je sais qu'en matière criminelle nous avons changé beaucoup de statuts d'Angleterre, et je pense qu'il serait beaucoup à désirer que nous imitions aussi ce qui se fait à présent en Angleterre pour l'amélioration de la justice criminelle.

Savez-vous qu'il est au pouvoir de la Grande Bretagne d'imposer les lois qu'il lui plaît à une colonie cédée, et que quand l'acte de 1791 a donné au Bas-Canada une législature indépendante, comme il statuait que la loi du franc et commun socage serait la loi des concessions futures, il n'aurait pas été au pouvoir de l'Assemblée du Bas-Canada d'y faire aucun changement, s'il n'avait été donné en même temps au Bas-Canada un pouvoir spécial de modifier cette espèce de propriété, et en conséquence qu'il devenait nécessaire dans le temps où la loi de la Grande Bretagne établissait la loi du franc et commun socage, de donner pouvoir à l'Assemblée du Bas-Canada d'y faire tels changements auxquels le roi voudrait consentir ; êtes-vous préparé à adopter cette explication ? — Je ne crois pas que le parlement d'Angleterre ait plus de pouvoir sur un pays conquis que n'en accorde les lois internationales, et le droit public, que je regarde comme partie des lois d'Angleterre ; je parle du pouvoir moral, et non du pouvoir de force, qui n'impose pas d'obligations morales, mais qui n'engage que par nécessité. En outre, les colons actuels du Canada sont tous des sujets nés britanniques, et ils se regardent comme jouissant des droits communs aux sujets britanniques. A l'égard du sujet particulier des tenures, en supposant que le parlement d'Angleterre eût l'intention en 1791 de faire marcher à la suite des concessions de terres faites en Canada suivant cette tenure, toutes les conséquences qu'elles auraient pu entraîner en Angleterre, suivant les lois d'Angleterre, au sujet des successions et des transports d'immeubles, je crois même qu'en vertu du pouvoir général qui était donné par le parlement d'Angleterre au parlement du Bas-Canada, de faire des lois pour le gouvernement intérieur de la province, le parlement du Bas-Canada aurait eu pleine et compétente autorité pour faire aux lois d'Angleterre, du consentement de Sa Majesté, tous les changements qui auraient pu être nécessaires. La manière de changer les lois peut varier, et même l'usage et la coutume établiront des lois et leur serviront d'interprètes. C'est ce qui a eu lieu en Canada par rapport aux tenures.

Pouvez-vous faire connaître au comité quelle est la proportion en superficie de la partie du Bas-Canada dans laquelle sont inclus les townships, comparée à la superficie des seigneuries ? — Non. Il y a des établissements dans environ 30 ou 40 townships. L'étendue des townships déjà concédés en tout ou en partie, et des terres non concédées, forment la presque totalité de la superficie de la province, les seigneuries se bornant principalement aux rives du Saint-Laurent et de ses rivières tributaires. Cependant en général, relativement à sa superficie, le Bas-Canada ne contient qu'une faible proportion de terres propres à la culture sous un pareil climat. C'est de fait la partie basse de la vallée d'un grand fleuve, et à son extrémité orientale cette vallée est réduite à un col étroit par le rapprochement de chaque côté des chaînes de montagnes qui s'étendent au sud jusqu'à l'Alleghany, et au nord jusqu'à la Baie d'Hudson.

Pensez-vous que l'établissement des lois anglaises qui concernent les immeubles tenus en Angleterre en franc et commun socage, et leur mise en opération dans les townships du Bas-Canada, et aussi leur application à tous les immeubles quelconques tenus dans le Bas-Canada en franc et commun socage, serait une empâtation sur les droits des anciens habitants canadiens du pays ? — Le moins que je puisse dire est que la chose serait injuste ; je pense que ce serait une empâtation sur nos droits acquis, si la chose n'était faite par la législature du Bas-Canada.

Pensez-vous que cela tendit à retarder la culture et la civilisation des parties inhabitées et désertes du Bas-Canada ? — Si j'entraais dans tous les détails, je ferais voir que c'est à cette espèce de fluctuation qui a régné en Canada depuis la conquête, par laquelle nous avons été continuellement menacés de voir détruire toutes les institutions qui nous étaient chères, qu'est dû le retardement de l'établissement du pays, et en considérant les immenses progrès que la population canadienne a fait en dépit de toutes les difficultés qu'elle a eues à soutenir, il est facile de voir quels ils auraient été si on eût suivi un système convenable de conduite à l'égard des Canadiens.

Quand vous parlez d'un système convenable, voulez-vous dire si on avait mis aucun empêchement à l'opération du système français et de la loi française ? — En autant qu'on aurait dû continuer à laisser les lois françaises avoir cours dans tout le pays, et qu'on aurait dû donner des facilités au peuple du pays pour son établissement dans ces townships, qu'au lieu d'y mettre des obstacles, ou aurait dû lui donner les moyens d'y aller ; qu'on aurait dû suivre dans le pays un système d'éducation conforme aux idées et idées des auteurs du peuple, au lieu de remplir la voie d'obstacles que je pourrais détailler au comité, en lui faisant voir que tout ce que je dis maintenant, je puis le soutenir par les faits, et par des faits d'une nature très-extraordinaire ; ce qui a particulièrement regardés trop souvent comme une espèce d'ennemi du gouvernement, et je prie le comité de faire attention à la distribution des places en Canada, même de simples places d'honneur, comme celles des juges de paix, etc.

La lutte qui a lieu maintenant en Canada, n'est-elle pas réellement une lutte entre ceux qui veulent promouvoir les intérêts canadiens français, et étendre les lois françaises à

tout le Bas-Canada, et ceux qui veulent résister à ces vues, et protéger les colons anglais dans le pays, et les mettre sous les lois anglaises ? — Il n'existe pas de semblables dispositions ; les Canadiens doivent nécessairement désirer de garder leurs propres institutions, et de conserver leurs lois dans toutes les parties du pays. Il n'y a en cela aucune espèce d'indisposition contre la population anglaise ; il n'existe en Canada aucun préjugé de ce genre. La meilleure preuve qu'il n'existe pas d'indisposition contre ceux qu'on appelle anglais, est qu'au moins une moitié de cette partie de la population fait corps avec les Canadiens dans toutes les petites difficultés que nous avons eues avec notre administration. Les Canadiens ne désirent-ils pas changer la composition du conseil législatif, et prendre des mesures pour en assurer la formation de manière à ce qu'il soit probable qu'il s'accorde avec l'Assemblée législative ? — Je suis certain qu'il est à désirer pour nous que le conseil législatif soit composé de manière à siéger avec la masse du peuple.

Ne croyez-vous pas que par cet arrangement vous assurerez les moyens d'étendre à tout le Bas-Canada les lois françaises et le système canadien français ? — Cela pourrait peut-être être l'effet naturel, mais il n'y a aucun système particulier de cette espèce ; la masse entière du peuple étant attachée à des institutions qui existent déjà depuis deux siècles, et que le gouvernement l'a appelé à défendre lorsqu'éclata la dernière guerre avec les Etats-Unis. Si la loi devait être l'expression de l'opinion publique, il est très-possible que les intérêts qu'on appelle intérêts canadiens prévalussent en quelque sorte, et je pense que les intérêts britanniques prévaudraient par là même ; parce que je puis dire hardiment que les intérêts canadiens et les intérêts britanniques sont les mêmes.

Dans votre opinion personnelle, pensez-vous qu'il serait avantageux d'adopter des mesures qui assurassent aux habitants du Bas-Canada d'extraction française, une préférence pour leur établissement sur les terres vacantes du Bas-Canada sur les émigrés venus d'Angleterre, ou sur les descendants des habitants des townships ? — Je ne voudrais pas qu'on donnât aux Canadiens de préférence particulière, quoiqu'on dût les protéger également, juste et équitable, de protéger également la population, qui doit naturellement être liée par son propre intérêt au gouvernement de la Grande-Bretagne, si elle ne l'était par l'affection et le devoir.

Ne savez-vous pas qu'à prendre en général les émigrés qui arrivent à Québec, dans le dessein de s'établir dans le Bas-Canada, la majorité de ces émigrés préféreraient s'établir sur des terres sujettes aux lois anglaises d'immeubles et de successions, plutôt que sous les lois françaises ? — Je ne pense pas qu'un seul sur 10,000 pense jamais aux lois sous lesquelles il aura à vivre à son arrivée dans le Bas-Canada ; et si le comité connaissait l'espèce d'émigrés qui arrive dans le Bas-Canada, il dirait que j'ai raison ; mais il est naturel qu'une grande partie d'entre eux monte au Haut-Canada, parce qu'ils y retrouvent la langue anglaise, et que la plus grande partie des émigrés s'est établie dans ce pays là, et par dessus tout parce que le climat du Haut-Canada est beaucoup meilleur que celui du Bas.

Une grande partie des émigrés qui arrivent dans le Bas-Canada n'est-elle pas d'origine écossaise ? — Oui.

Les lois d'Ecosse sous lesquelles ils ont vécu jusque là, ressemblent-elles davantage aux lois anglaises, ou aux lois françaises du Canada ? — Le droit civil du Canada n'étant à parler généralement que le droit romain, lorsqu'il n'y a pas de dispositions particulières de la coutume de Paris ou des ordonnances du Roi de France, ni d'autres lois statuées, qui forment la plus petite partie des lois du Canada ; la conséquence naturelle est que le droit commun des deux pays étant pour ainsi dire le même, il y a plus d'analogie entre les lois du Canada et celles d'Ecosse, qu'entre les lois du Canada et les lois d'Angleterre ; il y a certainement la plus grande différence entre les lois d'Angleterre et les lois d'Ecosse, et la même différence existe entre les lois du Canada et les lois d'Angleterre.

Le comité vous a-t-il compris correctement, en croyant que selon vous la population française du Canada serait plus disposée à se répandre et à s'établir dans les parties incultes du Canada, si elle était sûre d'y retrouver après son établissement ses lois et ses institutions ? — Oui.

Voyez-vous quelque objection en fait de principes à un arrangement comme ceci, savoir que quoique toute la superficie du Bas-Canada ne soit pas soumise aux lois françaises, il en fut réservée une certaine partie pour l'établissement des habitants nés de la colonie, où ils jouiraient de leurs lois et de leurs privilèges, sans morcellement ni modification ? — Oui ; je ne pense pas que les habitants nés du Bas-Canada désirent se tenir distingués de ceux qui les environnent ; ils désirent vivre en paix et en repos avec tous ceux qui habitent actuellement la province ou qui peuvent l'habiter par la suite, et qu'il ne se fasse aucun changement aux lois et aux institutions existantes, sans le consentement des représentants choisis également et librement par la population entière. Il pense que la province n'a déjà été que trop divisée en partis distinctes, qui ne peuvent que mettre des obstacles à son amélioration générale et à son bien-être, et donner lieu aux mal-entendus, aux jalousies, et à la confusion. On ne peut prévenir ou faire disparaître ces obstacles, que par la désapprobation marquée du gouvernement, et en permettant que le peuple de la province, sans distinction quelconque, ait une voix égale dans le règlement de ses affaires intérieures.

Judi, 12e. jour de juin 1828.

Austin Cuillier, écuyer, introduit ; et examiné.

Vous représentez le comité de Huntingdon dans l'Assemblée législative du Bas-Canada ? — Je suis un des membres qui représentent le comté de Huntingdon.

Depuis combien de temps représentez-vous ce comté ? — Depuis plus de 14 ans.

Avez-vous eu occasion de faire beaucoup d'attention aux affaires de finances depuis que vous êtes membre de l'Assemblée ? — J'ai généralement fait partie des comités auxquels ont été renvoyés les comptes de la recette et de la dépense de la province.

Etes-vous intéressé dans des entreprises de commerce dans le Bas-Canada ? — Je suis marchand à commission.

Etes-vous aussi propriétaire ? — Je le suis.

Le comité est informé qu'il s'est élevé des disputes entre l'Assemblée et le gouvernement exécutif du Bas-Canada au sujet de l'appropriation du revenu ; dans votre opinion l'Assemblée législative aurait-elle une objection décidée à voter d'une manière permanente une partie des services du gouvernement exécutif ? — Je ne prétends pas dire ce que ferait l'Assemblée législative du Bas-Canada ; tout ce que je puis dire est qu'elle a actuellement fait une appropriation permanente pour le salaire du lieutenant-gouverneur durant sa résidence ; et elle a offert d'allouer le salaire des juges d'une manière permanente, avec des allowances de retraite, à condition qu'ils fissent leurs commissions durant bonne conduite, et qu'ils se retirassent des conseils, et qu'un tribunal fût établi dans la colonie pour la décision des accusations publiques.

Vous dites qu'elle a voté un salaire au lieutenant-gouverneur ; a-t-elle jamais voté un salaire au gouverneur-en-chef ? — Non.

Y a-t-il quelque manque de dispositions à le faire ? — Il y a eu généralement un manque de dispositions à voter les salaires des officiers du gouvernement d'une manière permanente : le gouverneur actuel le lui a demandé en 1821, et on l'a refusé. On le lui a demandé depuis pour la durée de la vie du roi, et elle l'a aussi refusé.

Pour combien de temps a-t-elle consenti à voter le salaire du lieutenant-gouverneur ?—Pour le temps de sa résidence dans la colonie.

Pouvez-vous dire sur quel motif elle s'est refusée à mettre le gouverneur lui-même sur le même pied ?—On ne le lui a jamais demandé d'une manière distincte des autres dépenses du gouvernement ; mais on lui a demandé généralement de voter d'une manière permanente, ou pour la vie du roi, la totalité des dépenses du gouvernement, qu'on appelait la liste civile.

Croyez-vous que l'assemblée aurait objection à voter un salaire au gouverneur pour tout le temps qu'il continuerait à remplir sa place ?—Je ne puis répondre pour les autres ; je ne puis que donner mon opinion sur ce que je ferais moi-même. Je serais individuellement disposé à ne pas voter de salaire du tout au gouverneur général des provinces britanniques de l'Amérique du Nord ; je pense qu'il convient mieux à la dignité de l'empire de payer son gouverneur général, plutôt que d'imposer exclusivement cette charge à la province du Bas-Canada, qui a son lieutenant-gouverneur à payer aussi bien que les autres provinces ; son salaire ne se monte qu'à £5,000, monnaie courante.

Le salaire du lieutenant-gouverneur n'est-il pas exclusivement maintenant à la charge de la colonie ?—Oui.

Le salaire du gouverneur-général n'est-il pas payé par le Bas-Canada seul ?—Oui.

En autant que l'objection vient de ce qu'il a autorité sur les deux provinces, tandis que son salaire est payé en entier par une seule, ne l'approuverait-on pas en divisant le salaire entre les deux provinces ?—Cela diminuerait l'objection en tant qu'il s'agit du Bas-Canada ; mais je pense qu'il serait très-peu convenable à la dignité du gouverneur-général des colonies de demander une partie de son salaire à chacune des assemblées coloniales de sa juridiction.

Y aurait-il quelque autre objection que celle que vous avez exposée, à voter le salaire du gouverneur-général, ou une partie convenable, pour le temps qu'il tiendrait sa place ?—Je ne puis répondre que pour moi ; je serais disposé, si on me le demandait, à voter le salaire du gouverneur-général durant le temps qu'il administrerait le gouvernement dans la province.

Par rapport aux juges, le comité entend qu'ils ne sont nommés que durant bon plaisir ?—Ils sont nommés durant bon plaisir.

Dans votre manière de voir, ne serait-il pas sûr et sage de les nommer *quandiu se bene gesserint* ?—Pas de doute qu'il ne fut plus avantageux que leurs commissions fussent durant bonne conduite, et qu'ils fussent sujets à une accusation (*impeachment*) dans la colonie ; cela les rendrait plus indépendans de la couronne, et le peuple n'aurait aucune objection à les rendre indépendans de lui-même, en leur donnant un salaire permanent et des pensions de retraite ; on l'a déjà proposé, mais le plan a été rejeté par le conseil législatif.

Croyez-vous que si un juge n'avait de frein que dans un procédé aussi embarrassant qu'un *impeachment*, il serait sûr de le nommer durant bonne conduite ?—Je suppose que le sentiment du devoir retiendrait les hommes dans de certaines bornes ; en même temps il pourrait y avoir des individus très-pervers qui auraient besoin que la crainte du châtiment leur servit de frein.

Proposez-vous de revêtir la chambre d'assemblée du pouvoir d'accuser les juges ?—L'accusation par *impeachment* appartient de fait, à ce que je comprends, aux représentants du peuple ; c'est un droit que les habitans de la province regardent leur être aussi inhérent, que l'imposition des taxes ; mais dans mon opinion le procès devrait se faire devant le conseil législatif.

Supposant qu'on ne crût pas à propos d'adopter la recommandation que vous avez faite, et de mettre les juges sur un pied aussi permanent, auriez-vous objection à ce qu'il leur fût voté un salaire pour le temps qu'ils seraient continués dans leurs places, quoiqu'ils dépendissent toujours du gouvernement ?—J'aurais une objection décidée à tout vote permanent pour les juges sans ces conditions, que leurs commissions fussent durant bonne conduite, qu'il y eût dans la colonie un tribunal pour leur faire leur procès en cas de malversation, et qu'ils se retirassent tant du conseil législatif que du conseil exécutif ; parce que c'est une étrange anomalie que les juges soient conseillers exécutifs et conseillers législatifs, aussi bien que les juges ; le matin ils donnent leur avis à l'exécutif, l'après midi ils font la loi, et le soir ils l'administrent.

Proposez-vous de porter ce principe assez loin pour exclure le juge-en-chef du conseil législatif et du conseil exécutif ?—Il pourrait y avoir quelque différence d'opinion là-dessus. Je pense qu'il n'y aurait aucune objection à ce que le juge-en-chef continuât de présider le conseil législatif.

Mais vous pensez qu'il y aurait objection à ce qu'aucun autre juge fût membre du conseil ?—Décidément. L'assemblée a objecté, en diverses occasions, à ce que les juges demeurassent dans le conseil législatif, et elle a trouvé très-peu convenable qu'ils fissent partie du conseil exécutif.

Sontez-vous qu'aucun fonctionnaire du gouvernement exécutif à qui le gouverneur pourrait ôter sa place à volonté, ne dût siéger dans le conseil législatif ?—S'ils ne formaient pas la majorité du conseil, il n'y aurait pas grand mal ; mais comme est à présent constitué le conseil, ils forment la majorité de ce corps, et tenant leurs places sous bon plaisir, ils sont exposés à agir sous l'influence du gouverneur. On n'en peut trouver d'exemple plus frappant qu'en ce que le même bill a été adopté en 1825, et rejeté en 1826, les mêmes membres présents, après un changement de gouverneur.

Pensez-vous que si on faisait un arrangement semblable à celui de la liste civile en Angleterre, il fût à propos ou non d'y inclure le secrétaire du gouverneur ?—Je ne vois pas sur quel principe le salaire du secrétaire devrait être rendu permanent plutôt que celui d'aucun autre fonctionnaire exécutif de la province. Si le comité voulait indiquer quelque inconvénient à ce que le secrétaire eût un salaire annuel au lieu d'un salaire permanent, je pourrais peut-être avoir une opinion contraire ; mais je ne vois pas qu'il y eût quelque désavantage pour le gouvernement à ce que le salaire du secrétaire fût annuel.

Pensez-vous qu'il ne soit pas à propos qu'on rende permanent le salaire d'un certain nombre de fonctionnaires attachés au gouvernement exécutif ?—Nul autre salaire que celui des fonctionnaires judiciaires ; on devrait rendre ceux-ci indépendans du peuple, mais à condition qu'ils fussent aussi indépendans de la couronne.

Appliquez-vous cela principalement au conseil exécutif ?—Les conseillers exécutifs n'ont qu'un faible salaire en cette qualité.

Pensez-vous qu'ils dussent dépendre du vote annuel de l'assemblée ?—Mes opinions sont décidément opposées à toute appropriation permanente d'une nature quelconque, excepté celle en faveur des juges, et celles que l'assemblée a déjà faites.

Croyez-vous qu'il y eût dans l'assemblée une objection insurmontable à une liste civile permanente, quelque borné qu'en fût le montant, ou à un vote au delà du vote annuel pour la liste civile, même en supposant que le gouvernement abandonnât les réclamations qu'il a faites, ou rappelât les dispositions sous lesquelles il croit avoir droit de disposer de certains revenus provinciaux ?—Je puis dire seulement qu'il existe maintenant dans notre recueil de statuts une appropriation permanente, dont la condition est le rappel de l'acte de 1774, au montant de près de £12,000, ce qui est, je crois, beaucoup au-dessus de toute appropriation permanente à laquelle on consentirait maintenant à des conditions quelconques.

Pouvez-vous dire de mémoire quelle est la distribution de ces £12,000 ?—Ils sont pour le soutien du gouvernement civil et l'administration de la justice, en termes généraux, sans appropriation particulière.

La chambre d'assemblée ne s'est-elle pas depuis quelques années refusée tout-à-fait à voter une somme en bloc au gouvernement d'une manière permanente, lui en laissant la distribution ?—Un bill à peu de chose près conçu de cette manière passa actuellement en 1825 ; on y votait une somme d'argent pour former une somme dont le montant fut égal à celui qu'on demandait, et certainement on y laissait l'entière distribution des deniers à la disposition du gouvernement. Je m'opposai au bill de 1825, sur le principe que l'assemblée n'ait au gouvernement exécutif le droit de disposer des deniers de l'acte de 1774, dans le sens même qu'elle laissait une somme beaucoup plus considérable à sa disposition absolue ; mais pour y parer en tant qu'il s'agissait de cette loi, nous entrâmes

sur nos journaux des résolutions qui déclaraient que quand une somme d'argent était votée pour un service, elle devrait s'appliquer exclusivement à ce service, et non à aucun autre ; ce qui était à quelques égards une sauve-garde contre l'application indue des deniers par leur transport d'un service à un autre. En obligeant l'exécutif à soumettre annuellement le compte de la dépense à cet égard en particulier, nous assurions à l'assemblée les moyens de juger si on avait mal-appliqué les deniers ainsi votés.

L'objection du gouvernement de la mère-patrie à l'acte de 1825 ne venait-elle pas de ce qu'en votant une somme définie pour former un certain montant, la chambre d'assemblée avait virtuellement pris sur elle de contrôler les fonds que le gouvernement prétendait être sujets à sa propre appropriation ?—Sans doute ; l'assemblée le considérait aussi de même.

Comment peut-on concilier cela avec la proposition que vous venez d'établir, que la législature avait passé un bill en 1825, par lequel elle accordait une appropriation permanente ?—Je n'ai pas prétendu qu'il eût été fait en 1825 aucune appropriation permanente.

Quelle somme était votée par le bill de 1825 ?—£58,064 sterling.

À quelles conditions cette somme était-elle votée ?—Elle était votée à condition qu'elle serait employée aux services généraux du gouvernement, et que le compte de la dépense serait soumis à la législature dans les quinze premiers jours de la session suivante ;

Le vote était-il couçu en termes qui annonçaient l'assomption du pouvoir de voter les deniers provenant des taxes levées par l'acte de 1774 ?—Le bill avait cet effet.

De quelle manière cela était-il exprimé ?—Il était dit que la somme donnée par la législature était pour former la somme de £58,000 pour les services généraux du gouvernement, en y comprenant les sommes déjà appropriées à cet objet.

N'y avait-il pas aussi une disposition qu'un compte des £58,000 serait soumis à la législature dans les quinze premiers jours de la prochaine session du parlement ?—Oui.

Cette disposition ne forçait-elle pas la couronne à rendre compte à la législature des mêmes sommes qu'elle prétendait être soumises à son appropriation spéciale ?—Sans aucun doute, on l'avait fait dans cette vue.

Les expressions du bill ne renfermaient-elles pas aussi virtuellement une appropriation de ces taxes ?—Nous ne les avons pas appropriées parce qu'elles étaient déjà appropriées aux services du gouvernement, mais nous votions une somme qui, avec ces taxes formait le montant qu'on jugeait nécessaire aux dépenses du gouvernement civil, ce qui avait l'effet d'amener tout ce revenu approprié sous le contrôle de la législature.

Sur quel motif prétendez-vous que les revenus provenant de l'acte de 1774 ne sont pas entièrement soumis à la distribution et au contrôle du gouvernement ?—Je pense que l'acte de 1774 a été rappelé virtuellement par l'acte de 1778.

Expliquez les motifs de cette opinion ?—Lorsque l'acte de 1774 fut passé, la colonie n'avait pas d'assemblée législative ; elle n'avait au-delà d'elle-même aucun pouvoir de lever des taxes pour soutenir son gouvernement. Le principe auquel le gouvernement britannique adhère maintenant, est que quand dans ces réglemens généraux de commerce, il est prélevé des taxes à ce sujet dans les colonies, elles doivent être appliquées dans les colonies sous le contrôle des assemblées locales là où il y a des assemblées, et là où il n'y a pas d'assemblée, ou en laisse l'application, comme par l'acte de 1774, aux lords de la trésorerie. Je suis d'opinion que la trésorerie avait en ce sens le pouvoir d'appliquer ces taxes, en fidei-commis, pour l'exercer aussi longuement que la colonie n'aurait pas d'assemblée législative, mais du moment que la colonie obtint une assemblée législative, la trésorerie fut dessaisie du fidei-commis, et nous devîmes virtuellement saisis de nos droits inhérents de sujets britanniques, c'est-à-dire, du droit de nous taxer nous-mêmes, et du droit d'appliquer ces revenus dans la colonie. Telle est mon opinion sur les actes de 1778 et de 1791, appliqués à celui de 1774.

Ainsi vous ne prétendez pas que le droit de l'assemblée à contrôler ces taxes, vienne d'aucune disposition définie d'un acte du parlement, mais que c'est un principe général inné qui se rattache aux pouvoirs législatifs de la province ?—C'est ainsi que je l'entends.

Quels seraient les motifs qui vous engageraient à vous écarter de l'analogie du gouvernement britannique, au sujet du vote d'une certaine somme pour la vie du Roi, ou pour un certain nombre d'années pour une liste civile ?—Il n'y a aucune analogie quelconque entre la pratique des colonies et la pratique de la mère-patrie. Ici le Roi est supposé être toujours au milieu de son peuple, entouré d'une noblesse qui a une mise réelle et permanente dans le pays ; mais en Canada il n'y a rien de semblable ; le gouvernement du Canada ne peut être administré par le Roi, il doit l'être par un représentant, comptable envers le Roi et envers ses ministres. Nous n'avons rien dans le Bas-Canada qui ressemble à une aristocratie, et il s'ensuit qu'il n'y a aucun motif de faire dans les colonies des dispositions pour le gouvernement civil de la colonie, comme on en fait en Angleterre. En outre, en Angleterre le Roi a donné plus de l'équivalent pour la liste civile, il a donné des biens-fonds patrimoniaux considérables, en considération desquels le parlement a donné à Sa Majesté un octroi permanent de deniers.

La couronne n'a-t-elle pas le pouvoir de céder le revenu casuel ou territorial qui lui appartient en Canada ?—Je conçois que le gouvernement a déjà cédé une partie de son revenu territorial en 1774, pour le service public de la province.

Ne croyez-vous pas que dans un gouvernement qui admet quelques principes monarchiques dans sa constitution, il est essentiel qu'il y ait un certain nombre d'officiers de l'état qui soient indépendans de la volonté du peuple ?—Je n'entrerai dans le mérite d'aucune forme du gouvernement, mais je dirai seulement que je suis d'opinion en général que les juges seulement dans la colonie devraient être mis hors de la dépendance du peuple.

Croyez-vous que tous les autres fonctionnaires quelconques de l'état dussent être assujettis au vote annuel d'une assemblée populaire ?—Je le crois, à l'exception du gouverneur-général qui, selon moi, devrait être payé par l'empire.

Vous dites qu'il ne peut y avoir d'aristocratie en Canada, qui vous engage à le dire ?—Les lois du pays s'opposent à l'acquisition de biens assez considérables pour créer une aristocratie dans le pays, et les mœurs des peuples de l'Amérique sont décidément contraires à un système d'aristocratie.

Appliquez-vous cela à l'Amérique en général, ou y a-t-il quelque chose de particulier au Canada ?—À l'Amérique en général.

Qui empêche l'accumulation des propriétés en grande masse entre les mains des particuliers ?—La subdivision des propriétés.

D'où vient la subdivision des propriétés ?—Des lois de succession.

Les lois de succession sont-elles semblables dans toute l'Amérique ?—Je crois qu'elles sont à peu de chose près les mêmes dans les États-Unis d'Amérique et dans les seigneuries du Bas-Canada.

N'arrive-t-il pas fréquemment que les habitans français du Bas-Canada laissent leurs biens à leur plus jeune fils pendant que les aînés vont ailleurs ?—La chose s'est pratiquée ci-devant, mais cette coutume disparaît rapidement ; il y a eu des abus considérables dans cette manière de disposer des propriétés, je crois qu'on ne s'y conforme pas très-généralement en Canada.

Ainsi la pratique presque universelle dans le Bas-Canada est de partager les propriétés entre les enfans ?—Oui, par une division égale.

Ce système prévaut-il dans le Haut-Canada ?—Je ne sais quel système prévaut dans le Haut-Canada ; mais l'assemblée représentative a souvent passé un bill pour l'égal partage des biens des personnes qui décèdent sans avoir fait de testament.

Savez-vous quel système prévaut dans les États-Unis d'Amérique ?—Non.

L'assemblée n'a-t-elle pas offert plus d'une fois au gouvernement de se charger de la liste civile jusqu'à un certain montant, si on lui donnait un contrôle suffisant sur l'appropriation ?—Il n'y a eu aucune proposition définie de voter une somme additionnelle d'une manière permanente.

N'a-t-on pas proposé de prendre la liste civile telle qu'elle était en 1819, pourvu qu'on donnât le contrôle à l'assemblée ?—L'assemblée vota en 1819, la presque totalité de la somme que le gouvernement exécutif lui avait demandée en 1818.

L'assemblée n'a-t-elle pas offert de prendre sur elle le paiement de la liste civile telle qu'elle était en 1791, pourvu qu'on lui donnât un contrôle sur l'appropriation ?—Les offres qu'un corps législatif fait en général, se font par bills ; c'est là le langage de la législature ;

lature ; ce bill s'annonçait comme faisant une appropriation annuelle en 1819, pour toutes les dépenses nécessaires du gouvernement.

Ces dépenses étaient-elles spécifiées item par item ?—En 1819, le vote était item par item, et ainsi exprimé dans le bill. En 1821, les sommes étaient votées par chapitres, le bill ne passa pas dans le conseil législatif. En 1822, il n'y eut aucune somme de votée ; on demandait un octroi permanent pour la durée de la vie du roi, termes contradictoires en eux-mêmes, mais ils étaient employés dans le message transmis par le gouverneur.

Savez-vous sur quel motif le bill qui votait les subsides par chapitres fut rejeté par le conseil ?—Je ne n'ai pas assisté aux débats dans le conseil, mais je sais que le conseil a passé certaines résolutions où il déclarait qu'il ne procéderait sur aucun bill venu de l'assemblée, qui ne pourvoirait pas aux dépenses du gouvernement par une somme entière, et pour la durée de la vie du roi.

Voulez-vous avoir la bonté de dire quel contrôle vous soutenez que l'assemblée a sur ce qu'on appelle les rentes des postes du roi, qui se montent à 1,200L. ?—Les rentes des postes du roi se montent à 1,200L. courant. Lord Dorchester, dans son message à la législature en 1794, donna au nom du roi ces revenus à la province pour aider au soutien de son gouvernement civil. De là vient le contrôle que je conçois appartenir à l'assemblée sur ces revenus. C'est en conséquence d'un don fait à la province de la part de sa Majesté pour le service public d'icelle, que la législature a le droit de les approprier à ces objets.

En quelle forme ce don était-il fait ?—Par message.

Le message de Lord Dorchester disait-il que le roi ferait l'appropriation de ces revenus pour le service de la province, ou s'il les transportait à la législature pour qu'elle les appropriât au service de la province ?—Je ne me rappelle pas des termes précis du message, mais ce dont je me rappelle, c'est qu'on donnait à la province le revenu casuel et territorial pour l'aider à soutenir son gouvernement civil ; au temps d'alors les revenus de la province ne suffisaient pas au défrayment de toutes ses dépenses.

Prétendez-vous que le pouvoir d'approprier ce revenu à des objets particuliers réside dans l'assemblée législative ?—Je le conçois ; je conçois que les assemblées des colonies ont le droit d'approprier jusqu'au dernier chelin les deniers qui s'y prélèvent en général.

Voici la somme de 500L. qu'on dit provenir des forges de Saint-Maurice ; qu'est-ce ?—Cela forme partie du revenu territorial du roi.

Le comité doit-il comprendre que vous réclamez plus que ne réclame aucune des autres législatures britanniques de l'Amérique du Nord, parce que vous savez probablement qu'il n'est assigné nulle part aucune réclamation d'une autre législature coloniale, sur ce qu'on appelle particulièrement le revenu territorial de la couronne ?—Je ne sais pas ce que les autres colonies réclament. On m'a demandé mon opinion sur ce que devait être selon moi, et je l'ai déclaré sans équivoque.

Prétendez-vous, par les réponses que vous avez données, entendre que la colonie doit avoir cette réclamation, ou qu'en vertu de la loi existante elle a cette réclamation ?—On m'a demandé mon opinion individuelle, et j'ai répondu que je pensais qu'elle y avait droit en vertu de la loi existante.

Vous dites que vous vous êtes opposé au vote d'une liste civile permanente ; ne croyez-vous pas que le pouvoir d'accorder ou de refuser des subsides au gouvernement exécutif est le principal moyen d'exercer une influence sur lui ?—Sans doute.

Croyez-vous qu'en ayant le pouvoir de donner ou de refuser des deniers pour l'amélioration de la navigation, ou des chemins de la province, l'assemblée législative contrôlerait en quelque manière que ce soit le gouvernement exécutif ?—Je croirais que la législature de la province a un grand intérêt à l'amélioration du pays ; ce serait faire tort, non au gouvernement exécutif, mais au pays en général, que de refuser tout espèce d'octroi raisonnable pour des objets d'amélioration intérieure.

Ainsi vous ne croyez pas qu'elle exerce aucun contrôle sur le gouvernement en refusant ces appropriations ?—Non.

Requiert-on d'elle qu'elle fournisse des moyens pour la défense de la province ; comme en Angleterre on requiert la chambre des communes de fournir les moyens de soutenir l'armée et la marine ?—On ne nous a jamais requis de payer aucune partie de notre service militaire ; cependant nous avons fourni des sommes très-considérables pour la défense de la province pendant la dernière guerre américaine, au delà des moyens du pays.

Ainsi le seul contrôle que vous exercez sur le gouvernement exécutif réside dans le pouvoir de refuser de voter la liste civile ?—Le seul contrôle que nous ayons sur le gouvernement exécutif de la province consiste dans le refus des subsides, et je conçois que c'est un très-grand pouvoir. Nous ne savons pas ce qu'on veut dire en Canada par liste civile ; c'est un terme dont le gouvernement se sert ; mais nous avons évité avec soin même le nom de liste civile, dans toutes nos communications avec le gouvernement exécutif de la province.

Ne croyez-vous pas que pour la paix de la province, il serait mieux que les membres de la chambre d'assemblée restassent chez eux, que de s'assembler une fois l'année pour faire de vaines remontrances, sans avoir aucun contrôle sur les actes qui peuvent être impopulaires ?—Assurément.

Savez-vous que la couronne a dernièrement fait deux nominations, l'une d'un inspecteur des bois et forêts dans le Bas-Canada, et l'autre d'un inspecteur des terres en friche, dans le but de prélever un revenu, et d'appliquer ce revenu sous le contrôle de la couronne, et à la discrétion du gouvernement, expressément et exclusivement, pour l'avantage du Bas-Canada ?—Je sais qu'il existe deux charges semblables dans le Bas-Canada. Je crois que M. Davidson occupe en chef une de ces places, et que M. Felton, du conseil législatif, est chargé de l'autre. Je ne sais pas à même quel service du gouvernement ils retirent leurs salaires ; on n'a jamais demandé ces salaires à la législature du Bas-Canada.

Savez-vous que leurs salaires doivent se retirer des produits de la vente des bois et de la vente des terres ?—Je ne sais pas à même quels fonds leurs salaires doivent être pris.

Le comité doit-il entendre que vous regardez l'assemblée comme ayant droit aux produits de la vente des terres et à ceux de la vente des bois, et comme ayant droit d'approprier ces produits au lieu de la couronne ?—Ce sont là des opinions qu'on me demande, sur lesquelles j'hésiterais réellement à prononcer. Je sais que le peuple d'Angleterre est très-jaloux des revenus de la couronne qui ne dépendent pas du parlement, et tout ce qui peut exciter la même jalousie dans les colonies est également pernicieux.

Ne savez-vous pas qu'il faut faire cette distinction entre la situation du peuple des colonies et celle du peuple de ce pays, que les colonies ne contribuent en rien à leur défense militaire ?—Je considère que les colonies paient beaucoup pour leur défense. Le monopole de notre commerce vaut quelque chose à l'empire, et je pense qu'à cause de ce monopole nous avons droit d'être protégés.

Etes-vous d'opinion que sous les circonstances du changement que l'acte récent a introduit dans le droit commercial de ce pays, on puisse avancer maintenant que la mère-patrie monopolise le commerce du Bas-Canada ?—Je le croirais ; parce qu'en ouvrant les ports des autres parties du monde, le parlement les a fermés de fait en imposant des droits considérables, qui empêchent que nous ne prenions avantage du commerce réciproque ; par exemple on a ouvert les ports de France au Canada pour un commerce direct, mais les droits imposés en Canada sur les marchandises françaises sont si considérables, qu'ils équivalent à une prohibition.

Le comité doit-il comprendre que vous exceptez à la disposition de l'acte de la 18e. Geo. 3, qui réservait spécialement à la mère-patrie le droit d'imposer des taxes pour le règlement du commerce ?—Non, je n'y excepte pas ; je pense qu'il est très nécessaire que le parlement impérial ait le pouvoir de régler le commerce général de l'empire.

La colonie paie-t-elle quelque chose pour le maintien des troupes dans le Bas-Canada ?—Non.

Vous vous plaignez du gaspillage et de la mauvaise administration des revenus du Bas-Canada ; avez-vous quelques autres observations à faire à ce sujet ?—Les pétitionnaires du Bas-Canada se plaignent, entre autres choses, de la mauvaise administration de leurs revenus. En 1809, à ce qu'il paraît, le receveur général était arriéré d'environ 40,000L. Son fils et son successeur s'est chargé de cette somme, et il a failli, en 1823, pour environ 100,000L. outre environ 100,000L. de plus d'avancés, qui n'avaient pas été réglés depuis ce temps jusqu'en 1826, nonobstant les adresses réitérées de l'assemblée. On a fait connaître à l'assemblée cet état des comptes du receveur-général, qu'après sa faillite.

Qu'entendez-vous en disant qu'il y avait en 100,000L. de plus d'avancés ?—Ils avaient été avancés par le receveur-général à des personnes employées à mettre en exécution des actes de la législature provinciale contenant des appropriations spéciales. Le mode d'avancer les deniers est sûrement mauvais dans le Bas-Canada, le receveur-général les avance sur ce qu'on appelle des lettres de crédit ; le gouverneur donne ces lettres aux personnes contre le receveur-général, ce dernier avance l'argent, mais il ne le porte à son compte que lorsque ces lettres de crédit sont converties par warrant, et le warrant n'émane généralement que quand l'ouvrage est fini, et non avant, ce qui est la raison pourquoi il y a des sommes si considérables de sorties ; on n'a pas émané de warrant, parce que l'ouvrage n'a pas été achevé, ou par ce que les comptes n'ont pas été appuyés d'une manière suffisante.

Vous vous plaignez aussi dans votre pétition du défaut de contrôle suffisant sur la dépense de la part de ceux qui paient les deniers ; avez-vous quelques observations à faire sur ce chef ? Dans la réalité on n'a laissé aucun contrôle sur la dépense à l'assemblée représentative de la province, depuis l'origine de la constitution en 1792, jusqu'au temps présent, et dans les derniers temps le gouvernement local n'a en général fait aucune attention à ses votes et à ses représentations, excepté en 1825, durant l'administration de Sir Francis Burton. Le seul contrôle sur ces dépenses qu'il y ait dans la colonie, réside dans le gouverneur et le conseil, qui dépensent l'argent et en disposent, et dans la trésorerie en Angleterre, sur les rapports du gouverneur et du conseil. Depuis l'année 1819, on a appliqué sans appropriation, et en partie à des dépenses nouvelles et sans nécessité, environ 140,000L. du revenu provincial, que le gouvernement admet être à la disposition de la législature coloniale. En outre il reste à régler des avances considérables, faites il y a 10 ans.

Avez-vous mis sur le papier quelques renseignements que vous désiriez communiquer à ce comité ?—Je l'ai fait.

Voulez-vous avoir la bonté de considérer ce papier, et de détailler au comité les renseignements qu'il contient ?—En 1760, le Canada fut livré par capitulation par le gouvernement français à Montréal, à condition que les habitants conserveraient leurs biens de toute espèce et deviendraient sujets britanniques. En 1763, le Canada fut cédé par le roi de France à condition du libre exercice de la religion catholique, &c. En 1763, proclamation du roi, promettant les avantages des lois d'Angleterre, et une assemblée représentative comme dans les autres colonies. En 1774, l'acte de Québec, de la 14e. Geo. III. c. 83, déclarant en force les anciennes lois du Canada. L'acte de revenu de Québec de la 14e. Geo. III. c. 88. En 1778, l'acte déclaratoire pour l'application des droits par les législatures coloniales. En 1791, l'acte constitutionnel, 31 Geo. III. c. 31, qui établit une assemblée représentative, et un conseil législatif, et qui autorise sa Majesté, pendant la durée de l'acte, à faire des lois avec leur avis et consentement pour la paix, le bien-être et le bon gouvernement de la province. En 1793, le premier acte de revenu passé dans la colonie pour les dépenses de la législature. En 1794, 29 avril, message du gouverneur pour le rappel absolu de l'acte de revenu de 1774, " aussitôt que les provinces du Haut et du Bas-Canada auront passé des lois pour imposer les mêmes droits, ou d'autres droits d'un montant égal à ceux qui sont payables en vertu de cet acte, et que ces lois auront obtenu la sanction royale, les ministres du roi seront prêts à proposer au parlement le rappel de l'acte ci-dessus mentionné." En 1795, le second acte de revenu passé appropriant 5,000L. sterling annuellement à l'administration de la justice. En 1799, 3 juin, acte passé en conformité au message de 29 avril, 1794, pour être en force aussitôt que le rappel sera rendu public par proclamation du gouverneur, &c. Cet acte est perpétuel et appropriant 11,799L. 18s. 13d. par an aux dépenses générales du gouvernement. En 1809, les dépenses du gouvernement civil croissent rapidement, et avaient doublé en 14 ans, savoir d'environ 20,000L. à environ 40,000L. L'assemblée s'adressa au roi pour se charger de toutes les dépenses, dont une partie avait été payée auparavant par la mère-patrie. En 1818, l'assemblée fut requise au nom de sa Majesté, de pourvoir aux dépenses du gouvernement civil, sur un estimé au montant d'environ 66,000L. sterling, et elle vota, par adresse, le complément de la somme totale qu'on demandait pour l'année, qu'elle couvrirait par un bill qui fut passé l'année suivante. En 1819, le gouverneur requit une augmentation pour le service du gouvernement civil au montant d'environ 16,000L. ce que l'assemblée refusa ; mais elle vota et passa un bill sur le pied des dépenses de l'année précédente, à l'exception des allowances de quelques sinécristes et de quelques absents, dont elle chargea ensuite quelques-unes en pensions sur la recommandation du gouvernement. Depuis ce temps, les bills passés annuellement par l'assemblée pour pourvoir à la dépense civile, ont été rejetés constamment, à l'exception de l'année 1822, qu'une représentation fut transmise par l'assemblée à sa Majesté, où elle expliquait les motifs de son refus à accorder des subsides additionnels, d'une autre manière qu'annuellement, comme elle en avait été requise jusque là par message du gouverneur en chef, et excepté aussi en 1823 pour partie, et en 1825 que le bill de subsides passé par l'assemblée devint loi sous l'administration de Sir Francis Burton. Les subsides appropriés d'une manière permanente par la législature coloniale sont les revenus de l'acte de 1793, qui se montent à environ 2,000L. par an, pour les dépenses de la législature, et 5,000L. sterling par an pour l'administration de la justice. Le gouvernement local réclame aussi le revenu territorial donné à la colonie par sa feu Majesté, le 29 avril, 1794, " pour être appliqué au défrayment des dépenses civiles de la province," se montant à environ 5,000L. par an, et le montant du produit de l'acte de revenu de Québec de 1774, ci-dessus mentionné, lesquels produits, par le rappel en 1822 d'une remise accordée ci-devant sur les exportations de la colonie aux Indes Occidentales, se sont accrus d'environ 10,000L. à environ 20,000L. par an. L'exécutif a dernièrement réclamé l'application de toutes ces sommes, en tels montants qu'il lui plairait, aux dépenses qu'il jugerait être les dépenses du gouvernement civil et de l'administration de la justice, sans consulter l'assemblée, et il requiert l'assemblée de pourvoir au déficit. L'assemblée d'un autre côté insiste à ce que généralement aucun item ne fasse partie des dépenses du gouvernement sans sa concurrence. Cependant, depuis 1819 (à l'exception de 1823 et de 1825 comme ci-dessus mentionné) le gouverneur a payé tel déficit qu'il a trouvé à propos à même les deniers qu'il reconnaît être à la disposition de la législature coloniale, au montant d'environ 140,000L. ne laissant rien ou presque rien pour les améliorations locales, l'éducation, et les autres pressants besoins du pays.

Vous avez dit que les réclamations faites par le gouverneur n'avaient été avancées que dernièrement ; cela paraît vouloir dire que le gouverneur avait dans l'origine reconnu le droit de la province à l'appropriation de tous les deniers ?—On l'avait compris ainsi en 1819, que la législature du Bas-Canada aurait le contrôle de toute la dépense.

Comment cela paraît-il ?—Cela paraît par le message et par les estimés de l'année. L'assemblée législative ne fit-elle pas par l'acte de 1819 une appropriation de toute le revenu de la colonie ?—Il fut passé en 1819, un acte qui appropriait un montant de 40,000L. pour remplir le déficit entre les revenus appropriés et les dépenses du gouvernement, parce que ces revenus appropriés étaient insuffisants.

Contenait-il quelque clause semblable à celle qui a été insérée dans l'acte de l'année 1825 ?—Je ne me rappelle pas exactement de la clause, mais je pense qu'elle y était semblable ; le bill de 1819 était pour couvrir les dépenses de l'année précédente, qui avaient été faites sur l'adresse de la chambre.

Que fit-on en l'année 1820 ?—Il n'y eut pas de session en 1820. En 1821 il fut passé un bill par chapitres, votant toutes les dépenses du gouvernement, et appliquant les revenus appropriés pour en former partie.

Quand croyez-vous que le gouvernement ait réclamé pour la première fois l'appropriation permanente d'une partie du revenu ?—En 1822, le gouverneur énonça par un message à l'assemblée, qu'il avait en son pouvoir certains revenus qu'il appliquerait à certaines dépenses du gouvernement, demandant à la législature de pourvoir aux services locaux qui ne forment pas partie du gouvernement civil, et parmi les items auxquels on requerrait l'assemblée de pourvoir, comme ne faisant pas partie du gouvernement civil, étaient les dépenses de la législature de la colonie.

En l'année 1818, lorsque le gouverneur requit la province de fournir des deniers pour le soutien du gouvernement civil en entier, ne fit-il pas de son côté quelque promesse conditionnelle, et les conditions en ont-elles été remplies ?—La demande faite à l'assemblée d'alors était de pourvoir généralement aux dépenses du gouvernement. On avait compris alors que puisque l'assemblée était chargée de toutes les dépenses du gouvernement civil de

de 1823 et de 1825 comme ci-dessus mentionné) le gouverneur a payé tel déficit qu'il a trouvé à propos à même les deniers qu'il reconnaît être à la disposition de la législature coloniale, au montant d'environ 140,000L. ne laissant rien ou presque rien pour les améliorations locales, l'éducation, et les autres pressants besoins du pays.

Vous avez dit que les réclamations faites par le gouverneur n'avaient été avancées que dernièrement ; cela paraît vouloir dire que le gouverneur avait dans l'origine reconnu le droit de la province à l'appropriation de tous les deniers ?—On l'avait compris ainsi en 1819, que la législature du Bas-Canada aurait le contrôle de toute la dépense.

Comment cela paraît-il ?—Cela paraît par le message et par les estimés de l'année. L'assemblée législative ne fit-elle pas par l'acte de 1819 une appropriation de toute le revenu de la colonie ?—Il fut passé en 1819, un acte qui appropriait un montant de 40,000L. pour remplir le déficit entre les revenus appropriés et les dépenses du gouvernement, parce que ces revenus appropriés étaient insuffisants.

Contenait-il quelque clause semblable à celle qui a été insérée dans l'acte de l'année 1825 ?—Je ne me rappelle pas exactement de la clause, mais je pense qu'elle y était semblable ; le bill de 1819 était pour couvrir les dépenses de l'année précédente, qui avaient été faites sur l'adresse de la chambre.

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de la colonie, tous les moyens seraient à sa disposition. Nous regardions comme partie de ces moyens les revenus qui étaient déjà appropriés en partie à cet objet.

Le gouverneur ne promit-il pas que l'acte de 1774 serait rappelé?—Pas en 1818; en 1794 le gouverneur avait annoncé dans son message à la législature d'alors, qu'aussitôt que la législature du Haut-Canada et celle du Bas-Canada auraient imposé les mêmes droits, ou d'autres à égal montant, les ministres de sa Majesté recommenceraient au parlement le rappel de l'acte de 1774; en 1799, un acte de cette espèce fut passé par la législature du Bas-Canada, et reçut la sanction royale. Cet acte se trouve dans le recueil de nos statuts, et il ne reste maintenant au parlement britannique qu'à rappeler l'acte de 1774, pour avoir une appropriation permanente de 12,000*l*.

Supposant que l'acte de revenu de 1774 soit maintenant rappelé, croyez-vous que la législature aurait le contrôle de l'appropriation permanente qui fut alors votée sous condition?—Je dois avouer qu'il y a quelque doute sur ce point; je dirais décidément, oui elle l'aurait; mais ce n'est là qu'une opinion individuelle.

Pouvez-vous donner au comité un détail général de l'état présent de la population et de la représentation dans le Bas-Canada?—La population du Bas-Canada, suivant le recensement fait conformément à une disposition législative en 1824, était d'environ 430,000 âmes. Il y avait dans ce premier recensement de nombreux omissions. La population était alors au-dessus de 500,000; elle doit maintenant se monter à environ 600,000. Les neuf-dixièmes environ vivent du travail de la culture sur leurs propres terres; ce sont des propriétaires qui possèdent depuis 60 jusqu'à 120 arpens en superficie. La terre est couverte de neige environ six mois de l'année; ils peuvent cependant vivre avec quelque aisance, et élever de nombreuses familles. Le revenu des terres sur lesquelles le propriétaire ne travaille pas lui-même, est peu considérable. Il peut y avoir quelques centaines de propriétaires qui retirent annuellement pour leur terres des rentes de 100*l*. à 300*l*. Les principaux revenus fonciers sont les revenus seigneuriaux, ils se montent par an de 100*l*. à 1,500*l*. ce qui est le maximum. L'autre dixième de la population est lié avec les villes, où les habitants sont pour la plupart propriétaires de maisons et d'emplacements. Les plus riches ont des revenus annuels de 500*l*. à 2,000*l*.; mais il n'y en a que bien peu de ces derniers. En général les classes commerçantes ont plutôt baissé que fait des profits ces dernières années.

La représentation a été fixée à 50 membres par la proclamation du gouverneur en 1792, et toute la province a été comprise dans la division des comtés. Depuis ce temps nombre de townships sur les frontières des Etats-Unis, ont été établis par des émigrants américains. Il y avait alors et il y a encore en tous sens des déserts d'un grand nombre de milles entre ces établissements et les anciens. Depuis la dernière guerre on a dépensé et demandé des sommes considérables de deniers publics pour leur ouvrir des chemins jusqu'au fleuve St. Laurent, mais la plus grande partie en a été dépensé inutilement. Il y a environ dix ans les personnes désirèrent d'avoir des représentants, à part des anciens établissements Canadiens, dans les comtés où les townships sont situés. Depuis 1818, la chambre d'assemblée a envoyé presque tous les ans des bills au conseil législatif, pour augmenter et cadastrer la représentation de la province, et pour faire des townships des comtés séparés. En général les townships ont déclaré qu'ils étaient contents de ces bills, mais ils ont été perdus dans le conseil législatif. Ces townships contiennent, d'après le recensement, environ 30,000 âmes.

Vous savez qu'une partie des terres du Canada est tenue en franc et commun socage? Les terres des townships sont sous cette tenure.

Toutes les terres concédées depuis 1791 n'ont-elles pas été concédées sous cette tenure? Je crois qu'on n'a pas fait de concession en franc et commun socage avant 1796; je pense qu'entre 1774 et 1791, il a été fait deux concessions à titre de seigneurie. Les instructions du roi jusqu'en 1786 étaient de concéder en fief et seigneurie. On peut voir le tout dans le rapport des terres dans le journal de l'assemblée de 1824.

Supposant qu'un propriétaire de terres tenues en franc et commun socage décédât *ab intestat*, suivant quelle loi prétendez-vous que ses biens passeraient à ses enfants?—On a cru jusqu'ici que les biens passeraient aux enfants conformément aux lois du Canada, mais depuis la passation de l'acte de la Ge. Geo. IV. c. 59, communément appelé acte des tenures, il est entendu que les biens seraient partagés suivant les lois d'Angleterre, parce que cet acte a déclaré les lois d'Angleterre applicables aux terres du Canada concédées sous cette tenure. Cet acte a un effet rétroactif, qui jettera le pays dans une grande confusion si on le met à exécution.

De quelle manière cette confusion s'élèverait-elle?—Elle s'élèverait en annulant un grand nombre de ventes qui ont été faites par les shérifs et autrement, et qu'on a regardées jusqu'ici comme légales; elle détruirait les droits des mineurs et des absents, ceux des femmes et des interdits, et des créanciers qui ont prêté de l'argent sous la supposition que les lois du Canada s'appliquaient à ces townships, et que les biens seraient partagés suivant les lois du Canada.

Pouvez-vous citer quelque statut sur lequel ait été fondée la croyance que les lois françaises s'appliquaient aux terres tenues en franc et commun socage?—J'avoue que l'acte de 1774 contient sous la forme d'un proviso une disposition que rien d'y contenu ne s'écartera aux terres tenues ou qui seront tenues en franc et commun socage dans le Bas-Canada; mais ce n'a jamais pu être l'intention du parlement d'établir deux systèmes de lois dans la colonie; et sur ce principe les juges ont uniformément décidé que les terres tenues en franc et commun socage seraient régies par les lois du Canada.

A quelles décisions des juges faites-vous allusion?—En conséquence des décisions des juges, toutes les terres qui ont été vendues par les shérifs sont tombées sous l'opération des lois du Canada.

Considérez-t-on comme chose légalement établie, que les immeubles des townships sont soumis aux lois françaises?—Je crois que dans un ou deux townships, particulièrement dans le township de Hull où il y a quelques établissements canadiens, les lois du Canada ont été appliquées aux propriétés; on y a hérité en la manière et forme prescrites par les lois du Canada, et ces partages et ces transports de biens ont été tenus pour valides.

Y a-t-il en quelque dispute sur ce sujet?—Il n'y a pas eu de dispute; parce qu'il n'y a pas eu de différence d'opinion à ce sujet jusqu'à l'acte de la Ge du roi.

Le comité doit-il conclure que vous ne connaissez aucune décision des cours de justice sur le point en dispute?—Je ne sais pas que la question se soit jamais élevée dans la colonie.

Les cours des successions dans les townships a-t-il eu lieu dans la pratique suivant les lois françaises?—Oui.

Pouvez-vous le dire d'après votre propre connaissance?—Je ne suis pas avocat, et je n'ai jamais eu d'intérêt dans aucun procès où cette question se soit élevée.

Sur quel motif fondez-vous votre opinion que ce n'aurait pu être l'intention de la législature d'établir par les dispositions de l'acte de la 14^e Geo. 3, deux différents systèmes de loi dans la colonie, à l'égard des propriétés foncières?—A cause de l'impossibilité d'agir sous deux systèmes de lois sans produire la plus grande confusion. D'ailleurs il ne serait pas raisonnable de supposer que le parlement ait eu intention d'introduire la loi d'Angleterre dans un pays déjà régi par un système différent, sans mettre en même temps ceux qui devaient être guidés par la loi, à même de savoir quelle étaient les nouvelles lois introduites.

Né savez-vous pas que les lois de tenure en *gavelkind* et en *bourg-anglais* s'appliquent à certains immeubles en Angleterre, et que la loi du franc et commun socage s'applique à la plus grande partie du pays, et qu'on ne trouve aucun inconvénient à cette diversité de la loi?—J'ai entendu parler d'un très grand nombre d'espèces différentes de tenure en Angleterre, et je crois que le peuple est bien fâché qu'il y en ait tant. A en juger d'après un discours que j'ai lu, et qui s'annonçait comme ayant été récemment prononcé au parlement, je ne penserais pas que les lois d'Angleterre telles qu'elles sont à présent fussent à désirer en Canada.

Voulez-vous dire quels seraient dans votre opinion les inconvénients qui résulteraient si la loi anglaise de succession aux immeubles avait cours dans les townships en même temps que la loi française prévaudrait dans les seigneuries?—J'ai déjà dit qu'il en résulterait de la confusion dans les cours de justice si elles étaient obligées d'agir sous deux

différents systèmes de lois, et je crois la division légale des districts maintenant calculée à prévenir l'opération régulière et conjointes des lois anglaises et des lois françaises.

Y aurait-il quelque difficulté à démarquer les différents districts où les différents systèmes devraient prévaloir?—Cela n'est pas impossible.

Y aurait-il quelque difficulté à établir des cours différentes, où on administrerait les deux différents systèmes de lois à l'égard des propriétés foncières?—Aucune.

Résulterait-il en ce cas quelque confusion?—Pas, si les nouvelles cours étaient établies dans les endroits où la tenure générale serait le franc et commun socage, et si la loi d'Angleterre s'appliquait à ce territoire particulier.

Les lois d'Angleterre ne prévalent-elles pas déjà en partie par l'usage dans les townships?—Je crois que dans les townships on ne connaît ni les lois anglaises ni aucune autre loi; cette contrée a été en grande partie sans lois depuis son établissement. Je crois que les lois qui ont cours dans les Etats-Unis d'Amérique sont celle qu'on y entend le mieux.

Les lois anglaises ont-elles prévalu par l'usage au sujet de la succession aux immeubles?—Je ne connais pas qu'elles aient généralement prévalu; il pourrait y en avoir quelques exemples, mais une grande partie des gens qui ont des terres dans les townships les possèdent sans titres; ce ne sont que des colons parasites; des personnes en possession des terres qui n'ont aucun titre; ils se font des ventes les uns aux autres, mais ils ne vendent que les améliorations; pour employer le mot dont ils se servent, ils vendent les *betterments*; ils ne vendent jamais la terre elle-même; ils n'en vendent que la possession, et les améliorations.

Prétendez-vous appliquer cela d'une manière générale à tous les townships du Bas-Canada?—Je crois que dans plus de la moitié de tous les townships, il n'y a pas un individu sur dix qui ait un titre légal sous la Ge. Geo. IV, chapitre 59, probablement qu'un tiers d'entre eux peut avoir de justes réclamations sur ces terres en vertu de la possession.

N'y a-t-il aucun colon dans les townships qui ait amélioré les terres qu'il avait légalement acquises, sous la concession du gouvernement?—Il y en a sans doute quelques-uns qui ont fait des améliorations considérables; je connais un monsieur de là qui a dépensé une fortune à améliorer des terres qui lui avaient été concédées par le gouvernement, M. Feltou.

Comment rendez-vous compte de ce qu'il y a si peu d'émigrés d'établis dans le Bas-Canada, et de la grande préférence que les émigrés anglais donnent au Haut-Canada pour s'y établir?—Il en existent différentes causes; d'abord le climat du Haut-Canada est meilleur; ils y retrouvent leurs amis en plus grand nombre. Les émigrés irlandais qui sont catholiques romains préfèrent généralement demeurer dans le Bas-Canada; les protestants préfèrent monter au Haut-Canada; mais je ne crois pas qu'il y ait rien dans les lois du pays qui les empêche de s'établir dans le Bas-Canada.

Suivant votre opinion, y a-t-il quelque chose de décourageant qui s'oppose à leur établissement dans le Bas-Canada sans l'empêcher absolument?—Je crois que le climat est ce qu'il y a de plus décourageant.

Comment rendez-vous compte de ce qu'il n'y a d'autres habitants dans les townships, que les colons parasites dont vous parlez, et un ou deux particuliers que vous dites avoir appliqué de l'argent à l'amélioration des terres; la différence du climat suffit-elle seule pour en rendre compte, ou y a-t-il quelque objection au système des lois françaises?—Je ne crois pas que le système actuel des lois mette aucun empêchement à l'établissement actuel des townships du pays; parce que je ne connais pas que les établissements se soient accrues dans les townships depuis la passation de l'acte de la Ge. du roi, qui déclare que toutes les terres de ces townships sont sous l'opération des lois d'Angleterre.

Quel sera, suivant votre opinion l'effet de la disposition de l'acte des tenures du Canada qui donne pouvoir aux particuliers dans les seigneuries de changer la tenure de leurs biens, et de les tenir en franc et commun socage?—Il existe selon moi une objection, à la commutation du côté du seigneur; les seigneurs du Bas-Canada tiennent leurs terres en dépôt pour les colons qui veulent s'y établir, et l'effet de la commutation serait de les rendre propriétaires de ce qu'ils ne tiennent qu'en dépôt pour les colons qui veulent s'établir.

Voulez-vous expliquer ce que vous entendez en disant que le seigneur ne tient ses terres qu'en dépôt pour les colons qui veulent s'y établir?—Presque toutes les seigneuries du Bas-Canada ont été concédées dans l'origine, sous la condition que le seigneur accorderait des terres aux colons qui en demanderaient, moyennant une modique rente annuelle; et sur son refus la propriété est dévolue à la couronne, qui la concède aux colons sur leur application. Il y a eu quelques décisions à ce sujet dans les cours de justice du Canada avant la conquête, lorsque les seigneurs avaient refusé de concéder, et les terres qu'ils avaient ainsi refusé de concéder furent réunies au domaine du roi.

En même temps que le seigneur était requis de permettre aux colons de s'établir sur ses terres, moyennant une modique rente, n'était-il pas forcé de son côté de payer une certaine rente à la couronne?—Les seuls droits que le seigneur paie à la couronne sont le droit de quint, qui ne se paie que dans le cas où la seigneurie est vendue.

Vous savez que l'acte des tenures ne commande rien de forcé, mais qu'il ne fait qu'accorder des facilités aux parties qui désirent changer leurs droits de propriété?—Je l'entend de même.

Le sujet n'est-il pas exprimé à peu près comme suit: que le seigneur est mis en possession de toutes ses terres sous la tenure en franc et commun socage, moyennant certaine finance, et à condition de pouvoir être forcé à la mutation des terres de ses tenanciers en franc et commun socage, moyennant tel dédommagement qui sera réglé par arbitrage sur un principe donné?—J'ai déjà fait observer que selon moi le pouvoir donné au seigneur de changer sa tenure était un pouvoir injuste; que c'était convertir à son propre usage ce qui ne lui avait été donné qu'en dépôt. L'obligation de sa part à changer la tenure de ses tenanciers, viendrait naturellement et comme de suite après sa commutation avec la couronne; d'un autre côté je ne puis penser facilement que le seigneur trouvât son intérêt, en se refusant à changer la tenure de ses tenanciers, à se soumettre à un arbitrage de la nature de celui qui est décrit dans l'acte.

Ainsi vous croyez que l'acte des tenures du Canada n'aura aucun effet puisqu'il ne sera pas de l'intérêt du seigneur de se conformer à ses termes?—Je le crois, en grande partie.

Si on s'y conformait, pensez-vous que cela retardât l'établissement et la culture des terres?—Je ne pense pas que la tenure des terres en seigneurie soit du tout nuisible aux établissements; au contraire, je crois qu'elle les facilite.

Les seigneurs s'établissent-ils quelque fois dans leurs terres, et les cultivent-ils eux-mêmes?—Les seigneurs résident en grande partie dans leurs seigneuries; ils y trouvent leur avantage.

Regarderiez-vous ces seigneurs comme tenant leurs terres en dépôt pour les colons?—Tous les seigneurs tiennent leurs terres en dépôt pour les colons excepté un domaine qu'ils peuvent garder pour leur propre usage.

Voulez-vous dire qu'ils soient réellement des dépositaires, ou s'ils ne le sont qu'en théorie?—Ils sont dépositaires en théorie et dans le fait; les terres leurs ont été données à condition de les reconcéder aux colons; parce que si le seigneur se refuse à une application pour des terres, la personne éconduite aurait le pouvoir, en se plaignant à la couronne, de faire réunir au domaine la terre qu'elle aurait demandée, et d'en obtenir la concession de la couronne moyennant les redevances d'usage.

Au cas que le seigneur se serait établi sur ses terres et les cultiverait lui-même, est-il obligé de concéder ses terres à un sous-tenancier si on les lui demandait?—Il ne l'est pas, parce qu'il remplit lui-même les obligations d'établissement. L'objet de la concession des terres était de les faire établir; s'il cultivait toutes ses terres lui-même, il cesserait d'être dépositaire, *quoad* la partie séparée, qu'il cultiverait lui-même.

Ainsi par rapport aux terres qu'il aurait cultivées lui-même, les mêmes motifs ne s'opposeraient pas à leur conversion en franc et commun socage?—Certainement non, s'il pouvait avoir quelque motif de le faire.

Une seigneurie n'a-t-elle pas appartenu quelquefois à plus d'un propriétaire?—Oui; les seigneuries ont été beaucoup subdivisées.

Supposant qu'un des propriétaires ne consente pas à l'application qu'on lui fait pour un lot de terres en friche?—Il y a une autre difficulté à laquelle l'acte des tenures n'a pas pourvu suffisamment. Quand il y a des co-propriétaires dans une seigneurie possédée par indivis, il faut avoir le consentement de tous les propriétaires pour obtenir un arrangement de tenure. Quant à l'application pour les terres en friche, le possesseur du manoir est le seul à qui les applicans aient à faire tant qu'il n'y a pas de partage légal.

Les pétitionnaires que vous représentez se plaignent-ils de la composition du conseil législatif?—Ils s'en plaignent.

De quoi se plaignent-ils?—Ils se plaignent de ce que la majorité des membres du conseil législatif est composée de fonctionnaires tenant des places de profit durant bon plaisir, et en conséquence on ne le regarde pas comme indépendant de la couronne.

Comment proposent-ils d'y remédier?—Je ne sais pas qu'on ait pris leur opinion sur ce point spécial. Je puis dire seulement au comité, comme mon opinion, que s'il n'était pas expédient de rendre le conseil législatif électif, les juges devraient certainement être exclus de ce corps, ainsi que les collecteurs et les receveurs du revenu, et les auditeurs des comptes. De l'autre côté si le conseil législatif devait être électif, il serait certainement nécessaire d'établir une certaine qualification pour les électeurs et une certaine qualification pour les membres; mais décidément les personnes d'une certaine description ne devraient pas être élues membres du conseil, par exemple, les collecteurs et les receveurs du revenu.

Dans le cas où la nomination du conseil législatif demeurerait toujours à la couronne, ne penseriez-vous pas à propos de porter l'exclusion des personnes en place et des fonctionnaires sous le gouvernement, au delà des places de juges, de receveurs, et de collecteurs du revenu?—Je croirais que pour mieux assurer l'indépendance de ce corps toutes les nominations futures des membres du conseil devraient être sujettes à vaquer par l'acceptation d'une place de profit durant bon plaisir.

En supposant que la nomination du conseil législatif demeurât toujours entre les mains de la couronne, ne croiriez-vous pas à propos que les personnes qui tiennent des places sous le gouvernement ne forment qu'une certaine proportion du conseil législatif?—Ils ne devraient certainement former, à beaucoup près, que la moindre proportion du conseil, de manière à avoir une majorité d'hommes indépendans.

Croiriez-vous qu'il y eût une plus grande sûreté de cette manière, que si le conseil législatif était électif, et si les membres tenaient leurs places à vie?—Quant à cela, je ne voudrais pas que le conseil législatif fût électif.

Combien y a-t-il de personnes en Canada qui soient qualifiées par leur caractère et leurs propriétés à être membres du conseil législatif?—Il y a un grand nombre de personnes qu'on pourrait maintenant appeler au conseil, au grand avantage du gouvernement et du pays; il y a plusieurs grands propriétaires fonciers, d'une bonne éducation, qui pourraient être utiles dans cette situation.

La majorité de ces personnes est-elle d'extraction française?—Assurément; il y a bien peu de grands propriétaires anglais dans le pays; ils viennent dans le pays pour y faire le commerce, et leur but est d'acquiescer quelque chose qui puisse se transporter aisément.

Voulez-vous détailler vos objections à ce qu'on rendit le conseil législatif électif?—Je pense que cela pourrait peut-être mettre ce corps sous la dépendance du peuple, et j'aimerais à le voir indépendant du peuple et de la couronne.

Ne paraît-on pas à ce qu'il dépendit ainsi du peuple, en rendant leurs sièges à vie?—Certainement, s'ils étaient élus, et que leur élection fût pour la durée de leur vie naturelle, il cesserait de dépendre du peuple.

Pensez-vous qu'on pourrait introduire le principe d'élection avec avantage dans la composition du conseil législatif, en ne rendant pas tout le conseil électif, mais seulement une partie?—Si on pouvait changer la composition de ce corps de manière à le rendre indépendant sans élection, je le préférerais.

Etes-vous d'opinion que dans le cas où il serait passé par le parlement ou le gouvernement d'Angleterre quelques mesures qui affectassent considérablement la constitution de la province du Canada, la province fut fort-mal disposée à recevoir ces mesures sans avoir eu d'abord l'occasion d'exprimer son opinion sur icelles?—Je regarde la constitution des gouvernemens du Haut et du Bas-Canada, comme un pacte entre la mère-patrie et les colonies, genre de pacte qui ne peut être changé sans le consentement de toutes les parties. Je croirais qu'un changement quelconque à la constitution du gouvernement du Bas-Canada sans qu'on eût commencé par consulter les habitans, serait très-mal reçu d'eux.

Les habitans du Bas-Canada n'ont-ils pas demandé par pétition aux chambres du parlement, de faire certains changemens à leur constitution?—Je crois que non; au contraire ils demandent qu'on n'y fasse aucun changement quelconque.

A parler généralement, ne croyez-vous pas que les habitans du Bas-Canada attribuent les désordres et les mécontentemens qui ont eu lieu, non à la constitution elle-même, mais à la manière dont cette constitution a été administrée?—Certainement; il n'y a aucun doute que la forme de gouvernement sous laquelle ils vivent maintenant est admirablement bien calculée à assurer leur bonheur, si elle était convenablement administrée.

Croyez-vous que c'est l'opinion qu'on en a dans les townships?—Je crois que les townships se sont plaints. Je ne sais pas si leurs plaintes viennent d'eux, ou si on les fait se plaindre. Généralement je n'ai entendu aucune plainte dans la colonie contre les lois.

Dans la plainte que font les pétitionnaires de la composition du conseil législatif, ne croient-ils pas demander que le conseil législatif soit composé comme on avait intention qu'il le fût par l'acte de 1791?—Sans doute qu'on avait intention de faire du conseil législatif, à l'imitation de la chambre des lords ici, un corps indépendant qui eût une mise et un intérêt dans le pays, et qui dût s'élever et tomber avec lui; mais c'est le contraire en Canada; ces personnes ne sont pas indépendantes de la couronne comme l'est ici la chambre des lords; ce sont des individus qui dépendent directement de la couronne, possédant pour la plupart des places de profit durant bon plaisir, c'est-à-dire, qu'ils sont sous la dépendance actuelle du gouvernement local.

Le peuple du Bas-Canada ne regarde-t-il pas le manque de sûretés pour un choix convenable des conseillers législatifs, comme un défaut dans la constitution de la colonie?—Les personnes qui ont été appelées au conseil législatif, l'ont été en vertu de la prérogative royale; sans doute que la nomination doit venir en quelque sorte de la colonie, et quoique le gouvernement d'ici puisse être tout-à-fait disposé à n'adjoindre à ce corps que des personnes parfaitement indépendantes, il est cependant fréquemment exposé à l'erreur, et parce qu'il était mal informé, on y a appelé un certain nombre de personnes qui n'y devraient pas être.

Voyant la manière dont on a exercé la prérogative, ne pensez-vous pas qu'elle a besoin de quelque restriction?—Sans doute. Je croirais que s'il était nécessaire de faire à ce sujet quelque disposition législative, on devrait régler le système de nomination au conseil, en exigeant que les membres nommés eussent un certain revenu annuel et foncier.

Ne serait-ce pas là un changement à la constitution de la colonie?—Certainement non; parce qu'on avait intention que les grands propriétaires fonciers du pays formassent un corps intermédiaire entre l'assemblée et la couronne; il n'y a aucun doute que sur des instructions envoyées de ce pays dans la colonie, on pourrait introduire un bill pour exiger certaines qualifications des membres du conseil législatif.

Vous dites que vous regardez la constitution du Canada comme un pacte entre deux corps qui ne peut être changé sans le consentement de l'un et de l'autre; portez-vous cette opinion assez loin pour soutenir que le parlement britannique ne pourrait faire aucun changement à l'acte de 1791 sans le consentement de l'assemblée du Bas-Canada?—Je suis d'avis que le parlement, dans l'exercice de son pouvoir général de surveillance, a le droit de faire des lois pour les colonies en général; mais par rapport à la législation intérieure, le parlement s'est virtuellement dessaisi de ce pouvoir à l'égard du Haut et du Bas-Canada, en leur donnant un acte par lequel ils ont le pouvoir de faire des lois pour la paix, le bien-être, et le bon gouvernement du pays.

Si on doit regarder l'acte de 1791 comme un contrat solennel auquel il y a eu trois parties

contractantes, savoir, le parlement de la Grande Bretagne et les deux législatures des deux colonies, le comité doit-il entendre qu'il n'est pas au pouvoir du parlement de changer les clauses qui se rapportent aux réserves de terres pour le clergé, et qui se trouvent dans ce pacte solennel et en forment partie?—Sur ce sujet, je crois vraiment que le parlement a le pouvoir de changer la partie qui a rapport aux terres; ce sujet et quelques autres sont spécialement réservés dans l'acte.

Supposant qu'il fût admis que l'acte de 1791 eût le caractère d'un pacte formel, préten-
lez-vous dire, comme votre opinion, que pour l'avantage de ces provinces, il n'est pas constitutionnellement au pouvoir du parlement de la Grande Bretagne de législater au sujet du gouvernement des Canadas?—Quant au pouvoir, je ne le nie pas. On pourrait mettre le droit en question, et la convenance est plus que douteuse.

Attachez-vous la même importance qu'un des témoins précédens à la nécessité d'avoir un agent en ce pays pour la colonie du Bas-Canada?—Je pense qu'il est très-essentiel et très-nécessaire, d'autant que la Grande Bretagne s'est réservé le droit de régler notre commerce, qu'il y eût un agent pour veiller ici aux intérêts de la colonie.

Comment croyez-vous que cet agent dût être nommé?—Par la législature de la colonie.

Voulez-vous dire par les deux branches de la législature?—Il est de vérité qu'aucun acte pour pourvoir à la nomination d'un agent ne peut avoir lieu sans le consentement des trois branches. En général, les agens qui représentent quelques-unes des colonies, ont été nommés par les assemblées représentatives. Si on faisait quelque grande objection à la nomination, il en pourrait être nommé un par l'assemblée, et un autre par le conseil législatif, de sorte que le pays aurait l'avantage d'avoir deux agens au lieu d'un; mais je crois vraiment que l'assemblée ne consentirait pas au paiement d'un agent dont elle n'aurait pas le choix.

Il y a certains items de dépenses pour salaires de quelques individus au paiement desquels l'assemblée s'est refusée, regardant les situations de ces individus comme inutiles; êtes-vous d'opinion que si on discontinuait ces salaires, et que ces situations fussent tombées avec la vie de ceux qui retirent ces salaires, l'assemblée eût quelque objection à les payer durant la vie des parties?—L'assemblée l'a déjà fait en quelques cas, lorsqu'on l'en a requis; et je crois vraiment qu'elles n'auraient aucune objection à convertir ces salaires en pensions; quant à moi je voterais décidément pour; je crois vraiment qu'il n'y aurait aucune objection pourvu qu'on fit disparaître tous les autres griefs.

Samedi, 14e jour de juin 1828.

Le Rév. Crosbie Morgell, introduit; et examiné.

Avez-vous été chapelain de l'Evêque de Québec?—Oui.

Combien de tems avez-vous résidé en Canada?—Depuis le mois de juin 1826 jusqu'au mois de décembre 1827.

Avez-vous été chapelain de l'Evêque de Québec pendant tout ce tems?—Oui; je suis parti de ce pays avec sa seigneurie.

Avez-vous eu occasion durant votre séjour en Canada d'acquiescer des connaissances personnelles sur la condition ecclésiastique de ces provinces?—Toutes les occasions possibles. Pendant six mois du tems que j'ai résidé avec l'Evêque, j'ai été employé à parcourir le pays; nous avons fait deux visites d'été et une d'hiver; pendant le cours de ces voyages nous avons visité tous les ecclésiastiques du diocèse, excepté cinq dans le Bas-Canada, et onze dans le Haut-Canada. Quand nous n'étions pas occupés en visites, une correspondance continuelle avait lieu, par mon canal, entre l'Evêque et le clergé.

Combien d'ecclésiastiques avez-vous actuellement visités dans chaque province?—Vingt-deux dans le Bas-Canada, et vingt-cinq dans le Haut.

Avez-vous quelque mémoire par écrit de la résidence actuelle des ecclésiastiques que vous avez visités dans le Bas-Canada?—Ce détail se trouve dans le rapport de la société pour la propagation de l'évangile dans les pays étrangers. On trouvera la résidence de chaque ecclésiastique dans le tableau du missionnaire et du cathéchiste de la société.

Pouvez-vous expliquer au comité la manière dont ces ecclésiastiques du Bas-Canada sont payés?—Ils reçoivent, je pense, à deux exceptions près, un salaire de £200 quand ils sont dans les ordres de prêtrise; les diacres seulement £100; leurs traites sont acceptées en ce pays par le trésorier de la société pour la propagation de l'évangile dans les pays étrangers; et en parlant du clergé du Canada, je demande permission de dire que toutes mes connaissances à son sujet se rapportent aux ecclésiastiques qui sont au service de cette société.

Ont-ils quelques autres avantages outre ces £200 par an?—Ils ont des honoraires sur les mariages, les enterremens, et rien de plus. Dans les campagnes, j'imagine que ces honoraires sont rarement au-dessus de £20; à Montréal et à Québec ils se montent à une somme plus considérable. Il y a un petit nombre d'ecclésiastiques en Canada, qui ne sont pas payés par la société. Le recteur de Montréal, le recteur de Québec, et les chapelains militaires, tirent leurs revenus d'autres sources. Dans le Haut-Canada tout le clergé, excepté les chapelains de l'armée et de la marine, sont payés de la manière que j'ai dit.

Le clergé du Bas-Canada réside-t-il sur des terres de glebe, c'est-à-dire, réside-t-il sur quelque partie ou portion des réserves du clergé?—Les ecclésiastiques peuvent peut-être louer un lot, mais ils ne sont pas autorisés, en vertu de leur ministère, à résider sur ces terres de glebe.

Ainsi ils résident dans la situation la plus avantageuse qu'ils peuvent trouver, ou égard à leurs diverses congrégations?—Oui; premièrement, en égard à leur église, et secondement en égard aux congrégations qu'ils ont ordre de visiter, et qui peuvent être à des distances considérables de l'église.

An sujet des églises, aux dépens de qui ces églises ont-elles été bâties?—Quelques-uns des principaux habitans d'un établissement où l'on désire avoir un ecclésiastique résidant attaché à l'église d'Angleterre dressent une pétition à l'Evêque de Québec, où ils exposent la circonstance. On l'accompagne généralement de propositions pour la bâtisse d'une église, si leurs desirs sont remplis au sujet d'un ministre; viennent ensuite les noms des personnes disposées à devenir souscripteurs pour cette église; s'il y a une somme suffisante, l'Evêque de Québec leur promet £100 sur les fonds qu'il a recueillis lui-même dans le pays, lorsque l'église sera fermée, comme on le dit dans le pays, c'est-à-dire, lorsqu'on aura posé les lambris dont les côtés sont formés.

Avez-vous eu les moyens d'établir quel nombre de personnes fréquentent habituellement les congrégations de ces ministres de l'église d'Angleterre, ainsi situés dans les campagnes?—Dans le Bas-Canada il y a deux espèces de campagnes dans lesquelles notre clergé réside. Dans les unes la grande masse du peuple est composée de catholiques romains; à travers cette population catholique romaine, sont épars un grand nombre de personnes qui adhèrent à l'église d'Angleterre. Plusieurs résident à une très-grande distance les unes des autres et des ecclésiastiques du district, et peut-être ne peuvent venir à l'église avec aucune régularité. Le ministre va officier partout où il s'en trouve un certain nombre dans un même endroit. Il fixe ordinairement sa résidence là où s'en trouve le plus grand nombre. Quoiqu'il y ait plusieurs de ces congrégations dans la campagne, elles sont peu nombreuses. Je pense qu'il n'y a pas plus de quatre ministres ainsi établis dans le Bas-Canada. Il y en a un, à la vérité, aux Trois-Rivières, mais les Trois-Rivières sont une ville, et contiennent une population protestante considérable: il y en a un aussi à William-Henry, qui est une ville située de la même manière. Des quatre que

que j'ai mentionnés, il y en a un qui réside dans le district de Gaspé, un à la Rivière du Loup, l'autre à la rivière de l'Assomption, et le quatrième à Chambly. Dans ces endroits la population est catholique romaine à peu d'exceptions près, et ainsi notre clergé n'y a eu aucun temps des congrégations aussi nombreuses qu'ailleurs. Mais j'ai dit que dans le Bas-Canada il y a une autre espèce de population; on la trouve au sud de Québec. Cette contrée est généralement appelée Townships de l'Est. Là la population est catholique non romaine, et se compose principalement d'émigrés venus des Etats-Unis. Dans ces endroits nos congrégations se montent généralement de 150 à 200, terme moyen. Le printemps et l'automne elles ne se montent pas de beaucoup à ce nombre, à cause du mauvais état des chemins dans la saison; la neige n'étant pas dans l'automne assez épaisse ni assez battue pour laisser passer les gens; et le printemps la fonte graduelle des neiges produit le même effet. Mais il y a une manière générale de connaître le nombre de la congrégation, qu'on peut appliquer généralement à tous les pays, en tant qu'il s'agit de notre église. La voici; c'est de trouver le nombre des communians, dont on s'assure aisément, multipliez ce nombre par six et vous aurez la congrégation; et ce nombre multiplié de nouveau par deux nous donnera le nombre de ceux qui adhèrent à l'église. Et pour faire voir que c'est un calcul exact, j'en citerai un cas. Je prends celui de St. Andrew dans le Bas-Canada. Dans un rapport fait récemment sur cette mission le nombre des communians est de trente-deux; ce nombre multiplié par six fera connaître la congrégation, c'est-à-dire, qu'il donnera 192.

Prétendez-vous appliquer ce calcul aux deux Canadas?—Oui, aux deux Canadas; et j'irais plus loin, et je l'appliquerais d'une manière générale à la Grande-Bretagne autant que j'en puis juger par mon expérience.

Ces ecclésiastiques vont-ils dans quelques circuits dispenser l'instruction religieuse à une distance de leur résidence actuelle?—Ils officient le dimanche dans l'église à laquelle leur licence les nomme. Outre ce devoir, à moins qu'il ne s'assemble le soir une congrégation aussi nombreuse dans cette même église, ils sont obligés d'aller à une distance de cinq ou six, et quelque fois dix milles, pour faire le service pour une autre congrégation. En addition à ce devoir, ils officient la semaine à certains lieux fixes de prédication, où on en donne avis préalablement, lorsque les chemins sont praticables, mais quelques fois pendant quinze jours ou plus notre clergé ne peut se rendre à ces congrégations éloignées. Je sais que quelques membres du clergé du Canada officient régulièrement en six arrondissements différens, quelques-uns en plus de deux mais tous en deux; et en outre on requiert continuellement leur présence à des distances très-considérables, pour y faire des funérailles ou y administrer les sacrements. Ils se rendent à la demande d'individus de toute secte.

En prenant le calcul que vous avez fourni à ce comité, quel résultat ce calcul donne-t-il au sujet du nombre des adhérents à l'église d'Angleterre dans la province du Haut-Canada?—Peut-être ne puis-je mieux expliquer le sujet qu'en renvoyant au détail du nombre de communians dans l'établissement de Perth, établissement militaire dans le Haut-Canada, tel qu'il est donné dans le rapport pour l'année dernière de la société pour la propagation de l'évangile dans les pays étrangers. Je choisis celui-là, parce que j'ai reçu il y a quelques jours une lettre de l'évêque de Québec, datée du 21 d'avril, où sa seigneurie fait mention de la population relative de cet endroit. On trouve dans le rapport que le nombre de communians dans cette mission est de 163; multipliant ce nombre par six, on aura le nombre de la congrégation ou des congrégations à 978; multipliez ce nombre par deux, et vous aurez le nombre réel des adhérents de l'église d'Angleterre en cet endroit particulier, qui est de 1956, suivant le calcul. Or dans la lettre que j'ai citée, l'évêque de Québec dit que dans les établissemens de Perth les Episcopaliens sont au nombre de 2158. Ce nombre comparé avec celui que donne mon calcul ne laisse pas voir une différence considérable, et prouve que le calcul est juste pour tous les objets pratiques. Je cite le cas de Perth, parce qu'il arrive que l'évêque de Québec m'a détaillé la population relative de cet établissement dans une lettre que j'ai reçue il y a quelques jours, et parce qu'elle confirme mon calcul.

Avez-vous quelques moyens d'informer le comité du nombre total des adhérents de l'église d'Angleterre dans le Bas-Canada d'après les bases de ce calcul?—Je ne suis pas muni de données suffisantes pour baser un calcul avec quelque exactitude.

Pouvez-vous donner le nombre de personnes d'autres dénominations religieuses à Perth?—Oui. Le nombre des presbytériens, y compris les dissidants de l'église d'Ecosse, les presbytériens Américains, et toutes les autres espèces de presbytériens, est de 1581; celui des catholiques romains, de 766; des méthodistes, 206; des anabaptistes, 80. La lettre fait mention de 11 qui n'appartiennent à aucune croyance. En général, si vous entrez en conversation avec une personne que vous rencontrez par hasard dans le pays, soit que ce soit un Américain ou un natif du Canada, et que vous lui demandiez de quelle religion il est, il vous répondra, quoiqu'il assiste régulièrement à l'église, qu'il ne s'est réuni à aucune religion. Dans le fait il ne dira pas qu'il appartient à aucune croyance jusqu'à ce qu'il soit communiant.

Etes-vous d'opinion que dans ce moment la province du Bas-Canada a un vrai besoin de plus d'églises et de plus de ministres de l'église d'Angleterre qu'elle n'en a à présent?—Je puis dire seulement que lorsque j'étais à Québec, on faisait constamment des applications à l'évêque de Québec pour de nouveaux missionnaires. Sa seigneurie recevait continuellement des pétitions, des offres de terrain pour la bâtisse d'églises, des offres de transporter ces terrains à l'évêque, et ainsi du reste. Les applicants étaient en quelques cas des émigrés venus de ce pays, attachés à l'église d'Angleterre. On recevait aussi pour le même objet des applications continuelles d'autres personnes établies depuis longtemps. Quelques-uns de ces derniers pétitionnaires peuvent avoir auparavant appris quelque chose de notre service et de notre discipline, mais on ne doit pas supposer que la majorité d'un établissement ou qu'on n'a jamais appris la liturgie de l'église d'Angleterre, et on n'en connaît rien, désire particulièrement d'avoir un ministre de cette église. Ce ne doit être que parce qu'ils auront par là un ministre résidant parmi eux, sans qu'il leur en coûte rien, qu'ils se joignent aux autres dans l'application. Leurs dispositions envers notre église doivent être les mêmes que celles d'un pays payen où on n'a jamais entendu parler du christianisme. On ne peut dire qu'on y montre un grand désir du christianisme.

Est-il à votre propre connaissance personnelle que là où un ministre résidant de l'église d'Angleterre a été établi, il a été montré des dispositions de se joindre à sa congrégation par des personnes qu'on ne supposait pas auparavant appartenir à cette église?—Je dirais qu'en général les congrégations sont entièrement composées de personnes de cette espèce, si l'établissement n'est pas formé par des émigrés britanniques. Peut-être y a-t-il dans un tel établissement quelques principaux habitans qui ont auparavant connu quelque chose de l'église d'Angleterre, mais en général la population n'en peut savoir que bien peu de chose jusqu'à ce qu'elle ait un ministre résidant.

D'après vos observations personnelles, êtes-vous d'opinion qu'il règne un désir général parmi les protestans du Bas-Canada, de s'attacher plutôt à l'église nationale qu'à aucune autre?—Jedirai qu'il y a deux églises nationales en tant qu'il s'agit de cet empire, celle d'Angleterre et celle d'Ecosse. J'ai dit qu'en général la population n'avait eu que bien peu de choses au sujet de l'église d'Angleterre, jusqu'à ce qu'il y ait eu un ministre résidant d'établi au milieu d'elle. J'ai dit aussi qu'elle avait été engagée par degrés à adopter cette forme de culte, ou au moins qu'elle en avait suivi les pratiques. Nous ne pouvons dire quel peut être le cas par rapport à l'église nationale d'Ecosse, parce que les colons ne peuvent la connaître qu'en théorie, par l'entremise des émigrés Ecossois. Mais que le peuple du Bas-Canada n'ait aucun choix exclusif pour cette église, c'est assez démontré par Montréal où il y a une église de presbytériens américains, quoiqu'il y ait deux ministres de l'église d'Ecosse résidant dans la ville.

A quelle église les gens appartenaient-ils avant de se réunir à la nôtre?—A toutes les espèces d'église possible. C'étaient des personnes venues de tous les comtés de l'Irlande, et de tous les comtés de l'Angleterre et de l'Ecosse, et plusieurs venues des Etats-Unis, qui apportaient nécessairement avec elles une multitude d'opinions religieuses; et aucune croyance n'étant assez puissante pour soutenir un ministre, on est généralement sûr qu'elles adopteront toute église dont le clergé ne sera pas à leur charge, pourvu seulement qu'on donne à l'église qu'on y établit un temps suffisant pour qu'elle y prenne racine.

Règne-t-il une forme particulière de culte dans ces établissemens?—Je pense que jusqu'à ce qu'un de nos ecclésiastiques s'y établisse, les habitans sont en général Méthodistes.

De quelle espèce de Méthodistes?—Non des Méthodistes Wesleyens, telles que nous nous en faisons une idée en ce pays. Ils ont une espèce de culte très sauvage dans ces endroits de campagne, ils ont constamment des assemblées de camps: pendant ce temps ils demeurent dans les bois une semaine entière, et continuent leurs exercices religieux; priant, chantant, et prêchant sans cesse, nuit et jour. Ils se nomment eux mêmes Méthodistes Episcopaux.

Quel système suivent-ils dans le gouvernement de leur église?—Ils ont une personne qui s'appelle évêque, ayant reçu cette mission dans l'origine des mains de Wesley. Si je m'en rappelle bien Wesley envoya en Amérique un certain nombre de personnes qu'il appela évêques. Un semblable évêque surveille un district: il a sous lui divers prédicateurs et assistant laïques.

Ont-ils des communications constantes avec les Américains des Etats-Unis?—Ils ont jusqu'ici des liaisons avec les Méthodistes Américains des Etats-Unis. Mais je m'apperois par un document auquel j'ai eu accès, qu'ils ont commencé dernièrement à se détacher de cette liaison. Il est beaucoup à désirer qu'ils le fassent, car malgré leur sauvagerie et leur extravagance à plusieurs égards, ils composent certainement la secte la plus utile et la plus nombreuse dans le Haut-Canada.

Sont-ils principalement venus d'Angleterre?—Non; ils sont principalement venus des Etats-Unis. Leur nombre s'est accrue graduellement en Canada depuis l'établissement du pays. Les premiers colons peuvent avoir été des gens d'église, ou avoir appartenu à d'autres croyances, et comme ils sont décidés, leurs enfans ont adopté la croyance des prédicateurs ambulants, comme étant la seule forme de religion à leur portée.

Trouve-t-on de ces personnes dans tout le Haut-Canada?—Oui. Il y a un petit nombre d'anciens établissemens où les habitans sont Luthériens et Quakers. Quelques établissemens Ecossois sont composés de Presbytériens.

Croyez-vous que la plus grande partie de la population du Haut-Canada soit venue des Etats-Unis?—Jusqu'au dernières émigrations les anciens colons étaient venus des Etats-Unis en plus grande proportion. La plupart d'eux étaient des loyalistes après la rébellion américaine.

Dans le détail que vous avez fait sur la généralité de cette espèce particulière de dissidants, voulez-vous faire entendre qu'il ne se trouve principalement que dans les townships de l'est dans le Bas-Canada?—Non; on les trouve presque partout dans les deux provinces. Ils ont diminué dans les townships, parce que nos ministres sont depuis si longtemps dans ces établissemens.

Ainsi vous voulez dire qu'on les trouve dans tout le Haut-Canada, et ceux, dans les townships de l'est, qui n'appartiennent pas à notre communion, sont en général Méthodistes. Il a aussi pourtant un petit nombre d'Anabaptistes.

Les personnes que vous donnez comme disposées à suivre le culte de l'église d'Angleterre, lorsqu'on a érigé une église dans leur voisinage, cessent-elles d'avoir aucune communication avec leurs propres ministres, et cessent-elles d'assister à leurs réunions?—Non, elles assistent aux prédications de toute espèce. Il n'en est pas ainsi de nos communians, ils sont attachés à notre culte, et ne suivront aucun autre service. Mais qu'on ne permette de remarquer qu'il n'y a que peu de ministres réguliers ou même point, d'établis dans le pays, outre ceux de l'église d'Angleterre. Les autres sont ambulants, excepté un petit nombre dans le Haut-Canada.

Mais les autres quoiqu'elles assistent à votre service, persistent toujours dans leurs liaisons avec leurs propres ministres?—Cela dépend de ce qu'elles sont. Les Méthodistes conservent souvent leurs liaisons avec leur secte, et le Presbytérien américain suivra nos exercices, mais il dira tout le temps qu'il n'a pas abandonné son église, quoiqu'il communique avec nous. Il n'y a cependant qu'un bien petit nombre de Presbytériens américains; et dans le fait, dans les établissemens de campagne et ailleurs, ils continuent à adhérer à notre église jusqu'à ce qu'un ministre de la religion Presbytérienne d'Amérique, venu des Etats-Unis, s'établisse parmi eux. Dans la campagne, ils ne peuvent soutenir un ministre, et ainsi l'attachement à notre église s'enracine chez leurs descendants, qui ont reçu dès l'enfance leur éducation dans sa communion.

En ce cas les regarderiez-vous comme des adhérents réguliers de votre église?—Ils ne suivent aucun autre service, quoique si un prédicateur américain venu des Etats-Unis arrivait dans l'établissement, ils pussent assister à ses sermons. Je dis venu des Etats-Unis, parce qu'il y a une grande différence entre les Presbytériens américains et ceux d'Ecosse. Les Presbytériens des Etats-Unis ne s'uniront pas aux Presbytériens de l'église d'Ecosse, et j'en puis citer plusieurs exemples.

Savez-vous pourquoi?—La différence du gouvernement de l'église en est une des causes, et la discipline ecclésiastique et une autre chose disputée.

Quand aux Presbytériens qui sont venus de la Grande Bretagne et d'Irlande, se conformeront-ils au culte de l'église d'Angleterre?—Oui, les Presbytériens américains s'y conformeront, et je ne rappelle fort bien quelques cas où des personnes élevées en Irlande dans cette croyance, ont demandé d'être admises à notre culte.

Et les Presbytériens d'Ecosse?—Ils s'y conformeront là où ils n'ont aucun ministre propre. Ils ne suivront le service d'aucune autre croyance, excepté celui du clergé de l'église d'Angleterre et le leur.

Ont-ils pour habitude d'assister à l'église jusqu'à ce qu'ils aient un ministre de leur croyance, et ensuite de s'en retirer?—Il n'y a dans le Haut-Canada que six ministres de l'église Presbytérienne d'Ecosse, dont un a dernièrement reçu les ordres dans l'église d'Angleterre. Dans le Bas-Canada il n'y en a que trois. Avec la permission du comité j'expliquerai ce que j'aurais à dire ici en citant l'exemple de Montréal dans le Bas-Canada et celui de Cornwall et de Kingston dans le Haut-Canada; nous avons eu des ministres en ces deux endroits depuis quelques années; et à Montréal naturellement depuis longtemps; à Cornwall depuis environ 10 ou 12 ans; à Kingston depuis plus longtemps peut-être. Il y a dans ces deux villes des congrégations Presbytériennes, et dans chacune notre congrégation est beaucoup plus nombreuse que celles-là. A Montréal les membres les plus riches de notre congrégation étaient ci-devant Presbytériens, mais dès l'origine ils se sont conformés et réunis à l'église d'Angleterre, et ne sont pas retournés à la leur, quoiqu'elle ait dans la ville deux églises où l'on suit son rit. A Cornwall notre congrégation surpasse tellement en nombre la congrégation Presbytérienne qu'il est bien connu que le ministre Ecossois ne pourrait s'y soutenir, s'il n'avait pas la direction de l'école du gouvernement qui y est établie. Il n'a qu'une congrégation à servir, tandis que notre missionnaire compte plus de 850 âmes parmi les personnes qui retirent davantage de ses services. A Kingston, le cas est particulier, il y un de nos ministres et un ministre de l'église d'Ecosse; et pour preuve que les Presbytériens des Etats-Unis ne s'uniront pas aux Presbytériens des Etats-Unis ne s'uniront pas aux Presbytériens d'Ecosse, on peut observer que les premiers ont fait venir des Etats-Unis un prédicateur qui leur fût propre, et l'on me donne à entendre que notre congrégation est double de chacune des deux autres. Je ne dirai pas qu'elle est plus nombreuse que les deux ensemble, quoique je l'aie entendu dire. A Montréal c'est précisément la même chose; les Presbytériens américains ont fait venir un ministre des Etats-Unis. Ces faits tendent à faire voir que si un petit nombre de natifs d'Ecosse retournaient à leur église nationale à l'arrivée d'un de ces ministres parmi eux, notre église n'en souffrirait pas.

Les Méthodistes des Etats-Unis sont-ils Calvinistes?—Non; ils sont très opposés au Calvinisme dans le sens ordinaire du terme, et c'est pour cela que les Méthodistes américains ne s'uniront à aucune secte Presbytérienne, ni les Presbytériens avec eux. Il n'existe pas deux réunions de chrétiens plus opposées l'une à l'autre que les Presbytériens du Canada qui sont Calvinistes et les Méthodistes qui sont absolument anti-Calvinistes.

Sont-ce des Arminiens?—Ce sont des Arminiens strictement parlant, et ils aiment beaucoup la controverse sur leur doctrine.

Regardez-vous toutes les dénominations de Presbytériens comme Calvinistes?—Oui. Leurs catéchismes et leurs autres formulaires me paraissent l'être.

Les presbytériens que vous dites se conformer au culte de l'église d'Angleterre, continuent-ils d'être calvinistes après qu'ils s'y sont conformés?—Je pense qu'ils ne seraient peut-être pas fâchés si le clergé mêlait quelques doctrines calvinistes; mais il n'est pas à ma connaissance qu'ils le fassent; et comme il n'est aucune espèce de culte que ces presbytériens aiment autant, ils assistent au service de notre église.

C'est-à-dire de choses a-t-il une tendance à engager les ministres à adopter la doctrine calviniste?—Je ne crois pas.

Le comité doit-il entendre qu'il n'y a à votre connaissance que trois ministres presbytériens de l'église d'Ecosse dans le Bas-Canada?—Je pense qu'il n'y en a que trois, deux à Montréal et un à Québec.

Au meilleur de votre connaissance, le nombre que vous avez mentionné est-il le nombre total des ministres de l'église presbytérienne d'Ecosse dans les deux Canadas?—Ce n'est, au meilleur de ma connaissance.

Pouvez-vous dire le nombre des ministres presbytériens de l'autre espèce?—Douze dans le Haut-Canada; je n'en connais que deux dans le Bas.

En donnant le nombre de vos congrégations et de leurs membres, comptez-vous les personnes qui assistent à vos offices suivant l'occasion, mais qui assistent aussi aux offices des autres églises?—Oui je les compte comme membres de nos congrégations, si elles suivent régulièrement les exercices de notre clergé.

Soit qu'elles suivent aussi d'autres congrégations ou non?—Oui. Mais, quelques cas exceptés, ce n'est qu'aux prédications de ministres ambulans qu'elles peuvent assister.

Vous les regardez comme des épiscopaliens?—Je les regarde comme suivant les exercices d'un ministre épiscopalien.

Et votre calcul sur le nombre des épiscopaliens doit toujours se prendre avec cette entente?—Je le pense; parce que les gens ne connaissent rien au sujet de l'église d'Angleterre jusqu'à ce qu'elle ait été établie quelque temps parmi eux; et s'ils suivent par fois des formes différentes de culte, ils ne paraissent pas regarder la chose comme incompatible avec leur liaison avec cette église.

Tous les ecclésiastiques que vous avez mentionnés, dans le Bas et dans le Haut-Canada, résident-ils constamment?—Je ne connais pas un seul exemple contraire. De temps à autre ils obtiennent la permission de venir en Angleterre, mais c'est avec beaucoup de difficulté. Après avoir fait application pour un congé ils sont au moins trois mois avant de l'obtenir, parce qu'il faut recevoir auparavant la sanction du bureau de la société pour la propagation de l'évangile.

Tous ont-ils des églises bâties et en bon état?—Pas tous, mais il n'y en a que bien peu qui n'en aient pas.

Le comité doit-il entendre qu'on envoie un ministre dans un district particulier sur la requête d'un certain nombre des habitants pour la bâtisse d'une église, et que l'évêque souscrit aussi une certaine somme à même un certain fonds pour les aider dans cet objet?—On n'envoie le ministre que lorsque l'église est finie, et elle est toujours bâtie par les habitants du voisinage. Il en a été autrement en deux cas, dans des circonstances particulières. Les applicans étaient de notre propre croyance, et ne faisaient que d'arriver d'Irlande, n'ayant pas encore les moyens de bâtir une église.

Avant qu'on envoie un ecclésiastique ou un missionnaire dans un district particulier, est-il nécessaire qu'il soit spécifié que la congrégation est composée d'un certain nombre de personnes disposées à le recevoir?—L'évêque en juge par le nombre des personnes qui signent la requête et la liste de souscription. Il ne s'informe pas particulièrement qui ils sont, parce qu'il sait très-bien que pour que notre église prenne racine, elle doit être plantée d'abord.

Sur quel principe la société agissait-elle ci-devant, quand, comme vous le dites, elle avait coutume d'envoyer des missionnaires sans requérir la bâtisse d'une église; que requerrait-on alors avant d'envoyer un missionnaire?—Je n'avais pas en ce temps de liaisons avec le Canada. Cela avait lieu du temps du dernier évêque.

Quelle est l'occupation des membres du clergé qui n'ont pas d'églises bâties?—Les deux dont j'ai fait mention, et il n'y en a que deux dans le diocèse, officient dans les maisons d'écoles, et partent où ils peuvent rassembler une congrégation, et ils ont en général une aussi bonne congrégation dans la maison d'école que dans une église.

Les ecclésiastiques du Canada ont-ils en général reçu leur éducation en Angleterre?—Grand nombre d'eux ont reçu leur éducation en Angleterre et en Irlande. Il y en a 22 dans le Haut-Canada, sur 39, qui ont reçu leur éducation dans la Grande-Bretagne. Les autres se sont instruits dans le pays. Ils sont principalement, je pense, des fils de loyalistes, des hommes qui ont reçu pour la plupart de la société un don annuel de 50*l.* pour les mettre à même de suivre leurs études théologiques.

Quelles occasions ont-ils eu de suivre des études théologiques en Canada?—L'occasion qu'ils avaient lorsque j'y étais, était qu'ils étaient ordonnés à Québec, et j'avais coutume de leur donner des leçons deux fois la semaine, par l'ordre de l'évêque. C'était là une partie de mes devoirs envers lui.

Y a-t-il dans le Bas et dans le Haut-Canada quelques personnes dans les ordres sacrés, qui aient auparavant été ministres de quelque autre secte?—Dans le Bas-Canada je n'en connais qu'un en ce moment; mais dans le Haut-Canada il y en a 10, et il a été fait diverses applications tandis que j'y étais.

A quelle secte appartenaient-ils?—Quelques-uns étaient des luthériens, d'autres des dissidents écossais, un ecclésiastique de l'église d'Ecosse, et deux prêtres catholiques romains.

A quelles circonstances attribuez-vous que tant de ministres aient abandonné leur église, et se soient convertis à la nôtre?—Je dois espérer que c'est par les motifs les plus purs, mais je ne puis pénétrer les pensées des hommes. Je croirais qu'une des causes est que leurs outils désertent, après les avoir engagés à venir dans l'endroit par des promesses de les soutenir; mais quand ils arrivent, ils se trouvent sans moyens de vivre.

Leur donne-t-on quelque préférence à cause de leur conversion?—Lorsqu'un ministre dissident peut dire qu'une grande majorité de sa congrégation se joindra à notre culte avec lui, on l'admet s'il est qualifié. Ça été le cas une fois dans le Haut-Canada, et deux fois dans le Bas. Dans d'autres circonstances, toute personne qui fait application pour les saints ordres subit un examen sévère, et certainement on ne lui donne aucune préférence parce qu'il a auparavant appartenu à une autre croyance.

Y a-t-il quelque difficulté à se procurer pour remplir le ministère dans le Haut-Canada, des personnes qui aient été instruites dans les doctrines de l'église d'Angleterre?—Certainement je dirai qu'il y a de la difficulté à en faire venir de la Grande-Bretagne.

N'est-ce pas là la raison par laquelle on a été engagé à prendre au service de l'église tant de personnes qui avaient appartenu à aucune autre dénomination de chrétiens?—Lorsqu'une mission devient vacante il est à propos de la remplir aussi promptement que possible, et s'il nous fallait exclure tous ceux qui n'ont pas reçu une éducation régulière en Angleterre, nous aurions à attendre plusieurs mois, et pendant ce temps des sectaires viendraient et disperseraient peut-être la congrégation.

Connaissez-vous quelle juridiction pratique la corporation du clergé exerce sur les terres appelées réserves du clergé, qui ont été réservées dans le Bas-Canada par l'acte de 1791?—Dans le Bas-Canada la corporation a eu le pouvoir de les donner à bail en 1819, et je sais qu'il n'y a pas longtemps elle était en dette avec son secrétaire.

Avez-vous une idée générale du nombre des adhérens à l'église d'Angleterre dans la province du Haut-Canada?—Je ne puis m'en former une idée que d'après le calcul que j'ai fourni au comité; et cela dépend de la connaissance du nombre de communicans dans les diverses missions.

Quelle proportion de la population totale diriez-vous qu'ils forment?—Les missionnaires n'ont dit que leurs congrégations, excepté dans les endroits français, se montent à 150 ou 200 dans le temps que les chemins sont praticables; mais je ne puis donner de renseignements ultérieurs sur le nombre des épiscopaliens dans les provinces du Canada; je ne connais pas la population de ces provinces, mais je sais que partout où je suis passé j'ai trouvé des personnes qui appartenaient à notre église, et en beaucoup d'endroits où aucun ministre n'avait jamais pénétré.

Savez-vous que la chambre d'assemblée du Haut-Canada a déclaré à plusieurs reprises, par une grande majorité, qu'il était expédient que les réserves du clergé fussent appliquées au soutien du clergé de toutes les croyances protestantes, et non exclusivement de celui de l'église d'Angleterre?—Je sais que des résolutions de cette nature ont paru dans les papiers publics; je les attribue en partie au petit nombre des épiscopaliens dans la chambre d'assemblée, comparé aux forces réunies de toutes les autres dénominations dans cette chambre. Les chambres d'assemblée du Canada, comme beaucoup d'autres chambres d'assemblée coloniales, ne sont pas très-bien disposées envers le gouvernement, et l'église d'Angleterre étant inséparable du gouvernement, il arrive qu'elles font de l'opposition contre l'église d'Angleterre pour faire de l'opposition contre le gouvernement.

N'y a-t-il pas eu un vote formel de la chambre d'assemblée, emporté par une majorité de 37 pour 3, que la religion d'Angleterre n'était la religion que d'une très-petite partie de la population du Haut-Canada?—Je n'en sais rien, je n'ai pas fait beaucoup d'attention à l'état des choses qui ont eu lieu alors dans la chambre d'assemblée; il pourrait n'y avoir eu dans le temps dans la chambre d'assemblée qu'un petit nombre de membres de notre église. La chambre d'assemblée se compose de 44 membres; il y en a 18 de l'église d'Angleterre; il s'en trouve 4 de l'église d'Ecosse; les autres appartiennent à diverses croyances.

Prenez-vous cela du rapport de l'archidiacre Strachan?—C'est de son discours à sa place comme conseiller législatif, et je crois du rapport.

Savez-vous que le rapport est entièrement contredit par les résolutions de la chambre?—Ce n'est pas là le rapport en question, celui que je tiens en ma main n'est arrivé que depuis peu de jours. La circonstance que j'atteste a été exposée à York, où se réunit l'assemblée.

Le comité doit-il conclure de vos réponses que vous êtes bien peu au fait de la proportion relative des différentes sectes dans le Haut-Canada?—Je suis au fait du nombre qui suit les exercices de notre clergé.

Dans la visite que vous avez faite dans la province haute, avez-vous personnellement inspecté les églises là où vous avez visité les ministres?—Oui, dans tous les cas.

Dans tous les cas, les 25 ecclésiastiques que vous avez visités, étaient-ils résidens et officiaient-ils dans l'église?—Oui, certainement.

Êtes-vous au fait des circonstances où se trouvent les 11 autres que vous n'avez pas visités?—Oui; je dirai qu'ils étaient résidens aussi; dans le fait ils ne peuvent être autrement que résidens.

Agit-on universellement dans le Haut-Canada comme dans le Bas, sur le principe de n'envoyer un ministre que quand il y a une église de bâtie?—On agit à présent sur ce principe dans tous les cas; il y a cependant un missionnaire qui est employé sans avoir d'église particulière, il va dans toute l'étendue du diocèse; je veux parler du ministre visiteur.

Excepté quant au nombre des membres de chaque congrégation, vous ne pouvez donner aucun renseignement au comité sur la proportion des adhérens à l'église d'Angleterre relativement à aucune autre secte?—Je le puis pour un endroit particulier; mais non généralement.

Le comité a devant lui une lettre signée de M. Ryerson, qui est l'agent en ce pays des chrétiens de différentes dénominations dans le Haut-Canada, il dit dans cette lettre entre autres choses, que les membres de l'église épiscopale seule n'excèdent pas dans le Haut-Canada la sixième partie des habitants de la province; croyez-vous cela correct?—Nous n'avons qu'un bien petit nombre de ministres proportionnellement aux besoins du peuple, et il s'en suit que le nombre des adhérens ne doit pas former une grande proportion de la population totale; mais dans la réalité les adhérens à l'église surpassent ceux de toute autre croyance; au moins je l'ai toujours ainsi entendu dire.

D'après la connaissance que vous avez du pays, avez-vous une idée que les adhérens à l'église d'Angleterre excèdent la dixième partie de la population du Haut-Canada?—Je n'ai aucun moyen d'établir ce fait; je ne puis du tout prendre sur moi de le dire.

Croyez-vous absolument impossible qu'ils en forment la moitié?—Je pense qu'ils ne sont pas aussi nombreux.

Pouvez-vous instruire le comité de la composition de ce qu'on appelle la corporation du clergé?—Les membres en sont tous de l'église d'Angleterre.

Avez-vous quelques renseignements que vous puissiez donner au comité sur la valeur des réserves du clergé en Canada?—Ce que je vais dire s'appliquera également au Haut et au Bas-Canada; si dans un township quelconque les lots étaient susceptibles de culture, et étaient loués pour 21 ans, termes auxquels on les a loués jusqu'ici, ils produiraient un montant annuel au-dessus de £100 sterling.

Vous dites suivant les termes auxquels ils sont loués présentement, voulez-vous expliquer quels sont dans le fait les termes auxquels ils sont loués à présent?—Je ne puis le dire.

Sur quel base avez-vous fondé ce calcul?—Sur un calcul fait par une personne en qui je puis avoir pleine confiance à cet égard.

Ainsi suivant ce calcul un township entier ne se louerait pas plus de £700 par an, comme les réserves du clergé forment la septième partie du township?—Je suppose qu'il en est ainsi.

Voulez-vous avoir la bonté d'expliquer ce que vous entendiez en disant que dans le Bas-Canada la corporation du clergé était en dette dans le fait depuis l'année 1819?—Je sais que la corporation était endettée de quelques louis envers son secrétaire pour la tenue des livres, et après le paiement des dépenses liées avec l'administration des réserves.

De quelle manière ont lieu les dépenses de la corporation du clergé?—Par la collection des rentes, ce qui forme une dépense énorme en la comparant avec la recette.

La corporation du clergé a-t-elle elle-même quelque salaire, ou son secrétaire?—Il est alloué un faible salaire au secrétaire, et à chaque membre de la corporation une certaine somme pour les dépenses en venant de loin pour assister à la réunion annuelle; il n'est rien alloué à ceux qui résident là où elle se tient; mais il n'y a pas un seul ecclésiastique qui soit soutenu par les réserves, ou qui en vertu de ses fonctions retire un seul douze-sols de ces réserves.

Le comité doit-il entendre que dans le Bas-Canada les frais de collection des rentes des réserves du clergé se sont montés à plus de 100 pour cent?—Je sais que la corporation du clergé dans le Bas-Canada était endettée de quelques louis envers son secrétaire, après que la balance eut été tirée tandis que j'étais à Québec.

Savez-vous qu'un seul denier perçu par la corporation n'a jamais été d'aucune utilité au soutien d'aucun ministre?—Je le sais.

En appliquant ces observations au Haut-Canada, savez-vous par hasard quel a été le montant annuel qu'on a retiré dans cette province pour le soutien du clergé, par le louage des réserves?—Je ne sais pas quelle somme a été dépensé pour l'érection de presbytères; mais quant au revenu, aucun membre du clergé du Haut-Canada n'en a retiré et n'en peut retirer aucun avantage; ils les regardent comme en réserve pour les ministres futurs, lorsqu'on établira de nouvelles missions; ils sont absolument désintéressés en tant qu'ils sont individuellement concernés, peut-être il est aussi bien de dire que le temps où la corporation dans le Bas-Canada était endettée envers son secrétaire, était avant qu'on eut fait le nouvel arrangement par lequel on a rendu la collection des rentes plus facile et moins coûteuse qu'auparavant; je ne sais pas si elle est maintenant endettée.

Le lord vicomte Sandon, membre du comité, examiné.

Vous souvenez-vous d'avoir eu une conversation avec l'archidiacre Strachan au sujet des réserves ecclésiastiques en Canada?—Je me rappelle deux ou trois conversations qui a été que je crois eurent lieu principalement dans la chambre des séances du comité de l'émigration; je ne m'en rappelle distinctement aucune.

Le comité observe, dans un discours prononcé par l'archidiacre Strachan, le 6 mars 1828, dans le conseil législatif du Haut-Canada, que l'archidiacre Strachan dit qu'il s'est adressé à votre seigneurie en conséquence des débats qui eurent lieu au mois de mai de l'année dernière dans la chambre des communes, dans la vue d'apprendre exactement de vous ce que

que vous aviez dit avoir été l'exposé de lord Grenville à ce sujet; et l'Archiduc Strachan continue à dire qu'il s'est adressé à votre seigneurie, et que vous lui aviez dit que selon lord Grenville les presbytériens écossais n'avaient pas été exclus à dessein; et que pourvu qu'on pût trouver des moyens plus que suffisants pour l'église établie, il ne voyait aucune objection à leur accorder de l'aide. Est-ce là une version correcte de ce que vous dites alors au Dr. Strachan?—Ce n'est certainement pas là une version correcte de ce qui se passa entre nous. Il m'est difficile à présent de me rappeler distinctement ce que je lui dis. Tout ce que je puis dire est que jamais je n'aurais pu parler comme il me fait parler; car ce n'est pas ainsi, et ce ne l'a jamais été, que j'interprète ce que lord Grenville m'avait dit.

Vous rappelez-vous en ce moment d'une manière distincte ce que lord Grenville vous avait dit?—Je me rappelle qu'il me dit que le plan sur lequel il avait élevé le système qu'on voulait incorporer dans l'acte du Canada, de 1791, était tiré en grande partie de renseignements qu'on avait recueillis d'un officier qui avait été long tems en Pensylvanie, au sujet du système des terres réservées en cet état pour la religion et pour l'éducation; je lui ai entendu dire que par la distinction de clergé protestant, qu'on retrouve fréquemment dans l'acte de 1791, on voulait pourvoir au soutien de tout clergé autre que le clergé catholique romain, laissant en même temps au gouverneur et au conseil exécutif de la province un pouvoir à la distribution future.

Austin Cuvillier, écuyer, réintroduit; et examiné.

Le comité croit que vous avez été plus ou moins engagé dans des entreprises commerciales en Canada?—Oui.

Etes-vous du tout au fait du commerce qui se fait entre le Haut et le Bas-Canada?—Je n'ai pas été engagé directement dans le commerce entre le Haut et le Bas-Canada, mais j'ai eu très fréquemment occasion de faire des observations sur ce commerce.

Toutes les marchandises d'importation qui se consomment dans le Haut-Canada, n'y sont-elles pas introduites par le canal du St. Laurent, et à travers le Bas-Canada?—La principale partie des marchandises consommées dans le Haut-Canada, y est introduite par la voie du St. Laurent, mais il s'introduit aussi beaucoup d'articles des Etats-Unis dans le Haut-Canada.

Quelle est à ce que vous pensez la proportion de l'un à l'autre?—La proportion introduite par les Etats-Unis doit être peu considérable; et devant il s'introduisait des Etats dans la province une quantité considérable de thé; cela n'a plus lieu du tout à présent.

Les droits sur les marchandises consommées dans le Haut-Canada ne sont-ils pas à présent levés et perçus dans le Bas-Canada?—Les droits se prélevaient dans le Bas-Canada sur toutes les marchandises importées au port de Québec destinées au Haut et au Bas-Canada.

Serait-il possible de trouver quelques moyens de séparer les marchandises destinées à la consommation du Haut-Canada de celles qui doivent se consommer dans le Bas-Canada, et de prélever des droits séparés sur les unes et les autres, de sorte que le Haut-Canada pourrait s'approprier strictement les droits prélevés sur les articles qu'il consomme?—La séparation des marchandises dépendrait dans le principe de ceux qui les importent. Je ne connais que deux ou trois marchands résidant dans le Haut-Canada qui fissent venir des marchandises d'Angleterre en ligne directe; les commerçants du Haut-Canada tirent presque tous leurs fournitures du Bas-Canada; mais je conçois qu'on pourrait aisément établir un système par lequel le Haut-Canada se taxerait lui-même sur l'introduction dans le pays de marchandises importées, par l'établissement de douanes ou par un système de remises.

Voulez-vous d'écrire de quelle manière vous pensez que le premier des plans que vous avez suggérés, pourrait être mis à effet?—On pourrait adopter deux moyens: le premier en établissant dans le principe soit à Québec ou à Montréal un entrepôt pour toutes les marchandises destinées au Haut-Canada, et en les exemptant de payer les droits à leur sortie, sur un certificat de leur introduction dans le Haut-Canada, de leur entrée à la douane, et du paiement des droits; l'autre, en accordant une remise de droits sur toutes les marchandises introduites du Bas-Canada dans le Haut-Canada.

Pensez-vous qu'on pût prendre quelques suretés suffisantes pour empêcher ces marchandises d'être appropriés par contrebande à la consommation du Bas-Canada, dans leur passage depuis le lieu d'entrepôt jusqu'aux frontières du Haut-Canada?—Oui.

Voulez-vous avoir la bonté d'expliquer de quelle manière vous mettriez à effet la seconde méthode que vous avez suggérée, savoir de lever des droits aux frontières du Haut-Canada sur les marchandises qui s'y introduiraient?—Pour mettre à effet la seconde méthode que j'ai suggérée, il serait nécessaire qu'il régnât une intelligence entre la législature des deux provinces. Les marchandises importées du Bas-Canada dans le Haut auraient droit à la *debenture* sur preuve d'entrée. Par la même opération, et sans augmentation de frais, la législature du Haut-Canada pourrait à sa discrétion imposer les mêmes droits ou d'autres droits au port d'entrée.

L'ensemble des procédés qui se rattacherait à cette remise ne serait-il pas extrêmement nuisible et incommode au commerce?—Il serait très simple; il y avait ci-devant un officier établi au Côteau du Lac, payé par les deux provinces, dont le devoir était de prendre un compte correcte de tous les articles destinés au Haut-Canada qui passaient par ce poste, sur lequel on faisait un estimé du quantum de la remise qui devait être accordée à cette province. En adoptant maintenant le même système, on pourrait établir correctement le montant de la remise sur les marchandises sujettes aux droits. Je ne vois aucune difficulté à faire cet arrangement.

Les frontières entre les deux provinces peuvent-elles être aisément gardées par des bureaux de douanes?—Oui, le col de terre entre une rivière et l'autre est d'environ 24 milles.

Ne se perçoit-il pas des droits sur le rum qui va au Haut-Canada?—La principale partie du revenu du Bas-Canada se perçoit sur le rum et les vins, et il s'en consomme peu dans le Haut-Canada, où on fabrique maintenant en grande quantité des liqueurs spiritueuses, dont une certaine partie est transportée dans les marchés du Bas-Canada.

Quelles sont, entre les marchandises qui vont au Haut-Canada, celles qui sont sujettes aux droits?—Toutes les marchandises sur lesquelles il se paye des droits à leur importation dans le Bas-Canada; mais la plus grande partie se compose d'articles de manufacture britannique; de marchandises sèches.

Ne serait-il pas nécessaire d'établir d'une manière exacte la quantité de ces marchandises qui passe au Haut-Canada?—Très certainement.

La chose ne serait-elle pas inconvenante?—Non; parce que d'après la nature du pays il est à peine possible d'y monter des marchandises sans les faire passer par les écluses au Côteau du Lac; la navigation est telle, que s'écarter de cette voie serait s'exposer à de grandes dépenses. C'est aux écluses que la douane est établie. Dans l'hiver il y a beaucoup de facilité à introduire des marchandises dans le Haut-Canada sans arrêter à la douane; mais si les particuliers n'avaient aucun intérêt dans la remise des droits, on pourrait en établir le montant d'une manière correcte et il n'y aurait aucune tentation à faire la contrebande. Tous les articles de manufacture britannique sont soumis à un droit de deux et demi par cent *ad valorem* à leur importation dans le Bas-Canada.

Pensez-vous que l'un ou l'autre des deux plans que vous avez mentionnés fût préférable au système qu'on a dernièrement adopté en vertu d'un acte du parlement, de partager les droits perçus entre les deux provinces?—Je pense que le système de remises serait préférable; parce que dans la répartition du montant des droits dus au Haut-Canada ou à fait selon moi beaucoup d'injustice au Bas-Canada; le Bas-Canada contribue en grande partie aux dépenses du Haut-Canada.

Voulez-vous dire sur quel motif vous pensez que la répartition a été marquée d'injustice envers le Bas-Canada?—Parce qu'on fait l'estimation d'après le montant du revenu, et qu'on a basé la proportion du Haut-Canada sur la population; or les manières de vivre de la population du Bas-Canada diffèrent considérablement d'avec celles de la population du Haut-Canada; il se consomme en proportion plus d'articles de manufactures britanniques dans le Haut-Canada que dans le Bas, et ces articles ne payent qu'un faible droit; et

il s'y dépense moins de rum, et c'est sur cet article qu'est prélevée la plus grande partie du revenu, et sous ce point de vue je pense qu'on fait beaucoup d'injustice au Bas-Canada.

Pensez-vous qu'on pût jamais faire une répartition de manière à ce que ni l'une ni l'autre province n'y trouvassent à redire?—Le système actuel où les droits sont répartis par des arbitres nommés par chaque province, est moins sujet à objection qu'aucun autre système.

Ne les regarde-t-on pas comme une infraction des droits de l'assemblée du Bas-Canada?—Je l'ai toujours regardé ainsi, mais on a fait le sacrifice de ce point en faveur de l'harmonie.

Pensez-vous qu'il existe quelques données sur lesquelles il fût possible d'ajuster exactement la proportion que devrait recevoir chaque province?—Rien que l'établissement d'un bureau de douanes sur les frontières du Haut-Canada, pour établir le montant des articles imposés qui s'y transportent.

Combien souvent doit être réglée la proportion dévolue au Haut-Canada?—Pour les quatre ans je pense d'après l'acte du commerce du Canada; lors de la dernière répartition, les arbitres du Haut et du Bas-Canada différaient considérablement entr'eux; la décision finale fut laissée à un tiers, choisi dans le Nouveau-Brunswick; il pencha en faveur du Haut-Canada, comme nous nous y étions attendu.

Supposant que les deux provinces eussent des vues différentes sur leurs intérêts dans leurs liaisons avec l'imposition des taxes, et que le Haut-Canada fut disposé à mettre une taxe sur l'importation de quelque article, différente par son montant, ou absolument différente de celle qu'il plairait au Bas-Canada d'imposer sur le même article, de quelle manière opérerait alors le système de droits et de remises que vous proposez?—La remise étant accordée en entier laisserait les articles absolument francs de taxe; ils pourraient tous être taxés de la même manière ou d'une manière différente suivant la disposition de la législature du Haut-Canada; le reste n'est qu'une affaire de détail, qu'on arrangerait aisément.

Ainsi vous pensez que les marchandises pourraient passer au Haut-Canada franches de droits, quoiqu'elles en eussent été chargées dans le Bas-Canada, pourvu seulement que ces droits fussent entièrement remis?—Certainement.

Supposant qu'un article quelconque importé dans le Bas-Canada et sujet aux droits, devint à être manufacturé dans le Bas-Canada; supposant, par exemple, par rapport à l'importation des crins de cheval, on fit des brosses de ce crin; si ces brosses étaient importées dans le Haut-Canada, comment serait-il possible de faire la remise des droits?—Il existe à peine des manufactures dans le Bas-Canada, et il ne peut y en avoir d'ici à un temps considérable sur un plan étendu; c'est strictement un pays agricole; il ne peut jamais devenir manufacturier pas même si l'allégeance était changée.

Vous pensez qu'il ne résulterait de là aucun incon vénient?—Je ne le crois pas.

Ne pensez-vous pas qu'il y aurait des fraudes nombreuses contre le Bas-Canada sur le montant des remises, et qu'on enverrait au Haut-Canada des marchandises qui n'auraient pas payé ces droits?—Si on prenait les précautions convenables je ne pense pas qu'il pût se commettre aucune espèce de fraude, principalement si c'était une affaire de gouvernement entre les deux provinces, sans que les particuliers y fussent intéressés; les particuliers ne devraient rien avoir de plus à faire, que de donner leur rapport à la douane.

Ne remédierait-on pas d'une manière plus efficace par l'union des deux provinces que par tout autre plan aux difficultés qui surviennent entre les deux provinces au sujet de la perception du revenu?—Si les provinces étaient réunies, il n'y aurait aucune nécessité de diviser le revenu.

Quelle objection voyez-vous à incorporer les deux provinces au moyen d'une union?—L'union des deux provinces est sujette à des objections insurmontables sous beaucoup de rapports. L'étendue de pays serait trop considérable pour suivre avec avantage les objets de législation locale. Il serait nécessaire éventuellement, et peut-être à une époque peu éloignée de la subdiviser; le Haut-Canada peut le demander promptement, vu son étendue et sa forme géographique; et une partie du Bas-Canada pourrait aussi désirer d'être subdivisée; parce qu'il y a deux espèces de tenure qui créent un quelque sorte des besoins différents. L'étendue de pays qui serait sous l'opération de la législature unie, est une des plus grandes objections. Des personnes appelées d'une distance immense vers un point central pour représenter des endroits si reculés doivent nécessairement en législatant être exposées à beaucoup de troubles et de dépenses, et manquer de données suffisantes pour les mettre à même de faire des loix parfaitement et également à l'avantage de toutes les parties du pays. Il y a beaucoup d'autres raisons, qui ont été détaillées de la part du Bas-Canada, dans une lettre au sous-secrétaire d'état pour le département colonial, en 1823, que je ne crois pas nécessaire de répéter à présent; mais assurément on a dans le Bas-Canada des dispositions fortement opposées à l'union des deux provinces; et je crois que l'opposition est également forte dans le Haut-Canada.

Les opinions que vous avez exprimées vous portent-elles à croire qu'il serait maintenant à désirer d'effectuer une séparation entre les deux portions du Bas-Canada que vous décrivez comme n'ayant que peu d'intérêts communs l'une avec l'autre?—Non; j'esuppose qu'aucune mesure semblable ne conviendrait; à moins qu'elle ne fut demandée d'abord par le peuple lui-même; généralement parlant, mieux un peuple est unis mieux c'est; il en est plus fort sous les rapports politiques.

Vous pensez qu'il ne serait pas à propos de faire des townships une autre province à part?—De la manière dont ces townships sont dispersés des deux côtés du St.-Laurent on ne pourrait le faire; le principal désavantage qui en résulterait pour les habitants du Canada, serait qu'ils se trouveraient reserrés dans des limites très-étroites; cela les empêcherait d'étendre leurs établissements, probablement par dégoût pour le système différent de gouvernement et de loix qui existeraient dans les deux parties du pays.

Serait-il possible de tirer une ligne géographique qui établirait une séparation complète entre les townships et les seigneuries?—Il est impossible.

Par rapport au district de Gaspé pensez-vous que c'est avec convenance qu'il forme partie de la province du Bas-Canada?—Je pense qu'il forme une partie très-importante du Bas-Canada, et qu'il lui est d'une grande valeur. C'est-là que se trouvent les principales pêcheries et la richesse du fleuve; la prospérité du Bas-Canada pourrait s'accroître considérablement si on faisait une attention convenable à ces pêcheries.

Pensez-vous qu'en changeant la ligne qui divise les deux provinces, on pourrait par un arrangement accorder à l'une d'elles ou à toutes les deux, les parties qui seraient le plus à leur avantage?—Je ne pense pas que ni l'une ni l'autre y trouvât de grands avantages. On pourrait regarder le dénombrement d'une partie du Bas-Canada comme un manque de foi de la part de la Grande-Bretagne envers cette colonie; à toutes les parties de laquelle il est assuré par ces capitulations et par des actes du parlement un système de loix sous lequel les propriétés sont possédées depuis longtemps, et par lequel elles sont régies. En démembrer une partie serait séparer par violence les enfans d'une même famille.

Les habitants de l'une ou de l'autre province désireraient-ils que la ligne frontière subisse quelque changement?—Je ne sais pas qu'on en ait exprimé le désir dans le Haut-Canada, et l'on ne désire rien de semblable dans le Bas. J'ai entendu dire à quelques personnes qu'il serait à propos que le Haut-Canada eût un port d'entrée en quelque partie du Bas-Canada, mais je ne vois pas quel avantage le Haut-Canada retirerait de cette mesure. A ce que j'entends, l'objet d'avoir un port d'entrée est de permettre au Haut-Canada de se taxer lui-même; or s'il y est disposé, rien n'est plus facile que le mode que j'ai suggéré.

Beaucoup de personnes ne se plaignent-elles pas en Canada de ce que le gouvernement possède les biens qui appartiennent ci-devant aux jésuites?—On s'est plaint fortement de ce sujet; on s'est plaint de ce qu'on avait tari les sources d'éducation qui avaient été laissées au pays avant la conquête, et qu'on n'y a aucun moyen permanent d'éducation que par des efforts individuels.

De quelle manière entend-on de faire voir que les biens que les jésuites possédaient et qu'ils distribuaient comme il leur plaisait, étaient appliqués aux besoins généraux de l'éducation?—Ces personnes ne pouvaient tenir de biens pour leur propre avantage ni les distribuer comme il leur plaisait; ils ont reçu ces concessions dans l'origine du Roi de France et de particuliers, pour les objets d'éducation; et moyennant quelques autres devoirs qu'ils avaient à remplir, la conversion du sauvage à la foi chrétienne, et quelques autres

autres devoirs religieux ; mais le principal objet de ces biens était de les employer aux besoins de l'éducation en Canada. Ils avaient bâti à Québec un collège très-vaste, qui sert maintenant de casernes ; les revenus de ces biens sont maintenant beaucoup accrus, et nous ne savons ce qu'ils deviennent.

Savez-vous par hasard ce qui eût lieu au sujet de ces biens lors de l'expulsion des jésuites ?—Les autorités locales du Canada en prirent possession, et les possèdent encore.

Quand les jésuites ont-ils été expulsés ?—Je crois que l'ordre des jésuites s'est éteint en Europe en 1774.

De quelle manière a-t-on employé depuis les revenus des biens des jésuites ?—On les employait généralement dans la colonie, avant la conquête, pour des objets d'éducation ; cependant la conquête mit fin aux hautes branches d'éducation dans le Canada ; ils continuèrent toute fois à tenir une école à Québec après la conquête ; ils avaient des écoles en d'autres parties de la province, mais elles s'éteignirent aussi subséquemment.

Savez-vous si en France les biens des jésuites qu'on avait confisqués de la même manière, furent appliqués aux objets de l'éducation ?—On les employa en France, à ce que j'entends, aux objets de l'éducation, sous une autre autorité et sous d'autres instituteurs suivant leurs destination primitive.

La chambre d'assemblée a-t-elle fréquemment demandé le compte des produits de ces biens ?—L'assemblée a appelé un des commissaires devant un de ces comités, et il refusa de donner aucun renseignement au sujet de ces biens, nous prévinmes que ce serait créer des difficultés considérables que d'exercer alors les pouvoirs de la chambre pour forcer ce monsieur à faire sa déclaration ; la chambre en quelque sorte ne pressa pas la chose, nous espérames des temps meilleurs, et nous déclinâmes d'exercer dans le moment un droit particulier.

Les jésuites gardèrent-ils quelque influence sur l'administration et l'application des produits de ces biens après la conquête ?—Ils ont eu le contrôle et l'administration de leurs biens, excepté du collège, jusqu'à la mort du dernier de l'ordre.

Quand cela eût-il lieu ?—Je ne me rappelle pas exactement le temps, je pense que ce fut en 1801.

Depuis lors jusqu'à présent le gouvernement a-t-il été entièrement en possession des produits de ces biens ?—Oui ; et ce sont des biens d'une grande valeur. Une propriété en particulier, la seigneurie de la Prairie, qui est parfaitement établie, forme une paroisse populeuse du comté que je représente, peut-être la plus populeuse du comté, et ses revenus doivent être considérables. Il y avait un autre ordre en Canada, appelé les Franciscains ; à la mort du dernier de cet ordre la couronne prit possession des biens, et elle en a depuis échangé une partie pour d'autres biens, qu'elle a employé aux fortifications dans l'île de Ste.-Hélène.

Y a-t-il quelques autres biens dont la couronne soit maintenant en possession, qui aient appartenu ci-devant à quelque ordre religieux ?—Je n'en connais aucun autre.

Quels arrangements l'assemblée désirait-elle faire au sujet des biens qui appartenaient ci-devant aux jésuites ?—Elle voulait que ces biens fussent employés suivant leur destination primitive ; c'est-à-dire pour l'éducation de la jeunesse en Canada, comme il serait pourvu par la législation.

Voyant l'extinction de l'ordre des jésuites aux soins desquels l'administration de ces biens était confiée, à quelle espèce de personnes l'assemblée proposait-elle de donner la direction et l'administration de ces fonds ?—Je crois qu'on n'a pas fait de proposition d'une nature aussi particulière, mais c'est une affaire de détail qu'on pourrait aisément régler ; elle avait intention sans doute que le revenu de ces biens fut appliqué généralement à l'éducation de la jeunesse, sans distinction de religion ni de classe, autant que les titres primitifs le permettraient.

Mardi, 17e jour de juin, 1828.

Le rév. Anthony Hamilton, introduit ; et examiné.

Vous êtes secrétaire du bureau ecclésiastique pour le soutien du clergé colonial ?—

Oui.

De quelles personnes est composé ce bureau ?—Des archevêques de Canterbury et d'York, et de l'évêque de Londres.

Quand a-t-il été établi ?—En 1824 ou en 1825.

Par qui a-t-il été établi ?—Par lord Bathurst.

Qu'elle a été la forme de l'établissement ?—Une recommandation de lord Bathurst aux lords de la trésorerie, et une confirmation d'icelle par une minute de la trésorerie.

Le bureau a-t-il reçu des instructions ou des directions de lord Bathurst du temps de son établissement ?—La correspondance entre lord Bathurst et l'archevêque de Canterbury, et entre le très honorable Wilmot Horton et George Harrison, écuyer, fera voir les motifs de l'établissement ; copie en est soumise au comité.

Voulez-vous décrire les devoirs que le bureau avait à remplir ?—Les perquisitions sur le caractère et les qualifications des candidats appliquants pour des situations ecclésiastiques dans les colonies.

Les candidats font-ils applications aux évêques ou au bureau colonial ?—La pratique varie ; on envoie quelquefois les applications au secrétaire d'état, et quelquefois au bureau ecclésiastique.

En ce cas renvoyez-vous l'application au bureau colonial ?—Non, lors qu'on m'annonce une vacance de la part du bureau colonial, il est de mon devoir de recommander par l'entremise du bureau ecclésiastique, une personne convenable pour remplir cette vacance.

Parmi le nombre de candidats qui font application dans le cours d'une année le plus grand nombre s'adresse-t-il personnellement à vous, ou au bureau colonial ?—Je penserais que le plus grand nombre s'adresse à moi pas généralement en personne, mais par lettre ; on ne recommande jamais personne sans communications personnelles.

Tient-on un compte des applications de manière à en faire voir exactement la proportion en nombres ?—Oui.

Quelle nomination a-t-elle lieu sans un renvoi à votre personne, soit de la part des individus ou du bureau colonial ?—Je ne crois pas.

Y a-t-il eu quelque exemple qu'une recommandation de votre part n'ait pas eu de suite dans le bureau colonial ?—Je ne crois pas.

Vous recevez un salaire comme secrétaire du bureau ?—Oui, de £500 par an.

Y a-t-il un commis ?—Il y a un commis dans le bureau.

Ce salaire est-il payé à même le revenu colonial ?—Non, il est payé sur la recommandation de la trésorerie.

L'examen des ecclésiastiques s'applique-t-il à toutes les colonies ?—A toutes les colonies.

Vous étant convaincu de la capacité du candidat, quelle démarche prenez-vous ?—Je dresse une formule de recommandation, qui est signée par les membres du bureau ecclésiastique, et ensuite transmise au secrétaire d'état.

Et en conséquence de cette recommandation, la nomination a invariablement lieu ?—

Invariablement.

Dans la recommandation d'ecclésiastiques pour remplir les vacances qui arrivent en Canada, quelles démarches prend le bureau ?—Le clergé du Canada est sous le contrôle et la nomination de la société pour la propagation de l'évangile dans les pays étrangers, dont je suis le secrétaire.

Le bureau que vous avez décrit, composé des deux archevêques et de l'évêque de Londres, a-t-il quelque chose à faire avec les nominations pour le Canada ?—Il n'a jusqu'ici rien eu à faire avec la colonie, mais il y a diverses nominations dans les Canadas qui sont sous le patronage du secrétaire d'état, la plus grande partie en est sous le patronage de la société pour la propagation de l'évangile ; aucune de celles qui sont sous le patronage du secrétaire d'état n'est devenu vacante depuis l'établissement du bureau.

Avez la bonté de décrire quelles nominations en Canada sont sous l'influence du bureau ecclésiastique ?—Je penserais qu'elles sont bornées à celles du recteur de Québec, du recteur de Montréal et du recteur des Trois-Rivières.

Comment se fait-il que ces trois là soient sous l'influence du bureau ecclésiastique ?—

Parce qu'elles sont sous le patronage du secrétaire d'état, et non sous celui de la société pour la propagation de l'évangile.

Comment se fait-il que ces trois ecclésiastiques soient nommés par le secrétaire d'état ?—Je crois que telle a été la pratique depuis l'établissement de la colonie.

Par qui leurs salaires sont-ils payés ?—Soit par le gouvernement local, ou par le gouvernement d'ici, mais je ne sais pas de quelle manière on les paye.

Quand vous dites qu'ils sont sous le patronage du gouvernement, voulez-vous dire que néanmoins ils sont dans la pratique recommandée et nommée par le bureau ecclésiastique ?—J'imagine qu'ils le seraient en cas de vacance, mais il n'est encore arrivé aucune vacance depuis la formation du bureau ecclésiastique.

Voulez-vous expliquer quelle est la nature des fonctions que remplit la société pour la propagation de l'évangile dans les pays étrangers ?—De procurer et de maintenir un corps de clergé pour les colonies de l'Amérique du Nord. Les membres du clergé nommés par la société pour la propagation de l'évangile dans les pays étrangers, s'appellent missionnaires, ils sont collatés à certaines église en divers districts, et ils reçoivent un salaire de la société.

De quelles personnes la société se compose-t-elle ?—C'est une société volontaire, composée de membres ecclésiastiques et de membres laïques, incorporée par une charte, dans laquelle sont nommés certains dignitaires de l'église.

En quel nombre, environ ?—La liste incorporée se compose de 300 et c'est en eux que réside l'administration de la société ; il y a aussi une liste associée, qui se compose d'environ 4,000.

Quand cette société a-t-elle été formée ?—En l'année 1701.

A-t-elle une charte ?—Sa charte lui a été donné par le roi Guillaume.

Publie-t-elle un rapport annuel de ses procédés ?—Oui.

Quels fonds a-t-elle ?—Elle a certains fonds maintenant placés sous des garanties publiques, le produit des collections et des legs, au montant annuel de £4,000 à £5,000 ; des souscriptions volontaires qui se sont montées l'année dernière à environ £7,000 et un aide du parlement au montant d'environ £15,000.

Les 300 personnes que vous avez dit avoir la direction sont-elles toutes ecclésiastiques ?—Non.

Quelle est la proportion des ecclésiastiques ?—C'a en est de beaucoup la proportion la plus considérable.

Comprend-elle tous les évêques ?—Tous les évêques anglais, mais pas nécessairement.

Quelles sont les qualifications requise pour donner droit à quelqu'un de devenir un des membres incorporés ?—A mesure que des vacances se présentent sur la liste, on propose les membres et on les élit par ballotes.

Sont-ils tous nécessairement souscripteurs ?—Oui, ils ne peuvent souscrire moins de deux guinées.

Quel est votre salaire comme secrétaire ?—Mon salaire est de £180 par an ; mais j'ai aussi en outre une allocation pour loyer.

Au sujet des Canadas, quels devoirs cette société a-t-elle à remplir ?—De surveiller le clergé, de correspondre avec lui, de le nommer et de le payer.

Quel contrôle a-t-elle sur lui ?—Elle a le contrôle que donne en général le pouvoir de la bourse.

L'évêque n'a-t-il pas un contrôle épiscopal ?—Oui.

Quand vous avez parlé de l'assistance que la société reçoit du parlement, y avez-vous compris l'octroi spécial qui se fait pour les Canadas ?—Oui, je crois qu'il se monte à £7,000 sur les £15,000.

Le contrôle de la société ne s'étend-il qu'aux colonies de l'Amérique du Nord ?—

Oui.

De quelle manière a-t-on décidé du nombre d'ecclésiastiques pour le Haut et le Bas-Canada ?—Suivant les moyens de la société pour les soutenir ; le nombre en serait augmenté de beaucoup si les moyens de la société la mettaient à même de le faire.

Y a-t-il des applications envoyées du Canada pour demander que la société envoie des missionnaires pour des districts particuliers ?—Fréquemment.

De quelle manière la société sait-elle pour quel district un ecclésiastique est nommé, et s'il y a ou non une congrégation pour assister aux offices lorsqu'il y sera arrivé ?—

La société ne nomme jamais d'ecclésiastique à une congrégation, à moins que le peuple n'ait déjà bâti de lui-même une église, et ne soit convenu de procurer un presbytère.

Ainsi dans tous les cas on a bâti une église avant qu'un ministre ait été nommé ?—

Dans tous les cas, et on a procuré une maison, ou levé par contribution de quoi en payer une.

Ce fait est-il toujours communiqué par l'évêque ?—Oui.

Est-il certifié en quelque manière ?—Je ne dirai pas que dans tous les cas l'évêque certifie qu'il en est ainsi, mais je n'ai pas le moindre doute que le cas ne soit tel, parce qu'on l'a donné à cette société comme la règle de sa seigneurie.

De quelle manière vous assurez-vous du nombre probable des personnes dans chaque congrégation qui assisteront aux offices, ou du nombre des personnes qui appartiendraient à l'église ?—La seule manière dont nous puissions former un estimé de la congrégation se tire du rapport des communians ; cela n'a pas lieu dans tous les cas, mais on a eu des rapports de plusieurs, et d'après ceux-là je puis juger que les congrégations varient depuis 200 jusqu'à 300, 400 et 500, rarement s'en trouve-t-il au dessous de 200 ; le calcul que j'adopterais est de multiplier ce nombre par la congrégation, et ensuite par deux pour trouver le nombre des membres de l'église d'Angleterre.

Cette règle est-elle applicable à l'Angleterre ?—Il faut un ministre actif pour rendre cette règle applicable. Si un sixième de la congrégation est une estimation trop forte des communians, la congrégation doit être plus nombreuse. Je crois, d'après ce que j'ai entendu dire, que ce calcul ne correspondrait pas dans les établissements voisins des Etats-Unis, par ce que là, quoiqu'il y ait des congrégations très nombreuses, les gens n'ont pas pour habitude de communier.

Savez-vous pourquoi cela ?—Je conclus qu'étant des dissidens dans l'origine, ils ne sont pas encore complètement confirmés dans la foi et dans les pratiques des membres de l'église d'Angleterre.

Savez-vous de quelle manière on se procure des fonds pour la bâtisse des églises ?—Par des souscriptions populaires. La société pour la propagation de l'évangile accorde quelque assistance, mais cela ne forme qu'une faible partie du total.

Est-ce là fréquemment le cas ?—Dans presque tous les cas ou le demande.

Voulez-vous dire que cette assistance est accordée presque dans tous les cas où il y a une église de bâtie ?—Je le pense.

Quelle est la proportion de ce don à toute la dépense de l'église ?—Je crois d'un cinquième ou d'un sixième.

Comment estimez-vous le montant des frais de la bâtisse d'une église?—Par les rapports qui se font par fois. J'ai reçu hier l'estimé d'une église dans le Nouveau-Brunswick, qui était au dessus de £600; la société a accordé une aide de £100 à cette église.

Envoie-t-on subséquemment, après la bâtisse de l'église et le don de la société, un compte de la dépense actuelle qu'a été encourue?—Pas comme pratique régulière.

En avez-vous reçus en plusieurs cas?—Du Canada, je dirais que non; nous en avons reçus en plusieurs cas de la Nouvelle-Ecosse et du Nouveau-Brunswick. Il y a quelques années qu'un don de 2,000L fut mis à la disposition de l'évêque de Québec, et le papier que je remets fait voir comment 1,300L sur cette somme avaient été dépensés pour aider la bâtisse de 20 églises de juillet 1821 à décembre 1824.

Avez-vous quelque raison de croire que le don fait par la société pour la bâtisse d'églises ait jamais formé une proportion beaucoup au-dessus d'un cinquième du total dépensé?—Je dirais que non, certainement.

Par qui est fourni cet estimé?—Par les gens eux mêmes, par l'entremise du missionnaire ou de l'évêque.

Pouvez-vous donner au comité un détail exact des sommes accordées pour la bâtisse d'églises en Canada pendant chacune des cinq dernières années, spécifiant le montant donné en chaque?—Je puis le procurer.

Pouvez-vous aussi procurer un compte par estimé des frais de bâtisse de chaque église?—Pas de chaque église, mais je le pourrais pour quelques-unes.

Si vous pouvez procurer l'estimé en quelques cas, pourquoi ne le pouvez-vous en tous les cas?—Parce qu'on ne nous en a pas fait rapport; nous faisons le don sur la recommandation de l'évêque.

La société a-t-elle quelque principe fixe dans la distribution des sommes qu'elle accorde pour la bâtisse d'églises?—Elle varie les dons suivant les besoins de l'endroit; je ne puis dire qu'il y ait aucun principe fixe.

Pouvez-vous dire quel est le montant qu'elle accorde d'ordinaire?—De 50L à 100L, et elle a accordé autant que 200L. Toutefois dans des cas particuliers, mais je ne connais aucun cas en Canada où elle ait accordé 200L, cette somme a-t-elle été dépensée?—Oui.

Y a-t-il des rapports de la dépense?—Il y a en un rapport de ces 2,000L.

Y a-t-il aussi un rapport des sommes qu'on allègue avoir été dépensées en chaque cas particulier?—Oui; chaque cas est accompagné de certificat de l'évêque; c'est l'évêque qui tire les fonds.

Accorde-t-on quelques deniers pour la bâtisse de presbytères?—Pas en Canada.

Pouvez-vous dire à même quels fonds ils sont bâtis?—Ils sont bâtis en général au moyen de souscriptions populaires.

La société a-t-elle retiré quelque revenu des réserves du clergé?—Pas du tout; la société n'a rien à faire avec elles.

Quelle partie de l'octroi du parlement est appliqué au soutien du clergé en Canada?—Il y a 7,000L de votes, et il se distribue une somme beaucoup plus considérable; en Canada on ne tient pas de comptes séparés par des renvois aux différens comptes; le trésorier entre dans son livre un compte séparé pour chaque missionnaire particulier.

Pouvez-vous dire quelle proportion en est appliquée au Canada?—Sans doute la totalité des 7,000L l'est, et beaucoup plus.

Pouvez-vous procurer au comité les rapports annuels des dépenses de la société pour les cinq dernières années?—Oui, ils sont publiés tous les ans.

Suivant qu'elle règle décidez-vous du salaire à payer à chaque ecclésiastique du Canada?—Le terme moyen des salaires est de 200L par an; il y a bien peu de cas où ils soient au-dessus ou au-dessous de cette somme.

En décidant si les salaires seront portés à 200L par an, ou à moins, avez-vous égard au nombre des membres de la congrégation?—Non; on a pensé que 200L par an était la moindre somme qui pût faire vivre un ecclésiastique avec une certaine respectabilité.

Le comité a vu un rapport des procédés de la société où il a observé plusieurs colonnes; l'une d'elles contenait un exposé du salaire payé à l'ecclésiastique, et il avait une autre colonne dont le titre était, "rapport de la population de chaque paroisse," cette colonne était entièrement en blanc; pouvez-vous dire si les missionnaires n'ont pas été capables de fournir des rapports du nombre de la population protestante sous leur desserte?—Ils l'ont fait en quelques cas, mais la chose est extrêmement difficile.

Les rapports s'annoncent-ils pour donner la population protestante en général, en y comprenant les dissidens?—Oui.

De quelle manière déterminez-vous le district où chaque ecclésiastique exerce ses fonctions; y a-t-il quelque chose qui ressemble à une division en paroisses?—Aucune en Canada; on a regardé comme un grand défaut qu'une semblable division n'ait pas eu lieu, ce n'a pas été faute de représentations au sujet; dans la Nouvelle-Ecosse et dans Nouveau-Brunswick le pays est divisé en paroisses.

Savez-vous s'ils ont quelques paiemens sous forme d'honoraires?—Ils ont des honoraires de surplus, mais ils sont très modiques, on n'en connaît pas le montant; il peuvent être considérable dans les grandes villes comme Kingston et York.

Les souscriptions de la société vont-elles en augmentant ou en diminuant?—En augmentant.

Trouvez-vous de la difficulté à vous procurer des ecclésiastiques anglais pour faire le service en Canada moyennant le salaire que vous donnez?—Je dois dire que non; nous avons en ce moment un grand nombre d'applications devant nous; la seule difficulté que nous ayons consiste à trouver les moyens de soutenir le clergé.

Pensez-vous que la grande partie des deniers que vous appliquez au soutien du clergé en Canada provienne des dons du gouvernement, ou de souscriptions privées?—Je pense qu'une grande proportion provient des dons du gouvernement, parce que le don de 15,500L fait par le gouvernement, surpasse la somme totale des autres ressources de la société, qui se montent à 11,000L ou à 12,000L.

L'évêque de Québec dans ses communications avec la société ou avec le bureau ecclésiastique, dit-il que s'il y avait plus de facilités pour la dotation d'églises, et des moyens pécuniaires pour le soutien des ecclésiastiques, on témoignerait dans le pays un besoin d'ecclésiastiques de l'église d'Angleterre?—Sans doute, il l'a répété souvent, et Sir Peregrine Maitland a dit la même chose dans ses communications avec le gouvernement.

L'évêque dit-il cela au sujet des deux provinces?—Il le dit par rapport à toutes les deux.

Les églises du Canada sont-elles à présent abondamment pourvues de ministres?—Non, on nous a fait des applications réitérées pour de nouveaux ministres, mais nous n'avons pas les moyens de les soutenir.

Y a-t-il quelques églises sans ministres?—Un grand nombre de ministres dessert deux ou trois églises.

Serait-il possible d'avoir un compte de celles là?—Oui; qu'on me permette d'observer que d'abord j'ai prié qu'on ne m'examinât pas, parce que je suis assuré que l'examen est défectueux; on a pris des mesures pour donner au comité des renseignemens d'une nature bien supérieure, et on attend ces renseignemens de jour en jour de l'évêque de Québec. Avec la permission du comité, je ferai une observation au sujet des réserves du clergé, tant sur la question de droit, que sur la question d'expédition.

Savez-vous quelle est l'opinion du clergé de ce pays sur les réserves du clergé?—La chose a été le sujet de conversations très fréquentes, et on regarde comme exclusif le droit du clergé de l'église d'Angleterre dans les Canadas.

Appliquez-vous vos raisonnemens principalement sur l'expédition de procurer l'instruction religieuse d'une manière ou d'un autre, plutôt que sur l'expédition d'y pourvoir d'après la méthode particulière désignée dans l'acte du parlement?—Oui.

Pensez-vous qu'une église exclusive tendit à promouvoir la paix et l'harmonie parmi la population en général?—Je le croirais.

Même parmi les canadiens français?—Non, les circonstances sont là totalement différentes.

Savez-vous qu'il a été présenté des pétitions dont les signataires sont nombreux, venues des deux Canadas, contre une église exclusive, et que la chambre d'assemblée du Haut-Canada a passé par une très grande majorité des résolutions dans le même sens?—Je ne pense pas que cela soit concluant contre les dispositions du peuple en faveur de l'église.

M. James Charles Grant, introduit; et examiné.

Etes-vous natif du Canada?—Je le suis.

Etes vous venu en Angleterre pour y représenter les vues de quelque classe de personnes dans ce pays-là?—Oui, je suis venu représenter les réclamations des presbytériens.

Appartenez-vous à l'église d'Ecosse?—Oui.

Y a-t-il dans le Haut-Canada beaucoup de personnes appelées presbytériens qui diffèrent de l'église d'Ecosse?—Il y en a beaucoup qui ne sont pas en communion avec l'église d'Ecosse.

Pouvez-vous donner le nombre de chaque classe?—Non, il est impossible de donner un détail correct des nombreuses différentes qu'il y a dans le pays, parce qu'on n'a fait aucun recensement.

Pouvez-vous dire quelle classe de presbytériens est la plus considérable, celle qu'on nomme presbytériens écossais, ou l'autre?—Je ne puis donner la comparaison en nombre; on n'a procuré aucuns moyens pour encourager les ecclésiastiques de l'église d'Ecosse à s'établir dans le pays; je ne possède que des renseignemens généraux reçus de différentes parties du pays; mais ceux qu'on regarde dans cette province comme dissidens écossais se réuniraient à la communion de l'église d'Ecosse si elle y était établie. Dans l'opinion de beaucoup de personnes ou la regarde comme établie par la loi, mais le gouvernement colonial n'a pas eu les mêmes vues.

Y a-t-il une classe de presbytériens dans le Haut-Canada qui tire son origine des Etats-Unis?—Oui.

Forment-ils une troisième classe, posant toujours en fait que les presbytériens Ecossais soient divisés en dissidens et en non-dissidens?—On les regarde comme une classe séparée.

Fréquenteraient-ils le même lieu de culte que les presbytériens Ecossais?—Je ne puis en parler d'après mes connaissances personnelles; mais j'ai raison de penser d'après les renseignemens que j'ai reçus de différentes parties du Haut-Canada, que tous ceux qui sont attachés à une forme de culte presbytérienne se réuniraient à l'église d'Ecosse.

Savez-vous s'ils diffèrent dans le dogme ou dans la discipline?—Pas dans le dogme, je crois.

Avez-vous apporté une pétition du Haut-Canada?—La pétition que j'ai apporté avec moi est à ce que je présume devant le comité; elle vient du Bas-Canada, mais elle s'annonce pour être de la part des deux provinces; cette pétition est signée par quelques habitans du Haut-Canada; on devait me remettre une autre pétition du Haut-Canada, mais je ne l'ai pas encore reçue.

Que représentez-vous de la part des pétitionnaires?—La pétition expose la réclamation des presbytériens à une portion du revenu des réserves du clergé, qu'on a mises à part pour le soutien du clergé protestant dans le pays. L'objet de la pétition est d'obtenir des moyens permanens pour le soutien des ecclésiastiques de l'église d'Ecosse.

Quel est le nombre des signataires de cette pétition?—Au dessus de 4000.

Y en a-t-il beaucoup du Haut-Canada?—Je ne puis dire quel nombre ou quel proportion des pétitionnaires résident dans le Haut-Canada; il y en a beaucoup qui résident dans cette province.

Avez-vous quelques notions générales du montant de la population protestante du Bas-Canada?—Je suppose qu'elle peut se monter dans le Bas-Canada de 60,000 à 80,000.

Avez-vous quelques notions du montant de la partie de cette population qui appartient à l'église d'Angleterre?—Les seuls moyens que j'ai de juger du montant comparé, viennent des réponses qui ont été faites à des questions qu'on avait envoyées en différentes parties des établissemens protestans à des personnes respectables qu'on supposait compétentes à donner des renseignemens à cet égard. Il s'est élevé l'automne dernière en Canada beaucoup de fermentations et de discussions, en conséquence de la publication d'une carte et d'une lettre ecclésiastique, qui prétend donner un compte statistique des dénominations religieuses de la province, et qui avaient été composées par le Dr. Strachan pour l'information du gouvernement de sa Majesté; l'opinion générale était que les vues forcées et les détails erronés contenus dans cette carte, étaient destinés à produire de fausses impressions, et à conduire sur le sujet aux inductions et aux conséquences les plus erronées. On avait adopté le mode ci-dessus mentionné, dans le dessein d'obtenir les renseignemens les plus exactes; j'ai en ma possession les réponses faites à ces questions dans quelques établissemens tant du Haut que du Bas-Canada, par lesquelles je vois que le nombre des épiscopaliens varie dans les divers établissemens, mais ils ne forment qu'une petite proportion de la population protestante.

Avez-vous quelque moyen plus exact de connaître quelle proportion forment les presbytériens sur la population protestante du Bas-Canada?—Aucun autre mode de l'établir que celui que j'ai mentionné.

L'église écossaise en Ecosse n'a-t-elle pas envoyé des questions aux colonies, et reçu des rapports en réponse?—Oui, elle n'a reçu de rapports que de quelques-uns des établissemens. Il est nécessaire de remarquer que la partie protestante de la population est dispersée dans les townships sur une si vaste étendue de pays, et les moyens de communication si difficiles entre les établissemens, et même quelquefois interrompus et impraticables, et qu'il y a tant de difficulté à trouver des personnes, au défaut d'ecclésiastiques dans les divers établissemens, qui veillent prendre la peine d'établir le nombre des personnes attachées aux diverses formes de culte, que les renseignemens qu'on s'est procurés ne sont pas aussi amples qu'on s'y serait attendu.

Pouvez-vous donner la proportion des presbytériens et des membres de l'église d'Angleterre dans le Bas-Canada?—Je ne puis le dire exactement, mais je crois que les presbytériens sont plus de trois fois plus nombreux que les épiscopaliens.

Quelle est la proportion dans le Haut-Canada?—Il est très-difficile de répondre à cette question, mais j'imagine que là aussi la même proportion correspond à ces diverses croyances.

Etes-vous tout à fait persuadé que ni dans le Haut ni dans le Bas-Canada le nombre des membres de l'église d'Angleterre n'égale celui des presbytériens?—C'est l'impression que j'en ai.

Savez-vous que jusqu'à présent les réserves du clergé ont produit fort peu de chose?—Elles n'ont pas produit grand chose jusqu'ici.

Savez-vous quelle somme elles ont produit annuellement?—Je crois pas plus de £500 ou de £600, ou entre ces sommes et £1000.

Par qui sont elles administrées à présent?—Par une corporation composée de l'évêque et du clergé bénéficiaire du Bas-Canada.

Cette corporation est-elle exclusivement composée de membres de l'église d'Angleterre?—Oui.

La population presbytérienne de la province voit-elle avec alarme que l'administration de ces réserves du clergé soit donnée à un corps composé exclusivement de membres de l'église d'Angleterre, et augure-t-elle de là qu'on a intention de donner finalement la propriété de ces réserves à l'église d'Angleterre?—Certainement ces terres ont été réservées pour le soutien d'un clergé protestant; les presbytériens appartenant à une des églises établies de la Grande-Bretagne, ils ont toujours pensé que quand ces terres viendraient à produire quelque chose ils auraient part aux revenus de ces réserves; et l'apparition d'un avertissement qui annonçait la formation de cette corporation, excita d'abord l'alarme parmi eux, et les engagea à veiller de plus près à la situation de leurs établissemens religieux.

En quelle année était cela?—En l'année 1820. Ce n'était pas seulement l'opinion des presbytériens eux mêmes, mais je puis dire que c'était l'opinion généralement reçue dans le pays, qu'ils avaient de justes droits à une portion de ces revenus.

Les presbytériens du Bas-Canada sout-ils d'opinion qu'ils devraient avoir conjointement avec l'église d'Angleterre et exclusivement à tous autres la propriété de ces réserves, ou s'ils admettraient d'autres protestans à y participer?—Ils pensent que d'après les termes de l'acte même, ces terres étant réservées pour le soutien d'un clergé protestant, il n'y a que l'église d'Angleterre et l'église d'Ecosse auxquelles on avait dessein de faire rapporter l'acte, vu qu'aucune autre croyance chrétienne n'est reconnue par la loi; en même temps je ne puis dire que les presbytériens eussent objection à ce qu'on pourvût à même ces fonds aux besoins d'autres ministres protestans.

Quelle

Quelle serait la proportion des autres espèces de protestans comparés au nombre des membres de l'église d'Ecosse et de l'église d'Angleterre?—Je ne puis le dire quant aux townships de l'Est; mais je suppose que dans la cité de Montréal ils se montent à la moitié du nombre des presbytériens; il n'y en a que peu dans les autres établissemens protestans d'où on ait reçu des réponses.

Connaissez-vous le nombre des ministres presbytériens dans l'une et l'autre des deux provinces?—Je puis procurer au comité les noms des divers ministres; mais cela n'est pas une donnée convenable pour juger du nombre des presbytériens; parce qu'en conséquence des amplex moyens de soutien qu'ont les ministres de l'église d'Angleterre, et des facilités dont ils jouissent comme établissemens religieux; les ecclésiastiques de l'église d'Angleterre se sont multipliés en plus grande proportion que leurs ouailles, tandis que les presbytériens n'ont eu aucuns moyens pour le soutien de leurs ministres; et comme aucun presbytère en Ecosse n'ordonnera un ministre à moins qu'il ne soit pourvu à ses besoins d'une manière suffisante et assurée, de nombreux troupeaux attachés à cette église ont continué d'être et sont encore sans pasteurs.

Le comité a été informé qu'il y a deux ministres presbytériens à Montréal et un à Québec; pouvez-vous apprendre au comité s'il y en a d'autres d'établis d'une manière permanente?—Il n'y a que deux congrégations à Montréal qui soient aux charges de trois ecclésiastiques en communion avec l'église d'Ecosse; il y en a une à la charge d'un ministre en communion avec le presbytère de New-York. A Québec il n'y a qu'une congrégation, à la charge d'un ecclésiastique en communion avec l'église d'Ecosse; il y en a une autre en communion avec un presbytère en quelque partie des Etats-Unis.

Y a-t-il quelques autres congrégations dans le Bas-Canada?—Les presbytériens sont nombreux en divers établissemens, et il s'y formerait des congrégations si on leur procurait des ministres.

D'où concluez-vous qu'il s'en formerait?—Du désir que les habitans ont manifesté, et des applications qu'ils ont faites pour avoir des ministres.

Y a-t-il d'autres ministres presbytériens de l'église d'Ecosse, qui officient sans avoir de congrégations régulièrement formées?—Oui, il y en a deux à Montréal, qui vont dans les établissemens adjacens faire quelquefois les offices pour les émigrés dans le voisinage immédiat de la ville.

Y en a-t-il quelques autres dans le Bas-Canada?—Dans le Bas-Canada, pas que je sache.

Quel est le nombre des ministres presbytériens qui officient sans avoir de congrégation régulière?—Je crois qu'il y en a environ cinq dans le Haut-Canada qui ont des congrégations en communion avec l'église d'Ecosse; et je suppose qu'il se formerait vingt congrégations de plus dans cette province si on procurait des ministres aux établissemens où on a besoin de leurs services.

Pouvez-vous nommer ces cinq là?—Il y en a un à Kingston, M. Machar; M. Urquhart à Cornwall; M. Mackenzie à Williamstown; M. Connell à Martintown; et M. Sheed à Ancaster.

Pouvez-vous dire le nombre des congrégations et aussi des ministres officians dans le Haut-Canada?—Je ne puis le dire de moi-même, mais je puis rapporter les renseignemens reçus de différentes parties du Haut-Canada, en réponse aux questions qu'on avait envoyées. Dans le district de l'ouest du Haut-Canada il y a environ 8,000 habitans en tout, dont 3,500 sont catholiques-romains, et 4,500 protestans; on suppose que la moitié de la population protestante préfère la forme presbytérienne de culte. On suppose que le district de Niagara contient une population d'environ 20,000 âmes, dont on croit que les trois-quarts sont presbytériens et attachés à cette forme de culte; il y a huit églises presbytériennes de bâties dans ce district, mais aucun ministre Ecosse; le nombre des épiscopaliens est très-faible. Les salaires que reçoivent les ministres varient de £50 à £100. Les ministres qui officient dans ces églises sont en liaison avec les presbytères Américains, à l'exception d'un à Niagara, M. Frazer, qui est un dissident écossais. Dans le district de Bathurst, la population se monte à environ 12,000 âmes, elle vient principalement d'Ecosse, et est composée en majeure partie de presbytériens; il y a trois congrégations aux charges de ministres de l'église dissidente d'Ecosse qui officient dans ce district. Ce district est établi depuis douze ans, et en général les habitans y sont trop pauvres pour contribuer au soutien de ministres.

Les causes de séparation entre les dissidens et les autres presbytériens de l'église d'Ecosse, qui existent en Ecosse, existent-elles aussi en Amérique?—Ces causes n'existent pas dans les Canadas; les ecclésiastiques de l'église dissidente d'Ecosse dans le Haut-Canada se sont formés en presbytères, et à une assemblée récente ils ont résolu que les causes de différence qui avaient divisé les presbytériens d'Ecosse étaient inapplicables aux localités des colonies, et exprimé leurs dispositions à se réunir à l'église d'Ecosse. J'ai ces résolutions, et je les remettrai au comité si on le désire.

Supposez-vous que dans le cas où on établirait un clergé presbytériens en Canada, les presbytériens qui sont en liaison avec ceux des Etats-Unis seraient disposés à se joindre aux presbytériens écossais?—Oui, d'après les renseignemens que j'ai reçus, il paraît que tous s'y réuniraient, ou au moins la majorité.

Voulez-vous continuer à donner les renseignemens que vous possédez au sujet des autres districts?—Le district Midland contient une population d'environ 30,000 personnes dont on suppose qu'au moins un tiers est attaché à la foi presbytérienne et se réunirait à la communion de l'église d'Ecosse, si on lui procurait des ministres d'Ecosse.

Pouvez-vous dire le nombre des membres de l'église d'Angleterre dans ce district?—Non, je ne puis; nous avons des renseignemens plus particuliers de quelques-uns des townships des districts de l'est. Nous avons reçu des rapports de sept townships sur douze dans le district de l'est; il y a trois ecclésiastiques de l'église d'Ecosse qui résident dans le district. Ce qui suit est un recensement de quatre townships; le township de Charlottenburgh contient 2,104 presbytériens, 75 épiscopaliens et 1,652 catholiques-romains. Celui de Lancaster contient 902 presbytériens, point d'épiscopaliens, 1,019 catholiques-romains. Celui de Kenyon contient 597 presbytériens, point d'épiscopaliens, 490 catholiques romains. Celui de Lochiel contient 1,152 presbytériens, un épiscopalien, et 662 catholiques-romains.

Avez-vous choisi ces townships sur les dix où le calcul se trouve le plus favorable à la cause presbytérienne?—Non. Je n'ai d'autres motifs sinon que les renseignemens reçus de ces townships sont plus particuliers que ceux des autres endroits, et cela vient de ce que dans ces townships il y a des ecclésiastiques qui ont pris la peine de se les procurer, et il est probable que le nombre des presbytériens y est plus considérable, ou au moins qu'il n'y a pas un grand nombre de dissidens, puisqu'il y a des ministres d'établis en cette partie du pays.

Avez-vous pour ces quatre townships des rapports des lieux particuliers de culte?—Je ne m'en rappelle pas à présent, mais je crois que le service se fait à Lochiel, à Williamstown, et autres endroits.

Savez-vous s'il y a quelque église épiscopale dans quelqu'un de ces quatre townships?—Je n'en connais aucune.

Y a-t-il des dissidens dans ces townships?—Non; dans le fait ces townships sont principalement habités par des écossais; les townships de Cornwall et de Roxburgh contiennent une population totale de 2,918 âmes, et il y a 1,128 presbytériens.

Se loue-t-il quelque partie des réserves du clergé dans ces townships?—Je ne puis le dire; je présume cependant qu'il s'en loue une partie, vu que ces townships sont bien établis, et qu'il est probable en conséquence que ces terres ont été prises.

Comment ces gens se procurent-ils des fonds pour bâtir leurs églises et payer leurs ministres?—Par des contributions volontaires, et les gens sont pauvres dans la plupart des nouveaux établissemens, et n'ont pas les moyens de soutenir un ecclésiastique d'une manière suffisante.

Savez-vous quelle est la dépense ordinaire dans les townships nouvellement établis pour la bâtisse d'une église de bois capable de contenir 150 ou 200 personnes?—De 1000 à 2000. Je ne veux pas parler d'un édifice permanent; mais d'un qui remplirait entièrement l'objet pour quelques années; un édifice plus solide coûterait probablement 5000.

Retirent-ils quelques secours d'ailleurs pour la bâtisse de ces églises?—Aucun quelconque.

Connaissez-vous la proportion d'émigrés venus de chaque partie de l'empire uni, qui

s'applique généralement au nombre total d'émigrans qui arrive?—L'émigration vient principalement d'Ecosse et d'Irlande.

L'assemblée générale d'Ecosse n'a-t-elle jamais fourni aucun secours pour la bâtisse des églises?—Elle n'en a fourni aucun; j'imagine qu'elle n'en a pas à sa disposition.

Vous avez dit que le salaire des ministres n'était pas proportionné?—J'ai dit que dans quelques-uns des townships anciennement établis, et où les habitans sont plus riches que dans ceux d'une date plus récente, le salaire que l'on paieait aux ecclésiastiques variait de 500 à 1000 par an, ce qu'on regarde comme insuffisant pour leur soutien; et aucun presbytère de l'église d'Ecosse n'ordonnera un ministre pour une paroisse à moins qu'il ne soit pourvu à une rétribution suffisante.

Que regardez-vous comme une rétribution suffisante?—Il n'y a aucune somme fixe, mais 1500 ou 2000 par an seraient un salaire proportionné.

Comment sont payés les ecclésiastiques de Montréal?—Par des contributions volontaires.

A combien peuvent se monter leurs revenus?—Je doute qu'ils reçoivent plus de 2000 chacun par an, ce qui est autant que leurs congrégations peuvent convenablement payer, nonobstant que la plus grande partie de la richesse du pays soit concentrée dans les villes.

Direz-vous que vous croyez que dans un pays dans les mêmes circonstances que le Canada, les besoins religieux du pays sont mieux soutenus en général par des contributions volontaires, ou par des fonds créés en mettant à part une certaine partie du territoire du pays pour le soutien du clergé?—En général les habitans sont trop pauvres pour pouvoir suffisamment au soutien des ecclésiastiques par des contributions volontaires; dans un tel pays, tant qu'il est dans l'enfance, on a nécessairement besoin de tirer des secours d'une autre source.

Pensez-vous qu'en toutes circonstances il serait nécessaire de réserver une certaine portion du sol au soutien de la religion dans les Canadas?—Je ne puis dire qu'il serait nécessaire de mettre une portion du sol en réserve, mais je pense qu'il serait convenable d'adopter quelques dispositions pour le soutien de la religion, de cette manière ou d'une autre.

Pensez-vous que les réserves du clergé formeront des ressources suffisantes pour le clergé lorsque l'état de la civilization sera plus avancé, comme il l'est en quelques parties du Haut-Canada?—Oui; quoique les terres qu'on a mises en réserve pour le soutien du clergé n'aient jusqu'ici rapporté que bien peu de chose, si cependant on les conserve pour cet objet, elles doivent avec le temps devenir d'une grande valeur, mais jusque là on devrait procurer quelques ressources à même d'autres fonds.

Savez-vous que la chambre d'assemblée du Haut-Canada a passé certaines résolutions, où elle soutient qu'elle a le droit de contrôler les fonds provenus des réserves du clergé, et où elle soutient aussi qu'il serait bon pour l'avantage de la colonie que ces fonds fussent appliqués non seulement au soutien de la religion, mais aussi à celui de l'éducation?—Je ne sache pas qu'elle ait dans ces résolutions soutenu avoir le droit de contrôler le revenu de ces terres. J'ai entendu dire que des résolutions semblables à celles qu'on vient de mentionner avaient été dernièrement adoptées par l'assemblée du Haut-Canada, mais je sais aussi qu'en 1824, ce corps adopta des résolutions d'une nature toute différente et qu'une adresse fondée sur ces résolutions fut présentée à sa Majesté; j'ai ces deux pièces en ma possession.

Les presbytériens de l'église d'Ecosse qui sont dans l'assemblée concourent-ils dans la seconde résolution mentionnée?—Je ne puis dire; ce n'est que d'après un rapport vague que j'ai compris que l'assemblée du Haut-Canada avait dans la dernière session passé des résolutions de cette nature; mais je puis dire que non seulement les presbytériens mais les autres croyances chrétiennes de la province ont adopté des résolutions en faveur des réclamations de l'église d'Ecosse à l'égard de ces réserves en 1824, et j'ai la pétition appuyée sur ces résolutions, pour la soumettre au comité.

Est-ce l'opinion générale de l'église presbytérienne que l'administration de ces réserves du clergé doit être laissée à la législature de la province?—Je ne puis dire quelle est son opinion à ce sujet; mais je présume que la législature provinciale ne contrôlerait et ne peut contrôler le revenu de ces terres, que sous la restriction établie par l'acte de la 31^{me} Geo. 3, c. 31.

Ne savez-vous pas qu'une partie de cet acte autorise l'assemblée provinciale à intervenir?—Oui, jusqu'à un certain point, mais je crois que toutes les dispositions faites à cet égard par la législature provinciale seraient sujettes aux mêmes restrictions et n'auraient d'effet qu'après avoir reçu la sanction de sa Majesté, après avoir été soumises d'abord aux deux chambres du parlement de la Grande-Bretagne. La chambre d'assemblée du Haut-Canada passa en 1823 ou en 1824 les résolutions que j'ai déjà mentionnées en faveur de l'église d'Ecosse, et ces résolutions furent envoyées au conseil législatif pour sa concurrence. Mais le conseil législatif ayant refusé d'adopter ces résolutions, l'assemblée du Haut-Canada fit une pétition à sa Majesté en faveur des presbytériens; je tiens en main une copie de cette pétition, et je la lirai avec la permission du comité.

[Elle fut lue comme suit:]

"A la Très Excellente Majesté du Roi.

"Très Gracieux souverain.

"NOUS les fidèles et loyaux sujets de Votre Majesté, les communes du Haut-Canada assemblées en parlement provincial, demandons très humblement qu'il nous soit permis d'approcher de Votre Majesté, et de soumettre à la Très Gracieuse considération de Votre Majesté nos plus vives supplications en faveur du clergé et des membres de l'église établie d'Ecosse en cette partie de vos domaines. Lorsque pour le bonheur de l'un et de l'autre, les royaumes d'Angleterre et d'Ecosse furent unis sous la couronne britannique, les sujets furent placés de part et d'autre sur un pied réciproque, ils devaient jouir pleinement de la participation à tout droit, à tout privilège et à tout avantage, et leurs églises respectives furent établies comme "véritables églises protestantes" dans leurs limites particulières; c'est pourquoi le clergé de l'un et de l'autre pouvait raisonnablement s'attendre à participer également aux avantages qui résulteraient de l'union. En regardant la conquête de ces provinces enlevées à la France par les forces réunies de la Grande Bretagne et d'Irlande comme un grand avantage résultant de l'union, nous croyons humblement qu'après cette conquête les églises d'Angleterre et d'Ecosse avaient des droits égaux à l'exercice et à la jouissance dans ces provinces de leurs privilèges religieux respectifs, et d'égaux prétentions aux avantages ou aux secours qui pourraient être tirés du territoire nouvellement acquis. Un acte passé dans la trente-unième année du règne de notre défunt et révérend souverain, dont la mémoire vivra longtemps dans nos cœurs, autorise l'appropriation d'un septième des terres de la province au support et au maintien d'un clergé protestant en cette province; et vu les termes généraux de "clergé protestant" employés dans cet acte, les sujets de Votre Majesté en cette province, qui appartiennent et sont attachés particulièrement à l'église d'Ecosse, espéraient fermement qu'on avait pourvu aux besoins du clergé de cette église aussi bien qu'à ceux de l'église d'Angleterre, et quoique la réserve de terre ainsi autorisée n'ait en grande partie produit que peu de chose, ils avaient une certaine confiance qu'avec le temps elle procurerait un soutien convenable au clergé des deux églises. Les terres réservées par cet acte étant réclamées et possédées exclusivement pour le support et le soutien du clergé de l'église d'Angleterre en cette province, nous supplions humblement Votre Majesté de faire attention au sujet, et si dans l'interprétation légale du dit acte on trouve qu'on n'a eu en contemplation par icelui aucune disposition pour le clergé de l'église d'Ecosse, nous exprimons à Votre Majesté d'une manière très respectueuse et très pressante, notre espoir qu'il plairait gracieusement à Votre Majesté d'étendre sur eux votre protection et votre considération royales, en faisant faire pour leur maintien et leur support telles dispositions qui paraîtraient convenables à Votre Majesté. Puisse Votre Majesté régner longtemps avec la confiance et l'affection de tous vos sujets, pour garder et assurer leurs droits en chaque partie de vos domaines étendus, c'est la prière des fidèles sujets de Votre Majesté les communes du Haut-Canada.

(Signé)

"LEVIUS P. SHERWOOD,
Orateur."

"Communes chambre d'assemblée,
5ème janvier 1824."

Savez-

Savez-vous par quel nombre de membres la pétition a été votée dans la chambre d'assemblée?—Dans le conseil législatif il y avait six membres contre ces résolutions et cinq pour leur adoption.

Parlant des réserves du clergé comme d'une simple question de biens, sans allusion à l'appropriation, croyez-vous qu'elles aient été mal-administrées par rapport au produit par la corporation du clergé?—Je crois que ces terres auraient produit davantage si on eût adopté à leur sujet une marche différente.

N'êtes-vous pas d'opinion que leur existence sous la forme actuelle, sans aucun égard à leur appropriation, est nuisible aux intérêts des provinces du Haut et du Bas-Canada?—On les regarde comme nuisibles; mais je crois que si l'on baillait ces terres à plus long terme, et si la corporation ou toute personne ou toute réunion de personnes qui doivent en avoir l'administration, étaient forcées de faire les travaux que sont obligés de faire ceux qui possèdent les terres contiguës à celles là (et dont on pourrait défrayer la dépense sur le produit de la vente d'une partie d'icelles pour former un fonds pour cela), ces réserves ne feraient pas le tort qu'elles font à présent.

N'êtes-vous pas d'opinion que si on vendait une partie des réserves et qu'on en appliquât le produit à faire des chemins, et à prévenir les inconvénients qui résultent de ce qu'on les laisse en friche, le reste serait d'une valeur infiniment plus grande que le tout sous les circonstances actuelles?—Je ne puis dire si ce serait le cas ou non, ces réserves étant tellement dispersées et éparées; si on mettait ces terres à part en bloc, ou aucune portion spéciale du pays, et qu'on vendit une partie de cette portion pour en appliquer le revenu à l'amélioration du reste, on en augmenterait la valeur; mais les réserves sont éparées dans les divers établissements.

N'êtes-vous pas d'opinion qu'il serait à propos de vendre les lots épars qui sont entremêlés avec la partie du pays maintenant établie, laissant à disposer des produits de la manière qu'on déciderait?—Je le crois quoique ce ne soit pas à présent, suivant moi le temps favorable pour en disposer.

Si on trouvait à propos d'avoir des ressources foncières pour le soutien d'un clergé quelconque, pensez-vous qu'il fût plus avantageux de donner ces terres en larges parties que de les disperser de cette manière dans toute l'étendue du pays?—La mise à part de ces terres ne serait pas en général aussi nuisible à l'établissement du pays que la manière dont elles sont à présent dispersées dans toute son étendue; mais je ne puis dire que ces dispositions fussent plus avantageuses à ceux pour l'avantage desquels on propose de les faire, que celles qui existent à présent.

Savez-vous qu'un bill a été introduit dans la chambre des communes en l'année 1826, pour autoriser la vente annuelle de 120,000 acres de ces réserves, et que la vente était laissée à la discrétion du gouverneur en conseil?—Oui.

Croyez-vous que les provinces du Canada retireront quelque avantage de l'opération de ce système?—Je pense qu'il serait avantageux aux colonies.

Votre opinion est-elle que l'établissement d'une église dominante et exclusive, du dogme et de la discipline de l'église d'Angleterre dans les deux provinces du Canada contribuerait à la prospérité et au bonheur de ces colonies?—Je ne crois pas; le peuple en général est attaché aux formes presbytériennes et à d'autres.

Quand vous dites que le peuple en général est attaché aux formes presbytériennes, votre opinion est-elle qu'il serait à propos de donner à cette église quelque privilège exclusif?—Mon opinion est qu'aucune église du pays ne devrait être dominante ni posséder des pouvoirs politiques ou autres qui fussent préjudiciables aux autres croyances religieuses; mais je pense que les églises nationales devraient recevoir quelques secours publics pour le soutien de leur clergé, particulièrement tant que ces colonies seront dans l'enfance.

Une partie quelconque de la population presbytérienne suit-elle les exercices des ministres de l'église d'Angleterre?—Dans les cités de Québec et de Montréal quelques personnes élevées dans l'église écossaise sont réunies à celle d'Angleterre dans un temps où ces cités n'étaient pas pourvu de pasteurs, et s'y étant mariées et y ayant fait baptiser leurs enfants quelques-unes peuvent avoir depuis adhérentes à cette église, tandis que d'autres s'y sont peut-être conformées par intérêt. Dans le Bas-Canada (principalement dans la partie protestante de la population) aussi bien que dans la haute province, on a fait de l'église d'Angleterre le chemin des places; il est probable aussi que quelques personnes assistent aux offices de l'église d'Angleterre dans les endroits du pays où il n'y a d'autres ministres que ceux de l'église d'Angleterre.

D'après la connaissance que vous avez du pays qu'elle est celle des autres sectes que vous diriez être principalement dominante?—Les Méthodistes et les Anabaptistes dans le Haut-Canada.

Voulez-vous dire les Méthodistes Wesleyens?—Les Méthodistes en général; je ne puis dire si les Wesleyens sont plus nombreux que les autres.

Le comité comprend que vous êtes avocat?—Je le suis.

Résidez-vous à Montréal?—Oui.

Votre pratique a-t-elle été considérable dans les townships anglais?—Assez.

Avez-vous eu depuis longtemps occasion d'observer la marche du système actuel de lois dans la province du Bas-Canada?—Oui depuis 14 ou 15 ans.

Pourriez-vous dire qu'en général la plus grande masse de la population est contente de ce système de lois?—Elle est contente du système en général.

Cette observation se rapporte-t-elle à la population des townships aussi bien qu'à ce qu'on a appelé la population française du Bas-Canada?—Les plaintes que j'ai entendu faire aux habitants des townships n'avaient pas rapport au système général de lois; ces gens se plaignent davantage du système actuel d'après lequel ces lois sont administrées, de l'éloignement de leur position et des difficultés considérables qu'ils éprouvent pour avoir accès aux cours de justice et d'autres circonstances.

Croyez-vous qu'il serait nécessaire d'en agir avec les plus grandes précautions dans tous les changements que le parlement de ce pays fait à l'état des lois du Bas-Canada?—Oui, et je serais bien fâché de voir changer le système de lois; je ne pense pas qu'on pût effectuer un changement général sans faire un tort considérable aux droits du sujet dans le pays.

Appliquez-vous cette observation aux townships aussi bien qu'aux seigneuries?—Oui; les objections principales que j'ai entendu faire par des habitants des townships se rapportaient à la tenure, mais cette question a été décidée par l'acte des tenures du Canada. L'insuffisance des lois de chemins par rapport aux townships, et le manque de bureaux pour l'enregistrement des *mortgages* et des hypothèques sur les immeubles, ont aussi été pour les habitants des townships un fréquent sujet de plaintes.

Quel, diriez-vous, a été généralement le système de lois en force dans les townships anglais?—Les lois anglaises ont effet au sujet des titres immobiliers, mais je crois qu'en général les lois du Canada ont régi cette partie aussi bien que tout le reste de la province.

Croyez-vous que l'acte déclaratoire se rapportât simplement à la nature des immeubles?—Je ne suis pas préparé au moment présent à répondre à cette question, mais l'acte des tenures a fait disparaître tous les doutes sur les lois qui régissent les immeubles.

Croyez-vous qu'il soit résulté pour les townships des avantages ou des inconvénients de cet acte déclaratoire?—Je ne puis dire qu'il en soit résulté aucun désavantage; je crois qu'il a satisfait les habitants de cette partie du pays.

Faites-vous une distinction entre la loi des tenures et la loi des successions?—Oui; les lois anglaises des successions, pour ce qui est de ces terres pourraient et devraient être changées.

Ainsi donc quoique la tenure soit régie par la loi du franc et commun socage les successions pourraient n'être pas conformes au droit d'aisne?—Sous les lois actuelles les successions à ces terres doivent avoir lieu suivant les lois d'Angleterre.

Les habitants seraient-ils contents de cela?—Je ne puis parler là dessus; je pense que non.

Est-ce votre opinion que la population anglaise des townships que vous dites préférer la tenure du franc et commun socage à la tenure française préférerait que les successions fussent réglées suivant le système français, ou suivant le système anglais?—Dans mon opinion non pas suivant le système anglais; je pense qu'elle serait opposée au droit d'aisne et qu'elle préférerait la succession d'après les lois du Canada par les quelles les enfants héritent également.

Pensez-vous qu'elle préférât le système anglais de transport aux lois qui concernent les mutations de biens sous le système français?—Il n'y a que peu de notaires qui résident en cette partie du pays. Dans le Bas-Canada les terres se transportent au moyen d'un acte exécuté devant notaire; mais je suis d'opinion que les terres tenues en franc et commun socage pourraient se transporter dans les townships avec la même facilité qu'elle se transporterait dans le Haut-Canada, par un contrat de marché et vente, si l'on établissait l'enregistrement des actes comme dans cette dernière province.

Les habitants des townships font-ils objection à la partie des lois françaises qui regardent les immeubles et les hypothèques?—Ils font objection aux lois qui créent des hypothèques et des liens sur ces immeubles. Le système canadien de lois est excellent, mais comme tous les autres systèmes il a ses défauts.

Font-ils aussi objection aux lois qui regardent les biens immeubles?—Je n'ai pas entendu faire au sujet de ces lois d'objections dont je me souviens.

Quelle est la loi des successions dans le Haut-Canada?—Je crois qu'il y a eu un acte provincial pour changer sur ce point la loi d'Angleterre, mais je n'en suis pas certain; je sais qu'un bill a été introduit pour cela et passé deux ou trois fois par la chambre d'assemblée, mais je ne suis pas certain s'il est devenu loi ou non.

Supposant qu'on trouvât que l'acte des tenures du Canada causât du tort aux stipulans dans les actes ou transports faits d'après les formes françaises avant l'acte déclaratoire, ne pourrait-on pas suivant votre opinion faire disparaître tous les inconvénients en faveur de ces transactions de bonne foi, en validant par bills les actes passés d'après les formes françaises avant cet acte déclaratoire?—Sans aucun doute.

Ne croyez-vous pas avantageux que ces transports fussent enregistrés dans un délai fixé pour les rendre valides?—Pas dans le but de valider ces actes.

N'y a-t-il pas dans les townships un grand désir d'avoir des bureaux d'enregistrement?—Oui.

Pensez-vous que l'état de dispersion de la population des townships oppose plus d'obstacles à l'établissement de bureaux d'enregistrement que dans le Haut-Canada ou dans tout autre pays nouvellement établi?—Je ne pense pas.

Avez-vous en votre possession quelques représentations faites par les habitants des townships, dans lesquelles ils se plaignent de griefs qu'ils croient peser sur eux?—Je n'en ai pas; je sais qu'ils se sont fréquemment adressés par pétition à la législature provinciale.

Selon votre opinion la difficulté d'emprunter de l'argent sur des sûretés foncières dans les townships du Bas-Canada vient-elle de la rareté générale des espèces, ou d'un défaut dans les lois qui accordent des sûretés à l'argent ainsi emprunté?—Il n'y a pas beaucoup de capitaux en Canada, mais je crois que c'est par un défaut dans la loi qu'on ne peut emprunter d'argent sur des sûretés foncières dans aucune partie du Bas-Canada; on pourrait se procurer des capitaux tant d'Angleterre que des Etats-Unis, si le paiement en était garanti sur les biens fonds.

L'enregistrement des hypothèques ne guérirait-il pas ce mal jusqu'à un certain point?—Tel en serait l'effet sans aucun doute.

Y a-t-il quelque difficulté à dresser des contrats pour les terres des townships suivant les lois anglaises?—Je ne connais aucune difficulté, mais l'acte serait nécessairement plus long que d'après les formes françaises où par marché et vente comme dans le Haut-Canada.

Vous avez dit que le mode de transport dans le Haut-Canada était par marché et vente?—Oui.

Le comité a été informé que la forme de transport dans le Bas-Canada était par *lease* et *release*; est-ce le cas?—J'ai moi-même dressé des actes sous cette forme, mais cela n'est pas si commode.

Pourquoi aurait-on adopté cette forme plutôt que celle du marché et vente?—Parce que quelques-uns entretenaient des doutes sur la validité des actes par marché et ventes consentis dans le Bas-Canada; le transport des biens s'est souvent fait dans les townships sans formalités régulières, ou par un acte dressé par les parties elles-mêmes.

Voyez-vous quelque raison pourquoi ces actes ne seraient pas par marché et vente?—Aucune autre, si ce n'est qu'il n'y a dans le Bas-Canada aucune loi pour l'enrôlement de ces actes.

Croyez-vous que le statut d'Henry Huit qui ordonnait l'enrôlement d'un marché et vente s'applique au Canada?—Il y a eu des doutes là-dessus dans la colonie jusqu'à la passation de l'acte du commerce du Canada; avant cette époque j'avais pour pratique, lorsqu'on me consultait pour le transport de biens situés dans les townships, de conseiller de faire l'acte tant suivant les formes françaises que suivant les formes anglaises.

Connaissez-vous la nature de la loi au sujet du décret volontaire?—Oui.

La regardez-vous dans la pratique comme un équivalent au système d'enregistrement?—Non; le statut provincial passé pour faciliter les ventes par le shérif interposait de plus grands obstacles à la vente des propriétés que ne le faisaient les lois préexistantes; mais le statut pour le décret volontaire est expiré dernièrement.

Pouvez-vous dire quelle distinction il y a entre la tenure française du franc alev et le franc et commun socage anglais?—Il y a peu de différence entre le franc alev roturier et le franc et commun socage anglais; je n'en vois aucune dans le fait, excepté quant à la loi de succession. Par rapport au franc alev noble, les lois de succession diffèrent aussi des lois d'Angleterre; le fils aîné y aurait droit à une proportion plus considérable que les autres enfants.

Ainsi dans les deux cas la loi des successions diffère de la loi anglaise?—Oui.

Se prélève-t-il quelques taxes dans le Bas-Canada pour les appliquer à des objets locaux, du même genre que les taxes de comtés en ce pays?—Non.

Ainsi en matière de faits ce sont les revenus des droits de douane qu'on applique aux objets locaux dans le Bas-Canada?—Jusqu'ici ça été le cas.

Lorsqu'on nomme les shérifs dans le Bas-Canada prend-on des sûretés?—J'ai toujours compris qu'on en prenait, et je crois qu'en général le montant en était fixé par les juges.

On a dit au comité que vu la difficulté de savoir si une propriété était grevée d'hypothèques ou non on avait eu recours aux ventes du shérif comme au meilleur moyen d'établir un bon titre, en est-il ainsi?—Il en est ainsi.

Le système d'enregistrement rendrait-il la chose inutile en grande partie?—Absolument inutile.

Avez-vous une opinion extrêmement favorable du système d'enregistrement?—Oui; il prévient un grand nombre de fraudes et aurait l'effet d'introduire les capitaux dans le pays.

Regardez-vous le salaire des juges et des autres fonctionnaires publics du Bas-Canada comme trop élevé, considérant les moyens de vivre dans le pays?—Quant aux juges nullement selon moi, je ne connais aucune place dont le salaire soit exorbitant; il peut en avoir mais je n'en connais aucune. Les devoirs des juges sont très-difficiles, et on ne devrait pas s'attendre qu'un membre du barreau convenablement qualifié acceptât la place de juge si le salaire en était réduit au-dessous de son taux actuel.

Supposant que la conséquence de la mise en force de l'acte déclaratoire fût de changer nécessairement la loi des successions, regarderiez-vous cela comme un arrangement avantageux par rapport aux propriétés dans le Bas-Canada?—Je ne le pense pas.

Etes-vous d'opinion qu'il fût praticable, suivant la division géographique actuelle des deux provinces, d'établir un système de douane dans le Haut-Canada calculé pour lui laisser prélever un revenu sur les marchandises importées, d'une manière indépendante de la province du Bas-Canada ou est situé le port?—Dans mon opinion il serait difficile de l'établir de manière à prévenir la contrebande sur un pied étendu.

Avez-vous fait beaucoup d'attention à ce sujet?—Non; mais je sais que la voie de communication par le St. Laurent est plus certainement celle de l'Ottawa, donneraient des facilités à la contrebande.

Croyez-vous que ce soit là l'opinion générale?—Je ne puis dire que j'ai entendu exprimer des opinions à cet égard.

Etes-vous d'opinion qu'une union législative fit probablement disparaître beaucoup de difficultés pratique causées par la diversité d'intérêt des deux provinces?—Je ne puis dire;

dire; beaucoup croyent que la mesure aurait l'effet de faire disparaître les difficultés au sujet du revenu.

Quelles sont selon vous les dispositions générales à cet égard?—Je pense que les dispositions générales seraient contre la mesure, certainement la majorité du peuple du Bas-Canada serait contre.

Quelles seraient la disposition au sujet d'une espèce de congrès des deux provinces pour le règlement des intérêts communs à toutes les deux, laissant pouvoir aux législatures de chacune d'agir sur les sujets qui les regarde distinctement l'une et l'autre?—Il y aurait probablement moins d'objection à cela; mais je ne puis dire quelles seraient les dispositions du Haut-Canada au sujet de la première proposition; l'opinion qu'on y exprimait dans une occasion précédente était, qu'on y serait parfaitement satisfait de tout ce que la législature impériale pourrait faire à ce sujet.

Quelle est votre opinion sur la loi de succession aux biens du père au fils; pensez-vous que le meilleur système est de partager les biens également entre tous les enfans?—Sans aucun doute c'est là l'opinion générale non seulement dans toutes les colonies britanniques mais dans toutes les parties de l'Amérique.

Pensez-vous que la loi dût être de rigueur et que le père n'eût pas le pouvoir de laisser ses terres à qui il lui plairait?—Non cela sera certainement impolitique.

Ainsi vous voudriez statuer que si une personne décédait sans testament ses biens fussent partagés également entre tous ses enfans?—Il y a diversité d'opinion sur la convenance de la loi à ce sujet; mais pour moi je penserais plus équitable que cela fut, surtout si le père ou la mère avaient le pouvoir de laisser leurs biens à quiconque ils jugeraient à propos; ils prendraient les précautions suggérées par la prudence s'ils voulaient transmettre leurs biens en tout ou en partie à un ou à plusieurs de leurs enfans en particulier ou même à un étranger; les habitans de ces townships ont tous quelque éducation, et ils disposent généralement de leurs biens par testament.

Par leur testament partagent-ils d'ordinaire ces biens d'une manière égale entre tous les enfans?—Il est difficile de répondre à cela, mais je crois qu'en général ils le font.

Vous savez qu'aux Etats-Unis le pouvoir de disposer par testament est illimité, mais que si un propriétaire décède sans tester ses biens se partagent également entre ses enfans; croyez-vous que ce soit là la meilleure espèce de loi de succession pour un pays situé comme le leur?—Je le crois.

En disant que vous croyez que c'est là le meilleur système, ne comprenez-vous dans cette opinion que les pays situés comme le Canada, ou pensez-vous qu'on y dût comprendre également les pays qui ont une pleine population?—Pas également.

Pensez-vous que ce système aurait une tendance à amener une subdivision inconvenable des biens?—Je pense qu'il a une tendance à amener à une division de biens plus égale et plus juste, et préférable par la même au système qui maintiendrait des propriétés foncières considérables dans les mains du petit nombre.

Ne résulte-t-il pas des inconvéniens du peu d'étendue des biens subdiviser dans les seigneuries?—Il en est résulté certainement.

Sont-ils fréquens?—Je ne puis dire qu'ils le soient.

Quels exemples d'une subdivision convenable sont venus à votre connaissance et qui donne lieu à ces subdivisions?—Je ne puis à présent en rappeler d'exemples à ma mémoire; cela dépend de la manière dont les biens sont acquis; s'ils sont acquis par des personnes entre lesquelles il a existé une communauté de bien après la mort d'un des parens, les enfans ont droit d'en prendre leur part, et ils demandent cette part au père ou à la mère survivant, et en ce cas la terre se partage entre les enfans et survivans; on peut aussi peut-être quelquefois trouver des inconvéniens dans le partage d'immeubles entre co-héritiers, mais ils ne sont pas de nature à nécessiter l'intervention de la législature impériale.

Quelle est la pratique qui prévaut en Canada par rapport au partage des terres; sont-elles ordinairement vendues et le produit partagé; ou est-ce la pratique de diviser actuellement la terre?—On la divise actuellement quelquefois, lorsqu'on peut le faire sans inconvéniens.

Est-ce là la pratique la plus fréquente?—On la divise fréquemment.

En ce cas qu'arrive-t-il au sujet des bâtimens qui sont sur la terre?—Ils sont estimés par des personnes choisies exprès, et après que la terre est divisée en un certain nombre de parties, les héritiers tirent au sort, et celui à qui tombe la part où se trouvent les bâtimens est obligé de payer une partie de leur valeur à chacun des autres co-héritiers suivant l'estimation qui en a été faite.

D'après ce détail n'y a-t-il pas raison de penser que les bâtimens sur une terre quelconque peuvent être convenables à une génération et cesser de l'être pour la génération suivante, et qu'il faille bâtir de nouveaux bâtimens au complet sur une moindre échelle et d'une structure différente?—Dans le Bas-Canada les parens disposent généralement de leurs biens pendant leur vie par un acte de donation; les personnes industrieuses acquièrent en général les moyens d'acheter plus d'une ferme, et l'usage ordinaire parmi les canadiens français est comme suit: Lors qu'un garçon arrive à l'âge de majorité ses parens lui donnent une terre à cultiver pour son compte, et en général la ferme paternelle passe au dernier enfant par acte de donation.

Lorsque le pays deviendra plus complètement peuplé ne devra-t-on pas sentir d'avantage cet inconvenient?—Oui.

Cette loi n'est-elle pas en opération partout dans les Etats-Unis, sans qu'il résulte d'inconvenient de la subdivision?—Je crois qu'elle l'est.

Ainsi ces fâcheuses conséquences, quand elles ont lieu en Canada, ne doivent-elles pas être attribuées en grande partie aux habitudes particulières du peuple canadien?—Oui; et elles ont lieu plus fréquemment chez ceux qui ne possèdent qu'une terre ou qu'un bien.

Vous avez mentionné divers changemens que vous croiriez à propos d'introduire dans les lois du Canada; pensez-vous qu'il soit probable que ces changemens aient lieu si la province est laissée à elle-même?—Il est très difficile de répondre à cette question; ces changemens pourraient être faits par la législature locale.

Pensez-vous qu'il fut à propos que le parlement impérial intervint sur ces points, dans la persuasion que la province ne fera pas d'elle-même ces arrangemens?—Par rapport à l'administration de la justice, je doute qu'un changement puisse s'effectuer dans la législature coloniale, à cause de la contrariété qui règne dans les opinions sur le système à adopter pour porter remède aux maux existans; mais je suis d'avis qu'il n'est pas à propos qu'aucun changement aux lois soit fait par la législature impériale.

N'a-t-il pas été introduit des bills pour une meilleure administration de la justice?—Il a été introduit des bills pour effectuer un changement, et la chambre d'assemblée comme le conseil législatif ont également manifesté une disposition à amender le système actuel; mais je ne pense pas que ces deux corps tels qu'ils sont à présent constitués doivent avec quelque probabilité tomber d'accord sur un système quelconque, quoique je croye qu'ils travaillent sincèrement l'un et l'autre à effectuer le changement.

Cette difficulté doit-elle être simplement attribuée aux différends entre ces deux corps?—Non, je ne le pense pas.

Supposant qu'une personne qui s'est mariée en ce pays, s'établisse et meure en Canada, y ayant acquis et y laissant des biens, ses biens seraient-ils partagés suivant les lois du Canada ou suivant les lois d'Angleterre?—Je suppose que le but de la question est de savoir si les biens ainsi acquis tomberaient en communauté de biens en Canada; je pense que non; la communauté de biens se règle par la loi du pays où le mariage a lieu; mais je suis d'opinion que dans le cas où une personne domiciliée en Canada irait en Angleterre ou aux Etats-Unis, et s'y marierait avec l'intention de retourner en Canada reprendre son domicile, la communauté de biens aurait lieu.

C'est-à-dire en supposant toujours qu'il n'y ait pas de contrat de mariage?—Certainement, il est au pouvoir des parties elles-mêmes de faire par un contrat la loi qui doit régler leurs droits matrimoniaux; suivant les lois du Canada, les parties peuvent faire par leur contrat de mariage toutes les conventions qui ne sont pas contre les bonnes mœurs.

Supposant qu'une personne achète une terre en Canada, cette terre est-elle sujette au douaire ou non; le transport ayant lieu suivant les formes des lois d'Angleterre?—Je pense que tous les biens en Canada seraient sujet au douaire.

Le douaire se prescrit-il ou se perd-il?—Non; mais avant le mariage les parties peu-

vent dans leur contrat exclure entièrement le douaire. Si les lois d'Angleterre établissent et régissent le douaire dans les townships où les terres sont tenues en franc et commun socage, il faudrait un acte du parlement qui établit de la même manière que celui qui est en force dans le Haut-Canada, des fins de non-recevoir contre le douaire.

Comment la s'y fait-elle?—Je ne suis pas au fait des dispositions de cet acte.

La question suppose qu'il n'y ait pas de contrat de mariage, et que l'acquisition de la terre ait eu lieu après le mariage; serait-elle sujette en ce cas au douaire?—Une terre ainsi acquise ne serait pas sujette au douaire en vertu des lois du Canada; si elle était située dans les townships, et si les lois d'Angleterre y ont été introduites, je présume que cette terre serait sujette au douaire, tel qu'établi par les lois d'Angleterre.

Le comité est informé que les émigrés venus d'Angleterre dans le dessein de s'établir en Amérique ne veulent pas acquérir de biens dans le Bas-Canada à cause de l'aversion qu'ils ont pour la tenure des terres dans cette province; savez-vous'il en est ainsi dans le fait?—Il est venu quelques cas à ma connaissance où des personnes ont marqué de l'aversion à s'établir dans le pays; je ne puis dire que cette aversion venait natuit de la tenure que du danger et de l'incertitude au sujet des hypothèques sur les propriétés.

S'il était passé un acte pour ordonner l'enregistrement des ventes et des hypothèques sur les terres, cela ne ferait-il pas disparaître cette objection en grande partie?—Comme je l'ai déjà dit, je crois qu'oui, et que cela aurait l'effet d'introduire dans le pays des capitaux dont on a grand besoin.

Pensez-vous que le parlement impérial pût faire quelque chose qui fit disparaître quelque partie des difficultés que vous avez mentionnées?—Si la question se rapporte aux difficultés qui proviennent du défaut d'enregistrement, ma réponse est que par rapport aux seigneuries il serait difficile de dresser un bill pour régler des bureaux d'enregistrement; la chose demanderait beaucoup d'examen, et la loi devrait être dressée par des personnes bien versées dans la loi du pays. Au sujet des townships on pourrait dresser un bill sur le même principe que la loi en force dans le Haut-Canada pour l'enregistrement des actes, &c.

Pensez-vous qu'il règne quelques desirs dans les townships qu'une semblable intervention ait lieu?—Je pense qu'il existe un désir chez ceux que nous appellons la partie anglaise de la population, en faveur de l'établissement de bureaux d'enregistrement; qu'ils soient établis par le parlement impérial ou par le parlement provincial, c'est une question de peu d'importance.

Les habitans des townships du Bas-Canada ont-ils des dispositions favorables ou contraires à l'introduction des lois anglaises?—Il peut y avoir parmi eux des personnes qui désirent l'introduction des lois anglaises, mais ils sont tous opposés à celle des successions telle qu'elle existe ici, avec le droit d'aînesse; dans le fait quelques habitans des townships peuvent être préjugés en faveur des lois auxquelles ils sont accoutumés.

Désireraient-ils que les immeubles ne fussent pas sujets aux simples dettes par contrat?—Je ne pense pas qu'ils le désirassent.

Supposant que le droit d'aînesse se rattacha à toutes les terres en franc et commun socage, les habitans des townships ne seraient-ils pas parfaitement satisfaits, pourvu qu'ils eussent le pouvoir de laisser leurs biens à qui ils voudraient par testament, de sorte que la loi n'eût d'effet qu'en cas de décès sans testament?—Je ne puis le dire; ils ont déjà le pouvoir de disposer de leurs biens par testament.

Pensez-vous qu'il fut à propos d'établir quelque système de substitution limitée?—On pourrait le faire; je crois que c'est le cas aux Etats-Unis.

Quel pouvoir a-t-on aux Etats-Unis pour substituer les biens?—Je crois jusqu'à la seconde génération.

Avez-vous jamais entendu personne en Canada exprimer le désir d'y voir régner ce pouvoir?—Non; le pouvoir de substituer existe dans le Bas-Canada.

Le fait-on communément?—Assez communément, nous avons une espèce d'entail par substitution.

Voulez-vous en décrire l'opération?—Le testateur peut laisser ses biens à quelqu'un par son testament, et substituer à ce quelqu'un ses enfans ou toute autre personne.

Y a-t-il beaucoup de semblables substitutions?—Il se fait fréquemment des substitutions de biens par testament.

Cela a-t-il l'effet de mettre hors du commerce une proportion considérable des immeubles du pays?—En général le peuple du pays ne suit pas communément cette marche.

On vous a entendu dire il y a un instant que la chose se pratiquait fréquemment?—Elle se pratique fréquemment parmi ceux qui font des testaments; en général les Canadiens français n'en font pas.

Font-ils généralement des contrats de mariage?—Oui, on fait en général un contrat de mariage.

Si les lois qui regardent les terres tenues en franc et commun socage étaient assimilées au système des lois Anglaises, serait-il à propos dans votre opinion de faire administrer ces lois dans des cours séparées?—Oui.

Y aurait-il quelque difficulté à établir une cour où pourraient se décider toutes les causes qui auraient rapport aux terres tenues dans les townships ou ailleurs sous la tenure du franc et commun socage?—Il n'y aurait aucune difficulté à établir un tribunal dans les townships.

La chose serait-elle à propos suivant votre opinion?—Je ne crois pas que cela fut nécessaire dans le seul but d'administrer les lois qui se rapportent à la tenure. Si les lois d'Angleterre sont introduites généralement pour la décision de toutes affaires en cette partie du pays, il serait nécessaire d'avoir un tribunal séparé.

Les lois d'Angleterre ne sont-elles pas mises en force dans les townships?—Je ne puis le dire qu'elles le soient.

A quels égards les lois françaises prévalent-elles dans les townships?—Les lois françaises ont été généralement appliquées aux townships.

Y a-t-il eu quelque exemple depuis l'acte déclaratoire du partage d'une succession *ab intestat*?—Non, et je ne connais pas non plus de décision juridique par laquelle une division de biens ait eu lieu dans les townships avant la passation de cet loi; il y a toujours eu du doute si les lois anglaises ou les lois françaises devaient avoir cours en cette partie du pays.

Le conseil exécutif siégeant comme cour d'appel est-il un tribunal satisfaisant pour le pays?—Non.

A quel égard n'est-il pas satisfaisant?—D'abord à peu d'exceptions près les membres n'en sont pas gens de loi. Le juge-en-chef de Québec préside cette cour sur les appels interjetés des décisions de la cour de Montréal, et le juge-en-chef de Montréal préside dans les causes du district de Québec.

Quelles sont les objections que vous avez à cet arrangement; n'est-ce pas mieux que si chaque juge-en-chef siégeait en cour d'appel sur les causes décidées dans sa propre cour?—Cela revient à peu près au même, car quoiqu'ils ne président pas la même cour où ont été instituées les causes dont ils sont appelés à reviser les décisions, ils en président une d'une juridiction correspondante. En général les membres du conseil ne sont pas gens de profession. Un tribunal ainsi constitué n'est pas propre à établir un système uniforme et fixe de jurisprudence.

Les affaires sont-elles considérablement arriérées devant cette cour?—Pas devant la cour d'appel à ce que je crois.

Le sont-elles devant les autres cours?—Oui, cela vient des défauts du système d'administration de la justice; le témoignage, qui se prend par écrit, est une affaire extrêmement lente, excepté dans les causes de commerce.

Les témoins sont-ils examinés en cour ou par commission?—Deux des juges président sur le banc, et les témoins se tiennent à côté près d'une petite table et y sont examinés par les avocats employés de part et d'autre.

Ainsi il ne se rend aucune décision lorsque le témoignage est produit?—Non, à moins qu'on ne fasse objection à la pertinence d'une question qui est posée.

Si on introduisait un jury dans ces cas, cela n'abrègerait-il pas la procédure jusqu'à un certain point?—Cela l'abrègerait.

Cela diminuerait-il les frais?—La chose dépendrait en grande partie de la distance d'où on ferait venir les témoins, parce que les frais d'un procès par jury sont plus considérables que ceux d'une cause conduite devant la cour.

D'où vient cela?—De la sommation des jurés, des frais accrus sur le montant de *venire*, des honoraires des jurés, et d'autres dépenses incidentes.

Quel remède recommanderiez-vous dans le but de diminuer les frais, et de parer au délai que vous avez mentionné?—Je pense que des cours de circuits auraient l'effet de remédier à ce mal.

Conduiriez-vous l'examen des témoins dans les cours de circuits de la même manière qu'on le conduit dans les cours de Montréal et de Québec?—Je pense qu'il pourrait être nommé des commissaires pour prendre les témoignages, comme cela se pratiquait ci-devant en France.

Pourquoi ne pourrait-on pas les recevoir de vive voix?—Cela pourrait faire; mais dans les causes où il s'agit d'immeubles, je ne pense pas qu'il y eût d'avantage dans une décision par jurés; dans les affaires ordinaires, je pense qu'il y en aurait.

Les plaidoyers des avocats se font-ils par écrit ou de vive voix?—Les argumens se font de vive voix.

Il n'y a pas d'argumens écrits?—Non.

Jeudi, 19e. jour de juin 1828.

M. James Charles Grant, réintroduit; et examiné.

Connaissez-vous du tout les Townships de l'Est dans le Bas-Canada?—Je n'ai jamais traversé ces townships, mais j'ai eu beaucoup d'affaires avec les habitans de cette partie du pays.

Connaissez-vous les plaintes que les habitans des townships font contre l'ordre de choses qui existe en Canada?—Ils se sont plaints, je crois, du système de l'administration de la justice, de l'insuffisance des lois au sujet des chemins par rapport aux townships, et de ce qu'ils ne sont pas représentés dans la législature provinciale.

Est-ce l'impression générale que les Canadiens français cherchent à décourager l'établissement de personnes d'origine anglaise dans les townships?—On peut conclure que cette impression existe d'après les adresses présentées par les habitans des townships au Comte de Dalhousie, aussi bien que d'après leur pétition.

Pensez-vous que cette croyance ait quelque fondement; pensez-vous que dans le fait les habitans du Bas-Canada d'extraction française cherchent à décourager l'établissement des personnes d'origine anglaise dans le Bas-Canada, et l'agrandissement des institutions anglaises?—Je ne puis dire quelles sont les dispositions du peuple en général; j'ai entendu quelques Canadiens français s'exprimer d'une manière qui me portait à croire qu'ils regardent les émigrés comme une espèce d'étrangers et d'intrus, mais je ne puis dire que ce soient là les dispositions générales.

Voyez-vous quelque chose dans la conduite de l'assemblée, ou des personnes en autorité dans la province, qui vous engage à penser qu'elles désirent faire disparaître les obstacles qui ont tenu jusqu'à présent à prévenir l'établissement de personnes d'origine anglaise dans la province basse?—J'avoue que je ne me suis pas occupé d'affaires publiques, et que je n'ai pas suivi les procédés de la législature; ceux qui ne sont pas dans la législature ont peu d'occasions de juger des motifs qui animent les membres de la législature. Les débats ne sont jamais publiés.

Les vœux de la partie anglaise de la population du Bas-Canada ne forment-ils pas un sujet général d'attention publique dans le Bas-Canada?—La partie anglaise de la population croit en général et avec beaucoup de raison, qu'elle n'est pas représentée dans la législature; je veux dire que les townships de l'est ne sont pas représentés. La partie britannique de la population des seigneuries est tellement éparse et si dispersée, qu'il n'est pas en son pouvoir d'élire un seul membre, puisqu'elle ne forme la majorité des habitans en aucun comté, à moins que ce ne soit dans celui de Gaspé.

Connaissez-vous les tentatives qui ont été faites dans la chambre d'assemblée pour changer l'état de la représentation, de manière à y introduire des représentans des townships?—Je sais qu'il a été introduit un bill pour cet objet, mais je n'en connais pas les dispositions.

Savez-vous qu'il a passé dans la chambre d'assemblée et qu'il a été rejeté par le conseil législatif?—Je l'ai entendu dire, mais je ne sais pas sur quel principe on voulait augmenter la représentation.

Savez-vous qu'on s'est plaint de la constitution du conseil législatif?—Oui, je sais qu'on a fait des plaintes semblables.

Suivant ce que vous avez compris qu'elle était la nature de ces plaintes?—J'ai compris que ceux qui les faisaient disaient que les juges devaient en être exclus comme dépendant absolument de la couronne; mais je sais aussi qu'il a été envoyé un message à la chambre d'assemblée, où le gouvernement offrait de rendre les juges indépendans de la couronne, si l'assemblée voulait faire pour leur soutien des dispositions permanentes.

Savez-vous que la chambre d'assemblée a aussi offert de faire pour eux des dispositions permanentes, si on les renait indépendans de la couronne?—En conséquence du message que j'ai mentionné il a été introduit un bill qui faisait pour leur soutien des dispositions permanentes, mais j'ai entendu dire qu'on avait introduit dans ce bill des clauses qui avaient été regardées comme sujettes à objection, en ce qu'elles tendaient à rabaisser les juges dans l'estime publique.

Avez-vous aussi entendu dire comme motif de plainte contre la constitution du conseil législatif, qu'outre les juges, il y avait dans ce corps trop de personnes qui dépendaient de la couronne, et qui étaient dans l'emploi du gouvernement?—J'ai entendu faire des plaintes semblables.

Quelle est la proportion de la population Canadienne à la population totale du Bas-Canada?—Je suppose environ les cinq-sixièmes.

Ainsi ces plaintes sont celles de cinq-sixièmes de la population?—Je ne sais pas si c'est exactement le cas; il n'y a que bien peu d'opinion publique dans le Bas-Canada; la majorité de la population fait peu d'attention aux affaires publiques.

Penseriez-vous à propos de faire un changement dans la constitution du conseil législatif, de manière à limiter le nombre des personnes qui pourraient siéger dans le conseil avec un salaire et dans l'emploi du gouvernement?—C'est une question à laquelle je ne suis pas préparé à répondre; il n'y a pas dans le pays de matériaux pour former un corps aristocratique, sans y introduire quelques personnes possédant des situations publiques.

N'y a-t-il pas des personnes qui vivent à même leurs propres ressources et qui possèdent des revenus indépendans?—Oui, et quelques-unes d'elles sont maintenant dans le conseil.

Les membres de la chambre d'assemblée du Bas-Canada sont-ils payés pour remplir leurs fonctions?—Non.

Ne sont-ils pas des personnes qui subsistent par leur propres moyens?—Oui; mais la loi n'a requis aucune qualification sous le rapport de la fortune de la part des membres de l'assemblée, ce qu'on regarde comme un grand défaut.

S'il y a des matériaux pour former un corps de 50 membres dans la chambre d'assemblée avec des personnes qui vivent par leurs propres moyens d'une manière indépendante; d'où concluez-vous qu'il y aurait de l'impossibilité à établir un conseil législatif composé de personnes de la même sorte?—Il n'y aurait aucune difficulté si le conseil devait être composé de personnes de la même sorte, mais beaucoup de membres de l'assemblée n'ont aucun revenu fixe; ce sont des personnes qui ont des occupations de différentes sortes.

Supposant que la majorité du conseil législatif fut composée de personnes entièrement indépendantes du gouvernement ayant dans le pays des propriétés indépendantes, et dis-

posés par là à sympathiser à beaucoup d'égards avec les représentans du peuple dans l'assemblée; quel serait l'effet d'un semblable changement?—Le fait est que le gouvernement n'a dans le pays que peu ou point d'influence; à présent il ne peut faire élire un seul membre de l'assemblée; et si tous les fonctionnaires publics devaient être exclus du conseil, je crois que ce serait dans le fait établir une espèce de république. En même temps, tous ceux qui sont juges compétens sur le sujet ont éprouvé de la surprise et du regret que la chambre d'assemblée ne soit pas prévalue de l'occasion de rendre les juges indépendans de la couronne à quelques termes que ce fût.

Avez-vous quelque doute que si on composait un conseil législatif de propriétaires fonciers indépendans résidant dans la province, ce conseil législatif ne s'accordât en général avec ses confrères dans l'assemblée représentative?—Il est très difficile de répondre à cette question; mais je suis porté à croire que probablement il s'accorderait plutôt avec eux qu'autrement.

Le conseil constitué comme il l'est à présent ne diffère-t-il pas généralement d'avec la chambre d'assemblée?—Il diffère tel qu'il est constitué à présent.

Trouveriez-vous à désirer que deux assemblées semblables fussent par leur constitution mises nécessairement dans un état de collision perpétuelle?—Je ne pense pas qu'il fut à désirer que les choses fussent ainsi; mais je ne sais si les améliorations à introduire consisteraient à changer le conseil législatif seulement.

Quels remèdes proposeriez-vous?—J'en suggérerais un entr'autres, d'augmenter la représentation du pays.

Croyez-vous qu'à droit ou à tort la chambre d'assemblée ait uniformément représenté les opinions et les sentimens de la grande masse de la population du Bas-Canada?—Je ne puis dire si elle a représenté ou non les sentimens de la population en général; elle est élue par la proportion la plus considérable des habitans; mais la masse de la population est sans éducation, et ne prend que peu d'intérêt aux affaires publiques; elle n'est pas compétente à juger ou à connaître ce qui se passe dans la législature jusqu'à ce qu'elle en soit informée par les membres eux-mêmes ou par leurs amis dans la campagne.

Si les habitans en général prennent peu d'intérêt aux affaires publiques, comment expliquez-vous qu'à chaque dissolution successive le gouvernement ait graduellement perdu une portion de son influence dans la chambre d'assemblée?—Le peuple des campagnes est en général sans éducation et se laisse conduire facilement par ceux en qui il a confiance, et à chaque dissolution successive on a pu l'exciter en lui représentant qu'il fallait prendre les moyens d'assurer sa religion et se garantir des taxes et d'autres maux; et à ma connaissance personnelle on a eu fréquemment recours à ces moyens dans le but d'assurer l'élection de certains candidats et d'en faire rejeter d'autres.

Cela ne fait-il pas voir qu'il prend réellement un intérêt très actif aux affaires publiques?—Cela fait voir qu'il prend intérêt lorsqu'on excite quelque alarme au milieu de lui au sujet de ses lois, de ses institutions ou de sa religion.

Voulez-vous dire que la population confie totalement ses intérêts à l'assemblée législative et s'en occupe fort peu ensuite?—Justement.

Comment remédierait-on à cet inconvénient en augmentant le corps représentatif?—Je veux dire que si l'on faisait quelques changemens à la constitution il serait équitable et juste de donner une représentation à la partie de l'état qui n'est pas représentée du tout.

Voulez-vous dire à la partie anglaise de la population?—A celle des townships, car l'autre partie de la population anglaise est représentée en théorie quoiqu'elle ne soit pas représentée par des membres de son choix, parce que son vote est toujours défait.

A-t-on fait quelques plaintes au sujet de l'administration de la justice en conséquence de ce que les juges formaient partie du conseil législatif?—Je n'ai pas entendu faire de plaintes sur l'impartialité de l'administration de la justice; mais on croit que tant que les juges dépendront entièrement de la couronne, l'indépendance et l'intégrité dans l'administration de la justice ne seront pas assurées de la manière qu'elles devraient l'être.

Vous dites que les Canadiens n'ont pas d'éducation; se plaint-on du manque d'éducation?—On s'en plaint.

Quelle est la nature de ces plaintes?—J'ai entendu faire des plaintes sur ce que les fonds qui étaient destinés à l'éducation n'ont pas été appliqués à cet objet; c'est-à-dire, les revenus provenant des biens des jésuites; et sur ce que les écoles publiques du pays ont été placées sur la surveillance d'une corporation pour l'avancement de l'éducation, qui se compose de l'évêque protestant et du clergé anglais et principalement de membres de l'église épiscopale; cependant en 1827 le gouvernement avait en contemplation le projet d'établir avec la co-opération de l'évêque catholique-romain un comité distinct pour le soutien d'écoles pour l'éducation de la partie catholique-romaine du peuple.

Si on vous demandait qu'elle classe de personnes vous excluriez du conseil législatif afin de le rendre plus indépendant, sur quelle classe de personnes porteriez-vous votre choix?—Je ne pense pas que la même cause pour l'exclusion des juges qui existe à présent, continuât d'exister si on les rendait indépendans de la couronne.

Y a-t-il quelque classe particulière de fonctionnaires dépendans de la couronne que vous excluriez de préférence à d'autres?—Je ne vois que les juges en particulier, s'ils continuaient à ne tenir leurs places qu'au même titre qu'ils les tiennent à présent.

Trouveriez-vous à propos qu'une forte majorité du conseil législatif fut composée de personnes absolument dépendantes du gouvernement pour leurs salaires et pour leurs places?—Certainement non.

Ne savez-vous pas que c'est le cas à présent?—Il y en a quelques-uns qui dépendent de la couronne; il y en a d'autres qui reçoivent un faible salaire, lesquelles je ne crois pas sous la dépendance absolue du gouvernement; et quelques-uns des propriétaires indépendans qui sont membres du conseil se rendent rarement ou ne se rendent jamais aux séances pour remplir leur devoir législatif.

Supposant qu'on s'en rapportât à vous pour décider quel conseil législatif devrait être établi en Canada pour en faire d'un côté un frein au gouverneur et de l'autre côté à l'assemblée représentative; avez-vous jamais considéré quelle sorte de conseil législatif serait suivant vous le meilleur?—Je n'ai pas réfléchi sur ce point, mais je pense qu'il serait juste que quelques-uns des principaux propriétaires du pays fussent élevés à ce corps, en même temps je ne pense pas qu'il fut convenable de le composer entièrement de ces personnes.

Le révérend John Lee, D. D. introduit; et examiné.

Vous-êtes un des ministres d'Edinburgh?—J'en suis un.

Y a-t-il eu quelques communications entre vous et le gouvernement au sujet de l'établissement du clergé presbytérien dans les deux provinces du Canada?—Comme *Convener* d'un comité de l'assemblée générale, j'ai reçu des instructions de faire application aux gouvernements sous forme de mémoire pour demander de l'aide pour le soutien des ministres presbytériens en communion avec l'église d'Ecosse qui résident dans le Haut et dans le Bas-Canada.

Quand cette application a-t-elle été faite?—L'application a été faite il y a environ 12 mois, vers le commencement de juin de l'année dernière.

Ayez la bonté de décrire la nature de l'application?—Je remettrai une copie du mémoire qui fut présenté au bureau colonial.

[Le témoin la remit et elle fut lue comme suit.]

“ Au très honorable principal secrétaire d'état de Sa Majesté pour les affaires coloniales.

“ Le mémoire d'un comité de l'assemblée générale de l'église d'Ecosse, représente humblement,

“ Que vos supplians au mémoire ont été nommés par la dernière assemblée générale pour

pour s'enquérir sur la condition du clergé et du peuple presbytérien dans les provinces britanniques de l'Amérique du Nord, et ont reçu instruction de soutenir par tous moyens convenables des applications faites en leur faveur au gouvernement et particulièrement de saisir toute occasion favorable pour avancer l'objet entamé par des communications reçues des divers synodes de cette église nationale, où ils recommandent à l'assemblée générale de faire tous ses efforts pour obtenir des moyens de soutien convenables pour les ministres presbytériens régulièrement ordonnés, qui sont dans les colonies de l'Amérique britannique, et de l'aider pour l'établissement et la dotation de lieux de culte pour l'avantage des nombreux émigrés qui dans ces colonies se donnent comme étant en communion avec l'église d'Écosse.

"L'attention des supplians au mémoire s'est dernièrement portée d'une manière spéciale sur la condition des membres de l'église d'Écosse qui résident dans le Haut-Canada, en faveur desquels il a été avancé des réclamations pour une part dans le produit des terres réservées par la 31^{ème} de sa feu Majesté, ch. 31, pour le soutien du clergé protestant. L'assemblée générale en 1823 donna instruction à ce comité de soutenir l'application par tous les moyens en son pouvoir; c'est en obéissance au commandement de la dernière assemblée générale que ce mémoire est présenté.

"Vos supplians au mémoire ne peuvent concevoir qu'on puisse mettre en problème que sous la désignation de clergé protestant ce n'ait été l'intention de la législature de comprendre non seulement les membres du clergé qui tiennent les ordres des évêques de l'église d'Angleterre, mais tous ceux qui à aucune époque seraient régulièrement ordonnés par les presbytères de cette église nationale. La loi du pays a appliqué indistinctement la même désignation générale de protestant aux membres de l'une ou de l'autre des deux églises établies dans le royaume uni. Dans la ratification du traité d'union et dans l'acte du parlement d'Angleterre, intitulé 'Acte pour assurer l'église d'Angleterre telle qu'établie par la loi,' l'expression de *religion protestante* se trouve employée au moins aussi fréquemment pour désigner le gouvernement de l'église presbytérienne que pour désigner celui de l'église d'Angleterre: Et vos supplians ne connaissent aucune loi qui puisse exclure les membres de l'église établie d'Écosse d'avoir les mêmes privilèges que réclament, et dont jouissent les membres de l'église d'Angleterre qui résident dans une colonie reconnue *britannique*.

"Les supplians au mémoire s'assurent qu'il n'est pas nécessaire de leur part de faire remarquer qu'une grande partie des émigrés du Canada est attaché à la doctrine, à la discipline et au culte de l'église d'Écosse. Dans l'étendue considérable du pays connu sous le nom de Glenary habitée principalement par une race de Montagnards, il y a trois ministres presbytériens qui tous prêchent en celtique et en anglais, et dont l'un a environ 500 communicans dans sa congrégation. Depuis la fin de la guerre des milliers de personnes ont émigré de l'ouest de l'Écosse et ont formé des congrégations principalement dans le comté de Carleton qui renferme les établissements de Lanark, de Perth et de Richmond. Il y a trois ans ce comté dont la population était d'environ 6,000 âmes, recevait l'instruction religieuse par les travaux de quatre ministres presbytériens, de deux prêtres catholiques-romains d'un ministre de l'église Episcopale et d'un prédicateur méthodiste venu des États-Unis. Le peuple de ce district et de plusieurs autres a manifesté une préférence décidée pour les formes de culte suivies dans l'église d'Écosse.

"Vos supplians au mémoire ont raison de croire que les congrégations du Haut-Canada en communion avec l'église d'Écosse ont été représentées au gouvernement comme peu nombreuses par comparaison avec les congrégations qui profitent des services ecclésiastiques de l'église d'Angleterre. Cependant on ne peut nier qu'il n'y ait dans le Haut-Canada au moins 30 congrégations presbytériennes qui sont ouvertement attachées au dogme et au culte de l'église d'Écosse, et que les lieux actuels de culte fréquentés par les presbytériens ne contiennent des réunions nombreuses et respectables. Quoique les ministres presbytériens de la province ne surpassent par le nombre de vingt, et quoique de ce nombre il n'y en ait que cinq qui aient été ordonnés par des presbytères de l'église établie d'Écosse, il est établi en fait qu'une grande majorité du peuple est attachée avec zèle au principe et par éducation à cette église établie. Mais les émigrés étant en général pauvres n'ont pas les moyens de faire une rétribution convenable aux ministres, et comme les presbytères de l'église d'Écosse ne sont pas autorisés à donner les ordres à quiconque à qui on n'aurait pas donné des sûretés suffisantes au sujet d'une existence convenable, beaucoup d'émigrés qui, avant leur départ d'Écosse, étaient en communion avec l'église, sont forcés de se réunir à quelques uns des sectaires dont les formes de culte ressemblent à celles de l'église d'Écosse, quoique leur principes religieux ne soient pas strictement conforme à notre doctrine. L'église d'Angleterre n'a pas été assujettie au même désavantage; il a été accordé des fonds par le gouvernement pour l'érection d'églises, qui dans beaucoup de cas, sinon dans tous, sont desservies par les missionnaires de la société pour la propagation de l'évangile dans les pays étrangers. Dans les six dernières années (comme il appert par rapport de cette société pour l'année 1821) le nombre des communicans à dix-sept stations dans le Haut-Canada, desservies par dix-sept missionnaires, dont le salaire se montait à £3,345 l'année excédé 118. On peut dire pour faire contraste avec ce fait reconnu, que dans l'année 1823 la congrégation presbytérienne de Perth qui n'a commencé à se former que cinq ans auparavant, et qui quoique non desservie à présent par un ministre de l'église d'Écosse, doit l'être par stipulation expresse à une époque future, ne contenait pas moins de 270 communicans. Il est énoncé expressément dans les pétitions que l'assemblée générale a reçu de différens ministres et anciens du Canada, qu'il y a beaucoup d'établissements étendus et florissans, surtout dans le Haut-Canada, dont les habitans désirent se procurer des ministres de notre église nationale, et que leurs efforts à bâtir des églises et à former des fonds pour le soutien des ecclésiastiques, recevraient un grand accroissement s'ils pouvaient s'assurer d'être placés sous la juridiction et la protection de l'église mère. Cette pétition représente une grande majorité de la population protestante comme étant de principe presbytérien, et comme n'ayant aucune disposition à se conformer à l'église établie d'Angleterre; de sorte que partout où ils n'ont pas d'accès aux instructions de ministres ordonnés dans l'église d'Écosse, ils sont en danger de s'impliquer l'esprit de désaffection politique aussi bien que de vues religieuses extravagantes et déraisonnables, en suivant les instructions de quelques ministres non autorisés, qui, à ce qu'on dit, viennent en grand nombre par intrusion de différentes parties des États-Unis.

"Vos supplians au mémoire n'ont maintenant plus à dire, que, comme le manque d'un for fixe et permanent par le soutien des ecclésiastiques ordonnés pour ces stations, a jusqu'ici empêché les presbytériens de cette église de se conformer aux réquisitions qui leur ont souvent été faites, et comme les émigrés qui n'ont pu recevoir des ministres ordonnés par cette église nationale, ont été tentés de se jeter dans les bras de sectaires de différens noms, (dont quelques uns n'ont que des croyances indéfinies,) c'est un sujet bien digne de l'attention du gouvernement de considérer jusqu'à quel point on pourrait travailler à l'encouragement de la religion et des mœurs, et à la préservation de la loyauté et du patriotisme des colons presbytériens et de leur attachement à la constitution britannique, en étendant à eux les moyens de jouir des avantages des ordonnances religieuses, sur le même pied que leurs frères en communion avec l'église corrélatrice, avec laquelle ils désirent éviter toute collision d'intérêts, et à laquelle ils ne le cèdent pas dans leurs égards pour l'honneur, la stabilité et la prospérité de l'empire.

"Au nom du comité de l'assemblée générale,

"JOHN LEE, *convener*."

Edinbourg, 8 juin 1827.

Quelle réponse à ce mémoire avez-vous reçue?—La seule réponse que j'aie reçue du gouvernement est cette lettre que je remets.

[Le témoin la remit et elle fut lue comme suit:]

"Downing street, 4 juillet, 1827.

"Monsieur,

"J'ai reçu ordre du vicomte Goderich d'accuser la réception de votre lettre du 8 du mois

dernier, où vous pressez les réclamations des ministres presbytériens à la participation aux terres réservées pour le soutien d'un clergé protestant en Canada, et j'ai à vous prier de vouloir bien communiquer au comité de l'assemblée générale de l'église d'Écosse que des instructions furent envoyées par lord Bathurst au lieutenant-gouverneur du Haut-Canada en octobre dernier, pour autoriser l'application annuelle de 750*l*. à même le produit de la vente des terres de la couronne à la compagnie du Canada, et lord Goderich se flatte que cela fera voir les dispositions favorables du gouvernement de sa Majesté envers le clergé de l'église presbytérienne, et aussitôt qu'un fonds profitable sera établi à même les revenus des réserves du clergé, les réclamations des membres de l'église d'Écosse seront prises en considération.

"J'ai l'honneur d'être, monsieur, votre très-obéissant et humble serviteur,

R. W. HORTON."

Quels renseignemens avez-vous sur le nombre et la condition de la population presbytérienne des Canadas qui est en liaison avec l'église d'Écosse?—J'ai reçu un grand nombre de lettres des ministres et autres qui y résident, vu que le comité de l'assemblée générale a reçu des instructions de correspondre avec ces personnes pour en obtenir des renseignements précis; mais les renseignements que l'église d'Écosse attendait ne sont pas encore près d'être complétés, les retours n'ayant pas été envoyés de tous les endroits où on avait fait parvenir les questions.

L'assemblée générale d'Écosse ne se fait-elle pas une règle de ne donner mission à aucun ministre pour une congrégation de presbytériens, sans être certaine qu'il sera soutenu convenablement?—C'a été la règle et la pratique de l'église d'Écosse.

D'après cette règle combien de ministres ont été envoyés dans les Canadas?—Autant que j'esache, le nombre qui d'après cette règle a été envoyé dans le Haut-Canada n'est pas au-dessus de six.

Quelques-uns y ont-ils été de leur propre vouloir et sans autorité, sans avoir d'assurances d'une certaine rétribution?—Nous sommes à portée de savoir qu'un nombre considérable est ainsi parti pour s'y rendre, quelques-uns ayant été envoyés par des sociétés particulières et des associations privées formées dans le but d'envoyer là des ministres et des missionnaires pour l'instruction des émigrés; et il y en a un bon nombre qui se nomment ministres presbytériens dans le Haut-Canada, particulièrement qui se donnent pour être en communion avec l'église d'Écosse, mais sur la mission des quels l'assemblée n'a pas de renseignements.

Parmi toutes ces classes, quelle croyez-vous être la proportion des ministres presbytériens liés avec l'église d'Écosse qui sont dans les Canadas?—Je n'en puis donner le nombre précis sans recourir aux documens que je n'ai pas suffisamment arrangés, ne m'étant pas attendu à être examiné par ce comité; mais comme je l'ai déjà dit j'en connais personnellement six dans le Haut-Canada; je crois que dans le Bas-Canada le nombre en est à peu près le même.

Avez-vous des renseignemens qui vous aient porté à former quelqu'opinion sur le nombre probable de presbytériens liés avec l'église d'Écosse dans les deux provinces du Canada?—Je ne pourrais consentir à donner rien de semblable à un détail exact du nombre. Les rapports reçus des différens districts des townships disent tous que le nombre en est très-considérable, et que les personnes attachées à la doctrine et au culte de l'église d'Écosse sont en beaucoup plus grande proportion que celle des personnes d'une autre communion quelconque.

Parlez-vous du Haut ou du Bas-Canada?—Je parle à présent du Haut-Canada.

Quelles rétribution ont été accordées aux ministres que vous dites être allés en Canada?—Je n'ai aucune méthode directe pour connaître exactement le salaire d'aucun d'eux; aucun d'eux n'ayant été envoyé par l'assemblée générale elle-même; mais ils ont été ordonnés en Écosse par des presbytères, à l'exception d'un seul.

Savez-vous quelle rétribution dans les circonstances où se trouve le Canada, serait regardée comme suffisante pour un ministre presbytérien dont la congrégation ne serait pas trop nombreuse?—Je comprends qu'une somme annuelle de 200*l*. serait regardée comme suffisante pour le soutenir, et je sais qu'il y en a un ou deux qui l'ont.

Quelqu'un d'eux retire-t-il une partie de ses émolumens de souscription ou d'autres fonds formés dans la Grande-Bretagne?—J'en connais aucun qui retire rien de semblable à l'exception de ceux qui sont envoyés par une société établie à Glasgow pour avancer les intérêts religieux des émigrés dans l'Amérique du Nord britannique.

Si des ministres presbytériens venus du nord de l'Irlande s'étaient établis en Canada, ce fait serait-il connu de votre corps?—Il ne pourrait être connu autrement que par les communications que le comité de l'assemblée a reçues; nous savons qu'il y a eu des exemples des départs de semblables personnes pour s'y rendre, mais elles ne sont pas du tout reconnues par l'église d'Écosse.

A-t-on reçu aucune partie des deniers mentionnés dans la réponse à votre mémoire?—Je n'en sais rien; j'ai entendu dire que ce n'était que pour un temps limité.

Quelques communications ont-elles eu lieu entre votre corps et la corporation pour l'administration des réserves du clergé en Canada?—Non, je n'ai servi de canal à aucune communication et j'ignore qu'il y ait eu.

Le corps auquel vous appartenez a-t-il pris quelque peine pour s'assurer de ce qu'on tient être l'interprétation du statut de 1791 en tant qu'il concerne l'église presbytérienne d'Écosse en Canada; savoir si en matière de droit vous avez des réclamations sur les biens réservés pour le soutien d'un église protestante?—Certainement, il y a eu une intelligence entre nous à sujet et j'ai reçu ordre de presser cette affaire dans la mémoire au secrétaire d'état pour les affaires coloniales.

Quelle est sur ce sujet l'opinion du corps auquel vous appartenez?—Je pense que l'assemblée générale de l'église d'Écosse, en tant qu'on y a jamais exprimé d'opinion, croit que l'église d'Écosse a autant de droits que l'église d'Angleterre à une part de ces biens.

Soutenez-vous que les termes "clergé protestant" exclue les croyances autres que l'église d'Angleterre et l'église d'Écosse?—Je crois que l'église d'Écosse a été disposée à les regarder comme applicables aux membres d'églises établies.

Et des églises établies seulement?—Si je donnais ma propre opinion, je dirais qu'oui; mais je ne puis prendre sur moi de dire que ce soit l'entente universelle de l'église, mais je pense que c'est.

Quand l'assemblée a-t-elle commencé à prendre cette réclamation en considération?—Je crois qu'il y a environ six ans; il n'y a que trois ans que j'ai des liaisons avec le comité.

La séparation qu'a eu lieu entre les deux corps de l'église écossaise, existe-t-elle en Canada; ou les deux corps s'y réuniraient-ils en seule congrégation?—Nous ne pensons pas que les motifs de la séparation existent, au moins au même degré, qu'ils existent en Écosse; mais cependant, en autant que nous le savons, les membres du corps appelé la sécession ne se sont pas obligés à adhérer aux mêmes articles fondamentaux que nous reconnaissons. Nous comprenons qu'ils reconnaissent en général la confession de foi comme d'accord avec l'écriture; mais qu'ils ne s'engagent pas aussi fortement à la soutenir que les membres de l'église établie y sont obligés.

Est-ce que tous les ministres de la sécession ne signent pas la confession de foi de Westminster?—Je ne sais pas qu'ils le fassent à présent, mais je comprends que s'ils le font, ils le font avec quelque qualification. Comme on m'a fait cette question il est de mon devoir de dire qu'un grand nombre des ministres liés à la sécession, tant dans le Haut que dans le Bas-Canada, ont fait connaître leurs dispositions à professer un étroit attachement par le dogme, la discipline et le culte de l'église d'Écosse.

Avez-vous quelque moyen de savoir si les presbytériens d'origine américaine en Canada se réuniraient aussi dans les mêmes congrégations avec les presbytériens écossais?—Je n'ai aucun moyen de le savoir.

Cette déclaration que les ecclésiastiques du Canada ont faite de leurs dispositions à adopter votre confession de foi, n'a-t-elle été faite depuis que la discussion s'est élevée par rapport à cette réclamation?—Autant que je le sais, ce n'est que depuis que cette réclamation a été mise au jour.

Est-ce votre opinion que tous les dissidens protestans quelconques, soit presbytériens ou non, ont droit à une part de ce fonds?—J'espère qu'on m'excusera de dire que nous ne nous regardons pas comme des dissidens protestans; l'église d'Ecosse est une église établie.

Croyez-vous que les dissidens protestans auroient droit à une part de ce fonds?—Je suis incapable de parler la dessus.

Voulez-vous dire que vous regardez vos prétentions comme aussi-fondées que celles de l'église d'Angleterre?—C'est là notre opinion. On ne permettra peut-être de dire pour quoi je parais limiter les termes de "clergé protestant" peut-être au delà de ce qu'on aurait attendu. C'est pour cette raison: les actes tant du parlement d'Angleterre que de celui d'Ecosse passés au temps de l'union, en parlant de la religion protestante, font certainement allusion, soit à l'église d'Angleterre telle qu'établie par la loi, ou à l'église d'Ecosse, dont la discipline fut alors assurée et ratifiée; et je ne puis me hasarder à dire que l'interprétation de cet acte permet d'aller plus loin. Or comme beaucoup d'entre les dissidens protestans ne tiennent nullement les doctrines de l'église d'Ecosse, ne se conforment pas à son culte, ou ne se soumettent pas à la discipline qui y est établie, je ne vois pas comment ils pourraient avoir des prétentions en vertu de ces actes.

M. Robert Gillespie, introduit; et examiné.

Quelle connaissance avez-vous des deux provinces du Canada?—J'ai été en Canada pendant un grand nombre d'années, et je connais principalement les provinces comme marchand en commerce avec le pays.

Connaissez-vous les deux provinces?—Oui, j'ai été dans les deux provinces. Savez-vous quelque chose d'une pétition faite à la chambre des communes par des marchands et autres en relation avec le Canada?—Oui, j'en sais quelque chose.

Avez-vous signé cette pétition?—Oui. Voulez-vous détailler vos vues en mettant votre nom à cette pétition?—Les vues que j'avais en le faisant, étaient que l'amélioration du pays est beaucoup retardée en conséquence des dissensions qui règnent dans le Bas-Canada, et aussi en ce qu'un marchand ne trouve pas dans le pays la sûreté qui selon moi serait à propos pour sa prospérité.

De quelle manière les dissensions qui règnent dans le Bas-Canada gênent-elles les opérations de commerce et l'amélioration des deux provinces?—En empêchant la passation de lois nécessaires à la sûreté du commerce. Il n'existe à présent rien de semblable à savoir quand les immeubles sont hypothéqués ou non, et dans la marche ordinaire de notre commerce, nous avons coutume de faire des avances en marchandises à différentes personnes en prenant des sûretés sur leurs biens; et nous trouvons fréquemment à la fin que ces sûretés ne sont bonnes à rien, en tant qu'ils ont été hypothéqués auparavant jusqu'à leur entière valeur, et nous perdons toutes nos avances; je le sais par expérience en ma qualité de marchand.

De quelle manière avez-vous éprouvé l'inconvénient que vous mentionnez?—Pour avoir pris des sûretés pour des marchandises avancées à des gens qui étaient prêts à offrir leurs biens en garantie, mais quand nous en sommes venus à discuter ces biens nous avons trouvé que d'autres y avaient des hypothèques antérieures.

Avez-vous quelque raison de croire que la chose soit arrivée fréquemment?—Elle nous est fréquemment arrivée dans notre commerce général. Le prêt de deniers sur hypothèque est-il considérablement découragé par cette difficulté?—Pas de doute qu'il ne soit.

Comment avez-vous découvert que les biens avaient été hypothéqués auparavant?—Quand nous poursuivions l'individu devant les cours, d'autres venaient en avant avec des prétentions antérieures.

De quelle manière croyez-vous qu'on pût remédier à ce mal?—Je pense que si la chambre d'assemblée du Bas-Canada passait un acte pour l'établissement de bureaux d'enregistrement dans le Bas-Canada, où toutes les hypothèques et toutes les charges seraient enregistrées on saurait alors à quels termes on a avancé des marchandises sur ces biens, ou fait des achats de propriétés foncières.

La différence d'opinion qui s'élève sur la convenance de cet enregistrement, n'est-elle pas une des dissensions que vous décrivez?—Un bill a été introduit deux ou trois fois dans la chambre d'assemblée pour l'établissement de bureaux d'enregistrement, mais la chambre d'assemblée l'a toujours rejeté.

Aucun bill d'enregistrement n'a-t-il jamais passé dans la chambre d'assemblée?—Pas à ma connaissance.

Y a-t-il quelque autre chose qui empêche les marchands de continuer leurs affaires en Canada, ou d'y appliquer leurs capitaux?—Je pense que ce sont là les principaux points sur lesquels les marchands trouvent des difficultés à faire des affaires, ils empêchent aussi l'achat de biens-fonds en Canada.

Les personnes d'origine anglaise font-elles objection à la tenure sous laquelle les terres sont tenues en Canada?—Oui.

Pouvez-vous dire quelles sont les objections que ces personnes avancent?—Je n'ai pas fait beaucoup d'attention aux lois du Canada.

Savez-vous quelque chose sur la tenure des terres en Canada?—Oui, j'en sais quelque chose.

Avez-vous jamais possédé des biens-fonds?—J'y ai été un très petit propriétaire, j'ai eu autrefois une ferme dans l'île de Montréal.

Sous quelle tenure possédiez-vous cette terre?—Sous la tenure française.

Le système français encourage-t-il les améliorations agricoles, ou les décourage-t-il?—Je pense qu'il les décourage.

De quelle manière?—Peu de colons ou d'émigrés venus de ce pays demeureront dans le Bas-Canada, parce que quand ils y achètent une terre ils ne sont jamais sûrs qu'elle ne soit pas assujettie à quelques charges.

Avez-vous connaissance de quelques cas où l'acheteur a abandonné la terre qu'il avait achetée?—Je connais un cas où un émigré qui était venu dans le Bas-Canada, y acheta une terre, l'améliora, et trouva ensuite qu'elle était hypothéquée, et fut obligé de l'abandonner, de perdre son prix d'achat et aussi les améliorations qu'il y avait faites.

Les circonstances sont-elles de manière à ce qu'avec une prudence ordinaire un homme ne pût dans l'origine se mettre à l'abri de ces inconvénients?—Je ne connais aucun autre moyen de se procurer un bon titre dans le Bas-Canada, que par une vente de shérif.

Une vente de shérif donne-t-elle un bon titre contre les hypothèques antérieures?—Oui.

Connaissez-vous du tout les townships de l'est dans le Bas-Canada?—Je n'ai jamais été dans les townships de l'est.

Est-ce que l'usage en Canada soit des personnes qui y sont nées ou de celles qui s'y sont établies comme marchands, d'appliquer leurs fortunes en biens-fonds dans le pays, ou les font-elles généralement passer en Angleterre?—Il est arrivé généralement que les marchands qui ont fait de l'argent en Canada l'ont fait passer en ce pays.

A quels motifs attribuez-vous la chose?—C'est parce qu'ils ne pouvaient se procurer en l'appliquant en Canada ce qu'ils regardaient comme une bonne sûreté.

La même remarque s'applique-t-elle au Haut-Canada?—Je pense que non; il y a là des bureaux d'enregistrement.

Voulez-vous dire que les personnes qui ont dessein de continuer à résider en Canada appliqueraient leurs capitaux en ce pays plutôt que de les employer à l'achat de terres en Canada même?—Je connais beaucoup de capitalistes dans le Bas-Canada qui ont fait passer leur argent ici pour y être appliqué, tout en continuant à résider dans la province, mais peut-être pas dans le dessein de s'y fixer d'une manière permanente.

N'est-ce pas là un moyen très-facile de s'assurer si un titre est bon ou non?—C'est un moyen lent et coûteux.

Pouvez-vous dire quels seraient les frais pour se procurer un bon titre par une vente de shérif pour des biens de 200L ou 300L de revenus?—Je n'en pourrais dire exactement les frais.

Y a-t-il d'autres frais que ceux des avertissements et les honoraires du shérif?—La chose doit passer devant une cour de justice; c'est par un décret de la cour que la vente a lieu.

N'est-ce pas là un décret de forme qu'on obtient en le demandant?—Oui, mais cependant il est accompagné de frais.

Etes-vous d'opinion que la loi française de succession et la loi française pour les biens-mebles, vout jusqu'à empêcher l'établissement des marchands qui ont fait de l'argent dans le pays?—Je le pense.

Quelle espèce de changement, dans votre opinion, diminuerait à cet égard les dispositions à appliquer les capitaux ici plutôt que de les appliquer en Canada?—Si les terres étaient tenues en franc et commun soccage, je pense que ce serait un changement avantageux.

N'y a-t-il pas beaucoup de terres tenues en franc et commun soccage?—Pas dans les seigneuries; tous les townships sont sous cette tenure.

Trouve-t-on chez les marchands quelques dispositions à appliquer leurs capitaux sur des terres dans les townships?—Non; ils craignent que leur titre ne fût pas bon, et une grande partie de ces terres est de peu de valeur faute d'être établie.

Dans le fait croyez-vous qu'avec un changement quelconque dans les lois, il devint jamais avantageux à un capitaliste d'appliquer des sommes considérables en achat de terres dans les provinces du Canada?—Si les terres en friche du Canada demeuraient sans payer de taxes, je penserais qu'un achat de terres à bas prix dans les townships du Bas-Canada deviendrait à la fin très-avantageux.

Regardez-vous cet avantage comme devant provenir de laisser les terres en friche pendant un temps considérable, et de les vendre ensuite avec grand profit en raison de l'amélioration des terres du voisinage?—Je pense qu'avec le temps une grande partie des terres en friche du Bas-Canada pourra s'établir, et celles qui ne seront pas établies auront alors acquis de la valeur.

Ainsi vous regarderiez l'achat des terres comme conduisant nécessairement à en faire demeurer une proportion considérable en friche?—Oui.

Croyez-vous cela avantageux à la province?—Certainement non.

Si vous aviez occasion d'établir ces terres de bonheur, seriez-vous disposé à le faire, ou attendriez-vous?—J'aimerais mieux attendre, l'établissement de terres est une entreprise très-coûteuse.

En général n'achète-t-on pas les terres dans la province que pour les revendre en détail?—La chose se fait en général comme suit; une personne achète un grand parti de terre dans le dessein d'en revendre ainsi une partie et de garder le reste, de sorte qu'il acquiert plus de valeur par l'établissement de l'autre partie.

Serait-il à l'avantage de la province que les terres fussent tenues en saisine permanente?—Non, je ne le crois pas, à moins que le propriétaire ne les établisse.

Dans le fait les terres du Canada peuvent-elles être fort profitables excepté aux cultivateurs immédiats?—Pas profitable d'une manière immédiate.

Croyez-vous qu'un acquéreur en Canada ait plus de sûretés en achetant des terres tenues en franc et commun soccage qu'en achetant des terres tenues à titre de seigneurie?—Oui.

L'acquéreur d'une terre en franc et commun soccage ne serait-il pas sujet à la même espèce de fraude, à ce qu'il y eût un propriétaire antérieur qui l'aurait hypothéqué, et dont on lui aurait caché le titre?—Les terres tenues en franc et commun soccage ayant été concédées à une époque plus récente, il n'est pas probable qu'elles soient sujettes aux mêmes charges.

Supposant que vous dussiez acheter des terres en franc et commun soccage, et que vous voulussiez connaître s'il existe contre cette terre quelque titre antérieur, quelle démarche prendriez-vous?—Je ne pourrais prendre aucune démarche s'il n'y avait pas de bureaux d'enregistrement établis, à moins d'avoir recours à une vente du shérif.

Ainsi vous êtes sujet à être fraudé dans l'achat de terres tenues en franc et commun soccage, nonobstant la date récente de cette tenure?—Oui; mais comme je l'ai déjà dit il n'est pas aussi probable que ces terres soient grevées.

Dans le fait les terres du Canada sont-elles très-souvent hypothéquées?—Très-fréquemment.

Vous savez que la loi française des successions partage les biens d'une manière égale entre les enfans; croyez-vous que la population anglaise du Bas-Canada préférerait cette loi au droit d'aînesse anglais?—Non, je ne le crois pas.

Supposant qu'on vous fît l'offre d'une certaine quantité de terres à choisir dans les seigneuries ou dans les townships, le marché étant d'ailleurs également avantageux sous le rapport de la bonté des terres, quelle offre regarderiez-vous comme la meilleure pour l'application de vos capitaux?—Celle des townships, parce que je pense qu'ils seront plutôt établis.

Qui vous engage à penser qu'ils seront plutôt établis?—Les émigrés s'y rendraient plutôt que de demeurer dans les seigneuries, parce qu'ils se réuniraient alors avec des personnes parlant la même langue, et ayant les mêmes sentimens et les mêmes usages, et qu'ils s'attendraient à participer aux mêmes lois auxquelles ils auraient été accoutumés. Il y a donc quelque chose dans la loi qui aurait cet effet?—Les lois anglaises ont été promises aux townships, je crois, par le traité de 1791.

Comme en général les terres des seigneuries sont mieux situées, étant plus près des marchés, ne serait-ce pas là un attrait pour un émigré à s'établir dans les seigneuries plutôt que dans les townships?—Il se rend aux townships parce qu'il y rencontre des gens de la même langue, des mêmes usages, et des mêmes habitudes.

Pensez-vous que cette disposition à s'établir dans les townships ne résulte pas de la différence des lois qui règnent dans les deux divisions, mais de ce que les émigrés désirent vivre au milieu d'une population de leur propre pays?—Elle résulte du désir qu'ils ont de s'établir au milieu de leurs compatriotes.

Croit-on généralement que les lois françaises ont cours dans les townships du Bas-Canada?—Oui, on le croit, mais je ne suis pas aussi au fait sur les matières légales que quelques autres messieurs.

Connaissez-vous les relations du commerce qui ont lieu entre les deux provinces?—En général.

Pouvez-vous dire s'il serait possible d'arranger un système par lequel les droits sur les marchandises qui se consomment dans le Haut-Canada seraient recueillis à la frontière?—Je pense que ce serait une chose très-difficile.

Serait-elle possible?—A peine.

En quoi consisteraient les difficultés?—Il y a une ligne frontière étendue ouverte à la contrebande.

Serait-il possible de faire un arrangement pour que les marchandises destinées au Haut-Canada fussent emmagasinées à Québec ou à Montréal dans un entrepôt, et envoyées pour être introduites dans le Haut-Canada à quelque point particulier sous un certain système de cautionnement, et quelles fussent transportées de cette manière avec sûreté?—Je pense que ce serait une chose très-difficile.

Voulez-vous dire en quoi les difficultés consisteraient?—Les marchands du Haut-Canada viennent faire leurs achats dans le Bas; ils ne font pas venir directement dans le Haut-Canada beaucoup de marchandises de ce pays; ils font généralement leurs achats à Montréal et à Québec; la variété d'articles dont un marchand détaillier a besoin dans le Haut-Canada est très-considérable, et la quantité de chaque si petite qu'il est presque impossible de les faire venir de ce pays, et ainsi on va les chercher dans la province basse, et les droits ont déjà été payés à Québec sur ces marchandises.

Ainsi vous pensez que si on percevait les droits dans le Haut-Canada sur les marchandises qui s'y consomment, on ferait une division du commerce extrêmement embarrassante?—Je le pense.

Ferait-on par là nécessairement une distinction entre les marchands qui font le commerce pour le Haut-Canada et ceux qui font le commerce pour le Bas-Canada?—Je pense que la chose aurait cet effet.

Les mêmes marchands ne pourraient-ils pas convenablement faire les deux commerces?—Pas convenablement, à cause de la variété et de la petite quantité des articles d'assortiment.

Ne serait-il pas nécessaire que les marchandises importées pour le Haut-Canada fussent entièrement séparées de celles qui seraient importées pour le Bas-Canada?—Oui; il deviendrait

viendrait par là nécessaire d'empaqueter à part les marchandises qui monteraient au Haut-Canada.

Cela n'exigerait-il pas une mise de capitaux plus considérable?—Cela serait très-couteux; il faudrait employer beaucoup plus de bras et de capitaux.

Et cela serait également nécessaire soit que les droits fussent perçus à quelque dépôt dans le Bas-Canada sur les marchandises qui devraient être transportées au Haut-Canada, ou qu'ils fussent perçus aux douanes sur la ligne frontière des deux provinces?—Oui.

Voyez-vous quelque objection à l'arrangement qui a eu lieu, et par lequel une certaine proportion des revenus perçus dans le Bas-Canada est appliquée à l'usage de l'autre province?—Le Haut-Canada se plaint qu'il ne reçoit pas sa part des droits perçus à Québec, et le principe est mauvais.

N'est-il pas probable que la différence dans les habitudes et les mœurs des deux provinces demanderait un système distinct de taxes, en leur faisant consommer des marchandises différentes et rendant de leur intérêt d'imposer des taxes sur des marchandises différentes?—Oui, je pense qu'il est très probable que cela serait.

Avec ces circonstances, la division du revenu perçu qui se fait maintenant ne deviendrait-elle pas gênante et injuste en quelque sorte?—Oui.

Connaissez-vous quelque remède à ces inconvénients?—Je n'en connais d'autres que la réunion des provinces.

Pensez-vous que ce soit une mesure avantageuse?—Je le pense.

Voulez-vous dire sur quels motifs vous fondez cette opinion?—Je pense que cela ferait évanouir les difficultés qui ont lieu par rapport à la division du revenu.

Y a-t-il d'autres inconvénients que l'union ferait évanouir?—La législature du Bas-Canada peut vouloir imposer des taxes sur les produits venant du Haut-Canada; et quoiqu'à présent il ne soit pas en son pouvoir de le faire sans la concurrence de l'autre législature, je crois que la chose serait plus facile au moyen d'une union. La province du Bas-Canada a une fois, jecrois, imposé une taxe sur les bois qui descendaient de l'autre province.

Cette taxe subsiste-elle maintenant?—Elle ne subsiste plus à présent.

Était-ce sur les bois qu'on supposait être venus des Etats-Unis?—Non, sur les bois du Haut-Canada.

A-t-il été établi quelque autre droit de passage?—Pas à ma connaissance.

Quel autre inconvénient y a-t-il dans le système actuel?—Les inconvénients sont tels dans le Bas-Canada, que les intérêts mercantiles ne sont pas représentés dans la chambre d'assemblée. Par l'union des provinces on aurait un grand nombre de représentants anglais, et je pense qu'il serait passé beaucoup d'actes qui conduiraient à l'amélioration du pays.

Pensez-vous que l'intérêt mercantile anglais soit à présent en quelque sorte découragé dans le Bas-Canada?—Je pense qu'il l'est; la province du Bas-Canada fournit à présent bien peu en comparaison pour l'exportation. Le marchand du Bas-Canada a à attendre des articles d'exportation du Haut-Canada et des townships, vu que la province basse n'en produit que peu ou point.

Les seigneuries ne fournissent-elles pas à l'exportation des bois de la potasse et des grains?—Pour les grains, il n'en a pas été recueillis l'année dernière plus qu'il en fallait pour la consommation du Bas-Canada.

Y a-t-il un surplus dans les townships?—Pas dans les townships du Bas-Canada; il y aura un surplus dans le Haut-Canada.

A quoi attribuez-vous que les habitants des seigneuries ne recueillent pas plus de grains qu'il ne leur en faut?—Je pense que les Canadiens sont des mauvais agriculteurs.

Le deviennent-ils à cause de la tenure de leurs terres et de leur système, ou est-ce chez eux un défaut personnel?—Je pense que leur système d'agriculture est mauvais.

A quoi attribuez-vous les vices de leur système et la supériorité pratique du Haut-Canada?—Dans le Haut-Canada on suit le système d'agriculture anglais, ou pour mieux dire le système anglo-américain; dans le Bas-Canada on conserve l'ancienne méthode française de pacager les terres une année et de les labourer l'année suivante, sans suivre le système anglais de culture par rotation.

Le sol et le climat ne sont-ils pas plus avantageux dans le Haut-Canada que dans le Bas?—Le climat est un peu plus avantageux, et le sol vierge y est meilleur que l'ancien cultivé dans le Bas-Canada.

Les bois viennent-ils entièrement du Haut-Canada?—Principalement.

Quels sont les principaux articles du crû du Bas-Canada qui s'exportent de la province? Les grains et la potasse.

La quantité de potasse qui vient du Bas-Canada est-elle plus considérable que la quantité qui vient du Haut?—Je pense que non.

De quelles parties de la province basse viennent les grains et la potasse qui s'exportent?—Le grain qui s'exporte du Bas-Canada, et qu'on y recueille, est produit principalement dans le district de Montréal, et la plus grande partie de la potasse se fait dans les townships.

Les descendants des Canadiens français consomment-ils des marchandises anglaises en grande quantité?—Oui.

Y a-t-il quelque différence à cet égard entre les habitudes des seigneuries et celles des townships et du Haut-Canada?—Dans le Bas-Canada on s'habille un peu différemment; par exemple, on se sert d'une espèce de drap plus grossière que celle qui est employée dans le Haut-Canada ou dans les townships.

Se fait-il quelque commerce direct entre la France et le Canada?—Il s'en fait un très-peu considérable.

Les descendants des colons français ont-ils retenu beaucoup de liaison avec la France?—Il y a par fois des messieurs canadiens qui vont en France et qui reviennent.

Y a-t-il une forte émigration de la France au Bas-Canada?—Bien peu. Je crois qu'en général les prêtres du séminaire de Montréal sont français.

Quelles sont les branches de commerce que vous connaissez le mieux?—Le commerce du Canada en général.

Savez-vous si l'importation des Etats-Unis dans le Haut-Canada va en augmentant?—Elle est gênée par un droit sur les marchandises américaines qui entrent en Canada.

Dans le fait, le Canada est-il approvisionné de beaucoup d'articles manufacturés dans les Etats-Unis, entrés quelques-unes en payant les droits, et d'autres par contrebande?—Il vient beaucoup de potasse des Etats-Unis dans le Canada.

N'est-il pas de fait que la potasse des Etats-Unis importée en Canada pour en être réexportée, ne paye pas d'autres droits que ceux qu'elle paierait si elle était du crû du Canada?—Pas d'autres à présent; et il est fort à propos que cela soit.

On a suggéré au comité qu'il serait possible de conduire le commerce entre les deux provinces sur le pied de droits et de remises, c'est-à-dire que toutes les marchandises importées dans le Bas-Canada paieraient d'abord le droit, et qu'à leur exportation de cette province dans celle du Haut-Canada le droit payé dans le principe serait remis, et qu'un nouveau droit serait payé lors de leur entrée dans le Haut-Canada; pensez-vous qu'on pût mettre ce système en exécution avec sûreté pour le revenu et avec convenance pour le commerce?—Je crains qu'il ne fût accompagné de grands inconvénients: la frontière est étendue, et la grande variété des marchandises importées dans le Haut-Canada sur lesquelles il y aurait des droits différens ferait, du tout une opération très-compiquée et très-incommode.

Supposant qu'on mit dans le Haut-Canada sur les marchandises un droit plus élevé que celui qui aurait été payé dans le Bas-Canada, pensez-vous qu'on pût percevoir cette augmentation de droits, prenant en considération les facilités qu'offre pour la contrebande le passage du Bas-Canada au Haut-Canada?—Je pense que non, mais cela dépendrait, à quel ques égards de la différence du droit.

Lorsque vous faite allusion à la contrebande, voulez-vous parler de la contrebande par les canaux navigables ou de la contrebande par terre?—De celle qui se fait par terre principalement en hiver.

Votre opinion est-elle que généralement parlant les habitants de l'une ou de l'autre province désirent l'union?—La partie anglaise de la population du Bas-Canada désire l'union des provinces, ainsi, je pense que la majorité des habitants du Haut-Canada.

Ainsi vous ne pensez pas que l'union de ces deux provinces excitât de grands mécontentemens?—Cela dépendrait beaucoup de la nature de l'acte qui les unirait; il a été intro-

duit en parlement il y a quelques années un bill d'union où se trouvaient des clauses fort sujettes à objection.

Ne pensez-vous pas qu'elle excitât un grand mécontentement parmi tous les habitants français?—Cela dépendrait entièrement de l'acte. Je crois qu'il y a dans le Bas-Canada beaucoup de gens qui n'y feraient pas de fortes objections pourvu que l'acte fût juste et qu'ils ne crussent qu'on touche à leurs loix et à leur religion.

Vous ne croyez pas qu'il y a en général une objection en matière de principes à l'union des deux provinces?—Pas en général.

M. George Ryerson, introduit; et examiné.

Connaissez-vous les provinces du Canada?—Oui je les connais.

De quelle manière les avez-vous connues?—J'y ai vécu environ 28 ans.

De quel pays êtes-vous natif?—Je suis natif de la Nouvelle-Ecosse.

Étes-vous propriétaire dans l'un ou l'autre des deux Canadas?—Oui, je suis propriétaire et magistrat dans le district de Londres dans le Haut-Canada, et je le suis depuis nombre d'années.

Étes-vous venu ici comme agent pour quelque pétition?—J'ai été nommé agent après mon arrivée ici, je suis venu pour affaires privées.

Quelle est la pétition que vous avez été nommé à soutenir?—Une pétition au sujet de la constitution de l'université du Haut-Canada et de l'application des réserves du clergé.

Quel est le nombre des signataires à cette pétition?—Environ 8,000.

Quelles étaient les demandes et quel était l'objet de cette pétition?—L'objet de la pétition était de corriger des détails erronés, qui se trouvent dans certaines communications officielles entre le rév. Docteur Strachan et le gouvernement de sa Majesté, de défendre le caractère de différentes croyances religieuses, qui suivant les pétitionnaires ont été deservies dans ces communications; d'obtenir dans la charte de l'université projetée dans le Haut-Canada un changement qui rende cette institution également avantageuse et également accessible à toutes les croyances chrétiennes; et de solliciter du gouvernement la vente des réserves du clergé et l'application des produits au soutien d'écoles publiques exemptes de tout test religieux, et aux objets d'amélioration intérieure dans le Haut-Canada.

Quelle est la religion que professent les pétitionnaires?—Ils sont composés de chrétiens de diverses croyances.

Beaucoup de presbytériens ont-ils signé cette pétition?—Oui; quelques-uns des principaux signataires sont presbytériens; le président du comité M. Ketchum, est un des presbytériens de marque dans le Haut-Canada.

Le comité a devant lui un papier signé de M. Morrison comme secrétaire du comité central qui a été établi dans la province haute du Canada, pour l'objet que vous avez mentionné; quelle est la nature de ce papier?—C'est une lettre que j'ai reçue du secrétaire et du président du comité pour m'autoriser à veiller aux intérêts de cette pétition.

Ce papier renvoie à une carte ecclésiastique des différentes croyances chrétiennes dans le Haut-Canada, tirée des renseignements de différents ecclésiastiques et de personne au résultat de ces pétitions, quant à la force numérique et au nombre des différentes croyances chrétiennes de cette province; avez-vous cette carte sur vous?—Cette carte est attachée à la pétition qui a été présentée à la chambre des communes.

Pouvez-vous dire la manière dont cette carte a été formée et quels moyens on a pris pour en assurer l'exactitude?—Le secrétaire du comité écrivit aux ministres des différentes croyances chrétiennes et à d'autres particuliers intelligents, pour leur demander un rapport correct du nombre de leurs églises, de leurs membres et de leurs ministres et de ceux qui suivaient d'une manière fixe leurs instructions religieuses, &c.; on prit beaucoup de peine pour assurer l'exactitude des rapports. La carte a été publiée en Canada où toutes erreurs seraient découvertes et dénoncées par les personnes intéressées au sujet.

Pouvez-vous certifier l'exactitude de ce document?—Je suis que la partie la plus considérable en est correcte, et je crois que le tout l'est aussi.

Pouvez-vous en décrire la substance au comité?—Je ne le puis en ce moment. Cette carte ne prétend pas donner un tableau parfait de la force numérique de l'église anglaise, des presbytériens, des quakers et des méthodistes, quoiqu'elle le fasse en général pour leurs ministres et leurs lieux de culte. Le rapport des méthodistes et des anabaptistes est plus détaillé et plus complet; il donne le nom des ministres, le lieu de leur naissance et de leur éducation, le nombre de chapelles, le service religieux régulier et le service occasionnel, les membres de leur église et les auditeurs réguliers. Les méthodistes composent la croyance la plus nombreuse.

Quelle espèce de méthodistes; sont-ce des méthodistes wesleyens?—Ils sont essentiellement wesleyens par le dogme et par la discipline, mais ils forment un corps distinct appelé la conférence du Canada; leur ministres s'assemblent annuellement en conférence dans le Haut-Canada.

Quelle est la croyance la plus nombreuse ensuite?—Je pense que les différentes classes de presbytériens, viennent ensuite, mais elles ne sont pas en réunion organisée, elles n'ont que peu de ministres.

Quelle est la croyance que vous regardiez comme la suivante en nombre?—Je pense que l'église d'Angleterre et les Anabaptistes sont environ en nombre égal, et viennent ensuite les Presbytériens.

La carte à laquelle vous avez renvoyé donne-t-elle un détail passablement correct des proportions de toutes ces croyances?—Elle donne, je crois, un rapport correct des églises, des ministres et du service religieux des différentes croyances, mais non un compte exact des membres de chaque, excepté des Méthodistes et des Anabaptistes comme ils tiennent un compte exact de toutes leurs sociétés, ils ont pu fournir des renseignements détaillés. Il est presque impossible de faire un rapport pour l'église d'Angleterre, parce qu'elle n'a que peu de communians. Dans les autres sociétés on a rapporté comme y étant attachées les personnes qui ne sont pas adultes communians.

Il est dit dans la lettre de M. Morrison qu'en général les presbytériens avaient refusé de se joindre aux pétitionnaires?—Je crois que la pétition n'a pas été généralement signée par la partie des presbytériens qui est attachée à l'église d'Ecosse.

A quoi attribuez-vous cela?—Ils veulent avoir à eux seuls la moitié des réserves; mais la proportion la plus considérable des presbytériens du Haut-Canada, s'est, à ce que je crois, jointe à la pétition générale.

Il paraît aussi que les catholiques-romains ne s'y sont pas joints; les croyez-vous très nombreux dans le Haut-Canada?—Dans la partie supérieure il y a un petit nombre de townships de Canadiens français, et un township de Montagnards écossais dans la partie inférieure, qui sont catholiques-romains; ils ne sont pas nombreux dans les autres parties de la province.

Y a-t-il beaucoup de catholiques irlandais?—Il y en a dans un petit nombre des nouveaux townships récemment habités.

Dans cette lettre il y a beaucoup de plaintes sur la manière dont a été dressé le détail du nombre des communians de l'église d'Angleterre; avez-vous quelques observations à faire à ce sujet?—Non, je ne suis au fait de cela; je sais que le nombre en est très faible.

Vous-avez dit que le docteur Strachan s'était trompé dans ces détails; quelle donnée avez-vous pour appuyer des détails opposés à ceux du docteur Strachan?—Le docteur Strachan dit que la majorité du peuple appartient à l'église d'Angleterre, et je sais que c'est incorrect, et que l'église d'Angleterre est une des moins nombreuses d'entre les différentes croyances; les congrégations sont généralement très faibles, excepté dans la ville de York où il y a un certain nombre d'officiers du gouvernement. Le docteur Strachan oublie entièrement dans sa carte diverses croyances chrétiennes, comme les Anabaptistes, les Quakers et les Ménonistes; et il mentionne les prédicateurs Méthodistes comme coupables de désaffection et d'aliéner l'esprit du peuple du gouvernement. Je sais que c'est entièrement inexact; car une grande partie des ministres sont d'anciens loyalistes, et plusieurs d'eux des hommes qui ont combattu pour la défense du pays. Une grande proportion des réunions Méthodistes est aussi composée de descendants de vieux

vieux loyalistes américains. Dans la dernière guerre personne ne s'est mieux distingué dans la défense du pays que les réunions Méthodistes en général.

On a dit qu'une grande partie de la population du Haut-Canada aurait une tendance vers l'église établie, si elle pouvait se procurer des ministres de l'église établie et des lieux de culte convenables; croyez-vous que ce soit le cas?—Non; l'église établie a beaucoup plus de moyens d'établir des lieux de cultes et de se procurer des ministres que n'en a aucune autre croyance; elle reçoit un don de £100 pour la bâtisse d'une très petite église, et ses ministres sont payés par ce pays et ont diverses sources d'émolumens et des privilèges particuliers, refusés aux ministres des autres croyances; mais elle ne s'est pas accrue dans la même proportion que les autres.

Connaissez-vous quelque district où, quoiqu'il y ait une église établie et un ministre placé, la force numérique des autres croyances chrétiennes surpasse cependant considérablement celle de l'église d'Angleterre?—Oui; dans la ville de York, où il y a plusieurs ecclésiastiques qui officient dans l'église; il n'est aucun endroit dans le Haut-Canada où les autres croyances soient plus nombreuses et s'accroissent plus rapidement. Je n'y trouvais il y a un an environ et je visitai plusieurs écoles de dimanche qui appartenaient aux presbytériens, aux méthodistes et aux anabaptistes, mais il n'y en avait aucune d'attachée à l'église d'Angleterre; je crois que c'est le cas presque en chaque endroit du Haut-Canada où il y a un ministre résident de l'église d'Angleterre.

Combien y a-t-il à York de congrégations de l'église d'Angleterre?—Il y en a une, l'église du docteur Strachan.

Connaissez-vous le nombre des membres qui composent cette congrégation?—Non je n'en puis dire exactement le nombre; je pense qu'elle n'est pas plus nombreuse que les Méthodistes seuls.

Combien y a-t-il de congrégation de Méthodistes?—Il y a qu'une chapelle de chaque croyance, savoir une de l'église d'Angleterre, une de catholiques-romains, une de presbytériens, une de méthodistes et une d'anabaptistes.

Quelles écoles y a-t-il qui soient liées avec le service de l'église d'Angleterre?—Les écoles de district dont le docteur Phillip, est l'instituteur; et une école centrale d'après le système national.

Y a-t-il quelques écoles de district pour les autres croyances?—Il y a deux écoles nombreuses composées de méthodistes, de presbytériens et autres.

Les églises des autres croyances chrétiennes ont-elles été entièrement bâties par souscription volontaire?—Oui, et leurs ministres sont soutenus de la même manière.

A-t-il été nommé dernièrement quelque comité spécial par la chambre d'assemblée du Haut-Canada, sur des matières liées avec l'état religieux de la province?—Oui et j'ai fait parvenir copie de son rapport au bureau colonial.

Quelle opinion le comité a-t-il exprimé sur l'exactitude des détails du docteur Strachan?—Il a exprimé l'opinion qu'ils sont inexacts presque sur tous les points.

Le comité a-t-il exprimé une opinion sur l'université qui a été fondée dernièrement dans le Haut-Canada, à l'égard de son caractère religieux?—Oui, il en désapprouve le caractère, et je crois qu'elle est généralement désapprouvée par la proportion la plus considérable du peuple du Haut-Canada.

Sur quel motif?—Parce qu'elle est sous la direction exclusive d'une dénomination de chrétiens et qu'elle requiert des tests religieux, et que les appropriations considérables de terres qui ont été faites pour la soutenir rendent peu probable la fondation d'autres institutions ouvertes aux autres dénominations de chrétiens.

Les représentations du docteur Strachan ont-elles beaucoup excité les esprits dans le Canada?—Oui beaucoup, je n'ai jamais rien vu qui ait produit tant de fermentation dans le pays, excepté le bill des aubains.

Menacent-elles de produire une fermentation plus grande encore?—On n'avait jamais auparavant regardé la religion comme une affaire de parti, mais il est probable qu'elle prendra maintenant ce caractère; et la carte ecclésiastique et la charte du collège ont tendu à réunir toutes les différentes croyances chrétiennes en un seul parti opposé à l'église d'Angleterre et à ceux qui soutiennent ces prétentions exclusives. Elles ne se sont pas opposées jusque là à l'église, mais elles se croient obligées de le faire maintenant pour la défense de leurs droits civils et de leurs libertés religieuses.

Les dissidens de l'église d'Angleterre ont-ils augmenté en nombre en conséquence de cela?—Je le pense; ceux qui, auparavant, n'étaient pas décidés ont maintenant pris une marche plus assurée en opposition à l'église d'Angleterre et à l'université, et je pense que la chose aura une influence considérable sur la composition de la chambre d'assemblée qui sera élue cet été.

Avez-vous copié des résolutions au sujet de l'appropriation des réserves du clergé, qui ont été passées par la chambre d'assemblée du Haut-Canada le 22 décembre 1826?—Oui.

[Le témoin les remit et elles furent lues comme suit:]

" 1^o Résolu, que la dépêche du très honorable comte Bathurst, principal secrétaire d'état de Sa Majesté pour les colonies, communiquée à cette chambre le 12 de ce mois par Son Excellence le lieutenant gouverneur, en réponse à l'adresse de cette chambre à Sa Majesté lors de la dernière session, au sujet des réserves du clergé, n'est pas satisfaisante pour cette assemblée, d'autant qu'elle se tait sur une partie importante de la respectueuse représentation de cette chambre contenue dans la dite adresse.

" 2^o Résolu, que l'interprétation donnée à l'acte impérial par lequel les réserves du clergé sont assignées à des individus liés à l'église d'Angleterre, et la détermination du clergé de cette église d'enlever à toutes les autres croyances protestantes de la province, la jouissance d'une partie quelconque des avantages provenus ou à provenir des terres ainsi réservées, rappellent à l'attention immédiate de la législature provinciale un sujet d'une aussi majeure importance pour le public en général; et que cette prétention de l'église protestante épiscopale est contraire à l'esprit et au sens de la 31^{ème} George 3, et très nuisible aux intérêts et aux vœux de la province.

Pour 28. Contre 3. Majorité, 25.

" 6^o Résolu, qu'il n'y a qu'une faible proportion des habitans du Haut-Canada, par comparaison, qui appartiennent à l'église d'Angleterre et qu'ainsi en justice elle ne devrait pas désirer pour son clergé la jouissance exclusive de tous les avantages qu'offrent ces terres, à l'exclusion de ses co-sujets, quoiqu'ils soient également loyaux et fermes dans leur attachement au gouvernement de Sa Majesté et à la constitution.

" 7^o Résolu, que dans un pays où la population est éparse comme dans le Haut-Canada, où les pauvres ne se procurent pas facilement des moyens d'instruction morale, il est du devoir strict du parlement de donner toute l'assistance en son pouvoir au soutien de l'éducation.

" 8^o Résolu, que les moyens qui pourvoient actuellement au soutien d'écoles de district et d'écoles communes, sont tout à fait insuffisants pour les besoins du peuple, et devraient être augmentés par toutes sortes d'efforts raisonnables, de manière à mettre à la portée de l'habitant le plus pauvre les avantages d'une éducation décente.

" 9^o Résolu, que c'est l'opinion d'une proportion considérable du peuple de cette province, que les terres du clergé, au lieu d'être possédées par le clergé d'une très faible partie de la population, devraient être vendues, et les produits de la vente appliqués à augmenter la gratification provinciale pour le soutien d'écoles de district et d'écoles communes, et la dotation d'un séminaire provincial pour l'éducation, et à aider à ériger des lieux publics de culte pour toutes les dénominations de chrétiens.

Pour 31. Contre 2. Majorité, 29.

" Résolu, que le nombre des membres de l'église protestante épiscopale en cette province est dans un rapport très faible avec le nombre des autres chrétiens, nonobstant les secours pécuniaire que les membres de cette église reçoivent exclusivement depuis longtemps d'une société bienveillante en Angleterre, et leurs prétentions au monopole des réserves du clergé.

Pour 30. Contre 3. Majorité, 27.

Quel but avait-on dans ces résolutions?—Le but était de dresser une loi conforme à icelles pour la vente des réserves du clergé.

Tous les partis dans la chambre d'assemblée se sont-ils réunis pour passer ces résolutions fortement prononcées?—Oui.

Il parait que le moteur était M. Rolph, est-il membre de l'église d'Angleterre?—Il est membre de l'église d'Angleterre, il a reçu son éducation à Cambridge, et je crois qu'il est membre de Lincoln's-Inn.

Elles furent secondées par M. Morrison; est-il membre de l'église établie d'Ecosse?—Je crois que oui, et on le regarde comme en représentant les intérêts dans la chambre d'assemblée.

Le docteur Strachan dit que l'assemblée contient 18 membres de l'église d'Angleterre; la minorité dans la division ne surpassait pas trois; étaient-ce des membres du gouvernement?—Non.

Croyez-vous qu'il y avait 18 membres dans la chambre d'assemblée qui se reconnaissent pour membres de l'église d'Angleterre?—Je ne suis pas certain là-dessus, mais je ne le pense pas.

La lettre de M. Morrison dit que le docteur Strachan avait fait rapport dans sa carte de plusieurs églises bâties ou devant l'être probablement, pour des endroits où il n'en a été bâti aucune et où il n'est pas probable qu'il s'en bâtisse. Avez-vous des renseignements à ce sujet?—Il n'y a pas d'église à Ancaster, mais il y en a une, appelée *église libre*, bâtie pour l'usage de toutes les dénominations de chrétiens, mais le ministre de l'église d'Angleterre n'y prêche pas, et l'église n'y fait aucun service régulier. Il mentionne le township de Woolwich comme ayant une église et des offices de temps à autre; c'est un township nouveau sur l'Ottawa, et lorsque j'ai laissé le pays il n'y avait jamais eu là d'ecclésiastique, excepté un missionnaire Méthodiste qui n'y avait alors fait qu'une seule visite. Il n'y a aucun village sauvage dans le district de Londres, qui ait une église comme il y a dit. J'ai vu d'autres inexactitudes mentionnées dans les *Gazettes* en différentes parties de la province, mais je ne suis pas assez au fait des localités pour désigner les erreurs.

Il est dit dans la même lettre que le docteur Strachan a fait des représentations extrêmement fausses au sujet des ministres Méthodistes, les représentant comme nés presque tous dans les Etats-Unis, tandis que la plus grande partie d'entr'eux est donnée pour composée de sujets britanniques; avez-vous quelques connaissances là-dessus?—Je sais qu'hormis quatre ils sont tous sujets britanniques. Il y a 46 ministres ambulans qui forment la conférence du Canada, et sur les 46, 31 sont sujets britanniques de naissance et d'éducation, 12 sont sujets britanniques naturalisés, et trois seulement sont aubains, et ces derniers vivent depuis plusieurs années dans le pays, et peuvent maintenant être naturalisés en vertu du nouvel acte des aubains.

Les ministres qui constituent le service Méthodiste ambulant du Haut-Canada, sont-ils sous les ordres de la conférence des Etats-Unis d'Amérique, ou s'assemblent-ils en conférence annuelle dans le Haut-Canada?—Ils s'assemblent en conférence annuelle dans le Haut-Canada; il ne reçoivent aucun ministre des Etats-Unis ni d'aucun autre pays sans un vote de la majorité de la conférence et une probation régulière de deux années.

Quelle est, à ce que vous croyez, la proportion des membres de l'église d'Angleterre à la population totale du Haut-Canada?—Il m'est impossible de le dire.

Pensez-vous qu'il forme un dixième de la population?—Je ne pense pas.

Pensez-vous qu'ils en forment un quinzième?—Il est probable qu'ils en forment cette partie ou peut-être un dixième; je pense qu'il y a un cinquième de la population du Canada qui n'appartient à aucune croyance religieuse, quoique ces personnes soient mieux disposées en faveur de l'une que d'une autre, et qu'en général elles assistent à un des lieux de culte de préférence aux autres.

Quel serait, à ce que vous croyez, le meilleur moyen de faire des dispositions fixes dans le Haut-Canada pour pourvoir aux besoins religieux du pays?—Je pense qu'au moins les dix-neuf-vingtièmes du pays désirent que les réserves du clergé soient appliquées à la fondation d'écoles.

Pensez-vous qu'il fût avantageux de laisser les ministres de la religion dans le Haut-Canada dépendre entièrement de contributions volontaires pour leurs moyens d'existence?—Oui, je pense que ce serait le mieux de beaucoup; Je pense que cela serait plus avantageux pour les intérêts de la religion, et cela pas en théorie seulement; nous vivons à côté des Etats-Unis où les ministres sont soutenus de cette manière; pendant plusieurs mois de résidence dans ce pays j'ai assisté à différens lieux de culte, et je les ai trouvés fréquentés d'une manière beaucoup plus respectable et les ministres mieux soutenus, et il régnait une plus grande décence dans les congrégations, tant de l'église épiscopale que des autres. L'église épiscopale des Etats-Unis est décidément supérieure à la notre en Canada, et elle est soutenue par les contributions volontaires du peuple. En addition à cela, la législature de la province pourraient accorder quelques secours dans l'occasion.

Croyez-vous que l'église d'Angleterre aurait une meilleure chance de devenir populaire en Canada, si l'on faisait disparaître les causes de jalousie qui existent à présent?—Oui, décidément, et ses plus grands ennemis sont ceux qui veulent établir des distinctions odieuses entre ses ministres et les autres. La carte ecclésiastique lui a fait un tort funeste. Si on persiste dans le système commencé, on détruira l'influence de l'église en Canada.

Le conseil législatif a-t-il concouru avec la chambre d'assemblée dans ces résolutions sur les réserves du clergé?—Non.

Le conseil législatif n'a-t-il pas été fréquemment opposé sur d'autres sujets aux désirs de la chambre d'assemblée?—On s'attend qu'il sera toujours opposé à la chambre d'assemblée sur tous les actes d'une tendance libérale et populaire, particulièrement s'ils ont pour objet l'extension de la liberté religieuse.

Le conseil législatif est-il composé principalement de gens en place?—Oui.

Pouvez-vous donner quelques détails au comité sur les personnes dont se compose le conseil législatif?—Il contient cinq membres qui le sont aussi du conseil exécutif; ce sont l'honorable William Campbell, juge-en-chef, orateur; le très-révérend Evêque de Québec; l'honorable James Baby, inspecteur-général; l'honorable archidiacre Strachan, et l'honorable George Markland. Sept des autres membres du conseil tiennent des places de profit sous le gouvernement; ce sont l'honorable W. D. Powell, qui est maintenant en Angleterre avec une pension; l'honorable John McGill, ci-devant inspecteur-général, etc.; qui s'est retiré avec une pension; l'honorable Joseph Wells, qui est à demi-solde, et commissaire, etc.; l'honorable Duncan Campbell, secrétaire-provincial; l'honorable John H. Dunn, receveur-général; l'honorable Thomas Ridout, arpenteur-général; et l'honorable William Allan qui tient des places nombreuses; les cinq autres ne tiennent aucune place de profit sous le gouvernement, et ce sont l'honorable Thomas Clark, l'honorable William Dickson, l'honorable Neil McLean, l'honorable George Crookshank, et l'honorable Angus McIntosh; l'honorable Thomas Talbot n'a jamais pris son siège comme conseiller législatif.

Pouvez-vous parler de quelque autre sujet sur lequel le conseil législatif est différé d'avec la chambre d'assemblée dans le Haut-Canada?—Je puis dire avec confiance qu'il arrive à chaque session de la législature plusieurs exemples de l'espèce ci-dessus mentionnée, mais comme on ne m'a pas fourni de documents à ce sujet, je ne suis pas préparé à entrer dans les détails; le fait est notoire, et a causé beaucoup de mécontentement depuis quelques années; nous n'avons dans le fait que deux branches du parlement, les communes et l'exécutif; on ne connaît pas dans la législation canadienne d'aristocratie éclairée et indépendante; je veux parler d'une grande majorité du conseil législatif.

Les mêmes querelles qui ont eu lieu dans le Bas-Canada sur l'indépendance des juges ont-elles eu lieu dans le Haut-Canada?—Il y a une différence d'opinion, mais je ne puis rappeler les détails à la mémoire avec assez de clarté pour les mettre au jour. La chambre d'assemblée est pour l'indépendance des juges, mais je ne sache pas qu'on ait marié ce sujet aucune mesure spéciale.

Croyez-vous qu'en général les habitans du Haut-Canada désirent un changement dans la composition du conseil législatif?—Oui; et je crois que nos griefs trouveraient presque entièrement

qu'entièrement leur remède dans la législature du Haut-Canada, si le conseil législatif était indépendant; sans quelques changemens à cette partie de notre constitution, je crois qu'aucun remède ne peut être efficace; et j'ai raison de penser que c'est là l'opinion générale dans le Haut-Canada.

Croyez-vous que la population du Haut-Canada recevrait avec des dispositions favorables ou non un projet d'union des deux provinces?—Je ne le pense pas; les personnes en commerce s'y montreraient favorables, mais non le public en général; la chose est presque partout très-impopulaire dans le Haut-Canada.

La province du Haut-Canada a-t-elle un agent en Angleterre?—Non.

La chambre d'assemblée a-t-elle jamais exprimé le désir d'avoir un agent résidant en Angleterre?—Je crois que oui, mais je ne me rappelle pas les détails.

De quelle manière serait-il possible de donner un port de mer à la province du Haut-Canada sans y aggraver la ville de Montréal?—Je ne connais aucun autre moyen; nos difficultés avec le Bas-Canada sont au sujet du revenu, et elles seraient entièrement réglées si on donnait un port de mer au Haut-Canada. C'est une mesure que l'on désire beaucoup dans le Haut-Canada, et elle nous mettrait à même de conduire nos affaires de finances commerciales sans être sujets à de continuelles collisions avec le Bas-Canada.

Croyez-vous qu'il y eut des difficultés insurmontables à ce que les questions de commerce fussent décidées entre les deux provinces sans avoir recours à une union?—Je ne puis dire; l'union des provinces serait très-probablement nuisible à toutes les deux.

Ne pourrait-on pas les régler au moyen d'une députation des deux chambres?—Je pense qu'on ne pourrait effectuer de cette manière aucun arrangement satisfaisant et permanent; nous l'avons essayé longtems sans aucun résultat avantageux.

Détails additionnels en réponse aux questions du comité du Canada au sujet des croyances religieuses du Haut-Canada:—

Ce sont, 1°. les épiscopaliens; 2°. les presbytériens; 3°. les méthodistes; 4°. les anabaptistes; 5°. les quakers; 6°. les ménouistes; 7°. les catholiques-romains; et un petit nombre d'autres fort peu nombreux.

Le clergé épiscopal est payé par le gouvernement britannique et par la société de la propagation, et il ne l'est en aucun cas par les congrégations; conséquemment le nombre des ecclésiastiques n'est pas une base qui puisse servir à juger du nombre probable des adhérens dans le Haut-Canada.

Par le terme de presbytériens, je comprends les indépendans et les presbytériens du Haut-Canada, aussi bien que les congrégations moins nombreuses liées avec l'église d'Écosse. Ils sont généralement en faveur d'une application impartiale des biens religieux de la colonie à l'avantage de toutes les croyances chrétiennes. Je ne connais pas qu'aucun des presbytériens du Haut-Canada ait pétitionné pour une division des réserves du clergé entre eux et l'église épiscopale. Je crois qu'une appropriation plus équitable pour l'avantage de toutes les classes est approuvée non seulement par eux mais même par la majorité des membres de l'église dans le Haut-Canada.

Je ne pense pas que les anabaptistes soient si nombreux que les différentes classes de presbytériens, mais je crois qu'en général ils ont plus d'influence. On dit qu'ils ont 45 ministres et 36 chapelles; ils font quelquefois des missions ambulantes, mais non d'après un système régulier.

Les quakers et les ménouistes, corps considérables de colons allemands, sont des habitans précieux et habitent divers établissemens très-florissans.

Les méthodistes sont représentés dans une conférence annuelle composée d'environ 46 prédicateurs ambulans. Ils ont 117 ministres ambulans et autres; 66 chapelles; 623 endroits y compris les chapelles où le service divin se fait régulièrement, et 130 endroits où il se fait de tems à autre; il y a 9,000 communians qui appartiennent à leurs réunions, et environ 38,000 auditeurs réguliers, formant environ un cinquième de la population du Haut-Canada. Ce sont eux qui ont la seule mission pour la conversion des aborigènes du Haut-Canada; je veux dire les indiens Chippewa ou Mississauga, dont 500 ont été convertis au christianisme. Les changemens étouffans et avantageux qu'ils ont trouvé moyen de produire dans le caractère, les habitudes et la condition de ces pauvres sauvages, ont reçu l'approbation de sir Peregrine Maitland aussi bien que de la chambre d'assemblée. Les méthodistes soutiennent 10 écoles où 251 enfans sauvages reçoivent l'instruction et acquièrent rapidement les arts et les habitudes de la civilisation et du christianisme. Les méthodistes, au moyen d'une ambulance systématique, procurent l'instruction religieuse à toutes les parties du pays, et les services religieux rendus à la colonie par ce corps de chrétiens seul, s'ils étaient rendus par un clergé paroissial résident, contiendraient un gouvernement au moins £20,000 par an. Les méthodistes recevaient ci-devant des missions dans les Etats-Unis, mais depuis quelques années ils sont sous la surveillance de leurs propres ministres. Ils ont maintenant dissous toute liaison avec les méthodistes des Etats-Unis, et il y a en chemin des mesures qui amèneront probablement une liaison plus intime avec les méthodistes wesleyens d'Angleterre. Sous les réglemens qui subsistent, les méthodistes en commun avec les autres dissidens sont exclus de toute participation aux dispositions faites pour le soutien d'un clergé protestant en Canada, aussi bien que des honneurs et des privilèges de l'université.

J'ai dit comme mon opinion, qu'une dotation permanente pour le clergé du Haut-Canada ne serait pas avantageuse. Mais l'état présent du pays demande qu'il soit accordé du secours pour l'érection de lieux de culte, pour le soutien de missions et d'écoles, et en quelques cas jusqu'à un montant limité pour le soutien des ministres. Une mesure partielle pour l'assistance d'une croyance à l'exclusion de toutes les autres, ferait un grand tort au pays, et tendrait plus qu'on ne peut se l'imaginer en ce pays à détruire l'influence britannique en Canada. On reconnaît généralement que les réserves du clergé sont un très-grand obstacle à l'amélioration du pays. On pourrait les vendre pour former un fonds permanent pour l'encouragement de la religion, de l'éducation, et des améliorations intérieures en général, et nul doute qu'elles ne fussent appliquées à ces objets d'une manière utile et équitable par la législature provinciale, si elle était autorisée à le faire.

Je crois fermement que la prospérité de l'église épiscopale en Canada, les intérêts généraux de la religion dans la colonie, ainsi que son repos et son bien-être, seraient essentiellement avancés par l'éloignement de toute distinction odieuse fondée sur les opinions religieuses, et en donnant à tous égale assistance et égale protection.

Je crois que c'est le désir des dix-neuf vingtièmes entiers des habitans du Haut-Canada que toutes les réserves du clergé soient vendues et les produits appliqués par la législature provinciale sur des principes qui ne soutiendront aucune distinction fondée sur la profession ou la croyance religieuse, aux objets de l'éducation et des améliorations intérieures dans leur sens le plus étendu, comprenant l'érection de maisons d'écoles et de lieux de culte, le secours aux écoles de missions ou communes aux établissemens pauvres pour le soutien des ministres. Par cette appropriation, les réserves du clergé que l'on regarde maintenant comme une grande nuisance publique et qui cause beaucoup de jalousies, de contentions et de mécontentemens, deviendraient pour toutes les classes des habitans de la colonie une source incalculable de bienfaits et d'avantages, augmenteraient en proportion leur attachement au gouvernement, et rétabliraient l'harmonie et la confiance dans la colonie, active.

J'acquiesce pleinement aux sentimens exprimés dans un adresse à sa Majesté par la chambre d'assemblée du Haut-Canada au sujet des réserves du clergé et de l'université du Haut-Canada, datée de mars 1828. Je crois que cette adresse est la véritable expression de l'opinion publique en Canada, je fonde cette conclusion sur la connaissance toute particulière que j'ai du pays depuis un grand nombre d'années. Je désire énoncer aussi que le rapport d'un comité spécial de la chambre d'assemblée du Haut-Canada sur lequel cette adresse était fondée, daté du 15 mars 1828, contient des faits importants qui se rattachent à ces objets.

En explication de mes réponses aux questions relatives au conseil législatif, je désire faire remarquer;

Que le changement que l'on désire pour ce corps, est que le conseil législatif soit con-

stitué de sorte que les intérêts de la majorité de ses membres soient indentifiés avec ceux de ses habitans, et que les membres ne tiennent pas de place de profit sous le gouvernement colonial, et n'appartiennent pas au conseil exécutif. Je désire aussi corriger une opinion très-erronée que j'ai entendu exprimer en ce pays, savoir, que les habitans du Haut-Canada désirent ou préfèrent une *democratie*. Ils sont fermement attachés au gouvernement britannique, et lui donnent une préférence délibérée et décidée sur celui des Etats-Unis. Je n'ai aucun doute que des institutions libérales n'augmentent cette prédilection, et n'attirent aussi beaucoup d'émigrés importans des Etats-Unis, des gens qui préféreraient la liberté sous un gouvernement régulier à l'anarchie et aux querelles de la démocratie.

Remarques additionnelles en réponse aux questions relatives à l'union des deux Canadas.

J'ai dit que cette mesure était généralement impopulaire dans le Haut-Canada. Mais l'aggrégation de Montréal au Haut-Canada, auquel cette ville appartient naturellement et équitablement, rencontrerait selon moi une approbation universelle. Cette extension du Haut-Canada jusqu'à ses bornes palpables et naturelles, la branche est de l'Ottawa, en nous donnant un port de mer, réglerait nos difficultés financières avec le Bas-Canada et ne causerait aucune injustice à cette province. Le commerce de Montréal se fait principalement avec le Haut-Canada, d'où cette ville tire sa richesse et sa prospérité. Ce commerce est principalement avantageux aux marchands de Montréal; toute notre richesse s'y engouffre, et nous ne recevons en retour aucun avantage. Nous travaillons pour enrichir une autre province, et nous n'avons aucun contrôle sur les richesses que notre industrie produit. Dans le Haut-Canada nous n'avons aucun moyen d'améliorations intérieures, et à peine circule-t-il assez d'espèces pour la marche ordinaire des affaires. Les avantages qui reviendraient d'une telle mesure au Haut-Canada et à la Grande-Bretagne, sont, je pense, nombreux et importans. Dans le Haut-Canada cela donnerait une impulsion puissante à l'industrie, au commerce et aux améliorations générales, augmenterait les facilités pour le transport des produits, et conséquemment augmenterait la consommation des marchandises britanniques. Cela détacherait plus entièrement les intérêts du Haut-Canada des Etats-Unis, et nous unirait plus intimement à la Grande-Bretagne. Je n'ai aucun doute que dans très-peu d'années les embarcations à vapeur ne remontassent jusqu'au lac Huron. Cela ferait plus que réaliser pour nous tous les avantages possibles de l'union, sans aucune de ses difficultés évidentes et peut-être insurmontables. J'ai raison de croire que les commerçans et les habitans d'influence à Montréal seraient contents de la mesure.

(signé)

GEO. RYERSON.

Samedi, 21me jour de juin, 1828.

James Stephen, jun. écr. introduit; et examiné.

Quelle situation occupez-vous dans le département colonial?—Je suis conseil du département colonial.

En cette situation, avez-vous fréquemment occasion de porter votre attention sur les affaires qui regardent les deux Canadas?—Fréquemment; parce que comme tous les actes passés par les législatures des deux Canadas me sont renvoyés pour mon opinion légale sur lesquels, il m'est nécessaire en les examinant de faire des recherches sur les affaires publiques de ces provinces.

Connaissez-vous du tout la manière dont les ministres sont nommés aux différens districts dans le Haut et dans le Bas-Canada?—Les ministres de l'église d'Angleterre dans le Haut-Canada n'ont pas de bénéfices à vie. Ce sont plutôt des missionnaires de la société pour la propagation de l'évangile.

Le département colonial a-t-il quelque contrôle sur la nomination?—Lorsqu'il arrive une vacance dans le clergé de l'église d'Angleterre dans l'un ou l'autre Canada, le gouverneur en fait rapport au secrétaire d'état, qui requiert la commission ecclésiastique de nommer un candidat convenable. Naturellement, sa recommandation et d'ordinaire acceptée.

Les aspirans font-ils quelquefois applications pour la place au département colonial, ou s'adressent-ils toujours d'abord à la commission ecclésiastique?—Il se fait souvent des applications directes au département colonial. Dans la rigueur toutes les applications devraient être faites au secrétaire d'état, parce que la commission ecclésiastique n'existe simplement que comme bureau de référence du département colonial.

Pouvez-vous dire depuis combien de tems on a abandonné la pratique de faire parvenir d'abord toutes les applications au département colonial?—Je dirais qu'on n'a pas abandonné la pratique à présent. Les applications faites à la commission ecclésiastique ne sont pas des applications au patron, mais à des personnes qui ont pouvoir de recommander les applicans au patron.

La marche qu'on prenait n'était-elle pas comme suit; que lorsque le bureau colonial connaissait les noms de certaines personnes qui désiraient une collation dans l'église du Canada, ce bureau cherchait à s'assurer par l'entremise de la commission ecclésiastique, si c'étaient des personnes convenables ou non?—Justement; le secrétaire d'état ne se croyait pas qualifié à former un jugement exact sur la compétence d'un ecclésiastique pour ses devoirs spirituels.

De l'autre manière; la suggestion des individus à être nommés ne résiderait-elle pas dans le principe dans le département colonial, et n'arrive-t-il pas maintenant que cette suggestion réside dans la commission ecclésiastique?—Si on s'enquiert du fait, et non de la théorie, je dois répondre qu'en matière de fait la commission ecclésiastique a véritablement le patronage de toutes les collations cléricales du gouvernement dans les colonies.

M. Hamilton occupe-t-il quelque situation lié avec le département colonial, ou est-il seulement employé par la commission ecclésiastique?—Il est secrétaire de la commission ecclésiastique, et, comme je suppose, il a reçu sa nomination des commissaires. Le département colonial est en communication constante avec ce corps, dont il est le membre actif.

Par qui la commission ecclésiastique a-t-elle été nommée?—J'imagine que le bureau ecclésiastique n'est constitué par aucune "commission" dans le sens légal de ce mot, mais que le secrétaire d'état a prié les archevêques et l'évêque de Londres de l'aider de leur assistance à user convenablement de cette partie de son patronage. Afin de libérer ces prélat de quelques-unes des difficultés où ils se trouvaient embarrassés en se rendant à cette demande, la trésorerie autorisa leurs seigneuries à employer un secrétaire, lequel secrétaire est le Dr. Hamilton.

Par qui M. Hamilton a-t-il été recommandé pour sa nomination à la place qu'il occupe maintenant?—Je crois par le secrétaire d'état pour le département colonial.

Le département colonial exerce-t-il un contrôle quelconque soit sur la nomination des ministres ou sur la direction des affaires de l'église en Canada?—Il n'a que je puisse voir aucune

aucune autre direction des affaires de l'église dans le Bas-Canada, que celle qui consiste à en nommer les dignitaires et le clergé.

Pouvez-vous donner quelques renseignements au comité sur la corporation ecclésiastique?—La corporation ecclésiastique est créée par une commission sous le sceau public de la province du Bas-Canada, et il y a toujours eu des doutes si le gouverneur avait strictement un droit légal d'émaner une semblable commission.

Quand émana-t-elle?—Je crois qu'il y a environ neuf ans.

Comment est-elle composée?—Je crois qu'elle se compose de l'évêque, des archidiacres des deux provinces, et du clergé de l'église d'Angleterre. A ce que j'entends ils sont tous membres de cette corporation *virtute officii*, mais je n'ai jamais vu la commission nous n'en avons pas de copie à Downing-street, et ainsi je ne puis en parler que sur le témoignage d'autrui.

Savez-vous quels pouvoirs leur donne cette commission?—Je pense que leurs pouvoirs se bornent à accorder des baux pour le terme de 21 ans, et à prévenir les voies de fait sur les réserves du clergé. Ils ne forment qu'une corporation administrative, et ils n'ont aucun pouvoir d'approprier les rentes qu'ils reçoivent.

Sont-ce eux qui reçoivent les rentes?—Je suppose que les rentes se payent au receveur-général de la province.

Directement à lui?—Je crois que les ecclésiastiques les perçoivent des tenanciers dans leurs différents districts, et les remettent au receveur-général.

De quelle manière sont-elles appropriées?—Jusqu'ici la somme en a été si peu considérable qu'il ne s'est élevé aucune discussion sur l'appropriation. Je comprends qu'elles vont en aide des fonds à même lesquels le clergé est payé.

A qui le receveur-général rend-il compte de l'argent?—Le receveur-général rend compte de toutes ses recettes aux lords commissaires de la trésorerie.

Ne fait-il pas un compte des deniers reçus pour les réserves du clergé, séparément de ceux qu'il reçoit de toutes autres personnes?—Je suppose que si on l'exigeait il rendrait aussi compte à la corporation.

Est-il transmis en ce pays une copie de la reddition annuel du compte de ces deniers?—Il n'est pas beaucoup dans ma branche de connaître quels comptes d'argent sont transmis; je pense cependant qu'on ne les envoie pas tous les ans.

Ces comptes paraissent-ils dans le détail des comptes rendus à la trésorerie?—Oui.

Avez-vous jamais entendu dire quel en est le montant annuel?—J'ai entendu dire que dans le Bas-Canada le montant total des rentes est de 900*l.* par an; mais il y a à Downing-street un compte exact du total des rentes et de la recette actuelle des réserves du clergé dans le Bas-Canada, et de leur appropriation.

Savez-vous si elles augmentent rapidement?—Je crains que non.

Ont-ils quelq' autre pouvoir que celui de louer les terres?—Je ne sache pas qu'ils aient d'autres pouvoirs que celui de louer les terres et d'empêcher les voies de fait.

La corporation ecclésiastique a-t-elle exprimé quelque désir pour le changement ou l'augmentation de ces pouvoirs?—Quelques membres du clergé canadien ont exprimé un semblable désir.

De quels pouvoirs pensaient-ils qu'il eût été à propos de revêtir la corporation ecclésiastique?—Ils désiraient avoir des pouvoirs semblables à ceux qui ont été accordés à la corporation de la Nouvelle Galles Méridionale, lesquels pouvoirs sont beaucoup plus amples.

Quels sont ces pouvoirs?—Dans la Nouvelle Galles Méridionale, un parti de terres est mis à part dans chaque comté, et transporté à une corporation appelée les "syndics des réserves des écoles et du clergé."

La corporation a le pouvoir de vendre un tiers de ce qui est réservé pour son usage, et d'appliquer la moitié du produit de ces ventes à l'amélioration du reste. La corporation doit accorder des baux pour ce qui reste et dont l'état est amélioré, et les rentes qu'elle reçoit pour ces baux, avec l'intérêt produit par une moitié du montant des ventes, doivent être partagées en deux parties égales. L'une d'elles est appliquée à soutenir des écoles pour l'éducation des enfans dans les principes de l'église établie d'Angleterre; l'autre moitié est appliquée d'abord au soutien de l'évêque et de l'archidiacre, et ensuite au soutien du reste du clergé de l'église d'Angleterre. Quand on a suffisamment pourvu à ces objets le surplus doit être appliqué de toute manière qu'il plaira au roi d'ordonner.

A-t-on pris quelques démarches pour étendre les pouvoirs de la corporation du clergé?—Non.

Connaissez-vous du tout le cours de ses procédés?—Je suppose qu'elle a fort peu de choses à faire et qu'elle ne s'assemble que rarement. Cependant je ne connais pas ses procédés.

Connaissez-vous le nombre de baux qui a été fait?—Non.

Etes-vous d'opinion que l'acte de 1791 a en vu la dotation de l'église d'Angleterre, mais qu'en même temps par rapport aux terres qu'il n'est pas nécessaire d'appliquer à la dotation de l'église, les rentes et les profits de ces terres peuvent être appliqués à la discrétion de la couronne aux besoins d'un clergé protestant; à parler d'une manière générale? De la manière dont j'entends l'acte de 1791, il fait une distinction entre le clergé de l'église d'Angleterre et un clergé protestant. Il donne au clergé de l'église d'Angleterre, et à lui seul, le pouvoir de recevoir des dotalions comme ministres de paroisses. Il donne à "un clergé protestant," quelque soit la signification de ces mots, le pouvoir de recevoir toute partie de ces terres que la bonté royale pourra lui transporter. L'expression de "clergé protestant" est expliquée par les officiers en loi de la couronne comme signifiant un clergé protestant quelconque, reconnu par les lois de la Grande-Bretagne, ou en d'autres termes, le clergé soit de l'église d'Angleterre ou de l'église d'Ecosse.

Quand vous parlez de la bonté royale, voulez-vous dire les rentes et les profits qui pourront provenir des réserves du clergé?—Pas simplement les rentes et les profits. Je pense que le roi pourrait, si cela lui plaisait, approprier à perpétuité une certaine portion de terres au soutien d'un ou de plusieurs ecclésiastiques anglais ou d'un ou de plusieurs ecclésiastiques presbytériens de l'église d'Ecosse.

Voulez-vous dire au-delà du septième réservé, ou à même ce septième?—A même le septième.

Comment conciliez-vous cette réponse avec l'énoncé que l'acte vous paraît avoir en vue la dotation de l'église d'Angleterre seulement?—Parce que je pense que c'est une chose d'ériger un presbytère et de le doter de glèbes, et autre chose d'assigner un lot de terre au soutien d'un ecclésiastique.

Les officiers en loi de la couronne ont-ils donné distinctement leur opinion, que par le terme de clergé protestant l'acte ne comprend aucune autre secte, excepté le clergé presbytérien de l'église d'Ecosse?—Je comprends qu'ils ont distinctement donné leur opinion, qu'aucun corps de clergé non reconnu par la loi de ce pays ne peut prétendre à ces biens.

Et qu'en conséquence aucun corps semblable n'a été désigné par l'acte de 1791 sous le terme de clergé protestant?—Oui.

Pouvez-vous indiquer dans l'acte les termes sur lesquels vous établissez la distinction que vous avez faite devant ce comité?—La 37me. clause statue "que toute et chaque rente, profit ou émolumens qui en aucun temps pourront provenir de ces terres ainsi assignées et appropriées comme susdit, seront applicables uniquement à l'entretien et au soutien d'un clergé protestant dans la province où elles seront situées." La 38me. clause donne pouvoir au Roi d'autoriser le gouverneur de faire construire, dans chaque township ou paroisse, avec l'avis du conseil exécutif, un ou plusieurs presbytères ou rectorats, suivant le service de l'église d'Angleterre." La 39me. clause donne pouvoir au Roi d'autoriser le gouverneur de présenter pour chaque tel presbytère un bénéficié ou ministre de l'église d'Angleterre, qui aura été dûment ordonné suivant les rites de la dite église. La 40me. clause déclare que toute présentation d'un bénéficié pour un tel rectorat, et la jouissance du rectorat et les profits d'icelui pour le bénéficié, seront sujettes à tous les droits d'institution et d'autres juridiction spirituelle qui peuvent avoir été accordés par le Roi à l'évêque de la Nouvelle-Ecosse, ou qui pourront être accordés à toute autre personne suivant les lois et les canons de l'église d'Angleterre." Et la 41me. clause statue, que les diverses dispositions ci-devant contenues au sujet de l'assignation et de l'appropriation de terres pour le soutien d'un "clergé protestant" dans les dites provinces, et aussi au sujet de l'établissement de l'érection et de la dotation de presbytères ou de

rectorats dans les dites provinces, et aussi au sujet de la présentation de bénéficiés ou de ministres pour iceux, et aussi au sujet de la manière dont ces bénéficiés ou ministres les posséderont et en jouiront, seront sujettes à être changées ou rappelées par des dispositions expresses pour cet objet contenues dans aucun acte ou actes qui seront passés par le conseil législatif et l'assemblée des dites provinces respectivement, et sanctionnés par sa Majesté, ses héritiers et successeurs, sous les restrictions qui sont ci-après mentionnées. Ces restrictions sont de les soumettre devant le parlement. La 42me. clause statue, que toutes les fois qu'un acte sera passé par le conseil législatif et l'assemblée de l'une ou de l'autre des provinces, pour charger ou rappeler quelq'unes de ces dispositions au sujet de l'assignation et de l'appropriation de terres pour le soutien d'un clergé protestant dans les dites provinces, ou au sujet de l'établissement, de l'érection ou de la dotation de presbytères, ou au sujet de la présentation de bénéficiés ou de ministres pour iceux, ou au sujet de la manière dont ces bénéficiés les tiendront; et que toutes les fois qu'un acte sera ainsi passé contenant des dispositions qui affectent l'exercice d'une forme religieuse ou d'un mode de culte quelconque, ou qui imposera ou créera quelques pénalités, charges, incapacités ou disqualifications au sujet d'iceux, ou qui concernera ou affectera d'une manière quelconque le paiement, le recouvrement ou la jouissance d'aucun des revenus accoutumés ou des droits ci-devant mentionnés, ou qui se rapportera d'une manière quelconque à l'octroi, imposition ou recouvrement d'aucun autre revenu ou rétribution ou émolumens quelconque à être payés à aucun ministre, prêtre, ecclésiastique ou instituteur ou pour son usage, suivant quelque forme religieuse ou mode de culte que ce soit à l'égard de sa dite charge ou fonction, tout acte semblable, avant de recevoir la sanction du Roi, devra être soumis devant le parlement de la Grande-Bretagne. Or comme il me paraît que dans tous ces passages l'église d'Angleterre est expressément mentionnée là où on voulait désigner l'église d'Angleterre. Et là où on veut donner un sens plus étendu, on se sert d'un terme d'une plus grande compréhension, de celui de "clergé protestant."

Quelle signification attachez-vous à la dernière partie de ce paragraphe, spécialement aux mots "aucun autre revenu"?—J'explique ces mots comme suit: cet acte du parlement, dans ses premières sections, mentionne les revenus et les droits qui appartiennent au clergé catholique-romain. Dans ce passage voici son langage, "si la législature des Canadas accorde ou impose aucun autre revenu,"—autre, c'est-à-dire différent de ceux qui appartiennent au clergé catholique,—alors le roi n'aura pas le pouvoir de sanctionner cet acte jusqu'à ce que le parlement ait eu occasion de le voir et de le considérer.

Regardez-vous cette clause comme une garantie d'une manière quelconque contre la possibilité d'une invasion par l'assemblée de ce qui avait été accordé au clergé catholique?—Je crois que le but de la clause est plutôt de prendre quelque sûreté que la législature du Canada n'établirait aucune forme inconvenable de culte, ou n'imposerait aucune charge aux sujets du Roi pour son soutien. Avant que le Roi puisse consentir à toute loi semblable, le parlement demande l'occasion de la voir. Ceci est dans le fait une crainte jalouse que le Roi ne fit des lois au sujet de la religion, avec le consentement de l'assemblée provinciale.

Dans la 37me. clause il est statué, "que toute et chaque rente, profits ou émolumens qui en aucun temps pourront provenir de ces terres ainsi assignées et appropriées comme susdit, seront applicables uniquement à l'entretien et au soutien d'un clergé protestant dans la province où elles seront situées, et à aucun autre usage ou objet quelconque." Comme la clause suivante limite la dotation à l'église d'Angleterre, êtes-vous d'opinion que les rentes, profits et émolumens provenant des terres non données en dote, doivent à la discrétion de la couronne être applicables aux besoins généraux d'un clergé protestant?—Applicables à tout clergé protestant établi par la loi de ce pays.

Voulez-vous désigner au comité quelque disposition dans cet acte qui paraisse permettre d'approprier et d'assigner des terres d'une manière particulière pour un clergé protestant, comme quelque chose d'opposé à l'appropriation d'une partie des rentes et des profits provenant de ces terres?—J'imagine que la 37me. clause qui autorise l'application des "rentes, profits et émolumens" à l'entretien d'un clergé protestant, emporte avec soi pour le Roi le pouvoir d'approprier à perpétuité à cet objet une portion quelconque des terres d'où ces "rentes, profits et émolumens, doivent provenir. Suivant ce que j'entends, les terres ainsi appropriées peuvent être données, soit au clergé anglais ou au clergé écossais. Que le fonds lui-même doive être tenu en main-morte et être inaliénable, je suppose que c'est une chose de suite.

Croyez-vous, suivant votre interprétation du terme de clergé protestant, que les presbytériens autres que ceux qui sont en communion avec l'église d'Ecosse, seraient compris dans la lettre de l'acte?—Je ne pense pas. Je crois que personne n'est ecclésiastique de l'église d'Ecosse sans avoir été nommé à cette fonction soit par l'assemblée générale ou par quelques-uns des presbytères qui en dépendent. Une personne qui se dit presbytérienne sans être liée du tout avec l'église d'Ecosse, ne tombe pas selon moi dans la signification du terme de "clergé protestant," de la manière dont cette expression doit être entendue lorsqu'elle est employée par le parlement uni d'Angleterre et d'Ecosse.

Regarderiez-vous donc les presbytériens du synode d'Ulster comme non reconnu par la loi comme clergé protestant dans le pays?—Je pense que les presbytériens du synode d'Ulster ne sont pas reconnus par la loi comme membre d'une église établie en ce pays. Les actes d'union préviennent l'établissement légal de l'église d'Ecosse en aucune partie du Royaume-Uni excepté en Ecosse.

L'arrangement qui a été fait avec la compagnie du Canada n'avait-il pas en vue la vente d'une partie des réserves du clergé?—Oui, la vente d'une moitié.

Avait-on obtenu des pouvoirs pour cette vente par un acte spécial du parlement?—Oui.

Se bornaient-ils à la vente à la compagnie du Canada, ou étaient-ils suffisamment étendus pour autoriser le gouvernement à vendre les réserves du clergé à toutes personnes qui voudraient les acheter?—Non; le parlement n'avait autorisé que la vente à la compagnie du Canada.

Savez-vous quelque chose de l'application du revenu des biens qui appartiennent ci-devant aux jésuites?—Je comprends qu'ils sont appropriés exclusivement à l'éducation des protestans.

Prétendez-vous que suivant la loi statué existante, le gouvernement a le pouvoir de les approprier à sa propre discrétion?—Supposant qu'ils fassent partie du territoire de la couronne, leur revenu fait parti du revenu territorial de la couronne, et elle peut l'approprier à sa discrétion. Savoir si strictement en fait de loi la couronne a réellement droit à ces biens, c'est une question des plus complexes et des plus embrouillées. Cela dépend des procédés du parlement de Paris à la dissolution de l'ordre des jésuites et des sentences judiciaires auxquelles ces procédés donnèrent lieu.

Pouvez-vous donner au comité quelques renseignements sur ce sujet?—Je ne puis lui donner aucun renseignements qui vaille la peine de l'en troubler.

De quelle manière le comité peut-il obtenir des renseignements sur ce sujet?—Il y a un rapport d'un comité de la chambre d'assemblée sur l'éducation, au sujet de biens des jésuites qui forme un mince octavo imprimé. On les avait promis à lord Amherst, mais on trouva qu'il était impossible de mettre cette promesse à exécution, en conséquence des objections qu'on faisait contre les titres de la couronne. La conséquence fut que les héritiers de lord Amherst résignèrent leurs prétentions à ces biens, et que la couronne fit application au parlement pour faire accorder une pension à leur place. Il fut accordé une pension en conséquence. Depuis ce temps jusqu'à présent la couronne a été en possession des biens, elle a reçu les rentes, et les a appliquées à l'éducation des enfans protestans du pays.

Savez-vous qu'il y ait quelq'opinion judiciaire en faveur des droits de la couronne à ces biens?—Oui, il y a eu les opinions légales des officiers en loi de la province.

Y a-t-il eu quelques opinions légales des officiers en loi de la couronne en Angleterre?—Oui, celles de feu sir James Marriott, et du procureur et du solliciteur-général, De Grey et Norton.

Connaissez-vous le montant du revenu que ces biens produisent?—Je ne le connais pas avec exactitude; je suppose que le revenu net est très-faible; quelques centaines de louis par an.

Pouvez-vous dire quel était le montant des revenus des biens des jésuites sans une administration antérieure quelconque?—Je ne le puis.

Pouvez-vous apprendre au comité quelle a été la marche suivie au sujet de l'appropriation du revenu, en d'autres colonies où il existe des législatures indépendantes; existe-t-il dans aucune de ces colonies quelques fonds à la disposition du gouvernement; ou y a-t-il dans quelque une de ces colonies un établissement permanent indépendamment du vote de la législature, pour le gouverneur ou les juges ou quelques autres fonctionnaires de la colonie?—Par les instructions générales qu'un gouverneur emporte avec lui dans toutes les colonies où il y a des assemblées législatives, il est requis de ne consentir à aucun acte jusqu'à ce qu'il ait été fait un établissement convenable pour lui pendant qu'il administrera le gouvernement. Dans le fait, l'administration d'un nouveau gouverneur commence toujours par la passation d'une loi qui le met hors de la dépendance de ceux qu'il doit gouverner. Mais à cette exception près il n'existe pas d'établissement permanent qui soit hors de la portée du contrôle de la législature. Je crois que je puis prendre sur moi de dire qu'il n'y a aucune des colonies législatives où le Roi ait quelque revenu fixe qui ne soit pas virtuellement sujet au contrôle législatif. Le revenu territorial et le revenu provenant des amendes, des confiscations et autres incidents de cette espèce, forment les seules exceptions.

Existe-t-il quelque disposition permanente pour d'autres que pour le gouverneur?—A la Jamaïque et en beaucoup d'autres colonies, les juges ont des salaires établis d'une manière fixe; mais il est toujours au pouvoir de l'assemblée de ne pas voter les fonds à même lesquels ces salaires doivent être payés. Les votes sont invariablement annuels.

Y a-t-il un député-gouverneur en quelque autre colonie?—Il y a beaucoup de lieutenant-gouverneur qui font les fonctions de gouverneur. Mais il n'est aucune colonie, excepté le Bas-Canada, où il y ait en même-temps un gouverneur et un lieutenant-gouverneur.

Savez-vous si la chambre d'assemblée du Bas-Canada a jamais offert de voter le salaire du gouverneur et du lieutenant-gouverneur durant leur résidence dans la province?—Je pense qu'elle n'a jamais fait d'offre semblable; et je ne sache pas qu'on lui ait donné jusqu'ici aucune occasion de négocier à ce sujet; car sous la plus haute autorité légale le gouvernement a toujours maintenu son droit de payer le gouverneur à même le revenu existant.

En êtes-vous certain, ou n'est-ce seulement qu'une impression générale?—Je n'en ai qu'une impression générale, mais c'est une impression que j'ai pour m'être assez familiarisé avec les journaux de la chambre d'assemblée, dont j'ai lu et considéré attentivement une grande partie.

Dans votre opinion serait-il probable qu'il surviendrait quel'inconvénient si on nommait des juges sur le même pied qu'on les nomme en ce pays?—Oui, je regretterais la nomination de juges indépendans de la couronne dans une colonie quelconque.

Quelles raisons avez-vous pour entretenir cette opinion?—Voici mes raisons: Les membres du barreau qui vont aux colonies comme juges sont, comme de raison rarement choisis parmi les membres les plus brillans de la profession légale. Ce sont souvent des jeunes gens, et (sans prétendre dire un seul mot qui leur manque de respect) ils sont rarement bien connus. Ils s'en vont dans une petite société ou naturellement, (car on peut dire que c'est l'état naturel de toutes les petites sociétés,) ils trouvent de violentes animosités de parti. Ce sera toujours une affaire de conjecture et une expérience douteuse, que de savoir comment il se conduiront en cette situation. Si le juge était indépendant et irrévocable, je crains qu'il ne devienne trop souvent l'allié de l'un ou de l'autre des partis locaux. Son autorité et son influence seraient presque illimitée, et il serait exposé à la fois à une adulation et à des outrages sans bornes. Tenant en ses mains tous les pouvoirs liés avec l'administration de la justice il serait violemment tenté d'en abuser pour des objets de parti.

Je pense que d'un autre côté le grief de la dépendance des juges de la couronne est presque imaginaire. Si on se rappelle la responsabilité sous laquelle les ministres de la couronne agissent en ce pays, le danger du déplacement d'un juge sans une cause très grave et suffisante n'est sûrement que bien peu considérable. Il faut se rappeler ainsi que tous les autres fonctionnaires publics de la colonie, et le gouverneur lui-même, sont durant bon plaisir. Si on arme le juge de tous les pouvoirs de la loi, et si on le met dans une parfaite indépendance, sans qu'il y ait une société assez étendue pour l'arrêter et le régler, peut-on s'attendre qu'il ne sera pas un peu enivré de cette élévation, et que le caractère judiciaire ne sera pas graduellement submergé dans le caractère politique.

Si on trouvait à propos pour des raisons quelconques de faire à même une source quelconque une disposition permanente pour les juges, ce serait-il pas quelque chose d'absurde de faire une disposition permanente pour un juge amovible suivant bon plaisir?—Ce serait une disposition permanente non pour le juge amovible mais pour la situation permanente.

Puisque vous pensez à propos que les juges dépendissent de la couronne jusqu'à un certain point dans les colonies, ne trouvez-vous pas naturel et convenable que les législatures de ces colonies désirent retenir un certain contrôle sur les procédés des juges en tenant en main le pouvoir de voter annuellement leur salaire?—Je ne pense pas. Dans une petite colonie, ou même dans une grande colonie, les gens sont extrêmement unis les uns aux autres par des liens de famille, de société ou de parti, et cette union exerce la plus puissante influence dans les corps législatifs. Lorsqu'un juge dépendra d'eux, il y aura toujours du danger qu'il ne fasse des concessions lâches et méssantes pour se concilier leur bienveillance ou éviter leur déplaisir.

Dans la pratique est-il arrivé beaucoup d'inconvéniens de ce genre dans les autres colonies où les juges dépendent des législatures?—Dans la plupart des colonies les juges dépendent plutôt d'honoraires que du vote des législatures. Dans l'île de Saint-Vincent, on a voté un salaire au juge, et on a fait la même chose à la Jamaïque et en quelques autres îles; mais on a généralement cours aux honoraires.

N'y a-t-il aucun danger qu'un juge dépendant, comme ceux que vous mentionnez, ne devienne le partisan du pouvoir exécutif s'il y avait quelques différends entre ce pouvoir et les représentans?—Je pense qu'il y en a, mais il faut choisir entre deux dangers opposés.

Ainsi il ne s'agit simplement que d'un choix entre deux dangers de différente nature?—Oui, comme dans toutes les autres affaires humaines.

Supposant qu'un juge malversât, comme vous avez dit que c'était possible, ne pourrait-il pas être déplacé pour malversation sur une application à la couronne?—Il pourrait être déplacé pour malversation; mais je suis d'opinion que l'idée de sa dépendance de la couronne aurait une grande tendance à prévenir une espèce de malversation pour laquelle il ne pourrait être déplacé quoiqu'elle fût extrêmement nuisible à la colonie.

Ne croyez-vous pas qu'il y eût moins de danger de l'espèce que vous avez mentionnée, que la dépendance des assemblées coloniales où seraient les juges n'influat sur leur esprit, dans une colonie aussi grande que l'un ou l'autre des Canadas, que dans les colonies semblables où cette dépendance existe à présent?—Plus la population est considérable et plus les affaires de la société sont multipliées, moins il y a de danger qu'une influence locale n'agisse sur l'esprit du juge; mais cependant même en Canada la population la plus serrée se rassemble en un très petit espace. C'est particulièrement le cas dans le Haut-Canada.

Croyez-vous qu'il y ait quelque chose de particulier dans la situation des Canadas qui autorise ce pays à demander aux assemblées de ces colonies que les juges soient plus indépendans de ces assemblées, qu'on ne l'a demandé ou obtenu en aucune autre colonie?—Je pense que dans les autres colonies nous n'avons pas demandé ni obtenu assez. Si la question se rapporte abstraitement à ce qu'il conviendrait de faire, je ne prendrais pas comme modèle la pratique des autres colonies.

Quels sont dans la pratique les inconvéniens qui ont eu lieu dans les autres colonies en conséquence de ce que les juges dépendaient de la législature?—Les inconvéniens pratiques sont que les juges ne sont pas suffisamment payés; que les avocats qui sont bien instruits et qui réussissent le mieux ne veulent pas de la place; qu'on a fréquemment

des juges sans éducation, qui se disposent à remplir leur situation judiciaire. Il serait odieux de citer des exemples particuliers, mais dans les colonies en général les places de juges sont remplies par un corps d'individus, qui, quoique de beaucoup de mérite à d'autres égards, manquent absolument d'éducation légale.

Savez-vous que dans les disputes dont le résultat a été de séparer de la mère-patrie les colonies de l'Amérique du Nord qui forment à présent les Etats-Unis d'Amérique, cette question de l'indépendance des juges était pour beaucoup?—Oui.

Connaissez-vous l'opinion exprimée par le docteur Franklin à ce sujet, qu'il était de la dernière méprise pour le peuple d'un état libre, de laisser sortir de sa dépendance des juges qui dépendaient de la couronne, la chose tendant absolument à détruire toute constitution libre?—Lorsque les Canadas seront parvenus à former une nation aussi considérable et aussi étendue que l'étaient les Etats-Unis même dans le temps où le docteur Franklin parlait ainsi, je dirais que le temps d'établir des juges indépendans est arrivé. Suivant moi le danger de leur indépendance vient presque entièrement de la constitution particulières de petites sociétés coloniales.

Ne survient-il pas un danger plus considérable de la nécessité qu'il y a, ou qu'on suppose y avoir, d'envoyer des juges de ce pays, et de les mettre par là hors de leur propre dépendance naturelle?—Ce n'est pas seulement une nécessité supposée, mais une nécessité qui, à ce que je conçois, a lieu en effet, jusqu'à un degré considérable. S'il y avait en Canada un nombre suffisant de messieurs instruits dans la province et qualifiés à remplir les places de juges, (et il y a maintenant dans le Haut-Canada et je crois aussi dans le Bas-Canada, plus d'un membre du barreau capable de remplir les fonctions de juge ici ou en toute autre partie du monde,) si on faisait un choix assez nombreux, il n'y aurait plus alors de raisons aussi urgentes d'envoyer des juges d'Angleterre.

Croyez-vous nécessaire que les juges soient dans le conseil législatif dans le Bas-Canada?—Je suppose que cela est rendu nécessaire par le manque d'autres personnes compétentes. Toutes choses égales d'ailleurs, je préférerais comme membre du conseil un particulier qui ne fut pas juge, mais si le juge avait décidément et clairement une supériorité de connaissances, de talens et d'autres qualités, je préférerais l'inconvénient d'employer le juge à l'inconvénient de perdre ses secours.

Pensez-vous que la présence des juges dans le conseil législatif ait quelque influence soit sur leur dépendance du gouvernement pour la durée de leurs places, ou sur leur dépendance de l'assemblée pour leurs salaires?—Oui.

La chose en est-elle plus ou moins convenable?—Si un juge qui dépend de l'assemblée pour son salaire judiciaire, siège aussi dans le conseil législatif avec un salaire, il dépend de l'assemblée par deux liens au lieu d'un. La dépendance où il se trouve est en conséquence augmentée, et les objections à cette dépendance augmentées aussi.

Ne pensez-vous pas que si l'indépendance des juges était une fois établie, cela ferait qu'on enverrait comme juges des personnes d'un caractère plus éminent?—Pas à moins que leurs émolumens ne fussent beaucoup plus considérables qu'ils le sont. Maintenant un juge puisé ne reçoit dans le Haut-Canada que 900^l sterling par an; il n'a ni équipement ni passage; ce n'est simplement que 900^l sterling. Or il y a peu de personnes qui aient encouru les frais d'une éducation légale et qui aient eu quelque espèce de succès dans leur profession, qui voulussent pour une rétribution semblable émigrer à une terre étrangère.

Si on rendait les juges indépendans, le gouvernement n'enverrait-il pas des individus d'un caractère moral plus élevé, et qui fussent moins exposés à violer leurs devoirs publics?—Je désavoue entièrement d'avoir rien prétendu dire contre le caractère moral de ceux qu'on envoie à présent; je n'ai mis en doute que leur capacité.

Ne pensez-vous pas que le sacrifice du devoir à l'esprit de parti renferme un défaut moral?—Comme question abstraite, je dirais que oui; mais en réalité les hommes glissent si facilement de la moralité la plus élevée à une règle de morale plus basse et plus facile, qu'on aurait peine à accuser sur ce motif le caractère de personne.

N'est-il pas à votre connaissance que les individus qui sont nommés à des situations judiciaires dans les colonies, sont toujours munis de témoignages sur leur caractère et leur compétence de manière à justifier leur nomination?—C'est une règle établie, et je dois dire aussi une pratique fixe.

Croyez-vous qu'il y eût de la sûreté à laisser aux législatures coloniales le pouvoir d'accuser les juges?—Cela dépendrait absolument de la constitution du tribunal par lequel l'accusation serait décidée.

Quelle seraient les qualités que vous exigeriez du tribunal devant lequel ces accusations seraient portées, et en vertu desquelles il y aurait de la sûreté à laisser ce pouvoir au corps législatif?—Il devrait être composé de juges parfaitement indépendans de ceux qui porteraient l'accusation; et s'il était possible juges absolument étrangers à toutes les animosités et à tous les sentimens de parti de la colonie où l'accusation a lieu. Par la charte qui a émané dernièrement pour la constitution de nouvelles cours au Cap de Bonne-Espérance, le pouvoir de déplacer un juge est réservé au roi en conseil, mais seulement sur preuves de malversation. Ainsi le roi en conseil est le tribunal devant lequel l'accusation supposée doit être portée; et suivant moi c'est le meilleur tribunal possible pour cet objet.

Le comité doit-il entendre que par la charte du Cap le roi est privé du pouvoir de déplacer un juge excepté dans le cas de malversation?—Oui.

Ainsi dans le fait, au Cap, si un juge se mêlait dans les partis locaux, à moins qu'il ne commit quelque acte ostensible d'une nature violente, il serait impossible à la couronne de le déplacer?—Oui; mais la charte n'est ouvertement qu'une expérience, et aussi longtemps qu'on la regarde comme une expérience elle pourrait avoir l'effet salutaire de prévenir toute malversation qui pourrait en amener le changement.

M. William Parker, introduit; et examiné.

Vous êtes marchand de la ville de Londres?—Oui.

De quel pays êtes-vous natif?—D'Ecosse.

Avez-vous résidé dans le Bas-Canada?—J'y ai résidé 13 ans sans laisser le pays, et ensuite j'ai fait plus de 20 voyages du Canada en Angleterre.

Avez-vous à présent des liaisons et des intérêts dans le pays?—Oui, beaucoup; j'y ai des débiteurs; je me suis retiré de mes affaires avec le pays, mais il me reste encore des dettes très considérables à percevoir.

Quelle est l'opinion que vous pouvez avoir formée, d'après vos propres connaissances, du caractère général de la population de cette province?—J'en regarde les paysans comme la plus belle population du monde, que j'aie eu occasion de voir; j'ai eu les moyens de les connaître très intimement, je suis entré en 1784 comme associé dans une maison française qui avait des liaisons étendues avec les marchands canadiens français du district de Montréal, dans un temps où il y avait bien peu de commodités dans la ville de Montréal, et ils restaient toujours avec nous lorsqu'ils venaient en ville, ce qui arrivait très souvent, et ainsi j'ai beaucoup été en leur compagnie.

Quelles sont suivant votre opinion les causes des dissensions qui ont régné en Canada depuis quelque temps?—Je pense que la chose est due à quelques égards à mes compatriotes marchands du pays, qui ambitionnent la place de législateurs; et ils sont très choqués de ce que les canadiens français leur préfèrent pour représentans leurs propres compatriotes.

Quel est le caractère de la population mercantile de Montréal dont vous avez parlé; sont-ce des individus qui résident dans le pays d'une manière permanente, ou en général sont-ce des gens qui y font de l'argent et s'en reviennent en Angleterre?—Les canadiens français ne les regardent pas comme fixes, mais comme gens de passage, et ainsi il n'ont pas en eux la même confiance que dans leurs compatriotes instruits.

Les intérêts que vous avez en Canada vous ont-ils engagé à entrer dans quelque correspondance d'une nature publique au sujet des dissensions qui y ont régné, dans la vue de les apaiser et d'en prévenir le retour?—En 1822, lorsque l'affaire de l'union fut mise en avant, je m'adressai à lord Bathurst en faveur des canadiens, conjointement avec M. Muuro et M. Stausfield, et depuis les dernières dissensions j'ai écrit à M. Huskisson en septembre

septembre 1827, et en janvier 1828 ; et je désire que ces trois lettres soient reçues comme partie de mon témoignage et insérées comme telles ; ainsi que la lettre de M. Wilmot Horton en 1822.

[Le témoin les remet.]

—No. 1.—

LETTRE au très-honorable comte Bathurst, datée 8 juillet 1822.

9, John Street, America Square, 8 juillet 1822.

Mi lord,

Notre attention s'étant portée sur un bill récemment introduit dans la chambre des communes pour l'union des deux provinces du Haut et du Bas-Canada en un seul gouvernement, nous supplions très respectueusement mais très instamment votre seigneurie, qu'on ne procède pas sur la mesure jusqu'à ce qu'on se soit assuré des dispositions des habitants. Une longue résidence dans la province du Bas-Canada, une liaison de plus de quarante ans avec ces deux colonies de prix, nous ont donné les moyens de former une opinion à ce sujet, et nous croyons indispensablement de notre devoir d'exprimer à votre seigneurie notre forte conviction qu'en pressant cette mesure sans donner aux Canadiens l'occasion d'être entendus, on s'expose aux conséquences les plus funestes.

Qu'il nous soit donc permis de supplier très instamment qu'on y procède pas, jusqu'à ce que le gouvernement de sa Majesté ait eu occasion de connaître d'une manière directe les sentimens et les dispositions des parties concernées.

Nous avons l'honneur d'être, avec beaucoup de respect,
Vos très-obéissans serviteurs,

(signé) *Wm. Parker,
D. Munro,
G. Stansfield.*

Au très-honorable
comte Bathurst, C. J.
&c. &c. &c.

—No. 2.—

LETTRE de R. Horton, écuyer, datée du 10 juillet, 1822.

Bureau Colonial, 10 juillet, 1822.

Messieurs,

Lord Bathurst me charge d'accuser la réception de votre lettre du 8 de ce mois, où vous demandez qu'on ne procède pas à présent sur le bill dernièrement introduit dans la chambre des communes ; et j'ai à vous informer que la mesure ayant été amenée devant le parlement, après mûre délibération et avec une forte conviction de son utilité, sa seigneurie ne peut recommander qu'on la retire dans l'état où elle est à présent.

Je suis, messieurs, votre très-obéissant serviteur,

(signé) *R. Horton.*

A William Parker, écuyer, &c.

—No. 3.—

LETTRE au très-honorable William Huskisson, datée du 27 septembre 1827.

9, John-street, America Square, 27 septembre 1827.

Monsieur,

Les discussions et les dispositions hostiles croissantes entre les représentans de la chambre d'assemblée du Bas-Canada et le gouvernement exécutif de cette province, font une si forte impression sur moi par rapport aux conséquences politiques de ce malheureux état de choses, que je crois de mon devoir de vous faire cette communication à ce sujet ; car profondément convaincu comme je le suis que les colonies britanniques de l'Amérique du Nord sont de la plus grande importance pour cet empire, aussi bien sous un point de vue politique que sous un point de vue commercial, spécialement les deux Canadas, qui non seulement consomment eux-mêmes en quantité considérable les articles de manufacture britannique, mais qui sont la cause indirecte de la consommation présente de probablement plus des trois quarts de ces articles dans les Etats-Unis d'Amérique, dont le gouvernement, si ce n'était du voisinage de nos colonies, les excluerait par des droits élevés en faveur de ses propres manufactures encore dans l'enfance. Etant en même temps convaincu que ces colonies très-précieuses ne peuvent être conservées à l'empire britannique qu'en unissant la population totale des deux Canadas et particulièrement les Canadiens français de la province inférieure, pour une défense zélée et unanime contre toute possibilité d'une invasion hostile de la part du gouvernement des Etats-Unis. D'après les connaissances que j'ai du caractère et des dispositions des Canadiens français, que m'ont procurées une longue résidence parmi eux et une liaison intime avec toutes les différentes classes de ces sujets britanniques très-précieux, et particulièrement avec ceux des classes élevées, depuis près de cinquante ans ; je crois consciencieusement qu'il n'existe pas sur la surface du globe une race d'hommes plus loyale plus brave ni plus vigoureuse, ni qui soit plus capable de plus grands efforts militaires, dont elle a donné des preuves convaincantes lorsqu'elle a été conquise par les Anglais, dans un temps où elle ne se montait pas à la sixième partie de sa présente population. Je me sens vraiment orgueilleux d'avoir ce peuple pour co-sujets britanniques, et je déplore que jamais toute circonstance malheureuse qui les jetterait entre les bras des Etats-Unis, dont le gouvernement est le rival le plus dangereux de l'empire britannique, et attend avec impatience cet événement très important pour pouvoir exiler entièrement de l'Amérique du Nord la population anglaise, son influence, et sa compétition avec l'ambition et les projets de cette république.

Sous cette profonde conviction, je suis pleinement persuadé que le gouvernement travaillerait pour les meilleurs intérêts de l'empire en accordant (et sans délai) aux habitans des deux Canadas tous les droits et tous les privilèges dont jouissent les citoyens des Etats-Unis d'Amérique, à l'exception de leur dépendance de la couronne de cet empire comme colonie. Dans mon humble opinion ils devraient avoir (comme l'ont les citoyens des Etats de l'Union) l'élection de tous les fonctionnaires de la province, y compris leur gouverneur, leur lieutenant-gouverneur, les juges, etc. etc. Avec ces dispositions très-libérales je suis convaincu qu'ils consentiraient gaiement à payer leurs propres dépenses, la Grande-Bretagne devant naturellement payer telle force militaire qu'elle jugerait prudent de maintenir dans l'une ou l'autre de ces provinces, ce qui formerait toute la dépense qu'il en coûterait pour retenir les deux Canadas comme colonie.

Une mesure aussi libérale que celle-là assurerait efficacement la gratitude, la confiance et l'attachement cordial de chaque Canadien français de ces provinces, et les déterminerait à faire le sacrifice de leur vie et de leur fortune toutes les fois qu'il serait nécessaire pour conserver leur liaison avec cet empire, contre toute tentative hostile de la part du gouvernement des Etats-Unis, que certainement ils n'aiment pas. Je demande la permission de répéter encore une fois l'expression de ma ferme conviction que nous ne pouvons garantir nos colonies de l'Amérique du Nord de l'invasion par leurs voisins ambitieux, sans la coopération zélée et cordiale de tous les Canadiens français du Bas-Canada ; mais au contraire, si nous nous assurons de leurs efforts, les soutenant modérément d'une force britannique d'environ 10,000 hommes, je ne craindrais pas une masse quel-

conque que les Etats-Unis pourraient faire marcher contre eux. Les troupes de ces derniers trouveraient bientôt un tombeau ou une prison dans cette province intéressante. Je me croirais très-heureux d'expliquer personnellement les motifs sur lesquels mon opinion est fondée, quand vous jugerez à propos et à votre commodité de me faire l'honneur de fixer le temps où je me rendrai au près de vous pour cet objet.

J'ai l'honneur d'être, avec grand respect,
Monsieur, votre obéissant serviteur,

Au très-honorable
William Huskisson,
etc. etc. etc.

(signé) *Wm. Parker.*

—No. 4.—

LETTRE au très-honorable William Huskisson, datée du 28 janvier, 1828.

9, John Street, America Square, 28 janvier, 1828.

Monsieur,

J'ai eu l'honneur le 27 septembre dernier de vous faire parvenir mes sentimens à l'égard des malheureux différends qui existent entre le gouvernement exécutif et l'assemblée législative de la province du Bas-Canada, et d'exposer les dangereuses conséquences qui en suivraient, si on n'y remédie promptement ; mais comme je n'ai reçu aucune annonce que ma lettre vous fût parvenue, je crois devoir vous en transmettre la copie-enclose, pour parer au cas possible qu'elle n'eût pas été remise à son adresse.

Je désire d'autant plus prendre cette démarche, que tous les évènements qui ont eu lieu dans la province depuis la date de cette lettre à vous adressée, tendent à élargir la brèche, et aliéner l'affection des Canadiens français, qu'on a regardé avec justice jusqu'ici comme les sujets les plus loyaux de sa Majesté, sans exception ; je crois donc de mon devoir de réitérer l'expression de ma conviction qu'il est d'une nécessité urgente de faire un changement prompt et radical dans le système de gouvernement qui a beaucoup trop long-temps prévalu dans les Canadas, et plus particulièrement dans la province précieuse du Bas-Canada ; car dans l'état où en sont les choses en ce pays, on ne pourrait raisonnablement en cas de guerre ou d'invasion de la part des voisins, attendre de résistance efficace de la part des Canadiens français qui composent plus des neuf dixièmes de la population. L'autre dixième, qu'on appelle Anglais, est composé de loyalistes américains, de citoyens américains, et d'émigrés du royaume-uni—principalement d'Ecosse ; et desquels vu l'insignifiance de leur nombre et de leurs composition on ne pourrait raisonnablement espérer de résistance efficace dans une invasion. Et cependant cette partie de la population du Bas-Canada quelque peu nombreuse et quelque peu importante qu'elle soit, a en grande partie (depuis la rébellion américaine même) monopolisé toutes les places d'honneur et de profit sous le gouvernement, à l'exclusion des Canadiens français qui rempliraient au moins les neuf dixièmes de toutes ces places, si on rendait justice à leur capacité, à leur éducation, à leur loyauté, et à leur importance sous le rapport de leur influence chez la masse de leurs vertueux compatriotes. Si cette partie du sujet devrait être soumise à une équitable discussion, on demanderait naturellement, quelles sont les juges en chef de la province ? Quel est le procureur-général ? Quel est le solliciteur-général ? Quel est le juge-avocat ? Quel est le président des deux conseils législatif et exécutif ? Quels sont ceux qui composent la majorité de ces conseils ? Quels sont les shériffs ? Sont-ce des Canadiens français ? Oh non ! ils sont un peuple conquis et français ; on ne peut y avoir confiance. Ainsi les loyalistes américains et d'autres doivent être presque exclusivement préférés pour toutes les places d'honneur et de profit. Le Bas-Canada abonde maintenant en jeunes Canadiens français de talens brillants, cultivés par la meilleure éducation ; et qui par leur respectabilité et leur influence sont qualifiés à remplir toutes les places de la province avec crédit et honneur pour eux-mêmes et avec avantage pour la colonie et la mère-patrie. Ils jouissent à juste titre de la confiance la plus illimitée de tous leurs vertueux compatriotes, qui se lèveraient en masse jusqu'au dernier homme—et je pourrais dire presque jusqu'à la dernière femme—pour la défense de la province, s'ils étaient encouragés et guidés par eux. Mais comment peut-on raisonnablement attendre un tel dévouement de personnes dans les circonstances où ils se trouvent sous l'administration actuelle des affaires dans la colonie ? Heureusement pour les meilleurs intérêts de ce pays, les Canadiens français sont un peuple vertueux, et désirent continuer de l'être, (à part des classes mêlées qui les environnent), et jouir en paix et en repos de leur religion, de leur langue et de leurs usages ; et heureusement pour nous, ils croient qu'ils ont plus de chance pour cela étant attachés à l'Angleterre qu'à l'Amérique. Pour cette raison, et pour les avantages dont ils jouissent comme colonie britannique, ils adhéreront à la Grande-Bretagne si son gouvernement a la sagesse et la politique de leur rendre justice. Je continue donc à être d'opinion qu'on devrait leur accorder tous les privilèges d'indépendance qui sont d'accord avec leur état de colonie ; et qu'on devrait aussi promettre à toutes nos autres colonies de l'Amérique du Nord de les mettre sur le même pied aussitôt que leur population aura atteint un certain nombre. Avec un système de gouvernement aussi pleinement libéral, si la guerre avait lieu avec leurs voisins, nous pourrions plutôt (si nous y étions disposés) coloniser leurs états adjacents, que perdre aucune de nos colonies actuelles dans l'Amérique du Nord. A moins qu'on ne fasse quelque arrangement et bientôt, qui puisse satisfaire et tranquilliser l'esprit des sujets Canadiens français de sa Majesté dans le Bas-Canada, nous perdrons très-assurément toutes nos colonies de l'Amérique du Nord aussitôt que la guerre s'élèvera entre ce pays et les Etats-Unis. On les ajoutera aux lanières pour fustiger le dos de *John Bull*. Il n'est pas encore trop tard pour éviter cette calamité.

J'ai l'honneur d'être, avec grand respect,
Monsieur, votre très-obéissant serviteur,
(signé) *Wm. Parker.*

Au très-honorable
William Huskisson,
etc. etc. etc.

Avez-vous signé une pétition dernièrement présentée à la chambre des communes de la part des marchands canadiens résidant à Londres ?—Non, je ne l'ai pas signée ; elle est très peu convenable suivant mon opinion.

Qui vous fait penser ainsi ?—Unir 1,500 milles de pays en une seule province serait la chose la moins convenable qu'on puisse trouver ; et c'est une mesure très insultante pour les Canadiens français ; elle ne paraît n'avoir d'autre objet que de les écraser dans la chambre des représentans, et on n'en viendrait pas à bout par ce moyen. On dit que dans le Haut-Canada il y a des membres républicains très habiles, et si on les envoyait dans le Bas-Canada comme représentans, ils seraient très disposés à républicaniser les membres français, qui ne sont pas républicains, mais loyaux, et dans mon opinion même ultra-loyaux dans leurs sentimens et leurs vœux actuels.

Connaissez-vous quelques marchands canadiens résidant maintenant à Londres qui aient sur ce sujet la même opinion que vous ?—Peut-être non.

Combien y a-t-il que vous n'êtes allé en Canada ?—Pas depuis 1811. Vous avez décrit ce que vous appelez la population anglaise, par quoi l'on présume que vous voulez dire la population venue de la Grande Bretagne, comme non fixe et passagère ?—Pas comme non fixe ?—mais les Canadiens français ne la regarde pas comme fixe ; ceux de leurs propres compatriotes qui ont reçu de l'éducation, étant nés en Canada, y demeurent ; la partie anglaise des habitans y demeure ou non suivant les circonstances.

Pour quels motifs y sont-ils ?—Ils y sont pour les objets de commerce. Sont-ils dans l'habitude d'y appliquer leur argent en achats de terres ?—Un petit nombre l'a fait.

Pouvez-vous dire pourquoi il n'y en a qu'un petit nombre qui soit disposé à le faire ?—Il n'y en a pas beaucoup qui aient de l'argent à appliquer ; il n'y en a que peu d'entr'eux

d'entr'eux qui fasse de l'argent. Je crois que depuis que j'y suis allé en 1781, il n'y a pas une demi-douzaine de maisons de commerce à Montréal et à Québec qui fussent en existence alors.

Croyez-vous qu'il y ait parmi la population anglaise une indisposition à acquiescer des biens et à s'établir en Canada?—Je ne puis répondre là-dessus; je pense que ceux qui y ont fait de l'argent seraient peut-être plutôt disposés à retourner en Europe.

A quelles circonstances attribuez-vous cela?—Que ceux qui ont des fortunes aimeraient mieux en jouir en Angleterre qu'en Amérique. Le Canada est un pays très froid, on y est renfermé par les glaces une moitié de l'année.

Y a-t-il quelqu'autre raison que le climat qui indispose les émigrés de ce pays contre l'acquisition de biens dans le Bas-Canada?—Ils voudraient avoir la confiance des Canadiens français; ils aimeraient à les représenter dans la législature; et les Canadiens français n'ont pas en eux cette confiance, pour la raison que j'ai mentionnée, qu'ils ont confiance en leurs propres compatriotes, qui sont nombreux et bien instruits.

Les colons anglais sont-ils indisposés contre l'état des lois et la tenure des biens en Canada?—Peut-être qu'ils aimeraient mieux quelque autre tenure; je n'en sais rien; je suppose que quelques uns préféreraient d'autres tenures.

Avez-vous jamais possédé des propriétés foncières en Canada?—J'y ai des biens qui me sont venus en paiement de dettes.

D'après la connaissance que vous avez du Bas-Canada, pensez-vous que si on tranquillise l'esprit des habitants de cette province au sujet de toutes craintes d'une union avec le Haut-Canada, si la constitution actuelle était administrée d'une manière conciliatoire, cela serait suffisant pour faire aller les choses d'une manière paisible?—Oui; je le pense, à moins qu'il n'y eût une invasion de la part de leurs voisins. Mais on les a tant tourmentés et tant fait enrager depuis 20 ans, que cela doit ébranler leur confiance en leur constitution; et j'ose même douter que ces palliatifs fussent suffisants. Cela les tranquilliserait tant que la paix régnerait avec l'Amérique, mais il faudrait les efforts de tous les individus du pays, opérant de concert avec les forces que ce pays pourrait fournir, pour défendre les colonies contre les Américains. Je ne pense pas que 50,000 hommes de troupes britanniques défendissent le Canada pendant deux campagnes.

Vous voulez dire sans la co-opération cordiale des Canadiens français?—Oui; avec leur co-opération 10,000 hommes suffiraient pour chasser les Américains.

Quel est le système de gouvernement que vous recommanderiez de suivre envers les Canadiens?—Je donnerais entièrement leur gouvernement civil aux habitants des quatre colonies britanniques de l'Amérique du Nord, savoir, le Bas-Canada, le Haut-Canada, la Nouvelle Ecosse et le Nouveau Brunswick, sous tel veto et telles restrictions qu'on pourrait juger à propos de mettre avec des colonies, cependant moins il y en aurait et plus leur nature serait libérale, mieux ce serait; et je voudrais garder ces colonies comme postes militaires et mercantiles, et leur donner tous les privilèges dont elles jouissent leurs voisins des Etats-Unis, et sous lequel système elles les voyent si prospères.

Trouveriez-vous avantageux de laisser la province du Bas-Canada sous l'administration et la direction des Canadiens français?—Certainement; ce sont dans mon opinion les meilleurs sujets que ce pays ait en aucune partie du monde.

Supposant qu'il existe de la part des personnes qui émigrent d'Angleterre un dégoût des institutions françaises, trouveriez-vous à propos de prendre des mesures propres à faire disparaître les motifs d'objection des anglais, en leurs laissant avoir des lois et des institutions anglaises, en telles parties du pays où ils seraient disposés à s'établir?—Pas dans le Bas-Canada, on ne pourrait avoir des institutions séparées dans le Bas-Canada; les anglais sont renfermés principalement dans les villes de Montréal, de Québec et des Trois-Rivières.

Savez-vous que les terres accordées aux anglais sont accordées sous une tenure semblable à celle des concessions qui se font en Angleterre?—Je pense qu'il n'en devrait pas être ainsi dans le Bas-Canada; cela est contraire à la capitulation, par laquelle, à ce que je comprends, les habitants devaient jouir de leurs lois par rapport aux biens immeubles et fonciers.

Croyez-vous aussi que cela fût contraire à la saine politique?—Je pense qu'il serait contraire à la saine politique d'empiéter le moins du monde sur ses droits pour lesquels ils ont capitulé.

Pensez-vous que les terres non établies qui se trouvent maintenant dans le Bas-Canada dussent être laissées aux descendants des Canadiens français pour les occuper à mesure qu'ils le pourraient par la suite; ou qu'il fût sage d'adopter des institutions propres à encourager l'établissement de personnes venues de ce côté de l'Océan?—J'encouragerais les Canadiens français, c'est la seule population dont on puisse être sûr; la population des autres provinces est d'un caractère mêlé (et pas de doute) qu'il n'y ait parmi elle un grand nombre d'hommes loyaux, braves et excellents; les Canadiens français sont unis par leur origine (dont ils s'enorgueillissent à juste droit), par leur religion, par leurs mœurs et par leurs vertus; ils ont un caractère à soutenir, et ils l'ont toujours soutenu noblement; lorsqu'ils étaient sous le gouvernement français c'étaient les plus braves sujets qu'eût la France; et avec un sixième de leur population actuelle ils opposèrent la plus grande résistance, à l'armée britannique qu'ils eurent à combattre à la conquête du Canada. Je suis persuadé que si les Canadiens français avaient été aussi nombreux alors qu'ils le sont maintenant, nous n'aurions pas enlevé le Canada à la France, et si le résultat eût été tel, nous ne verrions pas maintenant la république jeune, puissante et fédérative de l'Amérique du Nord empiéter sur nous comme elle le fait à présent. On reproche aux Canadiens français de ne pas s'anglifier; les habitants de Jersey et de Guernesey sont-ils moins bons sujets britanniques pour avoir gardé leur langue et les mœurs et les lois normandes?—Leur en fait-on un reproche?—Et cependant je ne craindrai pas de dire que le Bas-Canada et les autres colonies de l'Amérique du Nord, sont pour cet empire d'une importance dix mille fois plus grande que ces îles. Je les regarde comme plus que le bras droit de l'empire britannique. Je suis convaincu que si les Canadiens français doublaient leur nombre actuel, ils déferaient toute l'union américaine; ce sont les meilleurs sujets que ce pays ait.

Vous pensez pour cette raison qu'il serait sage de leur donner les moyens d'étendre leur population et leurs institutions sur toute l'étendue du Bas-Canada?—Certainement; vous n'avez de chance pour conserver vos colonies de l'Amérique du Nord, que par ce moyen; si vous ne le faites pas, vous les perdez assurément du moment qu'il y aura une invasion de la part de l'Amérique; et qu'arrivera-t-il ensuite; avec la république américaine, une et indivisible depuis le golfe du Mexique jusqu'à la Baie d'Hudson, comment cet empire se trouverait-il partagé du côté de la navigation, des colonies et du commerce? Dans mon humble opinion cette question très importante et même très essentielle, mérite la plus sérieuse considération de la part de la législature britannique. Si les colonies de l'Amérique du Nord sont perdues une fois, elles le sont pour toujours.

Mardi, 24^{me} jour de juin, 1828.

James Stephen, junior, écuyer, réintroduit; et examiné.

Lorsque vous avez comparu dernièrement devant le comité, on vous a proposé quelques questions au sujet de rentes des réserves du clergé, avez-vous pu vous mettre au fait

du montant total des rentes perçues dans le fait, et de la recette après toutes déductions?—J'ai apporté un exposé qui, je crois, répondra à cette question avec assez d'exactitude. Dans la province du Bas-Canada le total des réserves de la couronne se monte à 488,645 acres, dont 38,366 acres sont donnés à bail pour 21 ans. Les termes du bail sont, que pour un lot de 200 acres, le preneur paiera huit minots de blé ou 25s. par an pour les sept premières années, 16 minots de blé ou 50s. par an pour les sept années suivantes, et 24 minots de blé ou 75s. par an pour les sept dernières années. Le revenu nominal de ces réserves de la couronne, est de £830, le terme moyen de plusieurs années; et la recette actuelle est au-dessous de £30 par an. Le total des réserves du clergé est de 488,594 acres, dont 75,639 acres sont donnés à bail aux mêmes termes que les réserves de la couronne. La rente nominale des réserves du clergé est de £930 par an, et la recette actuelle d'après le terme moyen des trois dernières années, est de £50 par an. Ces détails sont fondés sur l'autorité d'une lettre adressée par M. Cochran, (secrétaire privé de lord Dalhousie,) à M. Wilnot Horton, du 20 mars 1826. C'est le compte le plus récent qui ait été rendu à ce sujet au bureau colonial.

Pouvez-vous rendre compte de la grande différence qui se trouve entre la rente nominale et le produit net?—On en rend compte par la grande difficulté de percevoir les rentes, et par la fuite des tenanciers. Les membres du clergé agissent dans l'endroit où ils résident, d'agents spéciaux pour la collection des rentes. Il paraît qu'on a déduit la somme de £175 pour les frais d'administration, et qu'à la date de la lettre de M. Cochran il y avait entre les mains du receveur-général une somme de £250, produit total de tout le revenu de ces biens.

Le comité est informé qu'il a été fait un arrangement avec la compagnie du Canada pour la vente d'une partie considérable des réserves du clergé, et que cet arrangement a manqué dans l'exécution; y a-t-il quelqu'autre arrangement en marche pour disposer d'une partie des réserves du clergé, outre celui que vous avez dit au comité exister en vertu des pouvoirs qu'à la corporation du clergé pour en donner une partie à bail?—Le statut 7^{me} et 8^{me} Geo. IV, ch. 62, autorise la vente d'un quart des réserves du clergé, pourvu qu'il n'en soit pas vendu plus de 100,000 acres dans la même année.

Quelles sont les personnes proposées pour mettre cette vente à effet?—Elles doivent être vendues par le gouverneur, agissant en vertu d'instructions émanées de Sa Majesté, par l'entremise du secrétaire d'état. M. Peter Robinson est nommé agent avec pouvoir de mettre cette vente à effet, dans le Haut-Canada. Je crois, mais je n'en suis pas certain, que M. Felton a la même situation dans le Bas-Canada. Le produit des ventes doit être placé dans les fonds publics de ce pays, et l'intérêt provenant du placement, doit être appliqué, après déduction des frais de la vente, à l'amélioration des terres non vendues, ou aux objets pour lesquels les terres elles mêmes avaient été réservées dans le principe.

Out-ils le pouvoir de vendre, à la charge des baux, quelque partie des terres déjà données à bail?—Je comprends qu'il ne vendront que les terres en friche.

On a suggéré au comité qu'il serait à propos de donner à la corporation ecclésiastique le pouvoir de faire des baux pour un terme beaucoup plus long que 21 ans; même pour le terme de 100 ans; si elle était revêtue de ce pouvoir, ne serait-elle pas en collision avec les pouvoirs de vendre accordés au gouverneur par l'acte que vous avez mentionné?—Le pouvoir de bail à long terme aurait certainement une tendance à enlever à l'agent nommé par le gouvernement quelques-unes des terres qui sont maintenant à sa disposition. Mais je ne suppose pas qu'il y ait quelque probabilité que personne acceptât les baux, excepté en quelques cas particuliers.

Même à terme aussi long que celui dont on a parlé?—Non; pas même si elles étaient concédées pour mille ans. La durée de l'intérêt n'aurait certainement en réalité aucune borne, cependant une tenure à bail est toujours de moindre valeur qu'une tenure libre, parce que le tenancier est sujet à confiscation pour violation des conditions du contrat. Il est désagréable aussi d'être dans le rapport de tenancier avec une autre personne, parce que pendant le terme le propriétaire peut avoir sur ces biens plusieurs droits onéreux et vexatoires. Dans les Canadas on obtient si facilement des terres en concession libre, que toutes choses égales d'ailleurs, personne n'acceptera de baux quelle qu'en soit la durée. Je suppose aussi que la corporation du clergé a déjà concédé à bail les parties de ses terres qui étaient les plus avantageuses. Les lots préférables ont déjà été choisis.

La quantité que le gouvernement a le pouvoir de vendre en vertu de l'acte mentionné, est-elle aussi considérable que l'état des marchés puisse permettre de vendre?—Je n'ai comme de raison aucune connaissance personnelle de l'état des marchés, mais ce que j'ai pu apprendre m'ôte absolument toute croyance qu'il y ait dans l'une ou l'autre des provinces, des demandes annuelles pour 100,000 acres de terres. On pourrait naturellement créer des demandes en baissant le prix, mais il n'y a dans le fait aucune demande effective pour cela.

Le comité est informé que la distribution des réserves du clergé est extrêmement incommode, d'autant qu'elle nuit aux autres terres occupées par des colons indépendants; a-t-on jamais considéré que cela valût la peine de faire un échange de ces terres et de donner au clergé un grand parti de terres en quelque endroit particulier et de disposer des lots séparés maintenant assignés en réserve pour le clergé?—Le pouvoir de faire cet échange est renfermé dans le statut 7 et 8 Geo. IV, c. 62.

Savez-vous s'il a été fait quelque chose en vertu de ce pouvoir?—Je ne pense pas. Vous survient-il quelque chose qui améliorerait la situation où les réserves du clergé se trouvent maintenant ou peuvent se trouver d'après les lois existantes?—De rien; je crois fort que la seule marche raisonnable serait de s'en débarrasser absolument.

Les lois existantes renferment-elles des pouvoirs qui autorisent le gouverneur à s'en débarrasser aussi promptement et aussi avantageusement que possible?—Mon opinion personnelle est qu'une réserve de terres en friche est précisément la disposition la plus incommode qu'on aurait pu imaginer pour le soutien d'un corps de clergé en Canada, et que le clergé et les colons en général trouveraient également leur avantage si on en disposait en entier, et tout d'une fois, et si l'on y substituait quelques autres dispositions.

Vous rappelez-vous jusqu'à quel point l'acte donne le pouvoir de faire cet échange?—Les pouvoirs de l'acte sont sans restriction quant à la quantité.

Comment proposeriez-vous de faire d'autres dispositions pour le clergé?—Je voudrais qu'on fit ces dispositions en concédant les terres en friche à la charge d'une modique rente foncière. Je ne percevrais pas actuellement ces rentes d'ici à une époque éloignée. Je laisserais aux gens tout le temps de cultiver leurs terres et d'y appliquer des capitaux. Quand ceci aurait eu lieu on aurait des sûretés suffisantes pour le paiement ponctuel des rentes. On pourrait laisser passer dix ans ou peut-être vingt, et à la fin de ce terme les rentes foncières ainsi réservées suffiraient pour soutenir un clergé aussi nombreux que la province en aurait besoin. Je ne vois aucune probabilité distincte, que tant que ces déserts seront tenus en main-morte par un clergé manquant absolument de fonds, de loisir ou d'habileté pour les améliorer, ils puissent jamais produire un revenu suffisant pour son entretien. Cependant la chose continue à être un sujet de mécontentement et une source d'inconvénients innombrables.

Sur quels motifs comprenez-vous que le clergé s'est opposé à une vente équitable de ses terres?—Son objection était que l'estimation était trop faible.

Vous a-t-il paru qu'elle le fût, en le comparant avec le prix des terres dans les marchés?—Au contraire, après une étude prolongée et laborieuse du sujet, mon opinion a été que l'estimation était trop élevée. Pour confirmer cette opinion, je renvoie à ce fait, que des personnes très-versées dans la question et profondément intéressées au bien-être du clergé du Canada, ont depuis conseillé à la couronne de concéder à la compagnie du Canada un parti de terres sur le lac Huron, non à 3s-0d. par acre, prix auquel les réserves du clergé avaient été évaluées, mais à 2s-0d. par acre, et une grande part du montant de ces 2s-0d. devait être remise à la compagnie si elle faisait certaines améliorations à la contrée.

Ces terres ne sont-elles pas d'une moindre valeur parcequ'elles sont en masse?—J'imagine qu'elles sont d'une plus grande valeur, parceque le clergé aura entièrement et sans partage l'avantage de ce qu'elle dépensera en amélioration jusqu'au dernier shilling. En améliorant les environs elle améliorera ses propres biens. En améliorant des lots détachés,

détachés, elle travaillerait en partie pour l'avantage de ses voisins. J'observerais aussi qu'il n'y avait que les parties les moins bonnes des réserves du clergé de comprises dans l'estimation. Les meilleurs avaient été triés auparavant.

A-t-on cherché quelque autre moyen de faire des dispositions pour le clergé, outre celui de réserver des rentes foncières sur les réserves?—Je pense que non; je n'ai entendu parler d'aucun.

Savez-vous quelle partie des réserves du clergé a été actuellement vendue en vertu des dispositions de l'acte récent du parlement?—Il n'y a eu encore aucun rapport de ventes.

Quelle serait, suivant votre opinion, la loi qui réglerait en Canada la succession aux terres tenues en franc et commun socage; si le propriétaire de biens de cette espèce décédait sans testament, laissant des enfans; comment ces biens seraient-ils partagés entre eux?—Je présume que cette question se rapporte à l'état de la loi telle qu'elle était avant la passation de l'acte des tenures du Canada, 6 Geo. IV. c. 59. La loi est tout-à-fait claire depuis ce statut. Mon opinion est qu'avant la passation de l'acte des tenures du Canada, les terres tenues en franc et commun socage dans le Bas-Canada seraient tombées en succession de la même manière et suivant les mêmes règles que les seigneuries tenues de la couronne. Les motifs de cette opinion sont que les termes "franc et commun socage," dans leur sens propre et légal, sont toujours employés en opposition aux anciennes tenures chevaleresques. La qualité essentielle de la tenure du franc et commun socage, est que les devoirs du tenancier sont fixes et définies. Dans les tenures chevaleresques ils étaient incertains et dépendaient de beaucoup de ces fortuits. Tel est le cas à présent au sujet des tenures féodales qui subsistent dans le Bas-Canada. Ainsi la disposition du statut de 1791, que les terres du Bas-Canada pourraient être concédées en franc et commun socage à ceux qui le désireraient, voulait dire seulement, selon moi, que les terres seraient tenues, non moyennant les devoirs incertains que les anciennes tenures féodales auraient imposés aux tenanciers, mais moyennant des devoirs fixes et certains. Le but politique de cette disposition était clairement d'avancer la culture et les améliorations, et de soulager le cultivateur. On n'a statué que ce qui est essentiel à ce but, et rien de plus. On n'a empiété sur la règle de droit établie par l'acte de 1774, que dans toutes les matières de droit civiles on aurait recours aux lois du Canada, qu'autant et uniquement autant qu'il était nécessaire pour donner effet à ce but général. On ne s'est écarté de l'ancien code que précisément d'une manière coordonnée au motif qui l'exigeait et limitée par eux.

Vous savez probablement que depuis la passation de cette loi les cours de justice du Canada et le peuple du Canada paraissent également s'être accordés à dire que l'ancienne loi française serait applicable dans toutes ses parties aux terres qui avaient été concédées en franc et commun socage, et ainsi depuis ce temps jusqu'à présent ces terres sont tombées en succession suivant les principes de l'ancienne loi française. Etes-vous d'opinion que cette circonstance, savoir, que les cours de justice se soient réglés sur les principes de la loi française, ne rend pas valables les titres par lesquels les transports ont eu lieu de cette manière?—Mon opinion est que les cours avaient raison dans ces décisions. A présent le seul doute sur le sujet est quant à l'effet de l'acte des tenures du Canada. L'acte énonce qu'il s'est élevé des doutes si les terres concédées en franc et commun socage dans la province du Bas-Canada, seront tenues et aliénées et passeront en succession, suivant les lois canadiennes ou suivant les lois anglaises; et ensuite il statue que ces terres pourront passer et passeront, par transport ou par succession, suivant les lois anglaises. Mais le statut ne contient aucune expression rétroactive. Je suppose que la législature n'a prétendu statuer que pour l'avenir, laissant le passé se régler par les décisions judiciaires passées.

Ainsi suivant cette vue vous ne trouveriez pas à propos de passer un acte pour assurer les titres, et de conférer un droit inattaquable aux particuliers qui ont acquis des biens d'après les formes françaises?—Il serait d'abord nécessaire d'établir avec beaucoup d'exactitude jusqu'à quel point ce grief existe réellement. Il ne serait guère sage de passer un acte du parlement pour parer à un ou deux cas isolés. A présent votre statut empêche l'assemblée du Canada de légiférer à cet égard. Je pense qu'il serait beaucoup mieux de lui donner les pouvoirs nécessaires. Elle est, sans comparaison, beaucoup plus compétente à pourvoir aux vrais besoins du cas, que le parlement ne peut l'être. S'il était passé un acte uniquement pour composer un corps législatif convenablement constitué et représentant les habitans d'une manière équitable, je voudrais effacer du livre des statuts jusqu'à la dernière disposition qui regarde les affaires intérieures de la province, et laisser les gens faire des lois pour eux-mêmes.

Savez-vous quelles difficultés ont empêché la mutation des terres tenues sous la tenure française, et leur passage sous la tenure anglaise, sous les pouvoirs contenus dans l'acte des tenures du Canada?—L'acte du commerce du Canada était défectueux, en tant qu'il n'imposait pas au seigneur qui commutait, l'obligation de faire la mutation correspondante en faveur de son censitaire. L'acte des tenures du Canada a remédié à ce défaut.

Quelques terres se sont-elles libérées en vertu des pouvoirs de ces deux actes?—J'imagine que non.

Savez-vous qui l'a empêché?—Autant que j'en suis informé, il s'est élevé des difficultés sur les termes que le gouvernement en conseil, exigeait du seul qui eut fait application pour commuer, lesquels ce monsieur trouvait trop élevés.

Attache-t-on dans le fait aux droits du gouvernement quelque valeur qui rendit réellement le gouvernement perdant s'il s'en désaisissait?—J'imagine que leur valeur est considérable; mais les droits de la couronne ne doivent pas être estimés sur les mêmes principes que ceux d'un particulier. La couronne tient ses biens en dépôt pour le public; et comme l'intérêt public serait grandement avancé par ces commutations, je pense que la couronne agirait sagement en faisant immédiatement un grand sacrifice pécuniaire pour les avancer. Pour engager les autres à suivre le même exemple, je donnerais un avantage décidé aux premiers applicans si cela était nécessaire. Si je ne pouvais effectuer la vente de ces droits de la couronne, j'irais jusqu'à les céder gratuitement, à condition que les seigneurs émancipassent leurs censitaires aux termes du statut. Je suis persuadé qu'avant long-temps le revenu trouverait de l'avantage à une semblable concession. Vous augmenteriez les taxes, en augmentant la valeur de tous les biens taillables.

Dans votre opinion, surviendrait-il quelque inconvénient de ce qu'un parti de terres serait sous une tenure, tandis que le parti voisin serait sous un autre tenure totalement différente?—Je ne pense pas que la simple différence des tenures produisît des inconvénients de conséquence. On trouve dans toutes les parties de ce pays des partis de terres voisins tenus d'une manière différente, et tombant en succession suivant des règles différentes; quelques-uns sont en tenure franche, d'autres en vassalage, d'autres en *gavelkind* ou en bourg-anglais. Sans doute un même système de tenure serait plus commode; mais les difficultés qui proviennent de la variété ne se trouvent pas très-formidables dans l'administration de la justice. Néanmoins je craindrais toujours qu'il ne s'élevât des empêchemens sérieux à la due exécution de la loi dans un pays comme le Canada, où il faut ajouter à la différence des tenures toutes les variétés qui en découlent entre les divers modes de transport, et entre les règles de droit applicables à un fief français et à une tenure libre anglaise.

Si vous avez raison de dire que la loi française s'applique très-bien aux terres en franc et commun socage après leur concession, survient-il ensuite quelque inconvénient par rapport aux successions; la question est sans égard à l'acte déclaratoire?—Supposant que l'acte des tenures du Canada n'eût pas été passé, et que la loi revint dans le même état où je suppose qu'elle était avant la passation de ce statut, je ne comprends pas dans cette supposition quelle difficulté on pourrait prendre en considération au sujet des successions. La loi française des successions, qu'elle soit convenable ou non, est au moins intelligible et bien connue. Supposant d'un autre côté que la loi anglaise des immeubles, ait été introduite dans toute la rigueur par l'acte des tenures sur les terres en socage du Canada, je pense qu'on trouvera les difficultés insurmontables, à moins qu'on ne fasse quelques modifications à nos règles anglaises. Je suppose que les cours du Canada seraient un peu embarrassées si elles avaient à juger une action réelle, ou à appliquer la loi des restes contingens aux terres de ces townships. Il n'y a aucune fin aux explications. Que feraient-elles, par exemple, d'un fidei-commiss à terme pour tenir lieu d'héritage?

Si la tenure anglaise est établie, serait-il nécessaire d'adopter le mode de transport pra-

tiqué en Angleterre; ne serait-il pas possible d'adopter une forme plus simple, semblable à celle dont on se sert dans le Haut-Canada, ou à celle des Etats-Unis?—Je pense qu'il n'y aurait aucune difficulté insurmontable à se défaire entièrement de la loi anglaise au sujet du transport d'immeubles, et d'emprunter les formes simples du droit romain. Nos formes anglaises sont particulièrement inapplicables aux circonstances d'une colonie, et surtout à celles d'une colonie nouvellement établie. Partout où les colons anglais ont été assez heureux pour retrouver quelque code du continent en force au sujet du transport des biens, ils s'y sont attachés avec un empressement extrême, et se sont félicités d'être délivrés d'un pesant fardeau. C'est particulièrement le cas au sujet des lois hollandaises à Démérari, des lois espagnoles à la Trinidad, et des lois françaises à Ste. Lucie.

Connaissez-vous la tenure particulière des lois françaises appelée le franc-aleu?—Je ne la connais pas assez pour donner à cet égard aucuns renseignements utiles. Pouvez-vous dire si vous la regardez comme plus onéreuse au propriétaire que la tenure anglaise du franc et commun socage?—J'imagine qu'elle a les qualités essentielles de la tenure en franc et commun socage; certainement, au sujet des devoirs.

Regardez-vous le système français des tenures dans le Bas-Canada comme onéreux au propriétaire, ou non?—Il est assez clair qu'il est onéreux dans un sens de l'expression, en tant que le tenancier est chargé de différens devoirs envers son seigneur. Il ne peut raisonnablement y avoir aucune question sur la liberté relative d'un tenancier dont la terre est exempte de toutes ces obligations. Comme question d'intérêt général et de bien public, je ne viendrais jamais à bout de douter qu'il ne fût mieux que toutes les terres du Canada fussent tenues en franc et commun socage qu'en fief et en roture.

Dans les colonies où les lois hollandaises régissent, ou diverses lois étrangères, y régissent-elles conjointement avec les lois anglaises?—Non; à la Trinidad toutes les terres sont tenues sous les lois espagnoles; à Démérari et au Cap sous les lois hollandaises. Ceci s'applique même aux terres concédées par le roi d'Angleterre.

Y a-t-il quelques colonies où les mêmes cours décident sur des questions de pratique anglaise et sur des questions de pratique étrangère quelconque?—Je ne pense pas qu'il y ait aucune colonie où les lois anglaises existent en concurrence avec des lois étrangères. Chaque code peut venir en question devant les cours par incident et d'une manière indirecte, mais jamais comme partie établie du système judiciaire.

Est-ce votre opinion que la législature coloniale, avec l'avantage de ses connaissances locales, est beaucoup plus compétente que la législature britannique à décider des questions aussi compliquées que celles là, au sujet de la tenure et de la transmission des biens?—Je ne puis supposer que personne au fait du sujet hésitât sur la réponse à cette question. Excepté qu'on ait de bonne raison de défiance au sujet des dispositions de la législature coloniale à bien faire, on ne peut, je pense, apporter aucune bonne raison pour lui ôter cette besogne des mains. Elle est incomparablement mieux qualifiée pour cela que vous ne pouvez l'être. Que penserions nous de l'assemblée du Canada si elle passait des actes pour améliorer la loi des immeubles et des transports d'immeubles en ce pays. Cependant je suppose qu'elle entend notre système de tenures aussi bien que nous entendons le sien.

Ainsi le remède qu'on devrait selon vous appliquer à cet état de choses, est plutôt quelque changement dans la législature locale, qu'un changement dans les lois sur ce sujet particulier?—Oui; établissez une législature convenable, et vous pourrez avec sûreté rappeler tous les actes de votre livre de statuts qui regardent les affaires domestiques du Canada.

Avez-vous quelque doute que si on laissait le règlement des tenures des terres à la législature coloniale, elle ne se défit entièrement de la tenure anglaise?—Cela dépend de la constitution de la législature locale. Si vous laissez l'assemblée sous sa présente forme, les membres français laissés à eux-mêmes se déferaient infailliblement de la tenure anglaise.

Si les terres maintenant concédées en franc et commun socage continuaient sous cette tenure, et sujettes à la loi anglaise des successions, y a-t-il quelque chose qui rendit nécessaire d'adopter à cet égard les formes incommodes des actes anglais?—Comme je l'ai déjà dit, j'en pense qu'il n'y aurait aucune difficulté formidable à remplacer la méthode anglaise par des formes empruntées du code français ou de tout autre code étranger. En faisant des lois pour ces deux pays vous avez devant vous table rase, et vous n'êtes pas gêné par les difficultés nombreuses qui s'opposeraient à de telles améliorations dans un pays anciennement établi comme celui-ci.

Ne croyez-vous pas que telle qu'est la loi à présent, les législatures provinciales ont le pouvoir de modifier même la loi anglaise, dans son application aux terres en franc et commun socage?—Je l'aurais dit, si ce n'était du dernier acte du parlement, qui en autorisant l'adaptation de la loi aux tenures en franc et commun socage, défend toute modification qui abolirait absolument ces tenures.

Avez-vous quelques raisons de croire que des personnes d'origine anglaise soient détournées de s'établir dans le Bas-Canada, parce que les lois françaises y ont cours; lois qu'elles ne connaissent pas?—J'ai raison de le croire, parce que je l'ai entendu dire à beaucoup de personnes qui connaissent intimement le pays.

Si on trouve à propos d'engager des personnes d'extraction anglaise à s'établir dans le Bas-Canada, n'est-il pas nécessaire de faire au sujet des immeubles, quoique sans égard aux biens meubles, quelque loi au sujet de la possession de ces biens, assez ressemblante à la loi d'Angleterre pour parer à l'inconvénient dont elles se plaignent?—Je crains qu'au long-temps qu'on ne changera pas la loi au sujet des registres des notaires, et au sujet des conséquences légales du mariage sur les biens des parties, les anglais ne soient détournés de s'établir dans le pays. Je ne connais aucune autre règle de droit au sujet des droits civils, qui les en détourne.

Pensez-vous que des personnes avec des idées et des habitudes anglaises préfèrent le mode du partage des immeubles après la mort, également entre tous les enfans et qu'elles n'aient aucune opinion favorable au droit d'aînesse?—Dans les pays nouveaux, où il n'y a pas d'aristocratie héréditaire, et où on connaît à peine les opinions ou les préjugés qui découlent de cette institution, le droit d'aînesse n'a comme il est naturel qu'un bien faible appui dans l'opinion publique.

Ne pourrait-on pas apposer dans le contrat de mariage des fins de non recevoir contre les conséquences du mariage auxquelles vous avez fait allusion?—On pourrait y parer par un contrat fait avant le mariage; mais les émigrés sont généralement des personnes ignorantes, qui en se mariant, font très-peu d'attention aux conséquences du contrat sur leurs biens présents ou à venir.

Supposant qu'une personne ayant des biens considérables tant meubles qu'immeubles, aille en Canada, y acquiert domicile, s'y marie, et fasse des arrangemens au sujet de ces biens, tant meubles qu'immeubles, et revienne ensuite en Angleterre, savez-vous quels inconvénients s'il y en a, proviendraient de ces arrangemens?—Comme de droit l'effet des arrangemens à l'égard des immeubles dépendra toujours de la loi *loci rei sitæ*.

Des arrangemens de cette espèce ne seraient-ils pour cette personne aussi vaines et aussi avantageuses après qu'elle aurait quitté le Canada pour l'Angleterre, que s'ils eussent été faits sous les lois anglaises?—Un homme résidant en Canada, peut faire en Canada un contrat de mariage qui à son retour en Angleterre aura, en Angleterre, les mêmes effets que s'il avait été fait dans la ville de Londres.

Supposant qu'une personne se marie en Angleterre, et aille au Canada sans avoir fait de contrat de mariage, acquiert des biens en Canada, et y décède, par quelle loi ses biens du Canada seront-ils régis?—Cela dépendrait je pense du lieu de son domicile au temps de son décès.

Supposant qu'elle acquiert domicile au Canada?—Si cette personne s'établit d'une manière fixe en Canada et y acquiert domicile, je suppose alors que les conséquences d'un mariage précédemment contracté en Angleterre, sans contrat avant le mariage, dépendraient des lois du Canada. Je conçois que c'est là généralement le droit international de l'Europe, je dirai plutôt de la chrétienté. Le principe général pourrait peut-être être remplacé en Canada, par quelque loi positive. Mais au défaut d'une semblable loi positive, j'aurais recours dans le cas supposé à la loi du domicile. Je désire comme de raison être entendu avec beaucoup de restrictions que je ne pourrais détailler sans prendre considérablement sur le temps du comité, quand même je serais préparé à le faire.

Savez-vous si dans quelques autres colonies les obstacles à l'établissement des anglais sont provenus de ce qu'ils n'ont pas trouvé les lois anglaises en force?—Je ne sache pas

que le défaut de loix anglaises ait jamais opposé d'obstacle réel à l'établissement des anglais dans les autres colonies ; mais je sais bien qu'après qu'ils s'y sont établis, le manque de loix anglaises en tant qu'il s'agit de la liberté politique et civile a été le sujet des plaintes les plus constantes et les plus amères.

Croyez-vous que les anglais soient découragés de s'établir dans d'autres colonies aussi bien qu'en Canada, parce qu'ils retrouvent pas les loix anglaises en force comme loix du pays ?—Je ne pense pas que cela empêche personne d'y aller, mais cela rend les gens mécontents quand ils y sont.

Est-ce un découragement dans la pratique dans d'autres colonies, ou y a-t-il raison de présumer que c'est un découragement dans la pratique dans cette colonie ?—Le découragement est plus fort en Canada que partout ailleurs ; les Etats-Unis présentent à la fois un contraste propre à exciter l'envie et un lieu facile d'émigration. Si un émigré se décourage au Cap de Bonne Espérance, il n'a rien au moins pour l'engager à passer sur le territoire des Cafres.

Croyez-vous qu'il y ait plus de difficulté à ce que le même juge décide sur les actions civiles en même temps d'après les loix anglaises et d'après les loix françaises, qu'il n'y en a dans la chambre anglaise des Paris à ce que les mêmes juges décident des causes semblables d'après les loix d'Ecosse et d'après les loix d'Angleterre ?—Le code anglais et le code écossais sont bien moins éloignés l'un de l'autre que ne le sont le code anglais et celui du Canada. Les pairs en parlement ont beaucoup de moyens d'apprendre la loi d'Ecosse sur chaque sujet à mesure que la question s'élève, tandis que dans le cas supposé on ne trouverait rien de semblable en Canada. Des personnes intimement versées dans les loix d'Ecosse plaident à la barre de leurs seigneuries. La loi a été entièrement discutée auparavant par les avocats et les juges de la cour de sessions. On a sous la main des répertoires et des tables de droit écossais, et il y a quelques pairs qui ont fait l'apprentissage des loix d'Ecosse.

La difficulté du langage peut-elle être considérable pour une personne instruite ?—J'imagine qu'il y a peu de messieurs anglais, quelque familiers qu'ils soient avec la langue française, qui entendent facilement un livre de droit français ou un plaidoyer verbal sur une question de droit français.

Un avocat anglais qui ouvre un livre de droit écossais l'entend-il à la première lecture ? Il l'entend avec beaucoup moins de difficulté en comparaison, parce que l'étymologie des termes techniques en indique le sens probable, et parce qu'il y a une analogie générale et soutenue entre les loix d'Ecosse et les loix d'Angleterre.

Les loix françaises et les loix d'Ecosse ne sont-elles pas également fondées sur le droit romain ?—Je ne prétends pas aux connaissances nécessaires pour tracer cette comparaison ; mais je pense qu'en général les loix d'Ecosse se sont beaucoup plus écartées de la source originale, que les anciennes loix françaises.

Si les terres maintenant tenues en franc et commun socage doivent continuer sur le même pied, et si les loix existantes par rapport à cette tenure doivent continuer à être mise en opération, ne serait-il pas à propos d'avoir des cours séparées où s'administrerait la loi des immeubles tenus en franc et commun socage ?—Peut-être n'est-ce là qu'une question de pure économie. Si on pouvait procurer aux anglais une cour séparée, avec des juges anglais compétents, il serait comme de raison à le faire. Il me paraît cependant qu'on pourrait atteindre le but sans dépense additionnelle en modifiant le système actuel. Il y a maintenant neuf juges, quatre à Québec, quatre à Montréal, et un aux Trois-Rivières. C'est un service judiciaire bien fourni pour 500,000 personnes. Ces neuf juges pourraient facilement être réparties et choisis de manière à administrer la justice aux deux races.

Si on établissait une cour à Montréal pour administrer la loi des immeubles sous la tenure en franc et commun socage, ne pourrait-il pas y avoir des circuits dans les townships, et s'y tenir des cours de temps à autre dans des districts particuliers, où pourraient se décider les causes provenant d'objets liés avec les biens situés sous cette tenure ?—On pourrait tirer des localités, dont je ne suis nullement au fait, des objections concluantes contre ce plan. Je ne vois aucune objection dans les termes, ou au moins aucune qu'on ne pût applanir facilement.

Lorsqu'on considère qu'en Canada les loix françaises sont applicables à tous les contrats personnels et à tous les biens meubles, serait-ce une chose qui vaudrait la dépense que d'établir des cours pour décider le petit nombre de cas où s'appliqueraient les loix anglaises au sujet des immeubles ?—Plus vous pouvez mettre l'administration de la justice à la porte des habitans, mieux c'est. Un homme qui réside dans les townships a beaucoup à faire, et aurait un voyage redoutable à entreprendre pour faire redresser ses griefs ou pour donner son témoignage, s'il n'y avait des cours d'établies que dans les trois villes situées sur le fleuve.

Supposant que les choses redevinssent dans le même état où elles étaient avant la passation de l'acte des tenures du Canada ; y aurait-il dans ce cas quelque nécessité d'établir de nouvelles cours pour y administrer les loix anglaises applicables aux immeubles ?—Avec cette supposition, la nature des loix à administrer ne créerait pas cette nécessité. Mais les circonstances topographiques du pays la créeraient. Une cour de justice d'un accès facile, est une chose d'une importance majeure et très-urgente dans toutes les sociétés. Quand même la même loi aurait cours sur chaque arpent de terre dans la province, l'éloignement des cours et la difficulté d'y avoir accès, seraient un mal sérieux pour les habitans des townships. A mesure que les communications s'améliorent, ce mal ira en diminuant ; mais jusqu'à lors on devra le sentir d'une manière très-sensible.

N'y aurait-il qu'un nombre de cas extrêmement petit où il serait nécessaire d'administrer les loix anglaises applicables aux immeubles, si d'après l'ordre de choses existant les loix françaises étaient applicables à toutes les terres tenues en franc et commun socage immédiatement après la concession de ces terres ?—Si cet ordre de choses existait, je ne puis voir comment il pourrait s'élever aucune question qui dût être décidée d'après les loix anglaises.

Ainsi sur ces matières, votre opinion est sur le tout qu'il serait avantageux ou de statuer pour mettre les loix sur le même pied où vous supposez qu'elles étaient avant cet acte, ou de déclarer quelle est la loi à cet égard ?—Mon opinion est que la seule marche raisonnable consiste à créer un corps législatif dans lequel on puisse réposer confiance ; et après cela de lui laisser faire toutes les loix qu'il trouvera nécessaire. Il est inutile d'essayer à établir des loix très-détaillées sur des sujets de cette nature par des actes passés d'un côté de l'Atlantique et dont l'opération doit avoir lieu de l'autre côté.

Ne serait-il pas nécessaire d'introduire dans l'assemblée représentative un plus grand nombre de personnes qui représenteraient les intérêts des townships afin d'assurer la passation des loix qu'ils désirent ?—Mon opinion est qu'il faut faire de très-grands changemens dans la constitution de la législature du pays, avant de pouvoir lui confier d'une manière absolue l'exécution des réformes nécessaires. Quant aux changemens qui seraient convenables, c'est une question sur laquelle on n'exigera probablement pas que j'exprime une opinion.

Qu'arriverait-il si l'on introduisait une proportion plus considérable de représentans députés par les townships anglais ?—Les conséquences en seront si nombreuses qu'il est impossible de les mentionner toutes, et il est difficile de faire un choix. Un des résultats les plus clairs serait d'exciter des controverses nouvelles et amères entre le parti français et le parti anglais dans l'assemblée. Si les membres étaient députés sur la base de la population, le parti français serait assez fort pour emporter toutes ses mesures, et on verrait des querelles plus violentes et probablement des mécontentemens encore plus grands qu'à présent ; A la vérité si les deux parties dans l'assemblée étaient presque égales en force, le gouverneur pourrait par un usage judicieux, équitable et balancé de ses pouvoirs, établir la balance entr'eux de manière à produire un repos relatif.

Lorsqu'il y a des intérêts en conflit dans une population comme celle du Canada, ne paraît-il pas convenable que ces intérêts opposés eussent de part et d'autre des représentans pour les soutenir ?—Ce me paraît être un très-mauvais système de gouvernement que d'organiser à dessein dans l'état un conflit entre des partis opposés. Le grand objet est d'assurer la tranquillité et la paix ; et je pense qu'on y parviendra mieux en établissant entre les partis cette sorte d'équilibre qui, comme nous le voyons en ce pays, mène à des concessions mutuelles en produisant dans chaque parti une crainte salutaire de son antagoniste.

Vous savez qu'en ce pays quelques-uns supposent qu'il y a un conflit entre les intérêts mercantiles et les intérêts agricoles ; trouveriez-vous à propos que pour l'amour de la paix il n'y eût qu'un seul de ces intérêts qui fût représenté ?—Certainement non.

Pouvez-vous informer le comité du système qui a lieu dans le Haut-Canada pour augmenter le nombre des représentans de la province ?—Dans le Haut-Canada l'assemblée représentative est composée de représentans des comtés et des villes ; chaque comté qui contient 1,000 personnes députe un membre ; quand il contient 4,000 personnes, il en députe deux ; mais ensuite quelle que puisse être la population au-delà de 4,000, il n'y a plus aucune augmentation dans le nombre des membres du comté.

Y a-t-il une partie considérable de la superficie du Haut-Canada qui soit divisée en Comtés ?—Une partie considérable.

Existe-t-il beaucoup de comtés où ce droit n'est qu'éventuel, qui n'ont pas encore acquis une population assez forte pour leur donner droit à un membre ?—Je ne puis répondre à cette question avec exactitude. Quand il se trouve un comté dans cette catégorie, on le fonde dans le comté du district le moins peuplé ensuite, avec lequel il vote. Ainsi s'il y a un comté qui n'ait que 900 habitans, ses habitans voteront comme franc-tenanciers du comté le moins peuplé du district au-dessus toute fois de 1,000 personnes.

Pouvez-vous dire si on trouve que ce système ait une opération facile, ou s'il est un sujet de plaintes ?—Aussi loin que vont mes connaissances, aucun parti dans la province ne s'en est jamais plaint, (et les partis sont là en opposition violente l'un contre l'autre.)

Savez-vous par hasard s'il existe dans les Etats-Unis quelque système semblable ?—Je crois, quoique je n'en sois pas certain, qu'il existe dans les états de Vermont et de New-York.

Est-il à votre connaissance que l'assemblée législative du Bas-Canada ait une fois passé un bill dont l'objet était de pourvoir à l'augmentation en nombre de cette assemblée ?—Oui. Ce bill échoua dans la chambre haute ?—Il fut rejeté par le conseil.

Savez-vous pour quelles raisons il fut rejeté ?—On dit qu'il fut rejeté parce qu'il était dressé d'une manière impropre. Ce défaut de convenance qu'on lui attribuait était comme j'en suis informé, qu'au lieu de diminuer l'inégalité entre les intérêts français et les intérêts anglais dans l'assemblée, il tendait à faire une augmentation en faveur des intérêts français.

Si en augmentant en nombre l'assemblée législative du Bas-Canada on n'a égard qu'au principe de la population, ne s'en suivra-t-il pas nécessairement que l'influence des Canadiens français s'accroîtra constamment ?—Supposant que la race française croisse avec la même rapidité que la race anglaise, les intérêts français auront toujours une grande prépondérance si on ne base la représentation, que sur la population seule, parce qu'au temps présent les français sont au nombre d'environ 400,000, et que les anglais ne peuvent être au-dessus de 80,000.

Croyez-vous qu'on pût adopter quelque plan de représentation qui ne donnât pas une grande prépondérance aux intérêts français ?—Je puis supposer un plan de représentation qui, à une époque éloignée, priverait les français de cette prépondérance. Le territoire occupé par les anglais est beaucoup plus étendu, et capable de contenir plus d'habitans que le territoire occupé par les français. Ainsi, si on a égard dans un plan de représentation à l'étendue de territoire aussi bien qu'à l'étendue de la population, il arrivera enfin un jour où les membres français et les membres anglais se balanceront de part et d'autre.

Quelles sont les circonstances dont vous vous rappelez où la population française ait des intérêts distincts de ceux de la population anglaise ?—J'imagine que leurs divisions ne prennent leur source dans aucune contrariété ou incompatibilité réelle d'intérêts. Les hommes en masse se meuvent rarement par un simple calcul d'intérêts, et il est encore plus rare qu'ils voyent distinctement quels sont réellement ces intérêts. La contestation ne roule pas sur des questions d'arithmétique politique ; elle a des racines beaucoup plus profondes ; elle naît des préjugés nationaux, et est une affaire d'orgueil, de passion et de sentimens. Bien entendus, les intérêts des deux races sont les mêmes ; mais les ressentimens sont trop forts pour que ces intérêts puissent être bien entendus.

Savez-vous, d'après vos connaissances personnelles, que la loi qu'on proposait pour changer la représentation aurait eu l'effet de diminuer les intérêts anglais dans l'assemblée ?—Je ne le sais que pour en avoir été informé par d'autres.

Savez-vous quel nombre de représentans des intérêts anglais aurait été rapporté sous la loi nouvelle, et quel nombre est rapporté sous la loi présente ?—Le calcul est qu'on aurait ajouté neuf représentans français et deux anglais, ce qui ajouté à l'ordre de choses actuel, aurait donné environ cinquante-trois membres français pour environ sept ou huit membres anglais.

Cela n'aurait-il pas été encore au-dessus de la proportion actuelle d'anglais ?—Les proportions varient si continuellement, qu'il est impossible de les calculer avec quelque exactitude. Les gens changent par fois de parti ; et en ce cas un mouvement de cette nature fera varier considérablement la proportion.

Pensez-vous qu'il fût à propos d'appliquer le système suivi dans le Haut-Canada, dans les changemens qui peuvent avoir lieu au sujet de l'élection de l'assemblée représentative du Bas-Canada ?—Si je puis exprimer mon opinion personnelle sur les changemens qu'il y aurait à faire, je dirais qu'il faudrait réunir les deux Canadas. Si on rejette ce plan, je pense que la meilleure mesure à adopter ensuite serait l'introduction de la loi du Haut-Canada.

Quelle démarche devrait-on prendre pour mettre à effet la loi du Haut-Canada ; de quelle manière pourrait-on établir le mieux, quelles seraient les divisions qu'il faudrait faire dans le Bas-Canada ?—La chose ne peut comme de raison être établie que par des personnes résidentes dans le pays ; et il faut un nouvel acte du parlement.

Doit-il être passé par le gouvernement d'Angleterre ?—Oui ; parce que la division actuelle du pays à l'égard de la représentation, dépend de la proclamation émanée sous l'autorité du statut anglais ; et parce que c'est une innovation que l'assemblée actuelle n'introduira pas volontiers.

Regardez-vous l'inconvénient provenant de l'existence dans une même province de deux systèmes différens de succession aux immeubles, comme un motif suffisant pour renverser le système de législation de la province, dans le but de faire disparaître cet inconvénient ?—A cette question proposée sous cette forme abstraite, je répondrai que non. S'il n'y avait que ce seul inconvénient, je ne changerais pas le système législatif pour y remédier.

N'était-ce pas principalement sur ce motif que vous fondiez votre désir d'avoir un changement dans le système législatif ?—Mes raisons, pour désirer le changement du système législatif en Canada, sont en grand nombre ; mais elles se réduisent principalement à ceci : si on persévère dans le système actuel, je crains qu'il ne soit trop évident qu'on répand des semences de séparation entre les Canadas et ce pays.

De quelle manière est-il probable que la continuation de l'état de choses actuel, sans changement, mènât à une séparation entre les Canadas et ce pays ?—Je ne puis me récrier avec trop de soin contre l'intention de ma part d'inculper la loyauté des sujets de sa Majesté dans les Canadas ; ce serait le comble de l'inconvenance si je laissais voir des doutes sur leur fidélité au gouvernement sous lequel ils vivent. Je n'ai pas de raison d'en douter ; et au contraire j'en ai beaucoup pour savoir qu'on a très-récemment manifesté dans ces provinces un esprit d'affection cordiale à la personne et au gouvernement de sa Majesté. Je ne parle que de choses à venir et probables. Examinons ensuite quelle est la situation de la province supérieure, et de la partie anglaise du Bas-Canada. Les colons occupent un territoire encaissé entre des états étrangers. D'un côté sont les américains, et d'un autre les canadiens français, qui quoique vivant sous le même souverain sont essentiellement étrangers aux habitans du Haut-Canada sous le rapport du langage, des loix, des institutions, des habitudes et des préjugés. La nature a placé l'Hudson au sud, et le St-Laurent au nord, comme les grands canaux de communication entre les territoires anglais et le reste du monde. Mais le peuple de New-York commande sur l'Hudson, et le peuple du Bas-Canada sur le St-Laurent. La ville de New-York sur un de ces fleuves et celle de Québec sur l'autre, sont des postes avancés qui interdisent toute relation commerciale avec le Canada anglais, excepté aux termes qu'il plaira de prescrire aux législatures de New-York et de Québec. Est-il raisonnable de penser que les habitans du Canada anglais acquiesceront à jamais à cette exclusion ? Est-il politique de

de leur faire sentir continuellement qu'une union avec la grande république qui les avoisine au sud, ouvrirait à leurs relations commerciales des canaux que vos loix leur ont interdits? Peut-on supposer qu'ils seront toujours contents de perdre les nombreux avantages commerciaux qu'ils retireraient de leur navigation intérieure sans exemple, si leurs communications avec l'Océan ne rencontraient aucun obstacle? Un capitaliste du Haut-Canada ne peut employer ses richesses qu'en agriculture. S'il s'engage dans le commerce, ce doit être dans les États-Unis comme aubain, ou dans le Bas-Canada avec toutes les restrictions qu'il plaira à une législature française de lui imposer. C'est pourquoi je recommande l'union, comme le seul moyen efficace de libérer le Haut-Canada et les townships anglais des désavantages auxquels je pense qu'il n'est ni juste ni sûr de les soumettre. Mais je la conseille aussi de plus sur ce motif. Il est inutile de cacher le fait que l'acte de 1791 a établi un gouvernement monarchique sans assurer à la branche monarchique aucun moyen d'autorité ou d'influence? Le gouvernement ne peut ni contrôler par sa prérogative ni influencer par son patronage. Les liens qui attachent le peuple à leur souverain ne sont pas d'un caractère aussi forts ni aussi permanents que les obligations correspondantes entre le roi et le peuple dans les anciens états européens. Il est impossible de supposer que les Canadiens craignent votre pouvoir. Il est difficile de croire que le devoir abstrait de la loyauté, distingué du sentiment de la loyauté, puisse être fortement senti. Le droit de rejeter la domination européenne a été si souvent posé en principe dans l'Amérique du Nord et dans celle du Sud, que dans ce continent la révolte peut à peine être regardée comme criminelle et deshonorante. Il ne me paraît pas non plus que le sentiment d'orgueil national et d'importance soit en votre faveur. C'est une distinction qui ne peut être regardée comme à envier, que de rester le seul pays dépendant dans le nouveau monde. Votre domination ne repose que sur l'habitude de la soumission; sur l'ancienne affection que les colons conservent toujours à la mère-patrie; sur leur confiance en votre justice, et sur leur persuasion qu'ils ont un intérêt direct à maintenir la liaison. Je crains que tous ces liens d'union, et particulièrement le sentiment de l'intérêt ne soient considérablement affaiblis, si vous persistez à leur refuser tout contrôle sur la navigation du St-Laurent. Mais même si tous ces liens demeurent, ils ne sont pas les soutiens les plus sûrs de l'empire. Quand je réfléchis, comme je l'ai fait souvent, sur la fragilité de notre tenure dans les Canadas, il ne m'est venu à l'esprit qu'un seul et unique moyen de lui prêter appui. Je mettrais les représentants français et les représentants anglais sur un pied d'égalité quant au nombre, ou au moins presque d'égalité, dans la même législature. Je leur donnerais un gouverneur qui eût assez de caractère et de sagesse pour tenir la balance entre les deux partis. En ayant les égards les plus strictes pour la justice et pour les droits constitutionnels de toutes les classes des sujets du Roi, il s'acquerrait une influence considérable et légitime. Je sais que c'est une tâche qu'on ne doit pas remettre à des mains vulgaires. Mais je me trompe fort si ce pays ne retirait pas un accroissement de pouvoir considérable et permanent, de la direction tempérée, ferme et juste des deux grands partis, également balancés par d'égaux contre-poids dans la même assemblée.

Si l'état de dépendance coloniale est si nuisible aux intérêts mercantiles des Canadas, est-il évident qu'une union en améliorerait la condition?—Je ne pense pas que la dépendance commerciale soit nuisible à leurs intérêts; au contraire, elle leur est extrêmement avantageuse, telle qu'est à présent la loi d'Angleterre. Ils ont dans les marchés anglais des avantages que les autres nations n'ont pas. Ce que j'ai dit était, plutôt, que la population anglaise des Canadas était tellement entourée de nations étrangères, que dans le fait tout commerce lui est interdit, excepté aux termes les plus incommodes.

N'ont-ils pas un grand avantage sur les états de l'Amérique du Nord, en ayant un libre accès au commerce de la Grande Bretagne?—Je le pense.

Cela ne fait-il pas plus que contre-balancer les désavantages qu'ils éprouvent de ce qu'ils sont privés comme colonies d'un commerce libre avec les autres pays?—Je pense qu'un calcul sec et exact le démontrerait; mais les hommes en masse ne se gouvernent pas beaucoup par des calculs de cette espèce. Il faut s'adresser à leurs affectueux et à leur imagination, si on veut les mouvoir.

Dans votre réponse avez-vous fait allusion aux désavantages qu'éprouve la province supérieure, de ce que le Bas-Canada se trouve interposé entre elle et le port d'entrée?—De ce que la province inférieure fait des lois pour la navigation du Saint-Laurent, et impose à sa discrétion tous les droits qui y sont payables. Les canadiens anglais sont envers la province Basse dans un rapport à peu-près le même que celui où ils sont envers l'état de New-York. Cet état fait des lois pour le commerce de l'Hudson; La province du Bas-Canada fait des lois pour le commerce du Saint-Laurent. D'un côté et de l'autre la sortie est fermée par des lois à la confection desquelles elle n'a pas eu de part.

N'y a-t-il pour concilier cela d'autres moyens que l'union?—Je n'en puis imaginer aucun.

N'y a-t-il pas quelque risque sous un système semblable, que le parti qui ne serait pas favorisé par le gouverneur ne cherchât des secours chez l'étranger?—Je pose comme donnée que vous avez un gouverneur qu'ait assez de magnanimité et de discrétion pour ne favoriser aucun parti, mais qui interpose entre l'un et l'autre une médiation juste, équitable, et bienveillante.

Ne voyez-vous pas de grands inconvénients, provenant de l'éloignement immense de différents points du Canada, le long d'une ligne de territoire qui n'a pas moins de 1,500 milles; ne pensez-vous que cette circonstance présente les plus grandes difficultés à les unir sous une même législation?—D'abord il n'y a pas une ligne de pays habitée de 1,500 milles d'étendue; elle va à peine à 1,000 milles. Ensuite le pays est entre-coupé de grandes voies navigables, et les barques à vapeur mèneraient et ramèneraient les législateurs avec assez de promptitude. Mais la difficulté qu'on anticipe, est probablement qu'une législature siégeant à Montréal ou en quelque autre endroit central, serait dans un éloignement incommode des différentes parties du pays, et que les membres ne seraient pas suffisamment au fait des localités. Or je suppose, que la législature serait disposée à déléguer une partie de ses propres pouvoirs à diverses autorités locales et subordonnées, comme des sessions de quartier, des municipalités incorporées, et des juges de paix. Elle ne réserverait pour sa propre intervention que les questions majeures et plus importantes; tout juste comme en ce pays le parlement ne fait pas de lois pour chaque canton ou pour chaque paroisse, mais établit dans tout le royaume une espèce de législation de comtés ou de paroisses.

Ne savez-vous pas que dans les États-Unis, les dispositions ont été constamment en faveur des subdivisions plutôt qu'en faveur des agrégations?—Les circonstances des États-Unis et celles du Canada, sont tellement différentes, qu'on ne doit admettre des analogies de cette espèce qu'avec beaucoup de prudence. Les motifs qui, suivant mon jugement, devraient conduire à l'union législative des Canadas, n'auraient d'effet sur aucun des états qui composent la grande union américaine.

Ne croyez-vous pas que comme la population anglaise des Canadas ne se monte en tout qu'à environ 26,000, tandis que la population française se monte à environ 400,000, il y aurait plus d'inconvénients que d'avantage à mécontenter une proportion de la population aussi considérable que celle que l'union mécontenterait en effet?—Je regarde comme point établi, que quelque chose que l'on fasse, ou quelque chose que l'on ne fasse pas, on doit toujours compter sur beaucoup de mécontentemens et de dissatisfactions. La mesure que je propose, en satisfait au moins un grand nombre. Si on laisse les choses comme elles sont, je crois que personne ne sera content; un changement me paraît inévitable.

Ne croyez-vous pas qu'une partie des mécontentemens, et des inconvénients qui ont eu lieu, ne doivent être, attribués plutôt à l'administration qu'à la constitution elle-même?—Une certaine partie en est venue probablement de là, mais une partie très faible en comparaison. La grande source de ces disputes vient de la différence des deux races combinée avec la différence des territoires sur lesquels elles sont établies. Leurs antipathies nationales sont excitées par beaucoup de contrastes accidentels entre leur situation réciproque. Un mauvais gouvernement, peut exaspérer ces maux, mais le gouvernement le plus parfait ne pourra jamais les guérir sans un changement radical du système.

Croyez-vous que les différends qui s'élèvent entre deux nations peuvent mieux s'appai-

ser en les mettant en face l'une de l'autre dans la même assemblée, qu'en les laissant séparées?—Vous ne pouvez éviter de les mettre face à face dans la même assemblée, car c'est là le système actuel. D'après le plan que je propose, il y aurait, il est vrai, un plus grand nombre de visages opposés, mais alors les partis ainsi opposés seraient beaucoup plus près de l'égalité. Ils apprendraient l'un et l'autre à respecter réciproquement la puissance du parti opposé, et deviendraient beaucoup plus tranquille en comparaison.

Supposez-vous que l'acte de 1791 est fondé sur de faux principes?—Oui. Je pense que l'acte de 1791 était en effet un acte pour créer deux nouvelles républiques sur le continent de l'Amérique du Nord. Il ne contient pas une seule disposition effective pour soutenir le pouvoir monarchique.

Supposant qu'on adoptât la mesure que vous avez, en vue, ne pensez-vous pas qu'un de ses effets serait de rendre le Haut-Canada beaucoup plus puissant sous les rapports physiques?—Oui, je pense que cela serait.

N'aurait-il pas aussi une tendance à rabaisser la population française de la province, dont les habitudes ne sont pas mercantiles, et sont d'une nature toute différente?—Je regarde comme inévitable l'abaissement comparatif des français à une époque peu éloignée. Ils seront accablés sous le poids de l'influence anglaise ou de l'influence anglo-américaine dans ces provinces.

Avez-vous eu quelques moyens de former une opinion sur les sentimens du Haut-Canada au sujet de l'union?—J'imagine qu'ils sont en faveur du plan. Je ne puis douter que cette province ne concourût dans une mesure qui lui assurerait son grand objet, celui de faire des lois pour le port de Québec. Il y a aussi cette preuve négative qu'elle approuve la mesure, que quand le projet d'union fut discuté, les habitans du Haut-Canada ne concoururent dans aucun des protêts qui furent faits contre.

Pensez-vous qu'il fut à propos que le gouvernement de ce pays proposât cette mesure, ou tout autre grand changement aux principes fondamentaux de la constitution des Canadas, sans donner au pays le temps suffisant pour exprimer son opinion à ce sujet?—Les mesures extrême de ce genre ne peuvent être justifiées que par une nécessité extrême et évidente. Si on démontrait l'extrême nécessité, je n'hésiterais pas à prendre le moyen extrême. La chose se réduit absolument à cette question; et il y a des personnes intimement liées avec les Canadas, qui sont fortement alarmées sur les conséquences du retardement de cette mesure même jusqu'à l'année 1829.

Ne craignez-vous aucun danger en donnant aux Canadiens français une influence aussi étendue sur le Haut-Canada que celle qu'ils acquerront nécessairement si les provinces sont réunies?—Je crois que le danger est, entièrement du côté opposé. L'influence anglaise doit nécessairement dominer dans une législature où les débats se feraient en anglais, qui ferait des lois en anglais, et qui procéderait suivant les règles parlementaires anglaises. En outre il y a dans le caractère anglais une aptitude particulière à réussir dans cette espèce de controverse.

Si on faisait un changement dans l'assemblée du Bas-Canada, en traçant dans le bûc de la représentation, des divisions de townships et des parties du pays où il est plus probable que des anglais s'établiront, pensez-vous qu'il fut probable que le changement ainsi fait dans l'assemblée législative du Canada conduisit à une union, et diminuât les objections contre?—Vous n'aurez jamais d'union volontaire jusqu'à ce qu'il y ait une majorité d'anglais pour emporter la question de l'union; mais jusqu'à lors il faudra passer à travers un conflit prolongé qui mettra la province en pièce.

Supposant que l'union ait lieu, et que les intérêts anglais devinssent tout-à-fait dominans, et les Canadiens tout-à-fait abattus, croyez-vous que ce pays en aurait plus ou moins de forces dans la possession du pays?—Je puis à peine prévoir la possibilité de l'abatement des intérêts français jusqu'au point que la question suppose. Je législature dès le commencement sur ce principe, que les représentants seraient tirés également des deux races; je ne veux pas dire comme de raison avec une égalité numérique précise. Mais si on faisait des dispositions pour égaliser les deux races dans l'assemblée, alors je suppose qu'on pourrait présumer avec grande confiance que l'un et l'autre parti conserveraient des forces considérables pendant longtemps à venir.

Voulez-vous dire qu'on devrait les égaliser sous le rapport du nombre?—Je voudrais avoir une législature, supposons par exemple de 100 membres, sur lesquels je proposerais que 50 fussent français et 50 anglais, et j'espérerais que sous la médiation d'un gouverneur sage, ils procéderaient amiablement aux moyens de compromis, comme d'autres législatures procèdent.

Ne pensez-vous pas que les habitudes de la population anglaise, et sa tendance au commerce, rendent probable qu'elle aurait la supériorité sur la population française?—Je pense qu'elle formera toujours la partie commerciale de la société, et qu'ayant la supériorité du côté des richesses et probablement de l'intelligence, elle obtiendra graduellement (comme elle doit l'obtenir avec cette hypothèse,) la supériorité sous tous les autres rapports.

Connaissez-vous l'acte du Haut-Canada appelé l'acte de sédition?—Je le connais pour l'avoir lu il y a quelques années.

Connaissez-vous les circonstances sous lesquelles il a été passé?—Il a été passé en l'année 1814, peu après le commencement de la dernière guerre avec les États-Unis d'Amérique.

Connaissez-vous les pouvoirs qu'il donne?—Il donnait de très amples pouvoirs: il suspendait l'acte d'*habeas corpus*, et il donnait au gouverneur et aux membres du conseil le pouvoir d'emprisonnement dans tous les cas de trahison ou de soupçon de trahison.

Cet acte est-il encore en force dans le Haut-Canada?—Non, il est expiré à la fin de la guerre.

N'y a-t-il pas eu de temps à autres plusieurs bills qui ont été passés par l'assemblée législative et rejetés par la chambre haute dans le Bas-Canada?—Plusieurs.

Pouvez-vous donner au comité quelques renseignemens sur les raisons pour lesquelles ces bills ont été rejetés?—Les bills qui ont été rejetés, en autant que je les connais, sont les suivans. Premièrement, divers bills de subsides ont été rejetés sur le motif que l'assemblée y avançait un droit à l'appropriation de tout le revenu de la province. Secondement, un bill pour mettre les habitans du Canada en moyen de soutenir des procès contre la couronne a été rejeté, parce que comme ces procès auraient été jugés devant le gouverneur et le conseil, on pourrait plus promptement parvenir au même objet par une pétition adressée de suite à ce corps. Troisièmement, un bill pour régler les honoraires des places a été rejeté, parce que le conseil ne trouvait pas les places inutiles ni les honoraires déplacés. Quatrièmement, des bills pour établir des corporations pour l'administration des cités de Montréal et de Québec ont été rejetés, comme n'ayant pas été dressés convenablement pour avancer les intérêts généraux de ces villes, mais comme tendant à avancer l'avantage privé d'individus particuliers. Cinquièmement, quelques bills pour améliorer l'administration de la justice ont été rejetés sous les circonstances suivantes. Dans les années 1819, 1821 et 1823, des bills pour le même objet furent envoyés du conseil à l'assemblée et rejetés par l'assemblée. En 1824 l'assemblée envoya au conseil un bill qui échoua parce que le conseil n'eut pas assez de loisir pour le considérer avant la fin de la session. En 1826 un autre bill envoyé de l'assemblée subit de grands amendemens dans le conseil, mais échoua à cause de l'époque tardive où il avait été envoyé. En 1827 il y eut dans le conseil une seconde lecture d'un bill pour l'administration de la justice, mais la prorogation de la chambre arrêta les procédés ultérieurs. Sixièmement, un bill pour le règlement des prisons a été rejeté sur le motif qu'on aurait du pourvoir à cet objet par une taxe locale, au lieu d'en rejeter les charges sur le revenu public. Septièmement, un bill pour régler la place de juge de paix a été rejeté, parce qu'il fixait la qualification à un revenu de £100 sur des biens fonds en propre, et le conseil était d'opinion que la chose ne convenait pas aux circonstances du pays, et aurait exclus un grand nombre de personnes utiles. Huitièmement, le conseil législatif a amendé l'acte des milices en 1827 et l'a renvoyé quatre jours avant la prorogation, mais il ne l'a pas reçu une seconde fois de l'assemblée. Neuvièmement, le bill pour augmenter la représentation de la province a été rejeté pour la raison que j'ai ci-devant mentionnée. Dixièmement, un bill pour la sûreté des deniers publics entre les mains du receveur général,

a été perdu parce qu'il privait le gouvernement exécutif de son autorité sur ce fonctionnaire, et ne requerrait pas qu'il fut rendu compte des deniers publics aux lords commissaires de la trésorerie. Onzièmement, un bill pour l'indépendance des juges a été rejeté, parce que l'effet de ce bill aurait été de mettre les juges dans la dépendance de l'assemblée, en les exposant à accusation et à procès devant ce tribunal. Douzièmement, le bill pour nommer un agent a été rejeté parce qu'il prétendait établir une correspondance distincte entre l'assemblée et l'agent de la colonie, à laquelle le gouverneur n'aurait pas participé. Je dois dire qu'en donnant les raisons du rejet de ces bills, je prends sur moi de parler sur des choses dont je ne suis rien que par information et par oui-dire. Je ne puis répondre de l'exactitude de cet exposé; je puis dire seulement que tel est l'exposé reçu au département colonial.

Quels sont les pouvoirs ordinaires des agents des colonies?—Il y a deux classes d'agents des colonies. Dans les colonies que nous appelons (par une expression malheureuse) "colonies conquises," où il n'y a peu d'assemblée législative, l'agent est nommé par le gouverneur et correspond avec le gouverneur. Il n'y a aucune autre autorité constituée compétente à faire la nomination. Dans les colonies où il y a des assemblées représentatives, l'agent est nommé par un acte de l'assemblée. Il y est nommé par son nom, et il lui est accordé un salaire par l'acte même. L'acte constitue d'ordinaire un comité réuni de l'assemblée et du conseil législatif pour correspondre avec l'agent. Ce fonctionnaire est en communication habituelle avec le département colonial sous les affaires de ses constitués. Tenant compte comme de droit de la disparité des deux places, l'agent d'une colonie est accrédité au département colonial de la même manière qu'un ministre étranger est accrédité au département étranger. Sans doute l'analogie est très imparfaite, mais les fonctions ont une ressemblance générale. Le Canada est la seule colonie possédant une législature représentative, pour laquelle il n'y ait pas d'agent nommé par la législature.

L'espèce d'agent que les deux provinces du Canada désirent d'avoir, diffère-t-elle sur quelque point considérable de l'espèce d'agent que vous avez dit y avoir pour les autres provinces?—Elle n'en diffère, à ce que je crois, que par une circonstance, qu'en Canada l'assemblée veut réserver à elle seule toute la correspondance, et n'y pas faire participer le conseil.

Verriez-vous quelque objection à ce que les Canadas eussent un agent en ce pays de la même manière que les autres colonies possédant des législatures ont des agents?—Au contraire j'y verrais un grand avantage. Je pense que la nomination d'un agent pour une colonie est accompagnée des plus grands avantages tant pour le gouvernement que pour les colons. La seule objection dont je puisse parler est que cette nomination troublerait l'agent actuel dans sa place. Je ne prétends pas dire qu'on doit regarder ceci comme une objection majeure, mais c'est un inconvénient accidentel.

Le motif sur lequel on s'est opposé dans le Bas-Canada à la nomination d'un agent, n'est-il pas que le gouverneur a toujours dit qu'il était le seul canal convenable de communication entre le gouvernement et la colonie?—Je crois que le gouverneur a dit qu'il était le représentant de la colonie. Un langage de cette espèce a peut-être été employé sans beaucoup d'examen, et on ne devrait pas à ce que je conçois le critiquer très fortement.

Dans les colonies qui ont des agents, le gouverneur a-t-il quelque contrôle sur les deniers votés pour le salaire de ses agents?—Sans doute que le gouverneur doit consentir à l'acte qui le nomme.

S'est-il élevé de là des inconvénients dans la pratique, là où l'agent a été obligé de se mettre en quelque manière que ce soit en opposition au gouverneur, de sorte qu'il y ait eu des difficultés au sujet du vote de son salaire?—Jamais, que je me souvienne. Les actes qui nomment les agents arrivent constamment d'année en année.

N'y a-t-il pas un acte de la province du Bas-Canada, d'une date récente, qui rappelle le pouvoir de nommer un agent?—Je ne pense pas d'une date très-récente. J'ai parcouru avec beaucoup de diligence les actes des quinze dernières années, et je ne me rappelle à présent aucun acte semblable.

Le salaire de l'agent actuel, nommé par le gouverneur, n'est-il pas un de ces salaires sur lesquels il y a toujours de la difficulté au sujet de l'appropriation dans le Bas-Canada?—Oui.

Etes-vous d'avis que si on accordait le pouvoir d'appeler au Roi en conseil, cela tendit en quelque manière que ce soit au maintien de la paix dans les provinces?—Il existe à présent un pouvoir d'appel au Roi en conseil sur toutes les affaires judiciaires et sur toutes les affaires législatives. Le Roi en conseil juge en dernier ressort, et législate en dernier lieu.

Le conseil exécutif n'est-il pas la cour d'appel en dernier ressort dans les Canadas?—Le conseil exécutif, avec un président nommé pour cet objet par le gouverneur.

Pour juger les appels des décisions des cours?—Des cours de Québec, de Montréal et des Trois-Rivières; ou peut appeler de sa décision au Roi en conseil.

Pourquoi l'appel ne se ferait-il pas tout de suite des cours de Montréal et de Québec au Roi en conseil?—Dans tous les codes fondés sur le droit civil, une juridiction double ou d'appel forme une partie essentielle du système de jurisprudence; une procédure française suppose toujours un pouvoir d'appel; en le refusant on aurait considérablement dérangé les idées et les habitudes de toute la société.

Le conseil exécutif est-il propre comme cour d'appel à donner satisfaction à la province?—Il contient tous les juges du pays, excepté le juge de la décision duquel il y a appel. Je suppose que c'est le meilleur tribunal constitué qu'on puisse trouver dans la province.

Savez-vous par hasard quels réglemens on a fait dans les Canadas pour la confection ou l'entretien des chemins dans ces provinces?—Ce qu'on peut appeler le bill général des chemins du Bas-Canada est la 36me. de Geo. 3, c. 9. L'effet de ce bill est de mettre tous les chemins publics sous la direction du grand-voyer de chaque district. Les occupants sont obligés d'entretenir les chemins. Si on a besoin d'un nouveau chemin il faut faire application au grand-voyer, et il doit se tenir une assemblée publique à un endroit qu'il fixe par avertissement; il doit entendre les parties, visiter la ligne du chemin proposé, et dresser un ordre pour accorder ou rejeter l'application. Il y a un appel de cet ordre aux sessions de quartier. Il a été fait dans la province différents octrois pour l'amélioration des communications intérieures; j'ai fait une liste de quelques-uns; elle est comme suit: en 1815 il fut accordé £8,600 pour des chemins et des ponts. Dans la même année il fut accordé £25,000 pour le canal de Lachine. En 1817 il fut voté £55,000 pour les communications intérieures par terre et par eau. En 1821 il fut fait un autre octroi de £10,000 pour le canal de Lachine; il fut accordé £12,000 de plus en 1823 pour le même objet. La même année il fut voté £50,000 pour le canal de Chambly. En 1824 on leva un emprunt de £20,000 pour le canal de Lachine; et en 1825 on vota pour des chemins diverses sommes au montant de £2580.

Savez-vous quelque chose de l'application de ces deniers?—Ils sont appliqués par des commissaires nommés par le gouverneur.

Savez-vous si la dépense de ces deniers a produit quelques bons résultats?—Il n'est pas en mon pouvoir de donner aucun renseignement là-dessus.

Pensez-vous qu'on put adopter un système amélioré au sujet des chemins?—Je pense qu'il serait à propos que les affaires de cette nature fussent faites par les habitans du voisinage et sous leur direction immédiate.

Ne serait-il pas à propos qu'il fut nommé un officier dans chaque township ou dans chaque subdivision de la province, lequel serait autorisé à pourvoir à la confection des chemins?—Cela dépend de beaucoup de considérations locales que je ne puis peser; tout ce que je puis dire c'est que selon moi le principe sur lequel il serait à propos d'agir serait de laisser autant que possible les districts locaux régler leurs propres affaires locales.

Savez-vous quels bills ont été passés ayant pour objet de régler l'éducation du peuple?—Les bills pour régler l'éducation sont la 41me. de Geo. 3, c. 17, par lequel le gouverneur a été autorisé à incorporer certaines personnes comme syndics des écoles de fondation royale. Il devait nommer un président. Des écoles libres devaient être établies dans chaque paroisse, et elles devaient être régies par des règles que la corporation ferait.

Cette corporation devait acheter des terres, les paroissiens devaient bâtir la maison d'école, et le gouverneur nommer le maître. Le statut 4 Geo. IV. c. 31, déclarait chaque fabrique ou assemblée de paroisse de la province capable de tenir des biens pour le soutien d'une école élémentaire. Il devait s'établir une école dans chaque paroisse où il y aurait 200 familles. Les écoles devaient être sous la même administration et la même inspection que la fabrique, et la fabrique avait la permission d'employer un quart de ces revenus au soutien de l'école. L'assemblée a fait divers octrois pour le soutien d'écoles; il a été accordé 400/ pour le soutien d'écoles à Québec et à Montréal, et une autre fois en 1820, 18,000/ pour le soutien d'écoles en général; outre quatre autres octrois qui ont été faits la même année pour le même objet.

Le système établi par ces bills est-il en opération?—J'imagine que le premier acte n'a jamais été mis en force; je crois que l'acte qui établit des écoles élémentaires est en opération.

Savez-vous quelque chose du système d'éducation suivi dans ces écoles?—Rien du tout.

S'en plaint-on du tout par rapport à son caractère religieux?—Je n'ai jamais entendu de plaintes semblables.

Savez-vous s'il y a beaucoup de querelles dans le Bas-Canada au sujet de l'éducation, entre les deux dénominations de chrétiens?—J'ai entendu dire qu'il y en avait eu. Je crois qu'il s'est élevé beaucoup de discussions sur l'acte qui établit la corporation. Les catholiques-romains craignent que leurs enfans ne fussent exposés à quelques tentatives de changer de religion et n'eussent pas jugé à propos de les envoyer à ces écoles.

Connaissez-vous les démarches qu'on a prises pour la répartition du revenu entre les deux provinces?—En l'année 1793 il fut nommé pour la première fois des commissaires pour traiter avec le Haut-Canada au sujet de la collection des droits, et du paiement des remises. Il fut fait en conséquence un accord entre les deux provinces, pour que le Haut-Canada n'imposât pas de droits sur les marchandises importées dans le Bas-Canada; et pour qu'il fut payé à la province supérieure un huitième de tous les droits prélevés dans la province inférieure. Cette convention devait être en force jusqu'en décembre 1796. En 1796, il fut nommé une autre commission d'arbitrage avec le Haut-Canada. En l'année 1798 les pouvoirs de cette commission furent prolongés, et le nombre de ses membres augmenté. L'année suivante, 1799, on termina un contrat dont je ne comprends pas exactement les termes; mais je pense qu'en effet il continuait l'arrangement précédent. En l'année 1800, il fut nommé de nouveaux commissaires. En l'année 1801, on fit revivre une troisième fois l'ancien contrat. Il y eut en 1804 une autre nomination de commissaires; et en 1805 le contrat fut confirmé de nouveau. En 1811 l'arrangement fut continué jusqu'en 1814; cette année là il fut prolongé encore jusqu'en 1816. En 1817, il fut encore nommé des commissaires qui devaient se rencontrer, et dans l'intervalle le Haut-Canada reçut 20,000/ à compte. En 1818 il fut fait un nouveau pacte avec le Haut-Canada; les faits en étaient que cette dernière province recevrait un cinquième de tous les droits, et qu'il ne s'y prélèverait pas de droits d'importation. Les provinces ne purent après cela en venir à aucun arrangement; et le parlement passa l'acte qui accordait un cinquième au Haut-Canada, jusqu'à ce que les arbitres eussent examiné le sujet. Le résultat de cet examen a été de donner un quart au Haut-Canada.

Il y a dans l'acte de la 31me. Geo. 3, qui accorde la constitution, une clause où il est statué que quand la législature provinciale fera quelques dispositions au sujet des terres ecclésiastiques, soit en modifiant l'état de ces terres, ou en prétendant régler la nomination aux bénéfices, ces actes doivent être soumis au parlement britannique, et si le parlement britannique désapprouve ces actes de la législature provinciale, le parlement britannique est autorisé à faire une pétition au Roi pour qu'il refuse sa sanction. Pensez-vous qu'il y ait quelque possibilité d'étendre cette espèce de remède à aucune des matières qui ont été des sujets de dissensions entre les deux corps législatifs du Canada?—Je pense que ce ne serait rien autre chose que de transporter au parlement le devoir dont les ministres de la couronne sont à présent chargés. Ces controverses au lieu d'être dissentées à Downing-street, auraient lieu dans une de ces chambres de comités. Je comprends que le plan suggéré est ceci; supposant que l'une des deux chambres de l'assemblée générale passe un bill et que l'autre le rejette, le parlement déciderait si le bill a été rejeté avec droit. Si vous adoptés cette mesure, je pense que dans ce cas il vous faudra nommer ici un comité permanent sur le Canada; et je suis bien convaincu que les deux chambres de l'assemblée générale fourniraient à ce comité une telle abondance de besogne que ses devoirs seraient d'une nature extrêmement redoutable. J'avoue qu'en comparaison je trouve la présente constitution infiniment meilleure.

Quelle opinion sur le tout, est que rien de semblable ne pourrait être mis en pratique?—Oui; l'objection pratique est qu'on vous donnerait plus de besogne que vous n'en pouvez jamais dépêcher.

Jeudi, 26me jour de juin, 1828.

M. William Hamilton Merritt, introduit; et examiné.

Etes-vous natif du Haut-Canada?—Oui.

Etes-vous propriétaire dans cette province?—Oui.

Etes-vous du tout au fait des disputes qui ont lieu maintenant en cette province au sujet des réserves du clergé?—Je n'en suis pas particulièrement au fait. Je connais la situation des réserves du clergé et la manière dont elles sont tenues.

L'amélioration du pays est-elle considérablement retardée par la manière dont les réserves du clergé ont été disposées?—Oui; leur isolement et leur distribution sur toute l'étendue du pays font tort à l'établissement du reste, parce qu'elles ne contribuent pas également à l'amélioration générale.

Pensez-vous qu'il serait possible dans le cours de quelques années de vendre une partie considérable des réserves du clergé?—Je le penserais, si le pays était convenablement amélioré; mais dans la situation actuelle de ce pays il est impossible de vendre des terres à aucun prix qui approche de leur valeur réelle; et je désire attirer particulièrement l'attention du comité sur ce sujet, pour faire voir par comparaison la valeur des biens dans le Haut-Canada et dans l'état de New-York, et le prix des terres dans les deux pays.

À quelle cause attribuez-vous la différence de valeur entre les terres du Haut-Canada et celles de l'état de New-York?—La principale cause se trouve dans la frontière actuelle ou dans la présente division du pays qui nous interdit les avantages que nous retirerions en participant à la richesse commerciale du pays, et en nous mettant à même d'en améliorer les communications intérieures. Les terres du Haut-Canada ne valent pas un quart de ce qu'elles valent dans l'état de New-York; et les biens en général pas un dixième.

À quels districts particuliers du pays faites-vous allusion?—Je fais allusion à l'étendue totale des deux provinces, excepté 150 milles sur le St.-Laurent dans le Haut-Canada, entre la ligne frontière et Kingston; dans cette étendue nous avons des avantages égaux dans nos communications intérieures et les biens ont une égale valeur d'un côté ou de l'autre, suivant leur position locale.

Vous désirez désigner quelque endroit particulier du Haut-Canada auquel vos observations

tions s'appliquent?—Partout au-dessus de Kingston; particulièrement sur le lac Erie ou en haut de la rivière Niagara.

De quelle manière l'absence d'un port de mer affecte-t-elle la valeur des terres dans le Haut-Canada?—En nous interdisant toute participation aux richesses de la ville où se trouverait ce port. Les capitaux de tous les pays se concentrent dans les villes; par exemple, la richesse de l'état de New-York se concentre dans la cité de New-York, et la richesse du Haut-Canada se concentre à Montréal. Les gens retirent de New-York une partie de cette richesse pour améliorer le pays, en bâtissant des moulins, en faisant des chemins, des canaux, etc. etc.; en conséquence de quoi, avec le bon marché, la facilité et la régularité de leurs communications, ils peuvent retirer leurs capitaux tous les mois pendant la saison navigable; en faisant moudre des grains et en envoyant la farine au marché. Le bled leur rapporte toujours beaucoup plus, quoique le marché puisse être meilleur pour nous à Montréal que pour eux à New-York; ceci a une tendance à augmenter la valeur des propriétés et à en accélérer les mutations; tandis que chez nous il n'y a pas un seul exemple qu'un marchand de Montréal ou du Bas-Canada ait jamais dépensé un sol dans le Haut-Canada. Il est vrai qu'ils possèdent dans cette province de grands partis de terres, qu'ils ont été obligés de prendre en paiement de mauvaises dettes, mais ils ne dépensent jamais un cheling à les améliorer pour l'avantage général du pays. Nous n'avons pas cinq moulins à farine qu'on puisse regarder comme mercantiles, à soixante milles de la frontière de Niagara, tandis que les Américains en ont plus de cinquante; la conséquence est que tandis que leur bled leur rapporte toujours de l'argent, nous ne pouvons que le trafiquer, et au lieu d'un retour dans le mois, nous ne pouvons employer nos capitaux plus souvent qu'une fois par année à acheter des grains pour faire des remises. Les biens n'ont qu'une valeur nominale, on ne peut les convertir en argent. Nous pensons que si nous avions un port de mer nous améliorerions l'intérieur; nous intéresserions les particuliers à y appliquer de l'argent, nous créerions des affaires; nous produirions un changement total, et nous nous mettrions tout à fait dans une situation aussi avantageuse que nos voisins.

Si un marchand de Montréal avait des capitaux à employer, et qu'il eut occasion de les appliquer avec avantage dans le Haut-Canada, serait-il empêché de le faire par la circonstance que le pays est soumis à une juridiction différente?—Non; mais nous savons que le Haut-Canada n'est pas maintenant dans une situation à permettre l'emploi avantageux de capitaux, et nous pensons qu'il ne le sera jamais aussi longtemps que subsistera une ligne frontière déraisonnable. Depuis plusieurs années presque tous les marchands britanniques ont été mécontents du pays; et une grande partie des capitaux accumulés à Montréal a été transmise soit en ce pays ou dans les Etats-Unis. Nous espérons le mettre dans un état à engager les habitants à réfléchir, en vue de faire du Canada leur résidence permanente, et produire un changement favorable même dans ces dispositions.

Est-ce uniquement dans la vue du retour probable dans le pays des capitaux accumulés à Montréal, que vous recommandez cette mesure, ou est-ce en vue de quelque objet commercial?—C'est en vue des intérêts généraux du pays à tous égards, l'augmentation en capitaux et en crédit qu'un port nous donnerait; nous mettrions à même de travailler de suite à l'amélioration du St.-Laurent, en suivant l'exemple de l'état de New-York. Dans trois ans nous ferions une côte maritime des bords des lacs supérieurs, et nous posséderions presque les mêmes avantages naturels sur les Américains, dans notre accès à l'océan, que nous avons avant la confection de leurs canaux, nous nous débarasserions d'une taxe de £4 10s. sterling par tonneau sur toutes nos importations, et de £1 4s. sur nos exportations; nous sauverions annuellement au pays de £100,000 à £200,000; nous avancerions considérablement les intérêts agricoles et commerciaux de la province, aussi bien que les intérêts mercantiles et ceux des manufacturiers et des propriétaires de vaisseaux en ce pays, et nous augmenterions la valeur des biens de toute espèce, jusqu'à la valeur complète qu'ils ont maintenant dans l'état de New-York.

Ainsi vos plaintes sont que l'assemblée du Bas-Canada n'améliore pas Montréal comme vous le feriez?—Nos plaintes ne sont pas par rapport à la ville de Montréal, mais par rapport à tout le pays; l'amélioration d'une partie sera à l'avantage du reste; toutes les parties n'ont qu'un intérêt général.

Vous plaignez-vous de ce que l'assemblée du Bas-Canada ne se réunit pas à vous pour améliorer la navigation du St. Laurent entre Montréal et votre frontière?—Quand nous voyons un état voisin, sans le secours d'aucun revenu tiré du commerce étranger, et sans droits d'importation d'aucune espèce pour son propre usage, réunir avec l'Hudson, le Lac Erie à partir de Buffalo, le Lac Ontario à partir d'Oswego, et le Lac Champlain à partir de Whitehall, au moyen de canaux pour la construction desquels on a eu à monter des pics élevés et à surmonter les obstacles les plus redoutables; tandis que les sorties naturelles de ces lacs sont par le St. Laurent, et qu'on aurait pu les réunir à l'océan par le Canada au moyen de canaux pour les barques à vapeur ou les gros vaisseaux, pour un quart de l'argent qu'il leur a fallu pour faire leurs canaux à bateaux, nous avons raison de penser qu'il y a eu au moins à ce sujet un grand défaut d'attention. En même temps, j'ai beaucoup de satisfaction à dire que la législation du Bas-Canada a contribué à la réunion du Lac Erie et du Lac Ontario en prenant des actions au montant de 25,000£ dans la compagnie du canal de Welland, et a manifesté en même temps les meilleures dispositions pour l'avancement de toute amélioration utile, et beaucoup de membres en particulier ont depuis exprimé leurs dispositions à aider à l'amélioration du St. Laurent, quoiqu'il ne soit pas raisonnable de supposer, d'après les principes généraux, que les habitants du Bas-Canada puissent sentir le même intérêt à améliorer le pays au dessus d'eux, que ceux qui ont à payer sur chaque quart de fleur qu'ils envoient à Montréal, un tiers de la valeur pour transport, et sur les articles pesants et les plus utiles que nous faisons venir de Montréal, comme le fer anglais, la moitié du prix d'achat. Je mentionnerai un exemple pour prouver ceci. Tous les membres de la cité de New-York s'opposèrent à une appropriation d'argent pour la construction du canal d'Erie; elle fut emportée par l'influence et le nombre des membres de l'ouest, qui trouvaient dans cette entreprise la les mêmes intérêts que nous trouvons dans celle-ci; et quoi qu'il en soit résulté les mêmes avantages pour leur côté, il n'y aurait pas encore aujourd'hui de canal si l'état avait été divisé ou séparé comme nous le sommes dans le Haut-Canada et dans le Bas-Canada au-dessus de Montréal.

Comment une ligne qui ne fait que séparer deux juridictions, peut-elle former une barrière aussi insurmontable à la richesse du Haut-Canada?—En voici simplement la raison: le Haut-Canada ne peut participer à la richesse commerciale et aux avantages d'un port de mer, tout comme il en serait dans l'état de New-York si l'on tirait une ligne à travers l'état au-dessus d'Albany, et qu'on en fit deux états séparés; celui d'en haut ne pourrait participer à la richesse de New-York, et resterait pauvre. La principale cause de la prospérité de cet état est qu'il se fait un retour des capitaux de la ville dans le pays, et que la législation a le pouvoir de commander au crédit et aux capitaux de l'une et de l'autre pour leur avantage mutuel. Les habitants y sont si convaincus qu'on ne pourrait améliorer leurs frontières, qu'avec toutes leurs dispositions en faveur des changements et des expériences, personne ne songe jamais à diviser l'état en deux parties; on en change la constitution, on le divise en comtés et on établit autant de nouvelles places que l'on peut, mais on laisse intactes les bornes naturelles de l'état, quoique la population soit d'environ 2,000,000; tous les états de l'union ou il est possible de rejoindre l'océan par des lignes angulaires, possèdent un port de mer; et ainsi il arrive dans ces états que c'est toujours dans ces villes mêmes qui se trouve l'argent pour effectuer les améliorations intérieures. Lorsque nous voyons deux pays l'un à côté de l'autre, comme la partie ouest de l'état de New-York et le Haut-Canada, possédant des avantages égaux du côté du sol et de l'éclaircissement, et que nous trouvons que l'un s'accroît de la manière la plus étonnante; tandis qu'à parler par comparaison l'autre ne fait aucun progrès, notre attention se porte naturellement à en rechercher la véritable cause. Il y a 46 ans, tout le pays à 300 milles de la rivière de Niagara était complètement un désert. De notre côté sur la frontière de Niagara, les établissements et les améliorations ont été tout aussi vite que de l'autre, jusqu'à la dernière guerre, depuis laquelle a eu lieu l'accroissement rapide de ce dernier côté. On y a emprunté 9,000,000 de piastres sur le crédit de l'état, construit les canaux, et ajouté 100,000,000 de piastres à la richesse de l'état en augmentant la valeur des propriétés. Les péages rendent maintenant l'intérêt de l'argent, et racheteront le principal sous peu d'an-

nées. Il est impossible de concevoir l'effet que produit l'ouverture de ces communications dans un pays nouveau, à moins qu'on en soit témoin. Voilà la véritable cause de la prospérité de cet état, à laquelle il ne serait pas parvenu sans l'aide de la cité de New-York; et je prétends que nous n'avons besoin que de la cité de Montréal pour nous mettre à même de parvenir à des résultats semblables sur un plan beaucoup plus étendu et plus avantageux.

Regardez-vous l'union des deux provinces comme nécessaire pour parvenir à ce but, ou pensez-vous que vous puissiez atteindre suffisamment ce but si les bornes du Haut-Canada s'étendaient aussi bas que Montréal?—Je pense que cela suffirait sans l'union.

Croyez-vous qu'une semblable division répondit à tous les objets de relations commerciales, et qu'elle fût plus avantageuse que l'incorporation des deux provinces en une seule? Je pense finalement une union serait plus avantageuse, mais nous éviterions toutes les difficultés que le peuple du Haut-Canada prévoit si une union devait avoir lieu: il pense qu'il se trouverait sous l'influence d'une majorité du Bas-Canada.

Serait-il possible de faire une division géographique des provinces en tirant une ligne en bas de la rivière des Outaouais, et passant en suite au nord et à l'ouest de Montréal, de manière à n'inclure dans la province supérieure aucune des seigneuries du Bas-Canada?—Non, cela ne se pourrait; il y a quatre ou cinq petites seigneuries entre Montréal et la ligne frontière actuelle.

Supposant qu'on tirât une ligne semblable de l'autre côté depuis Laprairie jusqu'à la rivière Richelieu; y aurait-il des seigneuries au sud et à l'ouest de cette ligne?—Oui, il y en aurait quatre ou cinq.

Une grande proportion de la population anglaise du Bas-Canada n'est-elle pas comprise dans la ville et dans la seigneurie ou l'île de Montréal?—Oui.

Croyez-vous que la majorité des propriétés et de la richesse dans la ville de Montréal soit entre les mains des anglais ou des Canadiens français?—Les français ont pour eux le nombre, mais je penserais que la richesse commerciale est en faveur des anglais.

Tous les droits seigneuriaux de Montréal n'étaient-ils pas entre les mains du séminaire?—Oui; je comprends qu'ils l'étaient, mais le gouvernement y a une réclamation.

Savez-vous que le gouvernement en est venu à un arrangement par lequel il est saisi de ces droits seigneuriaux, dans l'intention d'opérer une mutation de tenure?—Non, je ne savais pas cela.

Ne satisfait-on pas aux intérêts commerciaux du Haut-Canada en y annexant Montréal?—Oui.

De quelle manière les marchandises peuvent-elles être transportées à Montréal?—Un vaisseau de 400 tonneaux peut aller en droite d'ici à Montréal; et comme je l'ai déjà mentionné, quoique la distance soit de 3,200 milles, le fret n'est que 11. 2s. 6d. par tonneau; tandis que pour les 400 milles suivants il est de 6l. 12s. 9d.

Pensez-vous que si vous aviez la ville de Montréal comme port d'entrée, vous pourriez contrôler vos propres importations et lever vos propres droits?—Oui, sans aucune difficulté.

Sans aucune confusion quelconque avec la province du Bas-Canada?—Oui; les habitants de chaque pays pourraient acheter librement dans l'autre.

Supposant qu'un vaisseau destiné au Haut-Canada remontât le St. Laurent, et qu'on ne lui fit payer aucun droit à Québec; ne lui serait-il pas possible, en remontant le fleuve, de décharger ses marchandises par contrebande pour être consommées dans le Bas-Canada?—On ne pourrait faire la contrebande dans le Bas-Canada entre Québec et Montréal avec plus de facilité qu'on ne peut la faire maintenant entre Québec et l'île d'Anticosti. Il n'y a pas maintenant de contrebande, à ma connaissance; et ce serait beaucoup contre les intérêts de ce pays ainsi que contre ceux du Canada, que d'imposer des droits assez élevés pour exciter à la contrebande. Nous ne sommes pas et ne devons pas être considérés comme deux nations étrangères avec des intérêts différents, ni être mis sur ce pied. On met en ce pays à bord d'un vaisseau un état de charge ou permis; avec cela il entrerait à Québec ou à Montréal comme il voudrait.

Savez-vous quelque chose de la contrée qui est en bas de Québec?—Non, je n'ai fait que descendre le fleuve une fois.

Avez-vous objection à l'arrangement qui a été fait au sujet de la division des droits entre le Haut et le Bas-Canada?—Non; je ne regarde pas la division des droits comme importante; il est d'une bien petite conséquence à la prospérité générale du pays, qu'il soit payé quelque loiu de plus ou de moins au Bas ou au Haut-Canada; leur intérêt général est ou au moins devrait être le même: j'ai des garanties de mon opinion au sujet de l'effet des droits, pour en avoir vu la marche dans l'état de New-York, d'où je tire mes conséquences. Cet état ne retire aucun avantage particulier du revenu de ses importations; il est exclusivement sous le contrôle du gouvernement général; cependant il trouve le moyen d'approprier tous les ans des sommes considérables à l'éducation; il paie sa liste civile et accomplit les améliorations intérieures les plus considérables, sans aucun secours du gouvernement général; tandis qu'avec un revenu de 90,000£ par an nous ne pouvons pas même payer notre liste civile. L'objet principal de l'adjonction de Montréal au Haut-Canada, et le plus grand avantage que la province en retirerait, est qu'en mettant la richesse intérieure du pays à sa propre disposition, elle aura les moyens d'approprier une partie de cette richesse à l'amélioration de l'intérieur, et de rendre le pays assez riche pour défrayer ses dépenses domestiques sans dépendre pour tous les objets locaux de taxes sur le commerce britannique.

Croyez-vous que les Canadiens français de Montréal eussent des objections sérieuses à être transportés au Haut-Canada?—Je ne puis le dire. Dans ma propre opinion, ils n'en auraient pas, s'ils avaient occasion de comparer leur présente situation avec les avantages qu'ils retireraient du changement; et je sais que tout le monde dans le Haut-Canada serait en faveur de ce plan.

Pensez-vous que ce serait exactement établir pour cette population des lois nouvelles avec tous leurs incidents?—Je ne vois pas la nécessité de changer les lois qui existent à présent. Je n'ai aucun doute que les lois françaises ne fussent changées graduellement, à mesure que les changements paraîtraient avantageux. Si l'adjonction avait lieu, cette population s'angliciserait rapidement, si l'on en peut juger d'après ce qui est arrivé à la Nouvelle-Orléans; et comme d'après notre position locale cet état de choses doit avoir lieu, je pense qu'il est juste et politique de l'amener aussitôt que possible, à fin que nous ne soyons qu'un peuple.

Quelle est la loi qui règne dans le Haut-Canada au sujet des biens meubles?—La même qu'ici.

Diffère-t-elle en quelque manière de l'administration de la loi au sujet des biens meubles dans le Bas-Canada?—Je ne suis pas au fait de l'administration de la loi dans le Bas-Canada.

Y a-t-il ou n'y a-t-il pas une différence entre la loi des biens meubles dans le Haut-Canada et dans le Bas-Canada?—Je ne puis dire.

Quelques-uns des témoins ont dit devant ce comité qu'il serait aisé dans la pratique d'établir à la ligne actuelle de division entre les deux provinces un système de réglemens de douanes qui mettrait les habitants du Haut-Canada à même d'imposer les taxes qui leur plairaient sur les marchandises qui entreraient dans la province, et de les prélever sans danger de contrebande de la part du Bas-Canada, en cas qu'il y eût une différence de droits entre les deux provinces; est-ce votre opinion que ce fût là un arrangement praticable?—Non; je pense qu'il est tout à fait impraticable.

Voulez-vous dire pourquoi vous pensez ainsi?—Il y a beaucoup de raisons. Si on ouvrait un appas à la contrebande, on ne pourrait la prévenir; par exemple en hiver le pays est couvert de neige, et les contrebandiers pourraient entrer dans le Haut-Canada, tant qu'il leur plairait; ils pourraient y entrer en différentes directions, en bateaux, en traîneaux, en charriots, &c. comme ils faisaient ci-devant la contrebande entre les Etats-Unis et le Canada.

Quelle est l'étendue de la frontière entre le Haut et le Bas-Canada, à travers laquelle la contrebande pourrait se faire?—Elle est d'un grand nombre de milles, depuis St. Régis, vis-à-vis Cornwall, presque toute la longueur du Lac St. François, et de là le long de la ligne jusqu'à la rivière des Outaouais; et aussi tout le long de cette rivière.

Supposant que Montréal fût le port d'entrée du Haut-Canada, qui empêcherait que la contrebande

contrebande ne se fit du Haut-Canada dans le Bas?—Il n'y aurait aucune nécessité de cela. Les habitans du Bas-Canada pourraient aller faire leurs achats au port de Montréal, et les habitans du Haut-Canada aller faire les leurs au port de Québec tout comme ils font maintenant; on ne paie pas de droits en passant la ligne entre Montréal et le Haut-Canada.

Supposant qu'il y eût inégalité de droits dans les deux provinces, et qu'un article payât dans le Haut-Canada des droits moindres que dans le Bas, qu'y aurait-il pour empêcher cet article d'être introduit par contrebande dans le Bas-Canada en conséquence des droits moins élevés?—Si l'une des provinces était assez peu politique pour mettre sur quelque article des droits plus élevés que ceux qui se paieraient dans l'autre province, la conséquence serait que tout le monde irait l'acheter dans l'endroit où il serait à meilleur marché; mais comme je l'ai déjà dit, les droits ne se paieraient pas une seconde fois après que les marchandises auraient été débarquées au port de Québec ou au port de Montréal.

Supposant que le Bas-Canada imposât des droits sur le rum, et que le Haut-Canada n'en imposât aucun sur cet article, ne serait-il pas de l'intérêt des habitans du Bas-Canada d'acheter leur rum à Montréal, et de l'introduire dans la province inférieure pour y être consommé?—Oui.

Supposez-vous qu'il serait possible qu'il y eût un tarif différent dans les deux Canadas, sous des circonstances quelconques?—Non. Les droits sont réglés à présent par les actes de commerce; et si on imposait des droits beaucoup plus élevés sur quelque article, ce serait une mesure aussi nuisible pour nous que pour le producteur ou le manufacturier ici. Donnons pour exemple le rum, le café, le sucre de nos colonies des Indes Occidentales, qui reçoivent nos farines en échange, et les marchandises du manufacturier d'ici. Plus ces marchandises pourront être introduites à bon marché en Canada, plus il y en aura de débit, et des droits modiques nous rapporteront un beaucoup plus grand revenu que des droits élevés. Si le Bas et le Haut-Canada étaient deux pays séparés avec des intérêts distincts, comme les Etats-Unis et le Canada, il serait nécessaire d'établir quelques mesures restrictives pour le passage des lignes; comme les deux provinces sont, il n'en faut pas.

Vous savez que par la cédule de l'acte de commerce de 1824 et 1825, il était imposé divers droits sur les articles qui seraient importés des Etats-Unis dans les deux Canadas, croyez-vous que dans le Haut-Canada le paiement de ces droits n'ait pas été fait en conséquence de la difficulté qu'il y a à empêcher la contrebande?—Pas en général; il peut y avoir de la contrebande pour quelques articles en conséquence de ce que les droits sur ces articles sont trop élevés; mais en général ils ne le sont pas.

Mentionnez l'article dont vous croyez qu'il se fait contrebande?—Je ne puis mentionner aucun article en particulier.

Etes-vous d'opinion qu'en conséquence de l'état de la frontière entre les Etats-Unis et le Haut-Canada, il ne serait jamais possible en pratique d'exiger les droits sur les articles que le Haut-Canada peut tirer des Etats-Unis à meilleur marché que d'Angleterre, y compris le montant du fret?—Non, je ne pense pas; si on impose un droit plus fort sur les articles des Etats-Unis que ne coûteraient la dépense et le risque, il s'introduiront par contrebande, et il sera impossible de l'empêcher. Par exemple, le Haut-Canada était entièrement approvisionné de thé par les Etats-Unis, avant que la compagnie des Indes envoya ses vaisseaux à Québec en droiture (quoique cet article fût absolument prohibé) maintenant c'est le revers du dé, les Américains seront approvisionnés d'articles de manufacture britannique par le Canada, parce que nous les chargeons de moins de droits qu'eux; ils feront la contrebande cent fois contre une plus que nous. Les articles de manufacture britannique s'introduiront par le Saint-Laurent, et si nous augmentons les facilités, ils seront transportés à l'extrémité du Haut-Canada, et delà ils s'introduiront en quantité, par contrebande, dans les Etats-Unis le long de cette ligne.

Pouvez-vous informer le comité jusqu'où la loi anglaise des successions a cours dans le Haut-Canada? A-t-elle été modifiée par quelque statut local?—Non; il a été passé un bill dans la chambre basse, mais pas dans la chambre haute.

Pouvez-vous informer le comité des modifications que ce bill proposait?—Il distribuait d'une certaine manière les biens d'une personne décédée *ab intestat*; mais je ne sais pas exactement comment le partage était.

A l'égard de la loi des hypothèques dans cette colonie, pouvez-vous dire précisément quelle est la loi?—L'hypothèque se donne sur les biens pour sûreté, toute personne peut la forclorre et la vendre.

Dans le fait ce prête-t-il beaucoup d'argent sur la sûreté de l'hypothèque?—Oui.

Y a-t-il un système général d'enregistrement?—Oui; l'enregistrement est très simple, chaque comté a un bureau de registres; si quelqu'un désire acheter une propriété, il va payer 1s. 6d., et il trouve immédiatement si elle est hypothéquée ou non; car si le propriétaire l'a hypothéquée et ne l'a pas fait enregistrer, l'acheteur qui la fait enregistrer la tiendrait de bonne prise.

Ainsi pour avoir effet toutes les hypothèques doivent être enregistrées?—Oui, tout ce qui affecte le transport des immeubles.

Trouve-t-on que ce système opère bien?—On l'approuve universellement, il n'y a personne dans le pays qui n'en ressente l'avantage.

Savez-vous en quelle forme se dressent les contrats de mariage?—On n'y fait pas de contrats de mariage, que je sache; il est bien rare qu'on fasse des conventions de cette espèce.

Y a-t-il un système de substitution de biens?—Non.

Quelles sont les dispositions en faveur des veuves?—Elles ont un tiers à la mort du mari; elles ont droit au douaire suivant les lois anglaises.

Ont-elles le tiers de tous les biens fonciers qu'avait le mari et de tous les conquêtes?—De tout ce qu'il a au temps de son décès; s'il vend quelque immeuble, la femme renonce à son douaire dans le contrat.

Pouvez-vous dire qu'elle est la pratique dominante dans les testaments; est-ce la pratique de faire un aîné, comme l'on dit, ou de laisser ses biens par un partage égal?—Cela dépend entièrement de la volonté du testateur.

Avez-vous vu des exemples de l'un et de l'autre?—Non si une personne ne veut pas partager ses biens, elle ne fait pas de testament, parce qu'ils passent alors au fils aîné.

Quelle est sur les deux cas la pratique la plus fréquente?—La pratique générale est de faire un testament.

Croyez-vous que les émigrés américains qui se sont établis dans le Haut-Canada soient attachés aux lois du Haut-Canada, ou qu'ils donnent la préférence aux lois des Etats-Unis?—Je pense qu'ils sont décidément aux lois du Haut-Canada, qui sont très ressemblantes à celles des Etats-Unis. Les habitans du Haut-Canada sont plus attachés à la forme présente du gouvernement qu'ils ne le sont à celui des Etats-Unis. Ils en ont donné la preuve la plus convaincante par leur conduite durant la dernière guerre, au commencement de laquelle il n'y avait qu'un régiment de soldats, le 41^e, sur toute la frontière entre Kingston et Sandwich. Le pays a été envahi à plusieurs reprises dans le cours de cette année là; et c'est à ses habitans composés comme alors, qu'on doit faire honneur de sa défense, principalement durant cette époque. Ces gens avaient été admis en Canada avant la guerre sur les principes les plus libéraux; et la mesure la plus impolitique et la plus nuisible que le gouvernement de ce pays ait jamais adoptée à cet égard, a été de les exclure depuis. Je suis de connaissance certaine que beaucoup de gens ont vendu leurs biens dans l'état de New-York, où il était mécontents de payer de fortes taxes pour le soutien d'une guerre qu'ils regardaient comme injuste, et qu'étant venus à la frontière dans le dessein de s'établir dans le Haut-Canada, et y trouvant de l'empêchement, ils se sont rendus avec leurs capitaux dans l'état de l'Ohio, à l'accroissement sans exemple de cet état. Nous avons essentiellement contribué au tort considérable, qu'à éprouvé le Haut-Canada, et à la dépréciation des biens. Les Américains sont le peuple le plus utile et le plus entreprenant pour l'établissement d'un nouveau pays, et leur principe est de défendre le pays dans lequel ils vivent, et non celui où ils sont nés; et beaucoup qui n'étaient pas établis en Canada depuis un an, se sont montrés aussi fidèles que les sujets nés.

Quelque loyal qu'ait pu être en général le caractère des émigrés Américains n'y a-t-il pas en quelques exceptions?—Oui, il y en a eu un petit nombre, mais absolument aucun parmi les Européens en proportion de leur nombre.

Etes-vous natif du Haut-Canada?—Je n'en suis pas natif; mon père était un loyaliste américain et il m'est arrivé de naître dans l'état de New-York; mais j'ai passé toute ma vie dans le Haut-Canada, et mes sentimens sont entièrement Canadiens.

Croyez-vous que le vœu dominant des habitans du Haut-Canada soit de conserver leurs liaisons avec ce pays?—Oui. Jamais pays n'a été plus heureusement situé que le Haut-Canada dans sa liaison avec ce pays. Par son sol, son climat et sa situation, la province doit être entièrement agricole; vous recevez ses produits à des termes plus favorables que les produits des Américains; nous recevons les articles de vos manufactures en payant un droit modéré d'environ deux et demi par cent, tandis que les Américains payent maintenant de 50 à 100; conséquemment nous devons nous approvisionner à beaucoup meilleur marché. Non seulement toute personne verra cette avantage, mais elle le sentira, de sorte qu'en vous assurant de notre intérêt vous avez la meilleure garantie de notre attachement et de notre connexion. Nous sommes naturellement les rivaux des Américains; nous produisons les mêmes articles, nous recherchons les marchés les plus avantageux, et travaillons de part et d'autre à retirer réciproquement les produits par nos diverses voies de communication. Tout ce que nous désirons, comme je l'ai déjà dit, pour mettre le Haut-Canada dans la situation la plus à envier, est une immigration non restreinte, une communication non interrompue avec l'océan, et la possession d'un port de commerce.

Indépendamment des avantages que la province retire du commerce de ce pays, croyez-vous qu'elle désire continuer d'être une province de ce pays?—Oui, la seule mesure adoptée par notre gouvernement, qui, à ce que je sache, ait causé un mécontentement général, est d'avoir mis des restrictions à l'immigration. La raison que j'ai entendue donner pour justifier cette mesure immédiatement après la guerre, temps où elle eut lieu, était que l'admission d'émigrés américains serait un moyen de semer des principes démocratique, quoiqu'il ne fut résulté aucun mal de l'admission de ceux qui étaient venus avant la guerre; au contraire, ils se sont montrés également zélés dans la défense du pays. S'il était vrai que leur forme de gouvernement convint mieux à notre pays il est tout à fait impossible, vu nos relations continuelles avec eux, d'empêcher que nous ne nous pénétrions de ces principes; et toute tentative pour l'empêcher est une reconnaissance que nous les croyons meilleure et nuit beaucoup plus qu'elle ne fait de bien. La partie des habitans des Etats-Unis qui s'établirait en Canada donnerait une préférence décidée à notre gouvernement, et procurerait les meilleurs sujets et les meilleurs colons, sur le même principe et pour la même cause qu'une grande majorité des anglais, les écossais et les irlandais qui s'établissent en Amérique deviennent les plus violens démocrates; car ni un parti ni l'autre n'aurait s'établir sous un gouvernement sans être prédisposé en sa faveur. La seule différence qu'il y ait dans la forme du gouvernement entre l'état de New-York et le Haut-Canada, consiste dans la nomination du gouverneur, de la chambre haute ou conseil législatif, et des magistrats; chez nous le premier est nommé par la couronne durant plaisir, la chambre haute à vie (indépendante à la fois de la couronne et du peuple,) les magistrats, &c. par l'exécutif; nos officiers de paroisse sont choisis par le peuple. Dans l'état de New-York on élit le tout, et ce n'est qu'en cela que nous différons. Nous avons tout l'avantage de sa démocratie sans ses maux concomitans. Là les gens sont continuellement en élections, et occupés à changer tous les fonctionnaires de l'état depuis le gouverneur jusqu'au constable, la constitution, enfin tout. Dans un changement récent à leur constitution il ont adopté le suffrage universel, comme on l'appelle, ne faisant aucune attention aux propriétés. Epreuve faite, on a trouvé que cela causait beaucoup de mécontentement parmi eux. Un fonctionnaire étant sous la dépendance de la faveur populaire, se fait un devoir (s'il veut garder sa place,) de plaire à la majorité, à droit ou à tort, et ne peut agir d'une manière indépendante. Beaucoup d'entr'eux en sentent l'effet, et nous le voyons; et je suis convaincu qu'il n'y en a que peu en Canada, s'il y en a, qui désirent un changement. Ainsi indépendamment de nos intérêts qui sont le motif dominant, nous avons de bonnes raisons d'être contents de notre forme de gouvernement.

Ainsi vous pensez que le vœu dominant est de ne pas rendre le gouvernement plus démocratique qu'il ne l'est à présent?—Je le pense.

Y est-on content de la constitution du conseil législatif telle quelle est composée à présent?—On l'est autant que j'en ai connaissance; il serait mieux qu'on nommât au conseil législatif des personnes distribuées plus généralement dans l'étendue de la province que d'en prendre une si grande proportion à York, vu que cela donnerait plus de poids à ce corps; et je pense que les dernières nominations ont porté sur des membres plus éloignés. On en faisait ainsi dans les commencemens.

Y est-on content de la constitution de la corporation du clergé?—Ceux qui ne sont pas membres de l'église d'Angleterre n'en sont pas contents. L'église d'Ecosse veut avoir sa part des biens, et si elle l'avait, et qu'ils ne fussent partagés qu'entre ces deux églises, je pense qu'en général le peuple serait beaucoup plus mécontent qu'il ne l'est maintenant, parce toutes les autres croyances y prétendraient.

Quelle est la croyance religieuse dominante dans le Haut-Canada?—La province est partagée entre un certain nombre, je pense que les méthodistes forment la secte dominante, et je pense qu'ils ont fait plus de biens qu'aucun autre.

Vouslez-vous dire les méthodistes wesleyens?—Ils ont la même foi, mais ils appartiennent à une conférence établie dans l'état de New-York; ils sont venus dans le pays peu après son établissement.

Se réunissent-ils du tout avec l'église d'Angleterre?—Non, ils sont absolument séparés. Leurs ministres sont-ils en général Américains ou Anglais?—Ils sont partagés; il y a parmi eux nombre de Haut-Canadiens.

Avez-vous quelque raison de croire que des personnes de diverses croyances religieuses aient pour habitude de se conformer au culte de l'église d'Angleterre lorsqu'il y a des églises de bâties et des ministres de placés?—Je ne pense pas que cela soit; je ne pense pas qu'on en aime la forme en général; ma raison est qu'il y en a beaucoup plus des autres croyances que de l'église d'Angleterre.

À quelle croyance appartenez-vous vous-même?—J'appartien à l'église d'Angleterre.

Savez-vous par hasard combien de membres de l'assemblée du Haut-Canada sont membres de l'église d'Angleterre?—Je ne le sais pas.

Les églises sont-elles extrêmement fréquentées à votre connaissance?—Elles le sont en quelques endroits, cela dépend entièrement de leur situation.

Connaissez-vous l'acte qu'on connaît sous le nom d'acte de sédition?—Oui.

Savez-vous l'histoire de cet acte?—C'était un acte passé il y a long-temps durant les troubles d'Irlande, pour empêcher de venir dans le pays les irlandais qu'on supposerait entretenir des principes dangereux; la seule fois qu'on l'a fait mis en exécution à ce que je sache, a été dans le cas de M. Gourlay.

Quels sont les pouvoirs qu'il donne; il donne pouvoir à un commissaire de la cour du banc du roi de faire sortir une personne du pays; si je vais faire serment que je crois que telle personne n'a pas prêté le serment d'allégeance dans un certain temps, et que c'est une personne dangereuse, le commissaire commande à cette personne de sortir du pays, et s'il ne lui plaît pas de sortir elle est emprisonnée.

N'y a-t-il aucun appel?—Non, M. Gourlay est un exemple du cas; on lui commanda de quitter le pays, il ne le voulut pas et fut emprisonné.

La chambre d'assemblée a-t-elle à plusieurs reprises passé des bills pour se défaire de cet acte?—Oui.

Ont-ils été constamment rejetés dans le conseil législatif?—Oui.

Il est donc en existence maintenant?—Oui.

Savez-vous par hasard par quelles majorités de la chambre d'assemblée ces bills ont été emportés?—Ils ont été emportés presque unanimement dans la chambre d'assemblée.

Depuis quelque temps ce bill n'a-t-il pas toujours été le premier que la chambre d'assemblée ait passé avant de procéder sur les autres affaires?—Oui.

Savez-vous sur quel principe le conseil législatif refuse de rappeler le bill?—J'ai entendu dire qu'il avait rejeté le bill parce qu'il trouvait que l'existence de cet acte n'avait produit aucun mal, et qu'il ne trouvait pas nécessaire de le rappeler; mais dans mon opinion ce serait une excellente chose si on s'en défaisait; c'est une loi inutile, et qui cause des mécontentemens dont il n'est pas besoin.

Suivez-vous quelque profession en Canada?—Non, je n'en suis aucune.

Tenez-vous quelque place sous le gouvernement?—Rien qu'une place honoraire; je suis commissaire de la paix.

Etes-vous propriétaire d'immeubles dans le Haut-Canada?—Oui.

Vous dites qu'il a été passé une loi pour empêcher l'introduction des irlandais dans le Haut-Canada; y a-t-il en ce moment quelque préjugé contre l'introduction d'émigrés irlandais?—Au contraire, on la regarde comme très avantageuse.

Est-ce l'opinion générale dans le Haut-Canada, que les intérêts et les ressources de la province trouveraient un avancement essentiel dans l'augmentation de sa population?—Certainement, les intérêts et les ressources du Haut-Canada trouveraient un avancement essentiel dans une augmentation de population.

Pensez-vous que la législation du Haut-Canada fût prête à concourir à toute mesure pour une accession à la population du pays?—Je le pense; mais cela dépendrait du pied sur lequel on demanderait sa concurrence; elle ne pourrait à présent y contribuer par un octroi d'argent; si la situation naturelle de la province est améliorée de la manière que j'ai mentionnée, elle sera capable d'aider de tout manière.

Pensez-vous que si elle avait les moyens d'aider pour cet objet, elle fût disposée à le faire?—Oui, si nous sommes mis dans la même situation que l'état de New-York, en possédant un port en propre, nous serons capables de contribuer à toute mesure pour l'avancement du pays.

Dans quelle partie du Haut-Canada résidez-vous?—Dans le district de Niagara.

Savez-vous quelque chose sur la manière dont on y administre la justice?—Oui. Y est-elle administrée sur un pied respectable, ou y est-elle désapprouvée?—Elle y est administrée sur un pied respectable.

Samuel Gale, écuyer, réintroduit; et examiné.

Vous avez déjà dit au comité que vous étiez ici en vue de représenter les sentimens et les opinions des habitans des townships du Bas-Canada; le comité désire vous interroger sur la tenure des terres dans les townships du Bas-Canada, et en particulier sur les lois qu'on soutient y être applicables; le comité est informé que suivant l'opinion de beaucoup de personnes, quoique les terres soient tenues en franc et commun socage, cependant toutes les lois françaises s'y appliquent tant à l'égard du douaire que de l'aliénation des successions, et des sûretés pour l'argent emprunté; quelle est votre opinion sur ces matières?—Je suis d'opinion que l'acte des tenures du Canada, n'a pas établi un droit nouveau, mais a confirmé la loi pré-existante pour les terres des townships. Je regarde l'acte des tenures du Canada, en un mot, comme n'étant rien de plus que ce qu'ils s'annoncent être, savoir un acte déclaratoire; mon opinion sur ces matières, même avant la promulgation de l'acte des tenures du Canada, était que les lois anglaises seules pouvaient légalement être appliquées aux terres en franc et commun socage.

Vous voulez dire avec tous leurs incidens?—J'ai supposé que tous les incidens qui se rapportent aux terres en franc et commun socage dans les townships du Bas-Canada, étaient les mêmes que ceux qui, tirés des lois anglaises, ont toujours été regardés comme applicables aux terres en franc et commun socage, lors de l'établissement des autres colonies anglaises.

Est-ce là l'opinion générale qui règne dans les townships?—Je sais que c'est l'opinion dominante dans les townships, et je puis dire que c'était l'opinion de la plus haute considération en Angleterre dans le temps que fut passé l'acte de 1791 qui donnait une constitution au Bas-Canada; j'ai entendu dire que M. Grenville envoyait dans le Bas-Canada un projet de l'acte de 1791, sur lequel projet il avait écrit positivement dans une note à la marge, que comme l'acte de la 14^{me}. George Trois (1774) exemptait les terres en socage des lois françaises, on les regardait comme toujours être en franc et commun socage, et ils sont de plus exposé que vu le défaut d'enregistrement leurs titres ont beaucoup moins de valeur, n'y ayant aucune sûreté dans les titres; et que l'établissement de ces bureaux remédierait au mal, et ne serait suivi d'aucune dépense pour le gouvernement, vu que les honoraires d'office, tels qu'établis dans la province voisine, défrayeraient pleinement l'enregistrement.

Si vous avez raison de dire que suivant la manière dont vous interprétez la loi, les lois anglaises subsistent dans les townships, et si vous avez aussi raison de dire qu'en fait de pratique les lois anglaises ont prévalu dans les townships, où est le grief, et comment se fait-il que les personnes qui désirent que les lois anglaises dominent n'aient jamais fait décider la question dans une cour de justice?—Je n'ai pas dit que les lois anglaises eussent été généralement mises en opération pour les terres des townships; une des difficultés dont les habitans se plaignent, est qu'ils n'ont pas eu de cours parmi eux pour établir quelle serait la pratique, et qu'on les a tenus pour ainsi dire hors du giron de la loi; j'ai dit seulement que dans tous les cas qui sont venus à ma connaissance avant la promulgation de l'acte des tenures du Canada, les immeubles dans les townships avaient passé au fils aîné au décès *ab intestat* du propriétaire, et que les transports se font souvent suivant les lois anglaises. Mais je crois que dans quelques cas où des terres dans les townships ont été vendues par le shérif, les deniers provenus des ventes ont été distribués par ordre des cours de justice tout comme si les hypothèques tacites et autres s'appliquaient à ces terres. Il est vrai que dans ces cas je ne sais pas qu'il y ait eu de contestation dans les cours de justice, sur le motif que d'après les lois anglaises ces hypothèques n'avaient pas d'application; les parties auraient eu peu de droit à trouver mauvais ce à quoi elle avaient consenti, soit pour éviter des frais de cour, ou pour d'autres raisons; mais je sais qu'il y avait des personnes disposées à contester sur ce point, dans la première affaire où elle auraient été intéressées, et que si la décision des cours du Canada leur avait été contraire, elles en auraient appelé en Angleterre. Quand aux griefs des townships, ils sont contenus dans les pétitions devant le comité, qui exposent non seulement les sujets que j'ai mentionnés dans mes réponses d'aujourd'hui, mais aussi le défaut de lois suffisantes pour les chemins, le défaut de représentation, et d'autres maux.

Ainsi en matière de fait autant que les cours de justice ont rien décidé sur ce sujet, elles ont décidé que les lois du Canada étaient applicables?—On ne peut dire que les juges aient décidé sur ce sujet lorsqu'il n'y a pas eu de contestation; sans doute dans les cours des seigneuries ils continueraient à appliquer les lois françaises à la distribution des deniers provenus des ventes d'immeubles par le shérif, si on n'opposait pas que les terres dont la vente a produit ces deniers étaient situées dans les townships, et qu'on ne s'opposât pas sur ce motif à l'application des lois françaises.

Y a-t-il quelque chose dans cette réponse qui ne s'accorde pas avec les détails que vous avez fait précédemment?—Pas le moins que ce soit, à ce que je pense.

Pouvez-vous prendre sur vous de dire que vous savez quelle était réellement l'état de la loi dans les townships du Bas-Canada avant la promulgation de l'acte des tenures du Canada?—J'ai déjà dit qu'avant ce temps il y avait deux opinions à cet égard; et il n'y a jamais eu dans les townships des cours qui eussent juridiction sur les immeubles. Les seules cours qui eussent juridiction sur les immeubles dans le Bas-Canada ont été établies dans les seigneuries.

Les opinions étaient-elles partagées d'un côté et de l'autre?—Il y en avait qui étaient partagées entre les deux opinions avant la promulgation de l'acte des tenures du Canada, mais d'autres n'ont eu qu'une opinion avant et depuis.

Quelle a été la pratique actuelle au sujet de la loi dans les townships?—Il n'est pas aisé de définir la pratique là où il n'existe pas de cours pour en établir une; Je suppose qu'elle était conforme à ce qu'on pouvait attendre de personnes qui avaient des opinions différentes sur la question; ceux qui supposaient que les lois anglaises y avaient cours s'attachaient probablement de régler leurs transactions d'une manière qui leur fût conforme, en conformité à leurs propres opinions.

Pouvez-vous dire quelle a été en général la conduite des particuliers au sujet de l'application de la loi à leurs immeubles dans les townships du Bas-Canada?—Il est probable, quoique je ne puisse l'assurer, que plusieurs peuvent avoir partagé des biens comme ils auraient fait si les lois françaises eussent été en force, mais d'autres ont laissé le partage se faire comme si les lois anglaises eussent dominé.

N'est-il pas d'un usage ordinaire même dans les seigneuries, que les enfans cadets cèdent par arrangement le droit que leur donne la loi, et le laissent au fils aîné?—Je n'ai jamais rien connu de ce genre, et il n'est pas très-conforme aux habitudes humaines en général de céder des droits que l'on a sur des biens sans compensation ou équivalent.

Y a-t-il jamais eu entre l'année 1774 et la promulgation de l'acte des tenures du Canada, quelque décision des cours de justice qui ait décidé que les lois anglaises avaient lieu dans les townships et non les lois du Canada?—J'ai déjà dit que je ne savais pas qu'aucune contestation légale sur ces points particuliers se fût élevée et eût été décidée dans une cour de justice.

Quelle a été la pratique à l'égard des successions aux terres tenues en franc et commun socage?—A l'égard des terres des townships, je ne connais pas un seul exemple de partage dans le cas de décès *ab intestat*, lorsqu'il y avait un fils; quoique je ne puisse rendre sur moi de dire qu'un partage volontaire ne puisse avoir eu lieu quelquefois; mais j'ai vu des cas où le fils aîné a tout pris.

Si vous n'avez jamais vu d'exemples de l'application des lois du Canada dans le cas de décès *ab intestat*, quelle loi y était appliquée?—J'ai connu des gens qui partageaient suivant la loi anglaise, que je regarde comme la loi du Canada pour les terres socagères, comme la loi française est la loi du Canada pour les seigneuries.

Voulez-vous dire que dans les townships il a été généralement d'usage que le fils aîné excluât tous les autres membres de la famille?—Je n'ai jamais connu d'exemple du contraire, lorsqu'il n'y avait pas de testament; mais je crois qu'en général les habitans des townships font des testamens si leurs biens sont de quelque valeur.

Croyez-vous que cet état de choses soit agréable aux desirs du peuple?—Non; je crois que la plus grande partie du peuple des townships aimerait mieux une loi qui réglerait le partage comme l'affection paternelle porterait probablement les gens à le faire d'eux-mêmes, c'est-à-dire un partage égal; je crois que ce sont là leurs dispositions; mais en même-temps ils voient que les lois anglaises les libèrent de tant de désavantages à d'autres égards (outre que ce sont des lois dont ils savent quelque chose ou qu'ils peuvent apprendre dans leur propre langue,) qu'ils les recevraient volontiers même avec ce qu'ils regardent comme une imperfection à l'égard de la loi des successions aux immeubles au défaut de testament, parce que ceux qui n'aiment pas cette loi de succession peuvent en prévenir les effets en faisant un testament dès que cela leur plaît.

Quand vous parlez des avantages des autres institutions qui se rattachent à la tenure anglaise, pouvez-vous dire avec assurance que c'est le desir des habitans des townships que l'application des lois françaises n'aient pas lieu sur les terres tenues en franc et commun socage, mais qu'ils voudraient qu'on y appliquât les principes du droit anglais qui regardent les diverses matières des sûretés pour l'argent emprunté, des transports de terres aux acheteurs, du douaire, et de la loi de succession?—Je suis parfaitement convaincu que presque tous les habitans anglais qui composent à peu près la population totale des townships, désirent que les principes du droit anglais soient appliqués à ces terres, de la même manière que ces principes subsistent en d'autres colonies anglaises, et que ces terres ne soient pas sujettes aux incidens défavorables des lois françaises, c'est-à-dire aux hypothèques générales, aux hypothèques tacites de toute espèce, au douaire français, et à une variété de charges dont plusieurs ne laissent aucun moyen de les connaître, et qui opèrent contre la liberté et la sûreté des mutations, et détruisent la confiance dans les titres et dans les garanties, gênant par là le commerce et les améliorations. En outre les townships désirent des bureaux d'enregistrement pour consigner les transports et les charges des biens, comme dans le Haut-Canada, parceque comme les habitans des townships l'ont dit dans quelques unes de leurs pétitions à l'assemblée, ils ne peuvent entreprendre de certitude dans les transactions qui regardent les immeubles, et que les parents ne peuvent pas non plus s'assurer qu'ils ne léguent pas à leurs enfans des procès (1774) exemptant les terres en socage des lois françaises, on les regardait comme toujours être en franc et commun socage, et ils sont de plus exposé que vu le défaut d'enregistrement leurs titres ont beaucoup moins de valeur, n'y ayant aucune sûreté dans les titres; et que l'établissement de ces bureaux remédierait au mal, et ne serait suivi d'aucune dépense pour le gouvernement, vu que les honoraires d'office, tels qu'établis dans la province voisine, défrayeraient pleinement l'enregistrement.

Si vous avez raison de dire que suivant la manière dont vous interprétez la loi, les lois anglaises subsistent dans les townships, et si vous avez aussi raison de dire qu'en fait de pratique les lois anglaises ont prévalu dans les townships, où est le grief, et comment se fait-il que les personnes qui désirent que les lois anglaises dominent n'aient jamais fait décider la question dans une cour de justice?—Je n'ai pas dit que les lois anglaises eussent été généralement mises en opération pour les terres des townships; une des difficultés dont les habitans se plaignent, est qu'ils n'ont pas eu de cours parmi eux pour établir quelle serait la pratique, et qu'on les a tenus pour ainsi dire hors du giron de la loi; j'ai dit seulement que dans tous les cas qui sont venus à ma connaissance avant la promulgation de l'acte des tenures du Canada, les immeubles dans les townships avaient passé au fils aîné au décès *ab intestat* du propriétaire, et que les transports se font souvent suivant les lois anglaises. Mais je crois que dans quelques cas où des terres dans les townships ont été vendues par le shérif, les deniers provenus des ventes ont été distribués par ordre des cours de justice tout comme si les hypothèques tacites et autres s'appliquaient à ces terres. Il est vrai que dans ces cas je ne sais pas qu'il y ait eu de contestation dans les cours de justice, sur le motif que d'après les lois anglaises ces hypothèques n'avaient pas d'application; les parties auraient eu peu de droit à trouver mauvais ce à quoi elle avaient consenti, soit pour éviter des frais de cour, ou pour d'autres raisons; mais je sais qu'il y avait des personnes disposées à contester sur ce point, dans la première affaire où elle auraient été intéressées, et que si la décision des cours du Canada leur avait été contraire, elles en auraient appelé en Angleterre. Quand aux griefs des townships, ils sont contenus dans les pétitions devant le comité, qui exposent non seulement les sujets que j'ai mentionnés dans mes réponses d'aujourd'hui, mais aussi le défaut de lois suffisantes pour les chemins, le défaut de représentation, et d'autres maux.

Ainsi en matière de fait autant que les cours de justice ont rien décidé sur ce sujet, elles ont décidé que les lois du Canada étaient applicables?—On ne peut dire que les juges aient décidé sur ce sujet lorsqu'il n'y a pas eu de contestation; sans doute dans les cours des seigneuries ils continueraient à appliquer les lois françaises à la distribution des deniers provenus des ventes d'immeubles par le shérif, si on n'opposait pas que les terres dont la vente a produit ces deniers étaient situées dans les townships, et qu'on ne s'opposât pas sur ce motif à l'application des lois françaises.

Y a-t-il quelque chose dans cette réponse qui ne s'accorde pas avec les détails que vous avez fait précédemment?—Pas le moins que ce soit, à ce que je pense.

Pouvez-vous prendre sur vous de dire que vous savez quelle était réellement l'état de la loi dans les townships du Bas-Canada avant la promulgation de l'acte des tenures du Canada?—J'ai déjà dit qu'avant ce temps il y avait deux opinions à cet égard; et il n'y a jamais eu dans les townships des cours qui eussent juridiction sur les immeubles. Les seules cours qui eussent juridiction sur les immeubles dans le Bas-Canada ont été établies dans les seigneuries.

Les opinions étaient-elles partagées d'un côté et de l'autre?—Il y en avait qui étaient partagées entre les deux opinions avant la promulgation de l'acte des tenures du Canada, mais d'autres n'ont eu qu'une opinion avant et depuis.

Quelle a été la pratique actuelle au sujet de la loi dans les townships?—Il n'est pas aisé de définir la pratique là où il n'existe pas de cours pour en établir une; Je suppose qu'elle était conforme à ce qu'on pouvait attendre de personnes qui avaient des opinions différentes sur la question; ceux qui supposaient que les lois anglaises y avaient cours s'attachaient probablement de régler leurs transactions d'une manière qui leur fût conforme, en conformité à leurs propres opinions.

Pouvez-vous dire quelle a été en général la conduite des particuliers au sujet de l'application de la loi à leurs immeubles dans les townships du Bas-Canada?—Il est probable, quoique je ne puisse l'assurer, que plusieurs peuvent avoir partagé des biens comme ils auraient fait si les lois françaises eussent été en force, mais d'autres ont laissé le partage se faire comme si les lois anglaises eussent dominé.

Pouvez-vous dire qu'elle était l'usage dominant à cet égard?—Je puis dire seulement que

que je crois qu'une grande majorité des habitans d'origine anglaise ont regardé les lois anglaises comme y étant en force, et que les personnes prudentes se sont conduites en conséquence.

Pourquoi vous bornez-vous à le dire des habitans d'origine anglaise?—Parce que les autres ne désirent nullement voir les lois anglaises y dominer.

Vous venez de dire qu'il y avait eu diversité de pratique dans les townships à l'égard des successions aux immeubles, vous aviez dit auparavant que vous n'aviez jamais connu un seul cas où les biens eussent été partagés également; comment conciliez-vous ces exposés?—Je n'ai pas dit qu'il y en a eu, mais qu'il aurait pu y en avoir; mais je répète que je ne connais aucun exemple de partage d'immeubles dans les townships au défaut de testament d'après les lois françaises.

Quelles occasions avez-vous eu de connaître quelle était la pratique dans les townships au sujet des immeubles?—J'y ai résidé quelques années, et depuis ce temps, dans le cours de ma pratique, nombre de personnes se sont adressées à moi pour me consulter sur ce que je croyais être la loi des townships, et je leur ai répondu que je regardais la loi anglaise comme y étant en force à l'égard des immeubles.

Lorsque vous dites qu'elle a été la pratique dans les townships à l'égard des successions aux immeubles, vous-avez en vue les cas où vous-avez vous-même conseillé les parties sur ce sujet?—Oui, en partie; mais je connais quelques cas semblables dans lesquels je n'ai donné aucun avis.

Vous rappelez-vous qu'on ait mis en pratique dans les townships la doctrine des lois anglaises au sujet des substitutions?—Non, je ne m'en rappelle pas.

Y a-t-on jamais entendu parler de quelque chose de semblable, à votre connaissance?—Je ne me rappelle pas d'avoir jamais vu de testament qui créât une substitution dans les townships.

Vous rappelez-vous d'avoir entendu parler de quelque cas qui ait eu lieu et qui ait été amené devant les cours de justice, où cette question, ou toute chose qui ressemble à cette question, ait été discuté?—Je ne m'en rappelle aucun.

Vous rappelez-vous quelque cas où des points de droit anglais applicables aux immeubles dans les townships, aient été discutés et amenés devant une cour de justice dans la province?—Je ne me rappelle aucun cas où la question de savoir si les lois anglaises ou les lois françaises sont en force sur ces terres ait formé le sujet d'une dispute litigieuse, comme je l'ai répété souvent.

Vous rappelez-vous quelque cas où du moins elle a servi de sujet à amiable composition?—Non, je ne m'en rappelle pas.

Ainsi ne s'en suit-il pas de ce que vous avez dit, que tout ce que vous avez dit sur l'existence des lois anglaises dans les townships n'est qu'une matière d'opinion, qui n'est soutenu par aucune preuve?—Il n'y a pas eu de cours dans les townships pour décider les affaires d'immeubles et il n'est pas probable que l'Assemblée seigneuriale en établisse. J'ai dit ce que l'on pense et que l'on fait; j'ai cité des exemples. Mais savoir si tout cela forme une preuve ou non, c'est ce qu'il ne m'appartient pas de décider. Mais je puis ajouter que j'ai en ma possession des centaines de contrats qui ont transporté de grands partis de terres sous les formes anglaises, et je connais des personnes qui en possèdent des milliers d'acres en vertu de contrats semblables; et ce n'est pas simplement mon opinion que j'ai donnée; j'ai entendu exprimer les mêmes opinions par des milliers de personnes. On ne peut tirer la preuve entière que des lois mêmes qui ont rapport au sujet; et si le sens en a été douteux, l'incertitude, je suppose, a été détruite par l'acte des tenures, dont les townships désirent la continuation.

Dans les cas où vous avez donné votre opinion sur l'existence des lois anglaises, et où on s'est conformé à votre opinion, connaissez-vous qu'il ait été fait quelque tentative pour renverser cette opinion?—Non, pas que je me souvienne.

On a dit au comité que la tenure française de franc-aleu roturier était la même dans la pratique que la tenure du franc et commun socage; est-ce là votre opinion?—Elle ne serait nullement la même dans la pratique, en supposant que la tenure française du franc-aleu soit sujette à toutes les charges et à toutes les obligations sanctionnées par les lois françaises, et que la tenure anglaise du franc et commun socage ne soit sujette qu'à celles que les lois anglaises établissent.

Vous voulez expliquer comment cette sujétion se rapporte à la question?—La tenure française serait soumise aux sujétions des lois françaises, comme les *mortgages* ou hypothèques générales et tacites, principalement les droits matrimoniaux de la communauté et du douaire, et divers autres incidents, qui mettent les habitans des seigneuries du Bas-Canada dans une situation à ne pas savoir s'ils ont des sûretés dans un grand nombre de transactions.

Supposant qu'une terre soit hypothéquée pour une somme donnée, et que cette terre soit à partager entre tous les enfans sous les lois du Canada français, comment ce partage s'accorderait-il avec la sûreté de l'hypothèque, et qu'elle est l'opération où la nature de l'hypothèque?—Le simple partage des terres entre les enfans sous les lois françaises, n'est pas incompatible avec la sûreté d'un hypothèque sous les mêmes lois, parce que le droit du créancier s'étendrait à chaque caution en particulier; ce droit ne pourrait être détruit que par des réclamations privilégiées ou antérieures, si elles étaient de même nature. Cependant ce que les Anglais connaissent et désignent communément sous le nom de *mortgage* dans le Bas-Canada, est plutôt l'hypothèque du droit romain ou droit civil, et les français l'appellent hypothèque. Elles donnent droit d'être payé à même les immeubles, de la somme stipulée ou due, pourquoi on peut faire vendre toute sorte d'immeubles par le shérif. Il est du privilège des notaires et de certains officiers publics, que tous les actes passés devant eux, (supposant même que ces actes ne fussent rien de plus qu'une simple reconnaissance d'une dette ou un cautionnement,) comportent un *mortgage* ou hypothèque sur tous les immeubles du contractant; et cette hypothèque ne se borne pas aux immeubles que le contractant possède dans le district où le notaire professe, mais s'étend à tous les immeubles du contractant en d'autres juridictions et d'autres districts aussi loin que les tenures françaises s'étendent; et cette hypothèque ne se borne pas aux immeubles que le contractant possède au temps où il passe l'acte, mais elle s'attache à tous les immeubles qu'il pourra acquérir ensuite sous la tenure française, et reste attachée à tous les immeubles et à chaque portion d'iceux pendant un grand nombre d'années, quand même ils seraient passés entre les mains d'acheteurs de bonne foi. Seulement pour avoir passé par les mains des débiteurs qui se sont engagés par actes passés devant ces officiers publics, et quoiqu'ils les aient immédiatement transportés à d'autres, les immeubles sont asservis et demeurent chargés de toutes ces dettes, auxquelles ils restent assujettis pendant des années, ou jusqu'au paiement, en quelques mains qu'ils passent ensuite. Comme les actes passés devant notaires doivent être payés *in toto*, par préférence, suivant l'ordre des dates, les créanciers aiment toujours à en faire passer, par ce que quoi qu'ils n'aient aucun moyen de savoir par combien de créanciers antérieurs ils ont été devancés, ils désirent éviter de l'être par des créanciers subséquens. Le défaut de connaissance chez la généralité du peuple l'oblige aussi d'avoir recours aux notaires. Presque tous les contrats légaux du Canada seigneurial se passent en conséquence devant notaires. Le cautionnement donné devant un juge, l'acceptation d'une tutelle ou d'une curatelle, l'exécution du testament d'un ami; et un grand nombre d'autres actes produisent aussi des hypothèques tacites et générales; et s'il n'est donné *mortgage* ou hypothèque devant notaire que pour un immeuble particulier dans les seigneuries, la loi rend néanmoins aussi cette hypothèque générale, et la fait s'étendre à chaque comté, chaque district et chaque juridiction dans l'étendue des tenures françaises du Bas-Canada; et toutes ces causes assujettissent en conséquence les propriétés d'un nombre immense d'individus, d'une manière dont souvent ils n'ont pas eux-mêmes d'idée. Il ne serait pas difficile d'imaginer quelques-unes des conséquences de cet état de choses, quoiqu'il soit à peine possible de les détailler toutes. Je puis supposer un cas: A. B. C. & D., comme beaucoup d'autres dans le Bas-Canada, peuvent avoir réciproquement passé des actes devant notaires, ou autrement constitué des *mortgages* ou hypothèques générales et tacites de l'une quelconque des manières dont on peut les créer. A. vend une terre à B.; la terre est sujette pendant des années à être vendue par le shérif, non seulement pour toutes les créances hypothécaires ou de *mortgage* créées par A., mais aussi pour celles qui ont été créées par B.; B. vend la terre à C. sous quelques mois, et elle devient de plus sujette aux réclamations hypothécaires contre C. Dans le cours d'une année ou de deux, C. vend la

terre à D. Les charges de la terre ont été en augmentant, et elle est maintenant assujettie à toutes les réclamations contre A. B. C. & D., lorsque peut-être un émigré britannique l'achète, la paie, et après en avoir augmenté la valeur par son argent et son travail, on le somme de payer quelques-unes des créances et en conséquence il abandonne sa propriété. Le cas supposé n'est pas en imagination, mais de fait. J'ai même connu un avocat qui ayant acheté un immeuble, et ayant fait des paiemens au vendeur et aux créanciers, l'abandonna ensuite au réclamations des autres créanciers, dont il n'avait auparavant eu aucun moyen de connaître les demandes; et j'ai connaissance que des avocats ayant prêté de l'argent sur *mortgage* ou hypothèque, ont après un laps de huit ans perdu le principal et les intérêts au moyen d'une réclamation inattendue qui datait de vingt ans. Je me suis trouvé moi-même dans ce cas. On soutient, il est vrai, que les titres du shérif forcloient toutes les réclamations hypothécaires excepté le douaire français, et je me suis quelquefois dans cette vue procuré un titre du shérif. Une fois il me conta au-dessus de 30%, et une autre fois au-dessus de 25%, ce qui cette fois était beaucoup plus que ne se serait vendue la terre pour laquelle je me l'étais procuré. Il n'est pas surprenant que les townships désirent éviter l'introduction de ces hypothèques tacites et générales, et qu'ils préfèrent les lois anglaises, qui, quelles que soient leurs imperfections, que l'on ne nie pas, ont néanmoins fait avancer des colonies en richesse et en amélioration, avec une rapidité sans exemple sous d'autres institutions.

Est-il possible qu'un système d'enregistrement pût rendre manifestes toutes les obligations de cette espèce, de manière à mettre le prêteur ou l'acheteur à même de savoir quelles sont les charges de la terre?—Je crois qu'il est extrêmement difficile, sinon impossible, (à moins qu'on ne fasse quelques changemens aux lois maintenant en force dans les seigneuries, et par lesquelles presque tous les actes passés devant notaire emportent une hypothèque générale, comme un jugement des cours en Canada, sans spécification de propriétés, par lesquelles aussi divers autres actes passés devant d'autres officiers publics constituent pareillement des hypothèques tacites et générales) d'établir pour les seigneuries un système d'enregistrement suffisant pour faire connaître aux gens s'ils ont des sûretés ou non en achetant ou en prêtant de l'argent sur hypothèques. Les objections que beaucoup de Canadiens français font à l'établissement de registres dans les seigneuries, sont qu'on ne pourrait les rendre efficaces sans faire des changemens aux lois françaises. Or ceci est une objection qui ne peut se soutenir par rapport aux townships, si les lois anglaises seules y affectent les immeubles; et c'est là entr'autres une des raisons pour lesquelles les habitans des townships et tous ceux qui désirent l'amélioration du pays, veulent avec tant d'empressement que les terres des townships ne soient sujettes qu'aux charges des lois anglaises, parce qu'alors on pourra établir l'enregistrement comme il est établi dans le Haut-Canada, sans confusion avec les lois françaises dans les seigneuries, que les chefs des Canadiens désirent maintenir et étendre; en outre, si quelques partis des lois anglaises causaient des inconvéniens par leur opération, on n'a aucune crainte que l'amour des législateurs seigneuriaux pour ces lois les empêchat de les changer quant on le demanderait.

Sous quelle forme se donnent les sûretés pour l'argent emprunté sur les immeubles dans le Haut-Canada?—Elles se donnent par une hypothèque d'une espèce à peu près semblable à l'hypothèque anglaise, mais plus courte, qui désigne spécifiquement la propriété, et cette hypothèque est enregistrée. Je crois qu'il y a des bureaux dans tous les comtés. Ces démarches se sont accompagnées d'aucunes difficultés, quoique les habitans soient plus dispersés qu'ils ne le sont dans le Bas-Canada. Dans le Haut-Canada l'enregistrement donne publicité à tous les actes qui grèvent les immeubles, et un acte antérieur non enregistré ne nuit à un autre subséquent qui le serait; de sorte qu'une personne prudente peut toujours dans le Haut-Canada s'assurer si elle a des sûretés, ce qu'elle ne peut faire dans le Bas-Canada.

Pouvez-vous dire d'après vos propres connaissances si les personnes qui ont amassé de l'argent dans le pays sont plutôt disposées à le prêter sur hypothèque avec les sûretés qui subsistent dans le Haut-Canada qu'avec celles qui subsistent dans le Bas?—Je ne réside pas dans le Haut-Canada, mais je regarderais comme admis qu'elles doivent être mieux disposées à prêter là où elles peuvent s'assurer des sûretés que là où elles ne le peuvent pas.

Vous voulez avoir la bonté d'expliquer pourquoi dans votre opinion la loi de l'enregistrement s'applique plus facilement et plus efficacement aux immeubles du Haut-Canada qu'à ceux qui sont sous la tenure française dans le Bas-Canada?—Parce que dans le Haut-Canada on ne trouve pas de principes par lesquels des hypothèques générales grèvent les biens acquis et à acquérir sans spécification. On n'y connaît pas le *mortgage* ou hypothèque devant notaire public. Les hypothèques y sont spéciales, et elles peuvent être dressées et passées devant qui que ce soit. Les biens non décrits ne sont pas obligés; et l'enregistrement des immeubles décrits, qui aient ce qui donne effet à l'hypothèque, doit avoir lieu dans le comté où l'immeuble est situé, et toute personne peut avoir accès au bureau.

Ne pouvez-vous pas enregistrer une hypothèque générale aussi bien qu'une hypothèque particulière ou spéciale; ne faut-il pas un acte pour créer une hypothèque générale aussi bien qu'une hypothèque spéciale?—Sans doute il faut un acte devant notaire, ou quelque acte public, pour créer une hypothèque dans les seigneuries du Bas-Canada; mais presque tous les actes des notaires constituent un *mortgage* ou hypothèque générale sur tous les biens que le contractant possède ou pourra acquérir dans l'étendue des tenures françaises dans tous les districts et les comtés de la province. Ces actes demeurent chez le notaire, et il est obligé par la loi de les tenir secrets; les lois du Bas-Canada exigeant le secret pour des choses que les lois de beaucoup d'autres pays ont ordonné de rendre publiques pour l'intérêt et la sûreté de la société.

Supposant qu'il s'en suivit de l'établissement de registres, que tous les actes de cette nature seraient nuls s'ils n'étaient enregistrés; cela ne guérirait-il pas le mal?—Je penserais que le mal ne pourrait se guérir sans qu'on abolit les *mortgages* ou hypothèques générales, qu'on rendit toutes les hypothèques spéciales, et qu'on les réduisit aux immeubles particuliers qui y seraient décrits. Mais on pourrait le guérir efficacement avec cela et avec l'établissement de bureaux de registres.

Qui vous fait penser ainsi?—Il paraît évident que les *mortgages* ou hypothèques de la qualité et de l'espèce décrites doivent détruire les effets avantageux de l'enregistrement, ou que l'enregistrement doit abolir les principes de ces hypothèques. L'immeuble qui n'est pas mentionné dans l'hypothèque ne peut être spécifié dans le registre. L'immeuble que le débiteur n'a pas encore acquis ne peut être mentionné dans le registre.

Vous savez qu'un jugement ou toute sûreté de cette espèce grève en ce pays non seulement les biens qu'un individu a *in presenti*, mais les biens qu'il acquiert *in futuro*?—Je ne sais pas qu'un jugement pour une somme d'argent grève en ce pays et pût faire mettre en vente, comme une hypothèque, tous les immeubles qui appartiennent au débiteur ou qui peuvent lui appartenir dans la suite.

Toute la difficulté, comme vous l'exposez, ne vient-elle pas du trouble et de l'inconvénient d'enregistrer un grand nombre de transactions?—Nullement. Cela serait sans doute un inconvénient; mais la principale utilité de l'enregistrement doit dépendre de la désignation ou de la spécification des biens.

A-t-il jamais passé dans l'Assemblée du Bas-Canada quelque bill pour établir l'enregistrement?—Non.

Quelque bill sur cette matière a-t-il été envoyé de la chambre haute à la chambre basse?—Oui; j'ai apporté copie de ce bill, passé dans le conseil législatif avant la passation de l'acte des tenures du Canada, et dans lequel on avait pris soin de rendre toutes les hypothèques spéciales.

Pouvez-vous dire sous quel forme les sûretés se donnent dans le Haut-Canada quand on emprunte de l'argent sur des immeubles?—C'est dans le fond une hypothèque comme l'hypothèque anglaise, mais plus courte, comme je l'ai déjà dit.

Quels en peuvent être les frais?—Je suppose qu'elle peut coûter environ 11.; mais je puis dire que les frais dépendent beaucoup de la personne qu'on emploie. On pourrait probablement trouver quelqu'un qui dresserait un acte de cette espèce pour la moitié de ce qu'un autre demanderait.

Savez-vous par hasard quelle est la forme des sûretés qui se donnent dans les Etats-Unis?—Je sais que leurs formes ressemblent en partie à la forme anglaise. Seulement l'acte

l'acte est beaucoup plus court, parcequ'on évite toutes les répétitions et la prolixité inutile.

Vous avez mentionné que suivant vos connaissances les lois anglaises applicables aux terres en franc et commun soccage étaient en force dans les townships; y a-t-il eu rien de semblable à une cour d'équité anglaise d'étable pour y modifier la sévérité rigoureuse de ces lois?—Aucune cour du tout, excepté la cour inférieure du district de St-François récemment établie, qui n'a qu'une juridiction fort bornée dans les actions personnelles.

Y a-t-il quelque cour d'équité anglaise dans l'une ou l'autre province?—Oui, j'ai entendu dire qu'il y en avait une dans le Haut-Canada.

Quelle en est la constitution?—Elle n'a été établie que peu de temps avant mon départ du Canada, à ce que j'ai entendu dire, et je n'en connais pas la constitution.

Croyez-vous que partout où règnent les lois anglaises applicables aux immeubles il est presque indispensablement nécessaire d'avoir une cour d'équité?—Je crois qu'à moins de quelque modification dans les lois, il pourrait devenir nécessaire d'avoir une cour d'équité; mais on a regardé comme admis qu'après la déclaration que les lois anglaises étaient en force on verrait s'établir avec le temps tous leurs accessoires indispensables.

Si vous voulez obtenir la possession d'un immeuble dans les townships, quelle forme d'action adopteriez-vous; y a-t-il quelque cour où vous pourriez porter une action en ejectment?—Il n'y a pas de cour constituée maintenant pour les townships.

Alors comment peut-on dire que les lois anglaises y sont en force?—J'ai regardé le droit aux lois anglaises, et leur mise en opération actuelle dans la pratique, comme deux choses différentes. Je n'ai jamais dit qu'on eût donné effet aux lois anglaises dans les townships. Je devrais dire que mon opinion que les lois anglaises étaient autant qu'elles peuvent l'être les lois des territoires de la Baie d'Hudson; cependant je doute qu'en fait de pratique elles y aient jamais été mises en opération.

Supposant qu'avant la passation de l'acte des tenures du Canada on vous eût consulté sur un contrat de mariage, auriez-vous dérogé aux incidens qui proviennent des lois françaises, ou aux incidens qui proviennent des lois anglaises?—J'aurais tâché de le dresser de manière à éviter les incidens des uns et des autres desquels on aurait désiré se garantir; mais pour plusieurs des incidens des lois anglaises sans contrat de mariage ne seraient pas aussi fâcheux, parce qu'ils ne sont d'aucune manière aussi onéreux que ceux des lois françaises, et ils ne s'opposent pas aussi considérablement au droit du mari de disposer de ses biens.

Ainsi vous auriez dressé le contrat de mariage dans la supposition que les lois françaises étaient les lois dominantes, des effets desquelles il fallait se garder?—Sans doute j'aurais tâché de prévenir toute mal-interprétation possible sur les dispositions de l'une ou de l'autre loi, qui aurait pu être désagréable aux parties.

Y a-t-il des doutes sur l'application des lois françaises aux meubles et aux contrats?—J'ai mentionné que j'avais entendu exprimer des opinions différentes à ce sujet quant à l'application des lois; mais si on me demandait ma propre opinion, je dirais que suivant moi les lois françaises sont en force au sujet des meubles et des contrats, excepté que le choix d'un officier public, comme un notaire, pour passer les contrats, ne produirait pas seul de *mortgage* ou d'hypothèque sur les terres en soccage, comme il en produirait sur les terres en seigneurie.

Savez-vous par hasard sur quel clause d'un acte quelconque que repose cette différence d'opinion?—C'est, je suppose, sur la même clause de l'acte de la 1^{me} de Geo, 3, citée ci-dessus, et où que les lois anglaises étaient regardées antérieurement comme les lois du pays. On supposait qu'on n'avait introduit de changement que pour une partie du pays, et que cette partie ne comprenait pas les terres en soccage.

À l'égard d'un contrat de mariage où seraient comprises des dispositions à l'égard des terres en franc et commun soccage; de quelle manière pensez-vous que ce contrat pût être dressé le plus convenablement et le plus régulièrement dans le Bas-Canada, en supposant comme admis que les lois anglaises sont applicables à ces terres?—Je pense qu'on devrait adopter les formes anglaises dans le contrat, ou autant d'icelles qu'on jugerait convenables.

Pourrait-on les simplifier?—Il serait possible de les simplifier ou d'en élaguer la prolixité. J'ai vu des contrats d'une étendue raisonnable, qui transportaient des terres suivant les formes anglaises; j'en ai vu un grand nombre qui avaient été passés pour dix schelings chaque.

Supposant que l'acte des tenures du Canada soit entièrement en force, et que quelqu'un qui aurait des immeubles dans les townships et qui désirerait se marier, vous demandât en votre qualité d'homme de loi, de dresser un contrat de mariage, et qu'il vous exposât qu'il voudrait garder ses biens à vie pour lui-même, et que ses propriétés fussent assurées à l'ainé de ses fils, et ainsi de suite, établiriez-vous dans le contrat une substitution foncière avec tous incidens, et avec l'application du résidu?—Je ne suis pas préparé à répondre à cette question, vu que mes travaux professionnels se sont bornés presque entièrement aux lois civiles françaises. Avant d'entreprendre de dresser un acte de cette nature, il me faudrait consulter des autorités.

Supposant que suivant les lois anglaises la marche à suivre fût de créer une substitution foncière, en donnant l'usufruit des biens substitués au fils aîné et à sa lignée; et à défaut de lignée au second fils et à la sienne, adopteriez-vous cette méthode et établiriez-vous une substitution foncière?—Je le ferais peut-être, mais je ne suis pas préparé à répondre.

Savez-vous qu'en le faisant vous lieriez à jamais ses propriétés, à moins qu'il n'y eût quelque cour pour prescrire la substitution par *fine and recovery*?—Comme je l'ai dit, j'aurais consulté des autorités et j'aurais tâché d'éviter les inconvénients. Si je m'étais senti suffisamment au fait des conséquences, cet examen et ces recherches n'auraient pas été nécessaires.

Supposant qu'on vous proposât de dresser un contrat de mariage comme celui auquel on a fait allusion, adopteriez-vous ou n'adopteriez-vous pas le mode par lequel les biens seraient liés pour toujours, ou ne tâcheriez-vous pas de trouver quelqu'autre moyen de parvenir au même but sans lier les propriétés pour toujours?—Je tâcherais d'éviter tout ce que les parties regarderaient comme un inconvénient qui pourrait probablement survenir d'après les lois anglaises.

Si vous trouvez que les lois françaises donnaient la facilité de le faire sans inconvénient, en ce cas particulier n'aimeriez-vous pas mieux les adopter que les lois anglaises?—J'adopterais très-volontiers les formes des lois françaises, toutes les fois que je les regarderais comme plus commodes et également valides.

Pourriez-vous dire s'il ne serait pas très-facile de faire un contrat de mariage suivant les lois françaises, sans rencontrer cette difficulté?—Je pense que cela pourrait se faire facilement.

Quand vous avez dans votre témoignage employé les termes être en force, les avez-vous employés pour signifier être en force dans le fait, ou légalement?—Communément pour signifier être en force légalement.

Dans votre examen précédent vous avez dit que le mode de transport que vous recommanderiez pour les immeubles des townships, était celui de *lease et release*?—Oui.

Quelle était la raison qui vous faisait ainsi préférer la forme de transport la plus incommode?—On regardait comme nécessaire qu'il y eût une tradition, ou comme on l'appelle suivant les lois anglaises un enchainement sous quelques modes de transport; vu qu'on regardait le mode par *lease et release* comme en faisant disparaître la nécessité, le *lease* donnant la possession, et le *release* la propriété.

Ainsi vous pensez que comme chose de suite toutes les subtilités et toutes les expressions techniques des lois anglaises devaient être introduites en Canada?—Non, je ne pensais pas qu'elles le fussent être toutes, parceque quand les lois anglaises sont introduites dans une colonie anglaise, on regarde qu'elles ne le sont qu'en autant qu'elles sont applicables à l'état du pays. Les lois criminelles anglaises sont introduites par statut dans le Bas-Canada; cependant il y en a plusieurs parties qu'on ne regarde pas comme applicables. L'action de couper un arbre ou un arbrisseau pourrait être difficilement regardée comme une offense semblable dans un pays où le grand but est d'abattre les forêts, comme il le serait en Angleterre.

Pourquoi ne pourriez-vous adopter le mode simple de transport par marché et vente?—Parcequ'on a élevé des doutes; et je pense qu'il aurait été mieux de le faire partout où il était facile de parer à tous les doutes et à toutes les difficultés.

Quelle difficulté écriviez-vous par ce mode?—Si on soutenait, même à tort pour les townships, que les autres modes de transport d'après les lois anglaises requerraient la tradition ou l'enrôlement, on éviterait, à ce qu'on pensait, ces doutes et ces difficultés. Les parties aux contrats résidaient généralement à une grande distance des immeubles transportés, et il paraissait convenable d'adopter la forme de *lease et release*, qui transportait à la fois la possession et la propriété. Cela paraissait un acte de prudence, et provenait de motifs semblables à ceux qui ont engagé divers individus à prendre des contrats au sujet des terres des townships, sous deux modes, c'est-à-dire, suivant les lois françaises et suivant les lois anglaises.

Ne se paye-t-il pas dans le Haut-Canada des taxes locales de la nature des taxes de comtés?—J'ai entendu dire qu'il y avait des impositions et des taxes de comté, et au moyen de ces taxes locales on bâtit des prisons et des maisons de justice dans tous les comtés.

Y a-t-il quelques impositions semblables dans le Bas-Canada?—Aucune; presque toutes les prisons et les maisons de justice ont été bâties à même les fonds provenant de taxes sur les marchandises et les manufactures anglaises. Il est vrai, suivant ce que je crois, que les frais de la prison de Sherbrooke dans les townships ont été payés par une taxe sur les procédures judiciaires; mais les frais de bâtisse des prisons de Québec, de Montréal et des Trois-Rivières, dans les seigneuries, ont été payés à même les droits.

On les a bâties à même le revenu public?—Oui.

Où ces droits sont-ils imposés?—A Québec.

A-t-il été fait en Canada quelque tentative pour établir des chemins de barrières?—Il y a en depuis 18 ans un certain nombre de pétitions pour des chemins de barrières, qui ont toutes été uniformément rejetées; et l'état des chemins en quelques cas, même très-près des villes, est extrêmement mauvais et quelque fois dangereux.

Où sont situés les chemins sur lesquels on voulait établir des chemins de barrières?—Près des villes, ou dans les endroits où il passait un grand nombre de voyageurs.

Est-ce la chambre basse qui a rejetée ces bills ou ces applications?—Oui; à ce que je comprends.

Pouvez-vous informer le comité des motifs qu'on alléguait en général pour ce rejet?—Les habitans canadiens du pays ne les aiment pas, et ils les regardent comme une espèce de taxes.

Et ils aimeraient mieux n'avoir pas de chemins que d'avoir cette taxe?—Oui, j'ai connaissance que beaucoup de voitures se sont brisées même dans le voisinage des villes à cause du mauvais état des chemins. En général c'étaient les habitans anglais qui demandaient les chemins de barrières, et ils auraient souscrit des fonds pour cet objet.

Connaissez-vous quelque chose de la loi de succession aux immeubles dans le Haut-Canada?—Je crois que dans le Haut-Canada la loi des successions est le droit d'aînesse anglais; mais à ce que je crois, la masse des habitans anglais désirerait que cette loi fût changée.

N'y a-t-il pas quelque statut local qui ait modifié cette loi?—On a ou passé ou essayé de passer un statut local, mais je ne puis dire lequel.

Est-ce ou n'est-ce pas l'opinion dominante dans les deux provinces, que le droit d'aînesse ne convient pas à ces colonies?—Je crois qu'en général les habitans préféreraient une loi qui ferait un partage égal, ce qui leur épargnerait la peine de faire des testaments.

Pensez-vous que les habitans du Haut et du Bas-Canada ne seraient pas parfaitement satisfaits du pouvoir de distribuer leurs biens comme il leur plaît par testament?—Ils ont déjà ce pouvoir, mais il aimeraient mieux que sans leur donner la peine de faire des testaments, la loi fit le partage tel qu'ils le désirent.

La jonction au Haut-Canada de Montréal et de la contrée immédiatement adjacente ne se présente-t-elle pas à votre esprit comme un moyen possible de remédier aux inconvénients qui proviennent de la division actuelle et de la distinction des deux provinces du Haut et du Bas-Canada, vu qu'elle donnerait au Haut-Canada l'avantage d'un port de mer, et conséquemment le pouvoir de régler les droits sur ses importations?—Il n'y a aucun doute qu'un port de mer ne fût extrêmement avantageux au Haut-Canada; et je pense que cette province ne sera jamais satisfaite jusqu'à ce qu'elle ait un port de mer, à moins que l'union des deux provinces n'ait lieu.

M. James Charles Grant, re-introduit; et examiné.

Quand vous avez comparu la dernière fois devant le comité vous avez dit que vous aviez raison de croire que la législature du Haut-Canada avait passé quelque acte pour changer le droit d'aînesse; avez-vous depuis obtenu quelques renseignemens à ce sujet?—J'ai fait des recherches à ce sujet, et j'ai trouvé que quoiqu'un bill semblable ait été introduit plus d'une fois dans la chambre d'assemblée, il n'est jamais devenu loi.

Est-il quelque chose que vous désiriez exposer au comité en addition à votre témoignage précédent?—Je désire communiquer au comité tous les renseignemens que j'ai sur l'astatistique religieuse des provinces du Haut et du Bas-Canada, et avec la permission du comité je vais faire les ajoutés suivans aux détails que j'ai donnés précédemment dans mon témoignage.

Dans le district de l'ouest dans le Haut-Canada il y a deux chapelles et une église de la religion catholique romaine; quatre églises épiscopales, savoir une à Sandwich, une à Chatham, une à Amherstburgh, et un autre à Colchester; le service se fait régulièrement dans ces églises, excepté celle de Colchester où il ne se fait que de fois à autre; le nombre d'assistans est à Chatham de 20 à 30, et à Amherstburgh et à Chatham de 50 à 60. Il y a cinq églises épiscopales dans le district de Niagara. Le nombre des assistans à l'église de la ville de Niagara n'est pas au-dessus de 90, le nombre moyen n'est que de 15 à Queenston et à Chippawa et dans les autres églises; les églises épiscopales de Queenston et de Ste. Catherine ont été bâties dans le principe par des presbytériens, qui en ont été dépouillés (à ce qu'on dit) par des moyens peu justifiables. La congrégation presbytérienne de Ste. Catherine est sur le point d'en bâtir une autre. Les noms des ecclésiastiques de la secession écossaise qui ont des congrégations dans le district de Bathurst sont M. Bell, à Perth; M. Buchanan, à Beckwith, et M. Genuil à Lanark. Il a été bâti une église à Lanark pour un ministre de l'église d'Écosse. Il y a 590 communians presbytériens à Perth, à Dalhousie et à Beckwith. Nous n'avons reçu des rapports que de quatre townships sur 17 dans ce district, savoir, Drummond, Beckwith et Dalhousie, dont la population presbytérienne se monte à 2,903. A Bytown il a été assigné un lot de terre pour une église écossaise et une maison pour le ministre, et on y pourrait former à présent une congrégation qui ne serait pas au-dessus de 300. Il y a deux églises épiscopales dans le district, une à Perth, l'autre à Richmond; le nombre des communians de la première (dans la ville de Perth) est d'environ 20, et ceux de la dernière environ 10; mais je crois que la mission de l'un et de l'autre embrasse plusieurs townships. On demande des églises presbytériennes dans tous les townships. Il n'y a dans le district de Gore qu'un seul ecclésiastique en communion avec l'église d'Écosse; on tout il y a huit congrégations dans le district. On a reçu des réponses de quelques-uns des townships qui mentionnaient une population de 2,200.

Les détails suivans ont été reçus de trois autres townships du même district. Dans les townships de Trafalgar, de Nelson et de Flamborough-est, il y a 250 chefs de famille attachés à l'église d'Écosse; environ 15 épiscopaliens, 75 de l'église de Rome, et le reste de la population se compose de méthodistes et d'anabaptistes; dans ces townships le nombre des membres attachés à l'église presbytérienne est au-dessus de 1,300. Il y a dans ce district plusieurs autres townships d'où on n'a pas reçu de rapports. Dans la ville de Guelph il y a plus de 100 familles attachées à l'église presbytérienne, et plusieurs autres dans le township voisin d'Aramosa. A Streetville le nombre des presbytériens donne plus de 300 chefs de familles qui représentent 1,263 âmes. L'église d'Ancaster, que le Dr. Strachan donne dans sa carte pour église épiscopale et où il dit que le service de l'église d'Angleterre se fait régulièrement, est une église protestante libre, et M. Sheed, ministre

du presbytère d'Ecosse, est le seul qui y fasse régulièrement le service. L'église de Bar-
ton a été bâtie conjointement par les presbytériens et les épiscopaliens du voisinage, et est
ouverte aux ministres de ces deux croyances. Il n'y a jamais eu à Woolwich n'y d'église
ni de service d'aucune espèce. Il n'y a pas d'église épiscopale à Dundass, et le service
de l'église d'Angleterre n'y a pas été célébré depuis quatre ou cinq ans. Il y a une église
épiscopale au village sauvage sur la rivière Onse, et c'est dans le fait la seule de cette
croyance qu'il y ait dans le district. Ceci fait voir un état de choses qui diffère d'avec la
représentation du docteur.

Quoique les presbytériens du district de Newcastle soient au-dessus de 2,000, il ne s'y
trouve pas un seul ministre de cette église. Les détails suivans ont été donnés comme
faisant voir le montant réuni des sectes religieuses dans les townships de Hope, Haldi-
mand, Ranack, Percy et Murray : 225 presbytériens, 133 épiscopaliens, 57 catholiques-
romains, 361 méthodistes, 296 anabaptistes, 18 universalistes, outre 1,196 qui ne sont at-
tachées à aucune église particulière, mais qu'on croit préférer les croyances religieuses sui-
vantes, dans la proportion qui suit, savoir, 227 celle des presbytériens, 98 celle des épis-
copaliens, 485 celle des méthodistes, 301 celle des anabaptistes, 95 celle des quakers.

Il n'y a pas d'écclesiastique de l'église d'Ecosse dans le district de Johnston, mais il y
en a deux de la sécession écossaise, savoir, M. Smart à Brockville dans le township d'É-
lisabeth-town, et M. Boyd à Prescott dans le township d'Angusta. Il y a 1,177 âmes de
la foi presbytérienne à Elisabeth-town qui n'est qu'un seul des dix townships du comté
de Leeds, qui forme la section ouest du district. Le nombre des communians de l'église
de M. Smart est 115. Il y a deux églises épiscopales dans le township de Leeds, une à
Brockville, et une autre à Bastard ; les assistans de la première varient de 40 à 60, les
communians n'excédant pas 20 ; à la dernière, les auditeurs sont de six à huit, les com-
munians, quatre ou cinq. Il n'a pas été transmis de réponse des autres townships de ce
district, mais la pétition qui est sur la table a reçu les signatures de 203 personnes dans le
township d'Angusta, comté de Grenville, dans la section est du district, étant principale-
ment des chefs de famille, représentant une population presbytérienne de 804 âmes.

La population totale du township de Finch, dans le district de l'est, est de 222, dont
216 presbytériens.

On n'a pas reçu de réponse des districts de Londres, de Home, ni de l'Ottawa. Il n'y
a jamais eu d'écclesiastiques de l'église d'Ecosse dans les districts de Londres ou de
Home, quoiqu'on croie qu'un grand nombre des habitans est attaché à la foi presby-
térienne.

Dans le Bas-Canada environ les cinq-sixièmes de la population sont catholiques-romains.
Au Coteau du Lac la population presbytérienne excède 400 âmes ; il n'y a dans les en-
viron (s'il y en a du tout) que bien peu de membres de l'église d'Angleterre ou de dissidens.
Le township de Grenville, dans le district de Montréal, contient 600 âmes attachées à la
discipline et au gouvernement de l'église d'Ecosse, environ 120 épiscopaliens, 100 catho-
liques-romains et un petit nombre de familles d'autres dénominations.

Dans les townships de Lochabar et de Buckingham, sur la rive nord de la rivière des
Outaouais, la population se compose comme suit : église d'Angleterre 10 personnes, église
d'Ecosse 250, église de Rome 30, des autres dénominations 20. Il n'y a ni église pres-
bytérienne ni ministre dans aucun de ces townships. Les habitans désirent extrêmement
se procurer des ecclésiastiques de l'église d'Ecosse.

Dans la paroisse de Ste. Thérèse (établissement Canadien français), il y a 97 individus,
principalement chefs de famille, attachés à l'église d'Ecosse ; une église presbytérienne a
été bâtie au moyen de contributions volontaires, et le service y est régulièrement fait par
un ministre de la sécession écossaise, qui officie aussi quelques fois à St. Eustache et à la
Nouvelle-Glasgow, à la requête des presbytériens de ces endroits ; il y a environ 40
presbytériens à St. Eustache. A la Nouvelle-Glasgow, établissement formé depuis six
ans contient autant de presbytériens que Ste. Thérèse et St. Eustache ensemble. Il y a
un autre établissement presbytérien à Paisley, joignant la Nouvelle-Glasgow. Dans ces
établissements, les personnes qui professent la religion de l'église d'Angleterre forment en-
viron un douzième de la population protestante.

On n'a pas reçu de réponse de St. André, mais notre pétition est signée par 147 chefs de
famille y résidant, représentant 819 âmes de la foi presbytérienne.

Voici le recensement du township de Rawdon (établissement formé récemment), 92
familles presbytériennes, 72 catholiques-romaines, et 20 épiscopaliennes. Un ministre de
l'église d'Angleterre est établi dans ce township. Le village et le voisinage de Lachine
contiennent environ 239 presbytériens, et 70 épiscopaliens. La pétition a reçu les signa-
tures de 163 chefs de famille représentant 600 âmes, dans le village de Laprairie et dans les
quartiers voisins. Il y a un établissement écossais à St. Pierre, et un autre à environ 16
milles de Laprairie, principalement composé de presbytériens écossais. La pétition de-
vant le comité a été signée dans la seigneurie de Beauharnais par 188 individus, princi-
alement écossais, représentant une population de 701 âmes. Dans les établissemens de
George-Town nord et sud, et de partie de William-Town, il y a une population de 366
presbytériens de l'église d'Ecosse. Il a été bâtie une église presbytérienne à George-
Town Sud, mais elle n'est pas pourvue de ministre. En d'autres parties de la même sei-
gneurie et dans la seigneurie voisine de La Salle, la population presbytérienne excède 500
personnes ; et il y a 92 chefs de famille représentant 477 âmes dans le township de Dun-
dee ; la pétition a été signée aussi par 70 chefs de famille résidans à l'Île-aux-Noix, repré-
sentant 431 âmes.

Il n'y a en comparaison que peu de protestans dans le district des Trois-Rivières. On
croit que le nombre des presbytériens de la ville des Trois-Rivières et de Nicolet égale
au moins celui des épiscopaliens, nonobstant qu'un ministre de l'église d'Angleterre ait of-
ficié au premier de ces endroits depuis la cession du pays. Il y a à la Rivière du Loup
une église épiscopale, où le service est fait régulièrement par un ministre de l'église d'An-
gleterre ; le total de la population protestante de cette paroisse se compose de trois familles
épiscopaliennes et de vingt presbytériennes. Il y a un autre établissement protestant sur
les bords du lac Maskinongé, qu'on fait monter à trente familles, en grande partie presby-
tériennes ; et on suppose que cette croyance est aussi la plus nombreuse dans les town-
ships de ce district.

On a recueilli les renseignemens suivans de quelques-uns des établissemens protestans du
district de Québec :—Il y a au Lac de Beauport 92 personnes qui professent la foi presby-
térienne en communion avec l'église d'Ecosse, 45 à St. Patrice et 100 à Valcartier ; la
seigneurie de St. Giles contient 110 presbytériens de l'église d'Ecosse et 23 épiscopaliens ;
dans le township de Leeds il y a 70 personnes qui préféreraient le ministère d'un ecclési-
astique de l'église d'Ecosse, et cinq familles de l'église d'Angleterre ; le township d'Inver-
ness contient de 50 à 60 presbytériens, et 15 épiscopaliens ; il y a 100 presbytériens, dans
le township de Frampton ; à l'établissement de Saint-Charles Belle-Alliance, aussi bien
que dans la seigneurie de Metis, il y a peu d'habitans qui ne professent la religion presby-
térienne.

On n'a pas reçu de réponses du district de Gaspé ; mais je suis fondé à dire, sur l'auto-
rité de l'agent de la couronne, que la population est en grande majorité presbytérienne.

Aucun des townships ou des établissemens que j'ai nommés n'est fourni de ministres,
excepté ceux que j'ai particulièrement mentionnés. Les habitans presbytériens désirent
très extrêmement d'avoir des ministres et des instituteurs de leur propre croyance.

La congrégation presbytérienne de la ville de Montréal aux soins d'un ministre en liai-
son avec un presbytère de New-York, se compose de 600 à 700 personnes, tandis que les
deux autres, administrés par des ecclésiastiques de l'église d'Ecosse, se composent de 800
à 1,000 personnes chaque ; le nombre des communians dans uno de ces dernières est de
de 335, et dans l'autre de 170. La congrégation du Dr. Harkness, dans la ville de
Québec, comprend environ 1,200, ou 1,500 personnes, le nombre des communians est
d'environ 300. Il y a aussi dans la ville de Québec une autre congrégation aux soins d'un
ecclésiastique natif d'Angleterre qui a résidé comme ministre dans les Etats-Unis
d'Amérique. Les presbytériens sont plus nombreux que les épiscopaliens dans ces
villes ou il y a eu des ministres épiscopaliens depuis la conquête et la cession
du pays, et dans une desquelles le lord évêque réside depuis 35 ans. Je fais
cette assertion aussi bien d'après mes connaissances personnelles en tant qu'il s'a-
git de Montréal, que d'après certaines données qui regardent également Montréal et Qué-

bec. Ce qui suit est un détail du nombre de mariages, etc. faits par les ministres des
églises d'Angleterre et d'Ecosse, y compris les chapelains du militaire, à Québec et à
Montréal, extrait des registres des divers ministres qui sont déposés tous les ans entre les
mains des prothonotaires des cours du hanc du roi, tel que requis par la loi. La gar-
nison de Québec est généralement composée de deux régimens, outre l'artillerie, le génie, le
commissariat, et autres services ; celle de Montréal d'un régiment, moins une ou deux com-
pagnies, avec l'artillerie, le génie, l'état major, le commissariat et autres services ; elles
sont administrées par des chapelains militaires, et les fonctions que ces chapelains remplissent
sont enrégistrées avec celles du clergé épiscopal ;—

A Québec pour 11 ans, jusqu'au 31 décembre 1821,

Episcopaliens :		Presbytériens :	
Mariages	340	Mariages	555
Baptêmes	1,099	Baptêmes	966
Sépultures	1,626	Sépultures	698

A Montréal pour 12 ans, jusqu'au 31 décembre 1821,

Episcopaliens :		Presbytériens :	
Mariages	377	Mariages	735
Baptêmes	900	Baptêmes	1,744
Sépultures	1,261	Sépultures	1,022

On peut rendre compte de la disproportion entre les sépultures et les baptêmes par le
nombre de personnes attachées à l'armée qui sont mortes dans les hopitaux, de maladie et
de blessures, pendant la dernière guerre.

Dans la ville de Kingston, dans la province du Haut-Canada, où un ministre de
l'église épiscopale a résidé depuis la paix de 1783, un ministre presbytérien commença ses
fonctions il y a environ cinq ans dans une église bâtie par souscription, et sa congrégation
est à présent plus nombreuse que celle de l'église d'Angleterre.

Je n'offre pas les détails précédents comme faisant voir l'exposé complet des propor-
tions relatives de la population protestante en général qui professent différentes formes
de culte, et bien moins comme contenant un recensement du nombre total des presby-
tériens dans les deux Canadas. Ces détails ont été extraits de renseignemens reçus de
quelques parties seulement de ces provinces, tandis qu'il y a dans l'une et l'autre, princi-
alement dans le Haut-Canada, des districts entiers et des établissemens nombreux et
étendus, sur lesquels on n'a pas obtenu de détails. Il est nécessaire aussi de se rappeler
que les cinq-sixièmes de la population du Bas-Canada sont des Canadiens français de la
religion catholique-romaine. Je n'ai été à même de fournir l'exposé de la population
presbytérienne, que pour les villes, pour quelques uns des établissemens canadiens
français, et pour un petit nombre de townships près du Saint-Laurent où les établissemens
ont été commencés récemment, sans y comprendre les townships du Bas-Canada au delà
des établissemens canadiens français dans les seigneuries du côté sud du Saint-Laurent,
dont un grand nombre sont établies depuis long-temps, et qui contiennent une population
protestante estimée à 30,000 âmes ; et où que ces townships et les autres établissemens
de protestans du Bas-Canada, aussi bien que les parties habitées du Haut-Canada où on
n'a pas encore reçu de rapports ont été peuplés par des émigrés venus d'Ecosse, d'Ir-
lande, et des Etats-Unis d'Amérique, on peut conclure que les presbytériens et les
épiscopaliens y sont aussi réciproquement dans la même proportion. Les grandes sources
de l'émigration au Canada sont l'Ecosse et l'Irlande, et il ne peut y avoir que peu ou
point de doutes que parmi les nouveaux émigrés les membres de l'église d'Angleterre
continueront à n'être qu'en faible proportion avec les membres de l'église d'Ecosse. Si
on n'a pas encore reçu de plus amples renseignemens, on doit l'attribuer aux causes que
j'ai déjà mentionnées, et au court intervalle de temps employé à les recueillir. L'église
d'Angleterre a en de tout temps les moyens de s'étendre en augmentant le nombre de ses
ecclésiastiques, qui sont soutenus par un salaire de 200l. sterling que leur paye à chacun,
comme missionnaire, la société pour la propagation de l'évangile dans les pays étrangers,
pour l'aide de laquelle il a été fait des octrois annuels par le parlement de la Grande-
Bretagne. De l'autre côté on a laissé à l'église d'Ecosse de combattre sans secours contre
toutes sortes de difficultés ; et quoiqu'un petit nombre de congrégations dans les grandes
villes et dans quelques uns des établissemens anciens et étendus, se soient procuré au
moyen de contributions volontaires les services d'ecclésiastiques de leur propre croyance,
les habitans sont en général trop pauvres pour soutenir des ministres, ayant fortement
à lutter pour leur propre subsistance. Ils ne peuvent avoir de ministre régulier qui leur
soit propre, vu qu'aucun presbytère n'en ordonnera à moins qu'il n'ait été pourvu à son
maintien d'une manière permanente. Sous ces circonstances, il peut être arrivé que quel-
ques individus élevés dans l'église d'Ecosse se soient réunis à l'église d'Angleterre dans les
townships et les établissemens où cette église s'est établie, mais le nombre en est très peu
considérable ; et même où elle s'est ainsi établie, les presbytériens accoutumés et attachés à
un différent mode de culte et d'institutions religieuses, se réunissent de préférence aux au-
tres croyances dont les doctrines et les formes de culte sont plus conformes à leurs opinions.

Je ne puis prendre sur moi de répandre de l'exactitude des détails ci-dessus, mais consi-
dérant les sources d'où on a obtenu les renseignemens, je les crois (pour ce qu'ils conti-
ennent) aussi corrects qu'on peut les obtenir sans énumération sans l'autorité publique.

Je crois de mon devoir de soumettre à la considération du comité quelques-unes des
incapacités imposées à l'église d'Ecosse dans le Haut-Canada, que le clergé et les mem-
bres de cette église regardent comme humiliantes et dégradantes.

Par un statut provincial passé dans la 38ème année du règne de Sa feu Majesté, les
ecclésiastiques de l'église d'Ecosse quoiqu'ordonnés régulièrement par un presbytère
en Ecosse, et collatés à une congrégation dans le Haut-Canada, sont obligés avant de
pouvoir solemniser mariage, de demander une licence à la cour de sessions de quartier,
et de se soumettre à des formalités aux quelles leurs sentimens répugnent extrêmement.
Constituée comme l'est à présent la législature du Haut-Canada, on ne doit pas se flatter
d'en attendre le rappel de cet acte, et c'est seulement du parlement impérial que les péti-
tionnaires peuvent se promettre un redressement.

Aucune des églises presbytériennes du Bas-Canada n'est incorporée, non plus que celles
du Haut-Canada au meilleur de ma croyance, quoiqu'il ait été fréquemment fait des appli-
cations pour cet objet au gouvernement provincial.

Le clergé de l'église d'Ecosse a été privé dans les deux provinces de toute participation
à l'instruction de la jeunesse. Dans chacun des districts du Haut-Canada il y a une
école de grammaire, dont les instituteurs reçoivent chacun un salaire de 100l. à même les
fonds de la province. La somme de 2,500l. est appropriée en sus pour l'encouragement
des écoles communales.

Dans le Bas-Canada toutes les écoles établies par l'autorité du gouvernement sont sous
la direction d'une corporation intitulée "L'institution royale pour l'avancement des con-
naissances," composée de l'évêque protestant, de son clergé, et de membre de l'église
épiscopale, avec un ou deux presbytériens et trois catholiques-romains. Le clergé ca-
tholique-romain n'ayant aucune part à la nomination des maîtres, et aucun droit de sur-
veillance sur ces écoles, leur a retiré sa protection et son soutien ; et les progrès de l'édu-
cation sous ce système ont été lents jusqu'à présent. En 1827 le gouvernement avait
formé le plan, avec la co-opération de l'évêque et du clergé de l'église catholique-romaine
d'établir un comité séparé de cette institution pour la régir et la surveillance exclusive
des écoles catholiques romaines ; mais ce projet n'a pas encore été mis en pleine opéra-
tion. Cet arrangement aurait l'effet d'empêcher l'église d'Ecosse d'avoir aucune part
dans la direction de l'éducation de la jeunesse, même de celle de leur propre croyance,
quoique le corps représentatif de la province ait passé à plusieurs reprises depuis 1817

un bill qui mettait cette église sur un pied égal avec les églises de Rome et d'Angleterre à l'égard de l'éducation.

D'après les faits que j'ai exposés, il est clair que le nombre des ecclésiastiques ne donne pas une base d'après laquelle on puisse faire une estimation de la proportion numérique ou sont les différentes croyances religieuses en particulier avec la population générale des deux provinces. Sans prétendre offrir d'opinion sur l'interprétation de l'acte du parlement par lequel ces réserves ont été mises à part pour le soutien d'un *clergé protestant*, je demande permission d'exposer que les pétitionnaires fondent leur réclamation de droit à la profession et à la jouissance pleine et illimitée de leur religion dans ces colonies, sur la 5ème d'Anne, ch. 8. Les Canadas ont été acquis par la Grande Bretagne après l'union des royaumes d'Angleterre et d'Ecosse; et les membres de l'église d'Ecosse croient que leur église a autant de droit que celle d'Angleterre à jouir de tout avantage au soutien qui peut se retirer du territoire ainsi acquis. Et ils ne peuvent un moment supposer qu'au temps de la passation de l'acte par lequel ces réserves ont été constituées, lorsque la plus grande partie du Haut-Canada et une proportion considérable du Bas étaient encore à concéder et ne formaient qu'un désert, le roi et les deux chambres du parlement eussent intention d'assigner un septième de toutes les terres qui se concéderaient à l'avenir au soutien du clergé de l'église d'Angleterre, avant qu'on sût si le pays serait établi par des membres de cette église ou par des presbytériens. Plusieurs concessions de ces terres ont été faites à des presbytériens, les mêmes hommes, ou les descendants des mêmes hommes qui avaient cueilli des lauriers sur les plaines d'Abraham et en d'autres rencontres honorables sur mer et sur terre, en récompense de leurs fidèles services. Le gouvernement de Sa Majesté a aussi en différents temps encouragé les presbytériens à émigrer d'Ecosse et d'autres endroits et à aller s'établir dans les Canadas, et ces gens ne peuvent s'imaginer qu'on eût intention de donner les réserves dans les townships qu'ils établiraient au clergé de leurs co-sujets du sud de la Tweed, et de laisser le clergé de leur église absolument sans moyens; au contraire ils ont toujours pensé que sous les termes généraux de "*clergé protestant*" employés dans cet acte, on avait fait des dispositions aussi bien en faveur du clergé de l'église d'Ecosse que de celui de l'église d'Angleterre.

Mais comme quelques personnes ont interprété l'acte en question d'une manière étroite et défavorable, et que le clergé de l'église d'Angleterre a réclamé exclusivement les dispositions qui y sont faites, et auxquelles il a seul participé, les sujets presbytériens de Sa Majesté dans les Canadas se flattent que par l'intervention du parlement, on lèvera tous les doutes à l'égard des appropriations de cet acte avant en vue, et que leur église recevra en dot une proportion équitable de ces réserves, ou des produits qui pourront en provenir, si on jugeait à propos d'en disposer; et comme la disposition qu'on avait en vue par ces réserves n'est que contingente, les pétitionnaires supplient qu'on ajoute à cette disposition, par aide ou autrement, jusqu'à ce que le revenu de ces terres soit suffisant pour soutenir un nombre d'ecclésiastiques de leur église proportionné à l'étendue de la population presbytérienne. Ils protestent contre tout désir d'empiéter sur les droits qui peuvent avoir été assurés à l'église d'Angleterre, et ils verraient avec regret son clergé privé de tout secours qui ajouterait à son utilité ou à sa respectabilité.

Ils ne font que demander la part de soutien et de protection à laquelle peuvent leur donner droit leur nombre proportionnel et leur importance dans la population générale de ces provinces. Des considérations d'équité et de la plus saine politique, demandent le rappel du statut provincial du Haut-Canada, 38 Geo. 3, ch. 4, et une reconnaissance de l'église d'Ecosse tant dans cette province que dans le Bas-Canada, et qu'on fasse des dispositions convenables pour le soutien du clergé de cette église, à même les réserves du clergé ou à même quelque autre fonds. Et comme on a mis en question l'attachement des presbytériens de ces provinces à leur propre église, et qu'on en a représenté le nombre comme peu considérable, ils sont parfaitement disposés à ce qu'on exige comme conditions préliminaires de toutes dispositions ou de toute aide à leur accorder pour le soutien de leur clergé, un montant fixe en contribution volontaire de la part des membres de toute congrégation qui demandera une telle assistance, ainsi que tel nombre de chefs de famille qui paraîtra suffisant au gouvernement de Sa Majesté pour constituer une congrégation. Je prends la liberté de remettre au comité copie des résolutions adoptées par le presbytère de la sécession écossaise du Haut-Canada, dans le mois de janvier dernier:—

" A UNE assemblée du presbytère uni du Haut-Canada, tenue à Brockville, le mercredi 23ème jour de janvier 1828, le préambule et les résolutions qui suivent ont été prises en considération et adoptées :

" Vu qu'à une assemblée du comité général des presbytériens de Montréal, tenue le 10 décembre 1827, les résolutions suivantes ont été passées: (voyez résolutions du comité de Montréal du 10 décembre.) Ces résolutions du comité presbytérien de Montréal étant communiquées à ce presbytère et mûrement considérées, il est à ce sujet résolu :

" 1er. Comme l'opinion du presbytère, que les presbytériens de cette province sont d'accord sur tous les points essentiels de dogme, de culte et de discipline, ayant pour règle commune la confession de foi de l'assemblée de Westminster.

" 2ème. Que les causes de différence qui ont divisé les presbytériens en Ecosse étant inapplicables aux localités de ce pays, on peut les prévenir ici de manière à rendre praticable sans aucun sacrifice de principes l'union générale des presbytériens de cette province.

" 3ème. Que dans l'opinion de ce presbytère cette union générale des presbytériens de la province est fortement à désirer, vu qu'elle tendra à raffermir les intérêts presbytériens et à servir la cause de la vraie religion et à avancer la paix et la prospérité de la province.

" 4ème. Que le presbytère reçoit avec satisfaction la proposition des presbytériens de Montréal en communion avec l'église d'Ecosse, et est prêt et disposé à s'unir avec eux à des termes justes et praticables.

(Signés) " GEO. BUCHANAN, Modr.
" WM. BELL, Sec.

Samedi, 28ème jour de juin, 1829.

John Neilson, écuyer, réintroduit; et examiné.

Y a-t-il quelques points sur lesquels vous désiriez donner quelque explication en addition aux exposés que vous avez faits lorsque vous avez comparu la dernière fois devant le comité?—Je désire donner des explications sur certains points mentionnés dans un *memorandum* que j'ai remis.

Le premier point mentionné dans ce *memorandum* est que quelques copies des bills que vous avez donnés ne sont pas dans l'état où ces bills ont été réellement envoyés au conseil; voulez-vous dire si les bills tels qu'ils sont maintenant devant le comité diffèrent en quelques points importants de ceux qu'on y a envoyés?—Je ne pense pas qu'ils en diffèrent en aucun point important; mais j'ai eu les copies d'un des greffiers de la chambre d'assemblée, et il n'a pas pu se procurer du conseil législatif des copies de tous ces bills exactement dans l'état où ils avaient été transmis; il m'a donné les copies imprimées

qu'il avait en sa possession, ou des copies sur lesquels on avait grossoyé les bills. Il est possible que dans un ou deux cas il aurait pu être fait quelque changement de peu de conséquence entre le tems où ils ont été imprimés et celui où ils ont été passés par la chambre et envoyés au conseil; cependant je n'en connais aucun.

A-t-il ci-devant existé quelque doute si les lois d'Angleterre au sujet des immeubles étaient en force en Canada entre 1764 et 1774?—Oui; depuis que je suis ici j'ai consulté quelques papiers, et je trouve dans un rapport soumis à la chambre d'assemblée par le comité des terres en 1824, les opinions des officiers en loi de la couronne en Angleterre et dans la colonie, qui disent à ce sujet qu'il y avait des doutes si les lois anglaises au sujet des immeubles étaient en force ou avaient été introduites dans la colonie par la proclamation du Roi en 1763.

Est-il venu à votre connaissance beaucoup de cas où les lois que vous avez regardées comme lois du Canada au sujet des immeubles, ont été appliquées dans la province aux terres tenues en franc et commun socage?—Je ne puis dire que les cas soient venus à ma connaissance, mais je n'ai jamais cru qu'on ait appliqué aucune autre loi du tout.

Avez-vous vu des cas où des personnes qui possédaient des terres en franc et commun socage étant décédées *ab intestat*, leurs biens aient été partagés également entre leurs enfants, ou avez-vous vu au contraire que dans ce cas on ait mis le droit d'aînesse en pratique?—On n'a jamais pensé que le droit d'aînesse fut en force dans la colonie. J'ai acheté des terres concédées en franc et commun socage, je les ai achetées suivant les lois du Canada, et de personnes qui avaient droit de les posséder en vertu des lois du Canada. Le contrat a été passé suivant les lois du Canada, et j'ai examiné le titre du propriétaire; suivant les lois du Canada, lorsqu'on y fait quelque achat, on examine le titre de la personne de qui on achète; et dans cette transaction j'ai été entièrement guidé par les lois du Canada.

Ces terres étaient-elles situées dans les townships?—Elles étaient situées dans le township de Stoneham, à trente milles de Québec.

Pouvez-vous informer le comité de quelle manière se donnent les sûretés pour l'argent emprunté sur les terres tenues en franc et commun socage dans le Bas-Canada?—Les sûretés se donnent de la même manière qu'elles se donnent généralement dans tout le pays par acte devant notaires, parce que les juristes anglais appellent, à ce que j'entends, un *lien* sur la terre; c'est ce qu'on appelle dans le pays une *obligation*; c'est dans le fait authentifier la dette sur la propriété, et elles passent suivant ordre de date.

Dans votre opinion les Canadiens français voyent-ils avec des dispositions opposées, les émigrés britanniques se fixer sur les terres du Bas-Canada?—J'ai dit ci-devant en général que je ne croyais pas qu'il existât de telles dispositions, mais je me suis rappelé des faits qui suivant moi prouvent qu'elles n'existent pas parmi les paysans du Bas-Canada qui forment le corps de la population. J'ai commencé en 1816 avec trois autres, dont deux étaient natifs du Bas-Canada et d'extraction française, un établissement qui devait être composé de gens venus d'Europe, dans une des seigneuries du comté que je représente. Par ce moyen j'ai servi à introduire des émigrés d'Europe plus que qui que ce soit dans le Bas-Canada. Je puis dire que j'ai été la cause que plus de 1,000 de ces personnes se sont établies dans le comté que je représente et dans le comté voisin; j'ai continué depuis dix ans à m'en occuper avec activité, à la connaissance de tout le comté.

Voulez-vous dire comment vous les avez établies?—Ce serait un long détail, mais il y en a un récit dans le septième rapport des terres. (Journal de l'assemblée, 1824.)

Avez-vous trouvé que la population européenne était généralement satisfaite?—Très-satisfaite, et elle s'accorde remarquablement bien avec la population canadienne; et bien loin que la population canadienne ait été d'aucune manière mécontente de moi qui m'étais employé avec activité à introduire ces gens dans le comté, je n'ai jamais senti de sa part aucune diminution de confiance; au contraire je crois y être mieux qu'il y a dix ans.

Ces gens s'établissent-ils dans une seigneurie?—Ils s'établissent dans une seigneurie exactement sur les derrières des gens par qui je suis élu, et les nouveaux colons passent tous les jours à travers les établissements canadiens pour aller au marché et en revenir.

Tiennent-ils ces terres de vous comme leur seigneur?—Non, je ne possède pas de terre en seigneurie; la raison pour laquelle j'ai fait l'établissement là était que c'était près de Québec, et que ce n'est que dans les seigneuries qu'on peut se procurer une étendue de terres contigues; les terres des townships sont toutes partagées en réserves et autres concessions en friche, dont les possesseurs sont des absens et des gens qu'on ne peut pas trouver; c'est pourquoi je fis choix de cette situation; nous nous engageâmes dans le projet, savoir deux messieurs canadiens de Québec, l'un avocat et l'autre notaire, un avocat anglais et moi; nous primes des commissaires des biens des jésuites environ 75 lots contigus, aux conditions ordinaires des anciennes lois, et nous nous décidâmes à y faire établir des émigrés. Personne des environs ne voulait aller sur ces terres, parce que disaient-ils le climat était trop sévère; c'était trop au nord, et nous ne pûmes trouver personne dans le voisinage pour commencer l'établissement, mais nous fîmes venir des gens de la rivière St-François, dans le fait des gens venus de l'état de Connecticut; nous ouvrimus l'établissement, nous leur donnâmes des terres aux mêmes conditions aux quelles nous les avions obtenus nous-mêmes sans aucun paiement pour nous, et nous leur avançâmes suffisamment de quoi subsister un an; il y en avait trois; du moment que l'établissement fut ouvert il y vint des gens arrivés d'Ecosse et d'Irlande, et nous leur donnâmes des lots, et ils s'établirent pareillement sur les terres; et à présent cet établissement avec le voisinage contient environ 500 âmes; ce sont tous des Ecossais ou des Irlandais, avec peut-être un petit nombre d'Anglais et un ou deux Américains.

A quelles circonstances attribuez-vous que les émigrés qui arrivent dans le Bas-Canada montrent une préférence à s'établir dans les Etats-Unis ou dans la province supérieure?—La cause réelle de cette préférence est le défaut de noyau d'établissement, où il y ait des gens qui aient des liaisons avec eux. La raison pour laquelle cela n'a pas lieu, est qu'on ne peut avoir une étendue de terre de manière à commencer un établissement; quoiqu'on commence un établissement dans le Bas-Canada, même sous les circonstances les plus favorables, est presque un homme ruiné, à moins qu'il ne puisse épargner des deniers, et dans le fait les jeter ensuite à la rivière.

N'y a-t-il pas au nord de Québec un établissement Irlandais considérable appelé St. Patrice?—Il est contigu à celui que nous avons fait; les terres appartiennent à un seigneur canadien, il s'est ouvert en conséquence de notre établissement; nous avons les premiers pénétré dans les marais qui sont sur les derrières des seigneuries et ouvert l'établissement; cela a donné aux gens l'idée que la chose serait praticable, parce que nos colons paraissaient réussir; il y en a un venu de Penouick en Ecosse, près d'Edinbourg, qui, à ma connaissance a vendu l'année dernière au marché de Québec pour environ trois cents louis.

Attribuez-vous le manque de dispositions à s'établir dans ces endroits, aux effets des réserves du clergé?—Oui; la grande cause pour laquelle les gens arrivés d'Europe ne s'établissent pas dans le Bas-Canada, est qu'il n'y a aucun endroit où ils puissent aller; généralement parlant, tout individu qui vient d'Europe vient trouver quelqu'un; il a un cousin au seizième degré, ou quelqu'un de sa paroisse ou du voisinage, et dont il a entendu parler par lettres, et il va s'asseoir à côté de lui s'il est possible; mais dans le Bas-Canada il n'y a rien de semblable; et il ne peut rien y avoir de semblable, parce que les terres sont entrecoupées de manière à ce qu'on ne puisse trouver un parti contigu dans aucune direction. La longueur de l'hiver et sa sévérité causent aussi une grande frayeur aux nouveaux venus et sont un désavantage réel pour tout le monde.

Vos liaisons anglaises n'aideront-elles pas votre établissement?—Non, l'entreprise entière était plutôt une entreprise canadienne qu'une entreprise britannique, car tous les messieurs qui y étaient engagés étaient de ce qu'on appelle le parti canadien.

Les Canadiens français éprouvent-ils quelques obstacles dans leurs tentatives pour se procurer de nouvelles terres?—De très-grands certainement. On a laissé, depuis la conquête, les lois qui établissent et règlent les concessions ou octrois par les seigneurs aux colons actuels, devenir presque une lettre-morte. Le procureur-général devait voir à ce qu'elles fussent exécutées. Le Roi est autorisé par la loi à concéder aux colons actuels, lorsque les seigneurs refusent. Il n'a rien été fait de ce genre depuis la conquête; la conséquence est que les seigneurs anglais en particulier ont imposé des conditions onéreuses aux colons, conditions qu'ils ne sont autorisés à imposer ni par la loi ni par l'usage,

et qu'un nouveau colon est incapable de remplir. Ils n'osent pas se hasarder à prendre les terres, et se tiennent renfermés dans des limites étroites. Il y a à peine quelque différence entre le système qui fut introduit après l'établissement du Canada sous le gouvernement Français, et le système qui fut introduit sous le gouvernement Anglais dans les anciennes colonies Anglaises; c'était toujours d'accorder des terres à toute personne qui voulait actuellement s'y établir ou les faire établir, et de prendre soin que ceux qui obtenaient la possession d'une certaine étendue de terre s'y fixassent actuellement et l'établissent (tenir feu et lieu.)

Un Canadien français demeurant dans le pays ne s'établirait-il pas naturellement sur les terres à lui concédées?—Le seigneur est comme tout autre homme; si on ne surveille pas les gens ils en prennent avantage, et ils en ont pris avantage, particulièrement les seigneurs Anglais, car ce sont les pires de tous. Lorsqu'ils ont embotté les souliers d'un seigneur Canadien, ils pensent qu'il n'y a aucune borne à prélever des reutes et à tout ce qui est onéreux aux colons, et on ne les a pas forcés d'observer les lois, on n'a pas mis en force les lois qui étaient destinées à conserver des avantages et de l'encouragement aux colons actuels; et cela a empêché les gens de s'étendre. L'assemblée a passé deux ou trois fois un bill pour procurer un remède, et il a échoué dans le conseil.

Quelle difficulté y a-t-il à ce qu'un seigneur qui a des terres en Canada n'étende son établissement?—Il peut acheter autant de seigneuries qu'on voudra lui en vendre; mais lorsque les terres sont en friche il les tient à condition qu'il les concèdra aux colons actuels moyennant le paiement de certaines redevances; et au lieu de s'attacher aux redevances et aux réglemens en conformité aux anciennes lois, on a laissé les lois s'étendre et les gens ne peuvent se procurer des terres à des conditions raisonnables.

Vous voulez dire que les propriétaires sont trop exigeants?—Ils exigent ce à quoi ils n'ont aucun droit, et tant que les gens ne peuvent payer; les gens pouvaient payer pendant la guerre, lorsque le bled se vendait un fort prix, mais ils ne peuvent payer à présent.

Ainsi à la fin le propriétaire y perd?—Il n'est pas propriétaire dans le sens ordinaire du mot en ce pays, mais c'est une personne à qui les terres ont été concédées à condition que les colons s'y établiraient comme propriétaires, en payant certaines redevances d'usage. Certainement il y perd à la fin, parce qu'au lieu de s'unir aux gens pour établir les terres et pour leur donner finalement la valeur en conséquence des moutures et les loods et ventes, il en empêche l'établissement par ses demandes extravagantes. C'est l'effet de cette aveugle avidité qui en mille occasions mène à la violation de la loi et de la justice, et fait voir un homme sous son vrai jour.

Vous avez dit que les terres étaient entrecoupées de manière à empêcher l'établissement du pays; de quelle manière sont-elles entrecoupées?—J'ai expliqué cela dans mon témoignage précédent. Dans les townships elles sont entrecoupées par les réserves du clergé et de la couronne, et par des lots qui appartiennent à des propriétaires qu'on ne peut trouver; ce sont peut-être des gens qui demeurent en Angleterre, en Ecosse ou en quelque autre pays; et il est maintenant impossible de dire quel est le propriétaire d'un lot de terre dans les townships du Bas-Canada.

Croyez-vous qu'une taxe sur les terres en friche, telle qu'on en prélève dans les Etats-Unis et dans le Haut-Canada, tendit à remédier à ce grief?—Je n'ai aucun doute que cela ne tendit à remédier à ce grief, mais c'est un pouvoir dont il serait facile d'abuser; car j'imagine que cela équivaldrait presque à une spoliation que de vouloir mettre au pouvoir des gens résidens de taxer les terres des absens.

La question se rapporte à l'idée d'une loi générale, qui imposerait une taxe foncière générale sur toutes les terres restées en friche, sans égard à la résidence ou à l'absence des propriétaires?—Cela serait plus sûr, parce qu'alors les terres des résidans seraient taxées aussi.

Croyez-vous qu'une loi de cette nature, s'il était imposé une taxe, fit disparaître jusqu'à un point considérable le grief causé par les terres qui demeurent en friche, et si à défaut de paiement de cette taxe la terre était confisquée?—Je crois qu'il y aurait un moyen d'y remédier, cela aurait exactement l'effet qu'ont à présent les reutes des concessions seigneuriales. Les concessions seigneuriales sont conditionnelles et sujettes au paiement d'une faible rente annuelle, que tous sont obligés de payer. On n'est pas d'opinion qu'elle puisse légalement excéder un denier par acre en superficie, et toute personne qui désire s'établir a droit à un lot vacant en le demandant. Cependant cette rente oblige un homme à abandonner sa terre ou à l'établir, parce que tant qu'elle reste en friche il n'en retire rien, et il a chaque année cette rente à payer, outre les visites des officiers de voirie sous les lois existantes, qui le font ressouvenir qu'il est propriétaire de terres. Il se fâche de toujours payer et de ne jamais recevoir; et enfin il dit: "Je veux m'en débarrasser," et il le donne au premier qui voudra l'établir; cela arrive fréquemment dans les seigneuries. Dans le fait il n'est pas besoin pour les seigneuries d'aucune taxe de ce genre, parce qu'elles l'ont déjà sous la forme de redevances. Si les concessions des terres de la couronne avaient été accompagnées d'un semblable paiement annuel qu'aurait eu à recueillir un individu intéressé, on aurait trouvé qu'il y aurait eu bien peu de monopole sur les terres en friche, le plus pernicieux de tous les monopoles, vu qu'il n'eût coûté rien pour y persévérer.

Le remède qu'on a suggéré ne serait-il pas un remède efficace contre les terres en friche, savoir d'imposer une taxe générale sur toutes les terres en friche, et de confisquer les terres au défaut de paiement de cette taxe?—Tout ce que je puis dire est que cela tendrait à y remédier; mais il est impossible à qui que ce soit de dire quelle chose serait un remède efficace dans les colonies sous toutes les circonstances.

Pouvez-vous suggérer un remède qui dût probablement être plus efficace?—Je ne pense pas; je pense qu'il est probable qu'il serait efficace.

Y voyez-vous quelque désavantage?—Je n'y vois aucun désavantage, excepté que je pense que la chose ne serait pas exécutée; il y a trop de personnes puissantes intéressées à ce qu'elle ne s'exécute pas.

Le comité doit-il donc entendre que c'est un mal sans remède?—Non; j'ai déjà expliqué le remède qui fut proposé dans la chambre d'assemblée en 1824, et il a été adopté dans une loi passée en ce pays en 1825; c'était de remettre la couronne en possession de ces terres, pour les donner aux personnes qui voudraient s'y fixer dans le fait, ou plutôt de les vendre sur les lieux au plus haut enchérisseur pour argent comptant.

Cette loi a-t-elle produit quelque effet?—Elle n'a pas produit d'effet parce qu'on a passé une loi qui ne pouvait être exécutée; on ne connaît pas les circonstances de ces pays.

Quelle classe d'individus avez-vous voulu désigner comme étant assez puissans pour être au-dessus de la loi?—Ceux qui administrent la loi le sont quelque fois.

Possèdent-ils des terres en grande étendue?—Oui, ils en possèdent.

Sont-ce des concessions de la couronne?—En grande partie des concessions de la couronne.

Sont-elles d'une date récente?—Depuis le commencement jusqu'à il y a quelques années. On a fait beaucoup de bruit là-dessus durant les quatre ou cinq dernières années, et je crois que la chose est arrêtée en grande partie. En outre on en a gâté la valeur en en concédant trop.

N'y a-t-il dans ces concessions aucune condition de les mettre en culture?—Il y a dans toutes les concessions une condition absolue pour cet effet. Le Roi n'a jamais accordé un acre de terre, même comme récompense pour des services rendus en Amérique, sans le gréver de la condition de l'établissement actuel et de la mise en culture; ces terres sont une chose tout à fait différente des terres de la couronne ici; c'est une partie importante de l'administration, pour faciliter les gens à s'établir et à se répandre dans le pays, la seule chose qui ait donné de la valeur au pays de l'Amérique.

On a suggéré au comité qu'on pourrait ajuster beaucoup des difficultés qui existent entre les deux provinces sur les matières de commerce et de finance, en annexant Montréal comme port de mer au Haut-Canada; suivant votre opinion quel serait l'effet de ce changement?—L'effet de ce changement serait dans le fait d'annexer le Bas-Canada comme gouvernement séparé. Si la ville et l'île de Montréal doivent appartenir au Haut-Canada, et qu'on y impose des droits sur toutes les marchandises importées, comme toutes les marchandises qui viendront dans cette partie du pays se rendront à la ville principale à la tête de la navigation, les gens iront à ce centre commun acheter les marchandises

et ils auront besoin, et payeront les droits sur ces marchandises, et ces droits iront au gouvernement du Haut-Canada, et le gouvernement du Bas-Canada au lieu d'avoir un revenu semblable à celui qu'il a maintenant, n'aurait dans le fait qu'un revenu d'un tiers; la population du Bas-Canada dont Montréal est le chef-lieu formant les deux-tiers de la population totale; le gouvernement du Bas-Canada serait un mécanisme absolument inutile, et ne pourrait se soutenir.

Comment regardez-vous Montréal comme le centre des deux-tiers de la population du Bas-Canada, puisque cette ville est située tout à fait près de la frontière entre le Bas et le Haut Canada?—C'est le centre de la population du district de Montréal, et la population du district de Montréal forme environ les deux-tiers de toute la province; c'est naturellement à ce centre, qui est la tête de la navigation des gros vaisseaux, que tous les habitans du district de Montréal vont et doivent aller acheter toutes les marchandises qu'ils consomment; quiconque consomme les marchandises paye les droits, et ces droits entraînent à la province du Haut-Canada.

Suivant votre opinion quel effet la jonction de Montréal au Haut-Canada aurait-elle sur les moyens de défense des provinces que ce pays aurait en cas d'attaque par les Etats-Unis?—Sans doute si les Etats-Unis mettent jamais leurs moyens dehors pour la conquête du Canada, l'Angleterre ne peut leur faire face sur un pied égal, ou au moins sur un pied au quel cette nation fut disposée à se soumettre, c'est-à-dire sans encourir une dépense au-delà de tout calcul, à moins que ce ne soit là où les forces navales de la Grande-Bretagne peuvent facilement pénétrer, sans danger du côté de terre; là s'étend en réalité le pouvoir de la Grande-Bretagne, en dépit des Etats-Unis d'Amérique, et en dépit de tous les pouvoirs d'au-delà de l'Atlantique. Il n'est aucune partie du St.-Laurent en bas des rapides de Richelieu, 45 milles au-dessus de Québec, qui puisse être jamais hors de la portée de son pouvoir; mais on croit qu'on pourrait intercepter la navigation en faisant des fortifications en cet endroit. Si vous ôtez leurs moyens aux deux tiers de la population du Bas-Canada, et que vous les combinez de manière à les mettre hors de la portée du pouvoir de l'Angleterre, je pense que cela tendrait beaucoup à diminuer les moyens que ce pays aurait contre les Etats-Unis dans une guerre à venir; où est le gouvernement, là sera le pouvoir; et il me paraît que pour la sûreté du pays ce pouvoir devrait toujours être à portée du pouvoir effectif de la Grande-Bretagne, son pouvoir maritime, qui est celui sur lequel ses opérations militaires au-delà de l'Atlantique doivent toujours être basées.

Supposez-vous qu'en enlevant Montréal au Bas-Canada on excitât de grands mécontentemens dans cette province?—Il n'y a aucun doute à ce sujet.

Autant grand que par l'union des deux provinces?—Il me paraît que la chose serait pire, tant à l'égard des intérêts de ce pays qu'à l'égard de ceux du Bas-Canada.

Comment les intérêts de ce pays s'y trouveraient-ils concernés?—En mettant la presque totalité des pouvoirs de la province hors de la portée du pays, et en mettant ces pouvoirs à portée des pouvoirs des Etats-Unis d'Amérique.

Avez-vous porté une grande attention à l'état des réserves du clergé dans la province du Bas-Canada?—Oui, j'y ai porté assez d'attention, car depuis 1817 cet objet a été particulièrement l'objet de mes considérations; je me rappelle avoir été employé en 1817 par les habitans d'un township près de Québec à dresser une pétition contre ces réserves; elle a été apportée en ce pays par sir John C. Sherbrooke, gouverneur-en-chef.

Regardez-vous l'état des réserves du clergé comme un grand obstacle à l'établissement et à la prospérité du pays?—Je suppose que de tous ceux qui ont des liaisons avec le Canada il n'est personne qui puisse avoir des doutes à cet égard.

Regardez-vous l'état présent des réserves du clergé comme ayant un effet bien malheureux sur la tranquillité religieuse, l'harmonie générale et la bienveillance réciproque de la population du Canada?—Oui; si c'était là la seule cause les choses n'auraient pas été aussi mal qu'elles vont; sans doute elles sont à présent le point de contention, mais il a régné pendant long-temps une contention liée avec la religion, et suivant mon opinion elle avait entièrement pris son origine dans les prétentions mises au jour par l'Eglise, à être exclusivement soutenue publiquement dans le Bas-Canada.

Les réserves du clergé sont-elles en ce moment administrées par une corporation composée exclusivement de membres de l'Eglise d'Angleterre?—Oui, leur administration est presque entièrement entre les mains de membres de l'Eglise d'Angleterre.

Avez-vous quelque moyen de former une estimation de la proportion des membres de l'Eglise d'Angleterre comparée à la population totale du Bas-Canada?—Il n'y a eu aucune énumération, et chacun est naturellement porté à faire de son parti le parti le plus puissant, mais si on veut connaître la proportion réelle des différentes croyances religieuses parmi les protestans des deux Canadas, on en peut juger par celle qui existe dans les Etats-Unis d'Amérique; il n'y a dans le fait de part et d'autre aucune différence quant aux pays dont les gens sont venus et les causes de leur migration, et à leurs divisions en matière de religion.

Jugeant d'après vos moyens d'observation, pensez-vous qu'un dixième de la population protestante du Bas-Canada appartienne à l'Eglise d'Angleterre?—Je supposerais qu'elle forme plus d'un dixième de la population protestante du Bas-Canada.

Diriez-vous qu'elle en forme un huitième?—Je ne puis dire; peut-être qu'elle peut former un cinquième de la population protestante.

Etes-vous membre de l'Eglise d'Ecosse?—Je le suis.

Quelle proportion de la population protestante du Bas-Canada croyez-vous être composée de membres de l'Eglise d'Ecosse?—Je croirais que les membres de l'Eglise d'Ecosse sont plus nombreux que ceux de l'Eglise d'Angleterre, mais il ne peut y avoir entre eux une bien grande différence; je parle de ceux qui sont nés dans le fait et ont été élevés dans l'Eglise d'Ecosse; beaucoup de personnes qui appartiennent à l'Eglise d'Angleterre sont venus des anciennes colonies des Etats-Unis d'Amérique.

Pensez-vous que la majorité de la population protestante du Bas-Canada soit attachée à l'Eglise d'Angleterre ou à l'Eglise d'Ecosse, ou que la majorité n'est attachée ni à l'une ni à l'autre?—Je pense que la majorité n'appartient ni à l'une ni à l'autre, je ne pense pas qu'il y ait en tout plus de 50,000 protestans dans le Bas-Canada, et je suppose que l'Eglise d'Angleterre peut en compter une cinquième et l'Eglise d'Ecosse un autre cinquième, le reste se compose de congrégationnaires, ou de presbytériens, venus des Etats-Unis, de wesleyens et d'autres.

Pensez-vous que le principe de pouvoir au soutien du clergé à même un produit foncier soit un principe convenable dans un pays situé comme le Bas-Canada?—Toute chose qui produira des dissensions ou de la jalousie entre les différentes croyances est absolument pernicieuse. Je ne vois pas comment on peut pourvoir aux besoins de toutes au moyen de terres; et si on pourvoit ainsi aux besoins de quelqu'une, elle sera en but à la jalousie de celles aux besoins desquelles il n'aura pas été pourvu de la même manière; et il y aura des dissensions religieuses, qui sont je crois un fléau plus grand que ceux qui nous ont affligés jusqu'ici.

Les membres de l'Eglise d'Ecosse croient-ils avoir d'aussi justes droits que l'Eglise d'Angleterre à participer aux produits de ces réserves du clergé?—Surement qu'ils le croient.

Les dissidens qui n'appartiennent ni à l'Eglise d'Angleterre ni à l'Eglise d'Ecosse acquiesceraient-ils à un arrangement qui irait à donner, à leur exclusion, les produits de ces terres aux membres de l'Eglise d'Angleterre et de l'Eglise d'Ecosse?—Non; il régnait dans toute l'étendue de l'Amérique une jalousie contre toute Eglise liée au pouvoir temporel.

Comment le clergé de l'Eglise d'Ecosse est-il soutenu?—Par ses propres fidèles; par des contributions volontaires.

Est-il soutenu d'une manière respectable et forme-t-il un corps respectable d'individus?—Il forme un corps d'individus aussi respectable qu'aucun autre que nous ayons; mais nous n'avons des ecclésiastiques de l'Eglise d'Ecosse régulièrement ordonnés que dans les villes de Montréal et de Québec; ce sont les seuls endroits qui aient pu assurer une rétribution suffisante, telle que requise par l'Eglise d'Ecosse.

Le comité doit-il comprendre que d'après le système actuel il n'est pas pourvu suffisamment aux besoins religieux de la population presbytérienne du Bas-Canada?—Certainement non. Quand on encourage les gens à aller dans ces nouveaux pays s'établir dans le

désert, dispersés comme ils doivent tous l'être dans l'étendue de ce désert, c'est une cruauté de ne pas leur donner quelque assistance pour se procurer l'instruction religieuse ; et je pense vraiment qu'on pourrait faire quelque chose en faveur de ceux qui sont nés et ont été élevés dans les églises nationales, sans exciter de jalousie de la part des autres ; mais si cela excitait de la jalousie de la part des autres, je dirais, finissons en ! car s'il y a de la jalousie sur ce sujet, nous n'aurons pas de repos que nous ne soyons tombés entre les mains des Etats-Unis, où on prévient efficacement ces sortes de jalousies.

Vu toutes les circonstances de la colonie quel serait suivant vous le meilleur moyen de régler cette question, et de pourvoir aux besoins religieux du Bas-Canada ?—Il est très-difficile de trouver quel est le meilleur moyen. La loi a certainement pourvu au moyen de terres aux besoins d'un clergé protestant. J'ai toujours beaucoup de répugnance à déranger ce qui est établi par la loi. Si vous donnez quelque chose aux gens, c'est tenu pour donné ; et je ne sais jusqu'où s'étend votre droit de reprendre ce que vous avez donné ; mais je dirai que le pays sera entièrement ruiné, qu'il ne peut-être établi et qu'il ne s'y peut rien faire, jusqu'à ce qu'on se soit débarrassé de ces réserves, ou jusqu'à ce qu'on force ceux qui les possèdent à remplir exactement toutes les obligations que la loi impose à tous les autres propriétaires de terres dans le pays, de s'établir sur les terres et de les cultiver ; si les possesseurs y résident et les cultivent, il n'importe quels sont ces possesseurs.

Connaissez-vous assez le Haut-Canada pour savoir si dans cette province les mêmes causes ont produit les mêmes résultats, en empêchant la prospérité du pays, et en produisant des dissensions religieuses et politiques ?—Oui je sais d'après mes propres observations dans le Haut-Canada, qu'il s'y est élevé un grand nombre de difficultés à cause d'abus dans l'administration des octrois de terres, et à cause des obstacles opposées à l'établissement, en conséquence de toutes ces réserves.

Si le gouvernement ne prend de suite quelque moyen de décider cette question, pensez-vous que ces dissensions et ces animosités s'augmenteront ou non ?—Elles s'augmenteront assurément.

Vous avez dit que l'église écossaise est soutenue par des contributions volontaires ; n'a-t-on fourni à l'église écossaise aucune partie des revenus des biens des jésuites ?—Je suis un des syndics de l'église écossaise de Québec, et j'ai entendu dire qu'il a été donné à mêmes ces revenus 3000. à l'église écossaise ; nous avions dans le principe souscrit environ 2,000. pour la bâtisse de notre église ; nous l'avons agrandie, et nous avons prélevé environ 2,000. de plus par des paiements actuels et des emprunts ; il y avait quelque déficit, et nous avons eu 300. du gouvernement, mais on pourrait dire que le tout a été fait à nos frais. J'ai entendu dire que l'argent provenait des biens des jésuites, et que l'église d'Angleterre à Québec avait reçu environ 6,000. sur les mêmes revenus.

N'a-t-il pas aussi été accordé une rétribution annuelle au ministre écossais à Québec ?—Oui, il en a été accordé une dès l'origine ; je crois que les ministres écossais sont les premiers qui aient été en Canada ; quand il n'y avait pas de ministre de l'église établie, ils administraient les troupes, et ils en administraient encore une partie ; et on a donné à l'un d'eux une gratification d'environ 500. à même la caisse militaire.

Y a-t-il des animosités religieuses entre les protestants et les catholiques dans le Bas-Canada ?—Non, pas généralement parmi le peuple ; mais un grand nombre de catholiques ont eu beaucoup de craintes depuis 1817 ; le gouvernement en entier et le conseil législatif étant entre les mains des protestants et en particulier d'une seule église ; il arrivait que la corporation qui avait la direction des écoles était de la même nature, et elle avait essayé d'établir ces écoles dans toute la province ; quelques catholiques se sont imaginés que c'était une espèce de plan de prosélytisme, et cela a excité quelque jalousie.

Le comité doit-il comprendre de ce que vous avez dit, que si la religion protestante et la religion catholique étaient toutes deux protégées comme églises établies dans le pays, et qu'il ne parût nullement que le gouvernement eût dessein d'empiéter sur les droits de l'une ou de l'autre, vous ne craindriez pas qu'il y eût d'animosités religieuses entre les protestants et les catholiques dans la province du Bas-Canada ?—Je le penserais. Ce n'a été qu'en 1821, lors du rejet du bill d'écoles passé par la chambre d'assemblée, et qui donnait respectivement la direction des écoles au clergé de toutes les croyances religieuses, qu'il a paru s'élever des jalousies de quelque conséquence dans l'esprit des catholiques-romains. Cela les confirma dans les jalousies qu'ils entretenaient probablement auparavant dans leur intérieur, à cause de certaines instructions déjà mentionnées ; mais elles éclatèrent alors jusqu'à un point considérable ; depuis lors elles ont été en augmentant, mais ils ne croyaient pas, et ne croient pas encore, que tout cela provint du gouvernement de ce pays ; ils ont généralement pensé que c'était quelque chose de parti de la colonie, et en conséquence les jalousies ne sont pas montées au point où elles seraient montées autrement ; car en ce moment actuel parmi la masse du peuple, personne ne demande si son voisin est catholique ou protestant ; il y a des catholiques et des protestants dans la même famille et dans le même voisinage, et tous vivent en parfaite harmonie. Dans le fait jamais pays n'a été plus exempt d'animosités religieuses que ne l'a été généralement le Bas-Canada pendant les 37 ans que j'y ai résidé.

L'église catholique fait-elle quelque tentative de prosélytisme ?—Non, je crois que les membres du clergé de cette église sont les gens qui visent le moins au prosélytisme, de tous ceux que j'ai jamais vus. Je suis allé fréquemment chez eux, et ils ne vous parleront jamais de religion ; en général les catholiques-romains canadiens évitent toute conversation au sujet de la religion.

Le clergé catholique est-il généralement respecté par ses ouailles ?—Je crois qu'il est respecté par tout le monde dans le pays ; je n'ai jamais entendu personne en parler mal d'une manière générale.

Se mêle-t-il de la politique générale de la province ou d'objets non liés avec sa religion ?—Non, il ne s'est jamais aucunement mêlé de politique ; en général il s'est même dispensé de paraître ou de voter aux élections ; il ne croit pas qu'il convienne à ses intérêts et à ses devoirs religieux d'avoir rien à faire avec la politique.

N'a-t-il pas considérablement aidé le gouvernement de la province durant la guerre ?—C'est pour lui un devoir religieux. Il a pris une part très active dans la guerre de 1775 en encourageant le peuple à défendre le pays ; et a aussi pris une part active à la guerre de 1812 ; mais alors la masse entière de la population y a pris aussi une part active ; elle était opposée aux Américains et fortement attachée à saluaison avec ce gouvernement.

En général, le peuple du Bas-Canada ne croit-il pas que toutes les mesures qui sont venues de ce pays et dont il a pensé avoir raison de se plaindre, sont dues en grande partie aux renseignements imparfaits que les auteurs de ces mesures avaient sur la situation des provinces ?—Oui, il n'y a personne dans la province qui ait jamais cru que ce pays puisse avoir intérêt à faire une injustice à une âme qui vivo dans les colonies.

Cette disposition n'a-t-elle pas tendu considérablement à adoucir les sentimens d'irritation que ces mesures peuvent avoir produits ?—Certainement j'aurais cru qu'après les emprisonnements et les dissolutions de 1810, si ce n'eût été de la confiance que le peuple avait alors dans la justice de ce pays, nous aurions eu beaucoup de difficulté en 1812 à le faire marcher en avant avec le courage qu'il a montré pour la défense du pays ; mais il disait, "Le roi nous fera justice."

Comment le clergé catholique est-il payé ?—Par le peuple.

Se prélève-t-il des dîmes ?—Je crois qu'il y a à peine eu des exemples de la levée forcée des dîmes ; personne n'est obligé de payer les dîmes à moins qu'il n'appartienne à l'église ; s'il déclare n'y pas appartenir, il est exempt de les payer.

Le montant payable n'est-il pas fixé par une ordonnance du roi à la vingt-sixième partie des grains récoltés ?—La vingt-sixième partie de tous les grains doit être livrée à la demeure du prêtre ; c'est la dime fixée par l'ordonnance du roi de France ; et il ne peut rien demander de plus, et cela seulement de ceux qui appartient à son église.

Suivant ce système, quel est à ce que vous supposez le terme moyen de la recette de chacun des ecclésiastiques catholiques ?—Je supposerais que le terme moyen n'est pas au dessus de 100. ou de 150. par an, prenant le tout ensemble. Je sais que le curé de la paroisse où je réside n'a pas plus d'environ 50. ou 60. par an, mais c'est une très pauvre paroisse sur un terrain élevé ; il y en a qui, j'ose dire, retirent 300. ou 400. par an, même à présent, quoique les temps soient mauvais.

Cela sans y comprendre les offrandes de pâques, ni les honoraires sur les mariages et les

baptêmes ?—Je crois que le curé ne retire rien de tout cela, excepté 5s. sur les mariages. Le reste va généralement à l'usage de l'église.

Un revenu annuel de 100. à 150. est-il suffisant pour qu'un curé puisse se soutenir avec décence, et vivre d'une manière convenable à son rang dans la société ?—Ils se soutiennent avec décence ; ils sont extrêmement respectés par le peuple ; s'ils ne se soutenaient pas avec décence ils ne seraient pas tant respectés.

A quel objet sont appliqués les honoraires qui vont à l'église ?—Aux réparations ordinaires de l'église ; à fournir le linge, le vin, les vases, les lampes, et tout cela. Il y a des cotisations pour la bâtisse ou les grosses réparations de l'église ou du presbytère.

Au sujet de l'établissement que vous avez dit avoir dirigé vous-même, et qui était composé d'environ 500 personnes, comment pourvoit-on aux besoins religieux de cette société ?—On peut à peine dire qu'on y pourvoit du tout. Les prêtres catholiques-romains y viennent quelquefois, et les catholiques-irlandais n'ont que six ou huit milles à aller à l'église paroissiale de Saint-Ambroise. Les écossais voyent rarement des ministres, excepté des méthodistes ambulants, et quelquefois un ministre de l'église d'Angleterre qui vient de Québec suivant l'occasion ; le ministre écossais y est allé aussi. Je suppose qu'il y a là 20 ou 30 familles écossaises, et elles assistent aux prédications et aux prières qu'elles peuvent se procurer ; mais elles sont toutes fermement attachées à leur propre église.

Se fait-il régulièrement quelque service protestant dans l'établissement ?—Non. J'ai donné à l'évêque de l'église d'Angleterre un emplacement pour bâtir une école, et c'est dans cette école que le ministre de l'église d'Angleterre vient quelquefois lire le service et prêcher ; et d'autres viennent et se logent comme ils peuvent dans quelque maison, et donnent avis au peuple de venir assister aux prières, au chant des psaumes et à la prédication.

En résulte-t-il qu'en général il y a les dimanches quelque espèce de culte protestant ?—Non ; mais lorsqu'il arrive qu'il y a service, et que je m'y trouve, j'y assiste, et j'ai trouvé en général qu'il y a environ 100 personnes qui assistent au service ; dans le fait il n'est aucun nouvel établissement où le peuple ne désire se procurer l'instruction religieuse, généralement suivant les formes dans les lesquelles il a été élevé.

Trouvez-vous que dans ce nouvel établissement on montre un grand empressement pour l'éducation ?—On mit un maître dans la maison d'école bâtie sur l'emplacement que j'ai donné à l'évêque ; et il recevait un faible salaire à même les fonds de la province ; peu de temps après il se mit à exiger que les enfans apprirent le catéchisme de l'église d'Angleterre ; avant cela tous les enfans suivaient son école ; de ce moment ils se retirèrent presque tous, et il resta avec deux ou trois écoliers. Les gens se réunirent alors, tant ceux qui appartenaient à l'église protestante qu'à l'église catholique, et ils employèrent un vieux soldat pour maître d'école ; ce vieux soldat était natif d'Angleterre et membre de l'église d'Angleterre ; c'était lui qui réellement servait d'assistant au ministre de l'église d'Angleterre lorsqu'il venait officier. Les gens prirent cet homme et le payèrent pour instruire leurs enfans. Les catholiques, les écossais et les dissidents lui envoyèrent leurs enfans sans hésiter le moins ; mais ils ne voulaient pas laisser retourner leurs enfans à l'école où on avait tenté de leur enseigner le catéchisme de l'église d'Angleterre.

Lit-on la bible dans cette école ?—On lit ordinairement la bible ou le testament dans toutes les écoles en Amérique.

Tant dans les écoles protestantes que dans les écoles catholiques ?—Non, les catholiques n'admettent d'autre bible que la bible qui est approuvée par leur église.

La bible qui est approuvée par l'église catholique se lit-elle en général dans les écoles catholiques ?—Non on lit généralement dans les catholiques-romains ce qu'on appelle les *épitres et évangiles*, et une histoire de la bible composée d'extraits de l'évangile et des *épitres* et de quelques autres livres, qui contient des passages considérables des écritures ; mais en général on n'y lit pas la bible d'un bout à l'autre comme on le fait dans les écoles en Ecosse. On trouve souvent dans les familles une traduction française du nouveau testament ; mais je crois qu'on ne s'en sert pas dans les écoles.

La chambre d'assemblée du Bas-Canada a-t-elle jamais fait quelques tentatives pour pourvoir plus libéralement en faveur de l'église catholique ?—Non.

La quelle des deux regarde-t-on comme la mieux soutenue, de l'église catholique et de l'église d'Angleterre ?—L'église d'Angleterre a plus d'émolumens pécuniaires que l'église catholique. Les devoirs du clergé catholique du Canada ne laissent pas un jour de la semaine à sa disposition.

Avez-vous quelques doutes qu'il n'y ait toujours un clergé prêt à remplir les devoirs de la religion envers la population, lorsque cette dernière se sera accrue jusqu'à un certain point, et lorsque le pays aura acquis un plus haut degré de richesse ?—Je n'ai aucun doute que dans tous les pays de l'Amérique du Nord il n'y ait un clergé d'une espèce ou d'une autre, c'est-à-dire le clergé qui plaira d'avantage au peuple, pour enseigner la religion et remplir les devoirs du culte public ; mais je regarde en ce moment les émigrés de ce pays particulièrement ceux qui appartiennent aux églises nationales, comme dépourvus en quelque sorte ; car les dissidents sont beaucoup plus actifs que les membres des églises nationales, aux besoins desquelles on a coutume de pourvoir. Des instituteurs dissidents vont et viennent constamment. Je pense que pour le présent on devrait accorder quelques secours aux émigrés des églises nationales. J'ai dressé un exposé du nombre des membres du clergé des différentes églises dans les deux provinces ; les catholiques sont comptés sur une liste donnée par le secrétaire de l'évêque catholique-romain de Québec, ceux de l'église d'Angleterre le sont par l'archidiacre de Québec, et ceux des autres croyances par les ministres des différentes croyances.

Comment vous êtes vous procuré cet exposé ?—On se l'est procuré pour une publication à Québec.

Peut-on compter sur son exactitude à l'égard des diverses croyances ?—Je n'en ai aucun doute. Le nombre des ecclésiastiques des différentes croyances est comme suit :

Instituteurs religieux dans les Canadas, 1827.

Catholiques romains :	
Dans le Bas-Canada	275
Dans le Haut-Canada	10
Dans les autres parties du diocèse	27
	—312
Eglise d'Angleterre :	
Dans le Bas-Canada	34
Dans le Haut-Canada	32
Chapelains-militaires	6
	—72
Eglise d'Ecosse :	
Dans le Bas-Canada	7
Dans le Haut-Canada	6
	—13
Dissidens de l'église d'Ecosse, ou autres Presbytériens :	
Dans les deux provinces	12
Wesleyens, ou autres méthodistes :	
Dans le Bas-Canada	11
Dans le Haut-Canada	39
	—50
Anabaptistes :	
Dans le Haut-Canada	41

Outre les indépendans, les Congrégationnaires, les Moraves, les Quakers, les Juifs, &c. Les ecclésiastiques de l'église d'Angleterre sont seuls soutenus à même les fonds publics.

Quelle est votre opinion à l'égard de la conduite du clergé de l'église d'Angleterre ; est-il zélé et heureux dans ces devoirs, ou au contraire ?—Je crois que c'est un corps d'individus très respectable.

Augmente-t-il le nombre des membres de l'église établie ?—Si les choses continuent d'aller comme à présent, il diminuera de beaucoup le nombre des membres de l'église établie, car tout ce qui tend à provoquer fera décroître un établissement ; et devant les protestans du Canada n'avaient d'animosité contre aucune église ; ils s'aidaient les uns les autres, et allaient à l'église qui se trouvait la plus à leur commodité. Les prétentions exclusives maintenant ouvertement mises au jour par l'église anglaise du Canada lui feront des ennemis de toutes les autres.

Le rév. *Harry Leith*, introduit ; et examiné.

Vous êtes maintenant ministre de Rothemay, en Ecosse ?—Je le suis.

Quelle connaissance avez-vous de la province du Haut-Canada ?—J'ai résidé dans ce pays pendant près de quatre ans et demi, depuis septembre 1822 jusque vers la fin de janvier 1827.

Etes-vous attaché à l'église d'Ecosse ?—Oui.

En quelle qualité avez-vous été en Canada ?—J'y ai rempli les devoirs de ministre, j'ai aussi eu le soin de l'école publique du District de l'Est.

Connaissez-vous le désir exprimé par les membres de l'église d'Ecosse, d'avoir une partie du produit des réserves du clergé ?—Oui.

Qu'avez-vous à dire au comité à ce sujet ?—Qu'ils croient avoir des droits égaux à ceux de l'église d'Angleterre à avoir part à ces réserves, sur deux motifs : 1er. Comme membres d'une des églises établies de la Grande-Bretagne ; et aussi parce que les membres de l'église écossaise en Canada sont beaucoup plus nombreux que ceux de l'église d'Angleterre. Ils croient sur ces deux motifs avoir droit à participer à ces réserves, qui ont été assignées au soutien d'un "clergé protestant."

Est-ce leur opinion que leur droit vient de l'acte de 1791 ?—C'est leur opinion que l'intention de ceux qui ont dressé cet acte était que l'église écossaise aussi bien que l'église anglaise fussent comprise dans ses dispositions.

Pouvez-vous donner quelques renseignements au comité sur le nombre des membres de l'église écossaise en Canada, et leur proportion avec ceux de l'église d'Angleterre ?—Dans le district où j'ai résidé ces quatre années, il y a quatre congrégations liées à l'église d'Ecosse, et deux liées à l'église d'Angleterre. Dans une des églises liées à l'église d'Ecosse, savoir celle de Williamstown, le nombre moyen des communians est de 450 à 500 ; à Martintown le nombre était d'environ 250 et à Lochiel je pense environ le même nombre ; l'église de Cornwall n'avait été bâtie que quelques mois avant mon départ, de sorte qu'on n'y avait jamais distribué le sacrement ; mais je suis parfaitement convaincu que cette congrégation égale au moins la congrégation épiscopale, tant par le nombre que par la respectabilité. Le nombre moyen des communians de l'église épiscopale de Cornwall, donne, je pense, environ 40 ; et le nombre des auditeurs, de 30 à 40. La seule autre congrégation épiscopale qu'il y ait dans le District de l'Est, est à Matilda. Je n'ai jamais entendu dire qu'elle fut plus nombreuse que celle de Cornwall. Il n'y a pas d'église épiscopale à Onabruck, comme il est dit dans la carte ecclésiastique du Dr. Strachan. Il y avait un ministre presbytérien venu d'Irlande, qui y résidait, prêchait tous les quinze jours, et remplissait tous les devoirs de ministre. J'ai cependant entendu dire que le ministre épiscopale de Matilda avait coutume d'officier quelquefois dans la même église ; ce peut être tous les quinze jours ou tous les mois ; je ne puis mentionner exactement l'intervalle. Dans le district de l'Ottawa, qui n'est établi que récemment, un M. McLaurin a officié pendant trois ou quatre ans comme ministre de l'église d'Ecosse, pour deux ou trois congrégations ; je ne puis dire le nombre de leurs membres, mais je pense qu'il doit être considérable, parce que j'ai entendu dire à M. McLaurin qu'un M. Mamilton était presque le seul épiscopalien dans ces quartiers. A Kingston, dans le district de Midland, il y a une congrégation écossaise extrêmement respectable ; elle n'est organisée que depuis environ six ans, et le nombre des communians se monte déjà à 119. Je me fais tort de dire qu'il y a au moins seize congrégations presbytériennes dans les districts de Niagara et de Gore, où suivant la carte du docteur S. il n'y a pas de presbytériens du tout ; que le nombre des communians de toutes les églises épiscopales de ces deux districts ne surpasse pas 140 ; ceci a été tiré de sources authentiques. En un cas, savoir l'église du Fort Erié, les communians sont au nombre de huit ; en un autre, de dix, et le nombre moyen dans toutes les églises épiscopales des quatre districts de Niagara, de Gore, de Londres et de l'Ouest, ne se monte pas à plus de 25. L'état de l'église anglaise dans le district de Gore est si grossièrement falsifiée dans la carte du docteur S., que je ne puis m'empêcher d'indiquer quelques unes de ses inexactitudes. Il est dit dans cette carte qu'il y a une église épiscopale à Ancaster, et que le service divin s'y célèbre régulièrement. Il n'y a à ce que je crois qu'une seule église à Ancaster, et le service divin y est régulièrement fait par un M. Sheed, qui a été nommé à cette charge en avril 1827 par le presbytère d'Aberdeen. Il n'y a à Burton, où le docteur S. dit qu'il y a une église épiscopale où le service divin se fait régulièrement, que ce qu'on appelle une église libre, c. a. d. une église élevée par les souscriptions réunies des épiscopaliens et des presbytériens, &c., et où les ministres des deux croyances ont un égal droit d'officier. A Dundas il se bâtit une église catholique, mais il n'y a pas d'église épiscopale ; et le service de cette église n'y a pas été célébré depuis quatre ou cinq ans. Il n'y a pas d'église à Woolwich, et le service religieux n'y a jamais été célébré. Au village Sauvage, il y a une église bâtie pour les sauvages par le gouvernement, et c'est dans le fait le seul endroit du district où on puisse dire qu'il y ait une église épiscopale.

Croyez-vous que beaucoup de personnes attachées dans le principe à l'église d'Ecosse, se soient conformées au culte de l'église d'Angleterre, là où il a été établie une église de cette communion ?—Là où il n'a pas été établi d'église Ecossaise, ceux qui appartenaient à cette église ont eu pour habitude de suivre le culte de l'église d'Angleterre, et ainsi quelques uns peuvent par nécessité être devenus membres de l'église d'Angleterre ; mais que la très grande partie préfère ne former aucune liaison avec cette église, cela se démontre clairement par les réunions nombreuses de dissidens que l'on trouve invariablement dans les districts où il n'y a pas d'ecclésiastiques écossais, ou bien où ils ne sont établis que depuis peu.

Les membres de l'église d'Ecosse n'ont-ils pas pour habitude de suivre le culte de l'église d'Angleterre, quoique sans se mettre au nombre des communians ?—Beaucoup le font, dans les endroits où il n'y a pas d'ecclésiastiques de leur propre église.

Avez-vous jamais connu quelque cas où une église presbytérienne ayant été ouverte dans le Haut-Canada, les membres de l'église d'Angleterre en aient suivi les offices, sans pourtant cesser d'être attachés à l'église d'Angleterre ?—Les épiscopaliens assistent quelquefois au service divin dans l'église écossaise. A Kingston, ou si je ne me trompe pas il ne se donnait qu'un sermon dans l'église anglaise, et deux dans l'église écossaise, plusieurs membres de l'église anglaise assistent au service de l'après-midi dans l'église écossaise. Je pense qu'il est aussi très probable qu'un grand nombre de membres des deux croyances assisteront aux offices des différens prédicateurs qui pourront officier dans les églises comme celles de Burton dans le district de Gore, et d'Onabruck dans le district de l'Est, qui sont des églises libres.

Ces réclamations contentieuses et indéterminées des différentes sectes religieuses ont-elles tendu à produire des sentimens d'animosité politique et religieuse, dans la province du Haut-Canada ?—Oui ; et il y a toute raison de s'attendre que les mêmes dispositions continueront à troubler la province jusqu'au temps que l'église écossaise obtiendra du gouvernement une reconnaissance et un secours auxquels elle croit avoir des droits égaux à ceux de l'église d'Angleterre. Il y a aussi d'autres circonstances qui tendent beaucoup à maintenir ces dispositions, sinon à les accroître. Les ecclésiastiques écossais du Haut-Canada sont soumis par une loi provinciale à des incapacités en remplissant les fonctions

de leur ministère. Un ministre, après avoir été régulièrement ordonné et nommé par un presbytère d'Ecosse pour une situation particulière dans le Haut-Canada, trouve en y arrivant, qu'avant de pouvoir solemniser légalement un mariage, il faut qu'il déclare à un terme des sessions de quartier, son intention de s'adresser à la même cour dans le terme suivant, pour obtenir une licence pour solemniser mariage comme ministre de — ; et même après avoir attendu ainsi trois mois, et obtenu cette licence ou plutôt ce certificat, il trouvera encore qu'il ne peut solemniser mariage que lorsque l'une des parties appartient depuis six mois à sa congrégation. De sorte que si un de ses confrères ministres tombait malade, allait aider un autre ministre à distribuer le sacrement, ou ne pourrait pour d'autres raisons solemniser un mariage, il ne pourrait remplir cette fonction à la place de son confrère ; et les parties qui veulent contracter mariage doivent attendre que leur propre ministre se rétablisse s'il est malade, ou revienne s'il est absent, ce qui, vu la grande distance où les ministres sont quelquefois obligés d'aller, peut n'être que plusieurs jours après ; autrement il faut qu'elles se soumettent à être mariés par un ecclésiastique de l'église épiscopale, qui heureusement n'est soumis à aucune restriction ni limitation, mais qui peut marier légalement toutes personnes qui produisent une licence, quelque soit leur église ou la durée de leur résidence. Au premier coup d'œil cette incapacité semblera de peu d'importance, mais elle est certainement loin de là, comme on s'en convaincra en examinant la situation du pays, et en réfléchissant qu'il arrive presque journellement dans tous les endroits des nouveaux émigrés, qui s'adressent fréquemment pour être mariés avant six mois de résidence ; et qu'il y a beaucoup d'établissements presbytériens étendus qui ne peuvent soutenir un ecclésiastique de leur propre église, et qui vu la distance considérable des lieux où il y a un ministre écossais, ne peuvent se lier à aucune congrégation en liaison avec l'église d'Ecosse ; et que ces établissemens doivent non seulement dépendre pour l'instruction religieuse des fonctions publiques de prédicateurs ambulans, en grande partie Américains, et de toutes les croyances, mais que les gens après avoir fait 40 ou 50 milles pour faire solemniser leur mariage par un ecclésiastique de leur propre église, sont informés par lui qu'un statut provincial le rend incapable de solemniser leur mariage, et qu'il leur faut s'adresser pour cela à un ministre de l'église épiscopale. Ces incapacités n'existent pas dans le Bas-Canada, ni dans aucune autre colonie britannique. Le rappel de ces statuts par la législature provinciale approche de l'impossible. La chambre d'assemblée ne passerait aucun acte pour les rappeler à moins d'y inclure toutes les sectes et toutes les croyances ; et la chambre haute en viendrait difficilement à passer un acte où l'église d'Ecosse serait seule comprise. On ne peut attendre de secours que d'un acte du parlement impérial qui mettrait l'église écossaise dans les provinces de l'Amérique du Nord sur un pied égal avec l'église d'Angleterre, et qui donnerait à ses ministres plein pouvoir d'exercer toutes les fonctions de leur ministère sacré, comme ministres en liaison avec l'une des églises établies de la Grande-Bretagne. Et les ecclésiastiques écossais n'ont pas reçu le pouvoir de se former en presbytère, de manière à être autorisés à examiner officiellement les créances de ceux qui se disent ecclésiastiques de l'église d'Ecosse ; si on jugeait prudent, pour empêcher les supercheries, de faire soumettre leurs créances à un examen en Canada, la chose pourrait se faire, sinon par les ecclésiastiques écossais déjà reconnus dans le pays, par le gouvernement, par le gouverneur en conseil, qui autoriseraient les ecclésiastiques ordonnés régulièrement, immédiatement après leur arrivée dans le pays, à entrer dans tous les pouvoirs des fonctions de leur ministère.

Les incapacités imposées aux presbytériens produisent naturellement des mécontentemens et des jalousies. Le gouvernement du Haut-Canada dépend principalement de la loyauté des contrées qui sont établies par la population écossaise la plus dense ; mais comme les écossais sont fortement attachés à leur église nationale, on ne pourrait par aucune marche travailler plus efficacement à égarer leur loyauté et à les exciter à la révolte, qu'en persévérant dans la politique suivie jusqu'ici à l'égard des établissemens ecclésiastiques.

Connaissez-vous toutes les parties du Haut-Canada, ou les districts les plus peuplés ?—Pas toute la province, mais les districts les plus peuplés.

Avez-vous pu du tout connaître avec certitude le nombre total des presbytériens de l'église d'Ecosse en cette province, y compris les membres de la sécession, et autres ?—Non, amoins que ce ne soit peut-être pour quatre ou cinq districts.

Pouvez-vous dire quelles étaient les proportions générales des différentes sectes religieuses dans les districts que vous connaissez ?—Elles varient beaucoup. Quant à l'église d'Angleterre et à l'église d'Ecosse, je penserais que les membres de l'église d'Ecosse sont à ceux de l'église d'Angleterre amoins que dix à un.

Les motifs de division qui existent en Ecosse entre les congrégations de presbytériens dissidens et les congrégations de l'église d'Ecosse, se retrouvent-ils dans l'Amérique du Nord ?—Je ne pense pas.

En vertu de quelles circonstances les presbytériens qui habitent l'Amérique du Nord feront-ils disparaître les motifs de séparation qui les divisent en Ecosse ?—La division en Ecosse est principalement fondée sur le patronage, ce qu'on ne peut dire avoir lieu en Canada. Lors qu'un établissement presbytérien devient assez nombreux pour pouvoir soutenir un ministre de l'église écossaise, on y nomme ordinairement un comité pour dresser un engagement et une requisition, et pour les transmettre à quelque presbytère d'Ecosse, ou à quelqu'ami particulier à qui on puisse confier la nomination du ministre. Si les gens connaissent personnellement ou de renommée quelque jeune ecclésiastique écossais, ils pourront insérer son nom dans la requisition, ou le nommer à la personne à qui ils envoient leurs papiers.

Y a-t-il quelque différence dans le dogme entre l'église d'Ecosse et la sécession, de manière à les empêcher de se réunir en une même église en Canada ?—Je n'en connais aucune ; et je puis dire d'après mes connaissances personnelles, qu'il n'y a pas une congrégation écossaise en Canada où il ne se trouve plusieurs membres qui appartiennent à la sécession d'Ecosse avant leur migration au Canada, et qu'il n'est personne qui soutienne maintenant l'église établie d'Ecosse avec plus de zèle que ces individus. Je puis donner comme nouvelle preuve, que la congrégation à laquelle j'ai été nommé à Cornwall avait été auparavant au soin d'un ecclésiastique dissident ; celles de M. Connell à Martintown, et de M. Mathieson à Montréal, étaient toutes deux liées avec les dissidens, et avaient reçu des ministres d'eux. Dans le district de l'Est, où la population presbytérienne est mieux pourvue de ministres écossais que dans aucun autre district, il n'y a pas maintenant un seul ecclésiastique dissident, quoiqu'il y en eût ci devant deux. Et j'ai peu de raison de douter que peut-être à l'exception des villes on n'obtient le même résultat en plaçant des ecclésiastiques écossais dans tous les différens établissemens presbytériens.

En fait de pratique, d'après la connaissance que vous avez du Canada, ces deux corps de presbytériens agissent-ils l'un envers l'autre avec bonne intelligence ?—Un des plus respectables d'entre les ecclésiastiques dissidens, s'adressa il y a près de six ans aux ministres écossais du Canada, pour qu'ils recommandassent à l'assemblée générale de le recevoir, ainsi que quelques autres de ce corps, en liaison avec l'église d'Ecosse. La congrégation de Niagara, à laquelle M. Fraser a été nommé dernièrement par un corps de dissidens en Ecosse, s'était adressé auparavant aux ministres écossais en Canada, pour les consulter sur la marche à adopter pour obtenir un ministre en pleine liaison avec l'église d'Ecosse ; mais ils ne purent donner d'engagement pour une subsistance de nature à autoriser un presbytère à accorder l'ordination, et en conséquence l'application échoua. Je connais deux autres congrégations qui ont exprimé le même désir, et qui en toute probabilité seront pourvues de ministres de l'église d'Ecosse après le décès des titulaires actuels.

Y a-t-il eu entre eux quelque collision ou quelque mesintelligence ?—Pas que j'aie vue.

Connaissez-vous la manière dont se bâtissent les églises du Haut-Canada ?—Celles qui sont bâties par des presbytériens le sont entièrement au moyen de souscriptions volontaires.

Comment les ministres sont-ils soutenus ?—Lorsque j'étais en Canada ils étaient entièrement soutenus par les contributions volontaires de leurs congrégations respectives.

Ces églises presbytériennes sont-elles d'aussi grands édifices que celles de l'église d'Angleterre?—En quelques cas elles sont plus grandes, et en d'autres pas autant. Savez-vous qu'elle est la dépense moyenne de la bâtisse d'une de ces églises presbytériennes en Canada?—Je pense de £500 à £700; je sais que l'église qui a été bâtie à Cornwall a coûté environ £500, c'est un édifice de charpente. Celles qui sont bâties en pierre ou en brique coûteront de £900 à £1,100.

Le révérend *John Lee*, D. D. réintroduit; et examiné.

Le comité est informé que vous désirez ajouter quelque explication au témoignage que vous avez rendu précédemment?—La chose que je désirais le plus de dire, est que je trouve dans un discours publié à ce que je crois par le docteur Strachan, que sa lettre à M. Wilnot Horton avait été écrite à la hâte en conséquence de ce qu'il avait appris que quelques membres de la chambre des communes avaient reçu des lettres de moi, où je disais qu'il y avait dans le Haut-Canada 30 congrégations organisées en communion avec l'église d'Écosse. Or je demande permission de dire, qu'avant que la lettre du Dr. Strachan eût été écrite et imprimée par ordre de la chambre des communes, je n'avais jamais écrit aucune lettre à ce sujet, et qu'au contraire mes lettres qui s'y rapportaient furent écrites en conséquence de l'impression de cette lettre, qui me parut contenir beaucoup de fausses représentations, à moi et à tous les membres du comité, dont je suis *Convener*; aussi bien qu'à tous les membres de l'église d'Écosse avec lesquels j'ai eu quelque conversation; je crois que mes lettres ont été écrites environ un mois après celle du Dr. Strachan, et ce que j'y disais était qu'il était impossible de nier qu'il n'y eût dans le Haut-Canada trente congrégations qui s'avaient attachées au dogme et au culte de l'église d'Écosse, mais je ne disais pas en même temps qu'elles fussent organisées ou qu'elles eussent des ministres ordonnés par l'église d'Écosse; je ne disais en même temps qu'il n'y en avait que cinq ou six qui eussent des ministres ordonnés par l'église d'Écosse.

Avez-vous copie de cette lettre?—Je ne puis dire que j'en ai copie, mais j'exposais exactement la même chose dans mes lettres que dans le mémoire que j'ai soumis au comité; j'écrivais principalement à lord Binning, maintenant comte de Haddington; je crois que sir Henry Moncrief écrivit aussi à M. Kennedy et à M. Abercrombie sur le même sujet, et je pense qu'il y renferma une ou deux lettres que je lui avais écrites pour le même objet. Les renseignements que j'avais reçus doivent avoir été corrects, car j'avais été en communications avec plusieurs individus liés avec le Haut-Canada, avec trois ou quatre personnes qui y étaient ou y avaient été comme ministres, et avec plusieurs autres qui avaient été dans le pays, et je suis tout à fait persuadé que j'aurais même pu donner le nom des individus que je mentionnais.

Voulez-vous avoir la bonté d'expliquer de quelle manière ceci se rapporte au sujet qui est sous la considération du comité?—Cette lettre du docteur Strachan prétend représenter non seulement l'état de l'église d'Angleterre dans le Haut-Canada, mais l'état des ministres et des membres en communion avec l'église d'Écosse, et aussi des ministres d'autres croyances; or il est très important pour nous d'établir que ces exposés du docteur Strachan ont été dressés à la hâte et sans attention.

Voulez-vous dire quelles sont les inexactitudes de son exposé, et les raisons pour lesquelles vous le regardez comme inexacte?—D'abord, par rapport à l'église d'Écosse, il avance qu'il n'y a que deux ministres de l'église d'Écosse dans la province. Or dans le temps j'en nommai cinq, et je crois qu'il y en avait au moins un autre dont je ne connaissais pas alors le nom; j'ai aussi à dire que le docteur Strachan ne convient que de six autres congrégations, au lieu du nombre que nous avons raison de représenter comme existant, et il dit que ce sont des congrégations indépendantes ou presbytériennes.

Combien y en avait-il à ce que vous croyez?—Je crois qu'il y avait bien vingt ministres.

Combien y avait-il de congrégations?—Suivant nos renseignements le nombre des congrégations était au moins de trente. Nous avons aussi maintenant les renseignements que voici, au sujet de deux des districts que le Dr. Strachan regarde comme ne contenant aucune congrégation presbytérienne, ceux de Niagara et de Gore; il y a dans chaque huit congrégations presbytériennes, seize en tout, quoique le Dr. Strachan n'en admette pas une seule.

Est-il d'autres points sur lesquels vous désirez faire quelque exposé au comité?—Je ne flatte qu'il ne sera pas irrégulier de saisir cette occasion pour exposer au comité qu'il est très facile de rendre compte de l'accroissement des ministres de la croyance épiscopale, vu que l'encouragement qu'ils ont reçu est beaucoup plus considérable; et suivant les renseignements que l'assemblée générale a reçus, un certain nombre de personnes qui étaient parties en qualité de maître d'école, dont quelques uns étaient des prédicateurs licenciés de l'église d'Écosse, ont été induit à embrasser la religion épiscopale, et ont reçu les ordres. Je trouve que pour un district, le district de l'Ouest, on en mentionne trois comme ayant embrassé la religion épiscopale dans un court espace de temps, et ayant reçu les ordres dans l'église d'Angleterre. Mais quoiqu'on ait pu induire ces individus qui avaient reçu une éducation presbytérienne, à changer de cette manière, on n'a pas trouvé, autant que nous pouvons en être informé, que leurs congrégations soient disposées à les suivre; mais au contraire, que les congrégations sont plus disposées à adhérer à la doctrine, au culte et à l'administration ecclésiastique qu'elle préfère. Le Dr. Strachan lui-même était maître d'école, et avait été instruit pour l'église d'Écosse, et son passage à l'église d'Angleterre, autant que j'en puis savoir, n'a pas tendu du tout à augmenter le nombre des prosélytes parmi les laïcs.

Voulez-vous avoir la bonté de dire au comité quels sont les motifs qui ont engagé les membres de la sécession à se séparer de l'église d'Écosse, et si ces motifs existent ou non dans la province du Haut-Canada?—Le fait est que parmi les principes originaux qui ont séparé la sécession de l'église d'Écosse, le plus fort était le renouvellement de la loi de patronage: il y avait quelques autres motifs, que beaucoup de membres de la sécession reconnaissent certainement ne pas exister maintenant en Écosse au même degré qu'anciennement. Beaucoup d'entre les premiers dissidens allaient que l'église d'Écosse s'était éloignée en quelque sorte de la doctrine de la confession de foi, mais je croirais qu'ils sont maintenant convaincus qu'une grande majorité de l'église d'Écosse entretient les mêmes opinions qu'eux par rapport à la doctrine.

Le motif de division qui les sépare encore se borne-t-il seulement à ce que vous appelez le patronage, ou au mode d'après lequel les ministres sont nommés de part et d'autre?—Je crois que c'est là le principal motif; et je puis dire aussi qu'en Écosse, du moins dans les grandes villes, une très grande partie de ceux qui assistent aux lieux publics de culte en communion avec la sécession, est obligée de le faire par l'impossibilité de se loger commodément dans les églises paroissiales; les basses classes du peuple trouvent de l'impossibilité à s'y placer commodément.

Quelle est la règle maintenue par les membres de la sécession, à l'égard du patronage des ministres?—La règle est que le peuple doit élire ses propres pasteurs, et il y a eu un temps où c'était la loi dans l'église d'Écosse.

De quelle manière le droit de patronage, que vous dites être nié par la sécession, est-il admis par les congrégations de l'église écossaise?—A. présent dans l'église d'Écosse les ministres sont généralement nommés par des patrons particuliers ou par la couronne.

Peut-il y avoir dans l'état où est l'église presbytérienne dans le Haut-Canada des ministres nommés soit par la couronne ou par des patrons particuliers?—Il est possible que la chose à existé mais elle n'existe pas à présent.

Les ministres sont-ils actuellement élus par le peuple?—Je ne crois pas. Je comprends que voici la pratique adoptée généralement par ceux qui sont en liaison avec l'église d'Écosse: un certain nombre de gens, se sentant capables de contribuer jusqu'à un certain point au soutien d'un ministre, écrivent en Écosse pour demander un ministre en qui ils ont confiance, ou en quelques cas pour demander au presbytère de nommer un ministre et de l'envoyer remplir ses devoirs parmi eux, s'obligeant à soutenir ce ministre d'une manière suffisante; et je croirais qu'on observe une règle à peu près semblable dans la sé-

cession, quoique j'ai aussi raison de croire que quelques-uns de ceux qui se nomment presbytériens en Canada, sont des personnes qui y sont allés de leur chef, y étant probablement allés en qualité d'instituteurs, ayant antérieurement reçu une éducation qui les qualifie pour l'ordination, et ils sont revenus en ce pays et ont été ordonnés par le corps religieux au quel ils étaient attachés auparavant.

Le comité doit-il conclure de la réponse que vous avez donnée que dans le fait le droit d'élection pratiqué par les dissidens, ni le droit de patronage dans les congrégations de l'église d'Écosse, ne peuvent être mis en pratique en Canada de la même manière qu'ils le sont en Écosse?—Non; je ne désirerais pas exactement qu'on en conclut cela; car dans le cas auquel j'ai fait allusion en dernier lieu, il y a probablement une élection. Je citerai un exemple: il y a maintenant à Ancaster un M. Sheed, lié à l'église d'Écosse; ce monsieur, à ce que je crois, est passé dans le pays il y a environ cinq ou six ans; il avait une licence de prédicateur dans l'église d'Écosse, mais il n'avait pas reçu tous les ordres; on bâtit une chapelle, et on m'assure c'est une des églises que le Dr. Strachan a mentionnée comme appartenant à l'église établie; mais on bâtit une église à Ancaster; ce M. Sheed avait habitude d'y prêcher depuis quelque temps, et enfin les gens se réunirent pour l'appeler à être leur ministre, et pour le soutenir convenablement; en conséquence il vint en Écosse il y a près de deux ans, et il fut ordonné à cette charge par le presbytère d'Aberdeen; en ce cas il y a eu une élection.

Était-ce une congrégation de dissidens?—Pas de dissidens, mais de personnes liées avec l'église d'Écosse, de sorte que même dans l'Écosse il n'y a rien qui empêche un ministre d'être élu par le peuple; et il y a des paroisses en Écosse où le ministre est élu; il y en a une des plus populeuses de l'Écosse qui est vacante en ce moment, North Leith.

Si ce point est réglé, reste-t-il des motifs de division entre l'église établie d'Écosse et les dissidens?—Le fait est, que nous qui appartenons à l'église établie d'Écosse, nous trouvons qu'il y a quelque différence entre l'éducation d'une classe et celle de l'autre; non pas que je veuille dire généralement que l'éducation des dissidens sont inférieure à celle de l'église établie, car elle est absolument égale en beaucoup de cas, mais elle n'est pas nécessairement aussi stricte que la nôtre.

Savez-vous que le *regium donum* qui se donne aux membres de l'église presbytérienne dans le nord de l'Irlande, est également distribué aux ministres de la sécession et à ceux des autres congrégations?—Probablement que cela est; mais aucune de ces congrégations en tant que j'en sais, n'est à proprement parler en communion avec l'église d'Écosse.

Si on vous disait que les deux espèces de presbytériens auxquelles on fait allusion, savoir ceux de l'église d'Écosse et les dissidens, quoique divisés en Écosse, seraient disposés à la conciliation de leurs différends en Canada, afin de pouvoir obtenir une part dans les réserves, que quelques uns supposent appartenir exclusivement à l'église d'Angleterre, quelle réponse feriez-vous à cet exposé?—On me permettra de dire qu'en autant qu'on prenne les renseignements que l'assemblée générale de l'église d'Écosse a reçus, beaucoup de congrégations, quoique desservies par des ministres qui ne sont pas en communion avec l'église d'Écosse, dessirent réellement depuis long-temps d'être liées avec l'église d'Écosse; et je sais qu'il y a d'autres congrégations, au moins je connais une autre congrégation, dont le ministre actuel est lié avec la sécession, mais qui est déterminé à avoir le prochain ministre de l'église d'Écosse; et dans les cas que je viens de mentionner, je trouverais bien sûr, si les membres de l'église d'Écosse doivent du tout être admis à l'avantage d'avoir part à ces réserves, qu'on privé de cet avantage des personnes qui sont réellement attachées à l'église d'Écosse, quoique des circonstances qu'elles déplorent les aient privés d'avoir des ministres de cette église. Je prendrai la liberté de dire en outre que quoique je sache qu'on ait dernièrement représenté que les ministres et le peuple qui dans le Haut-Canada ont différé jusqu'ici sur des matières de doctrine et de culte sont maintenant disposés à s'unir, pour avoir part à ces réserves du clergé, je sais qu'un grand nombre, et la plus grande partie à ce que je crois de ceux qui montrent des dispositions à se réunir à l'église d'Écosse, exprime depuis long-temps les mêmes sentimens. J'ai en ma possession nombre de mémoires et de pétitions qui ont été envoyés à l'assemblée générale de l'église d'Écosse, les unes il y a six ans, d'autres il y a sept ans; elles n'ont aucun rapport quelconque au partage des réserves du clergé et beaucoup de ces personnes disent n'avoir pas de ministres du tout; d'autres disent qu'elles sont pauvres jusqu'à un certain point d'instructions religieuses, mais quelles désirent particulièrement être attachées à l'église d'Écosse. Je crois que ces personnes étaient tout-à-fait désintéressées en faisant cette profession, et il ne peut y avoir de plus grand erreur que de l'attribuer à des vues de spoliation ou au désir de prendre ce qui ne leur appartient pas légalement.

Supposant qu'une partie de ces réserves fut transportée à l'église d'Écosse, avez-vous une idée déterminée de la manière dont cette église se proposerait d'en user pour les rendre avantageuses et utiles?—Je ne puis me hasarder de dire qu'on ait jamais proposé aucun plan.

Croyez-vous qu'une partie de l'unanimité qu'ont montrée dernièrement les dissidens et les presbytériens écossais, soit prévenu du désir d'avoir part aux dispositions qu'on a déjà eu fait pour le soutien du clergé établie?—Je ne puis prendre sur moi de répondre du tout pour les ministres, mais j'admets dans la plus grande étendue leurs représentations, que les motifs de division y sont très-peu considérables; et je puis suffisamment rendre compte de cette unanimité sans avoir égard aux espérances qu'on leur a laissés entrevoir; mais en même-temps j'espérerais qu'on eût cette distinction en vue; quoiqu'il en soit des ministres qui peuvent avoir des motifs d'intérêt pour se joindre à cette sollicitation, assurément les mêmes motifs ne peuvent s'étendre jusqu'aux laïcs, qui comme j'ai déjà touché de le représenter, montrent depuis plusieurs années un grand désir d'être liés avec l'église d'Écosse, et d'avoir des ministres de cette communion; et je pense pour cette raison qu'il y a peu de motifs de révoquer en doute la sincérité des déclarations de ces personnes.

Êtes-vous suffisamment au fait des dogmes des dissidens, pour pouvoir dire si dans le cas où on ferait des dispositions en faveur des ministres presbytériens, et si on mettait leur nomination entre les mains de la couronne, ou qu'on en investit l'assemblée générale de l'église d'Écosse, ces dissidens concourraient dans la nomination?—Je ne puis me hasarder à dire qu'ils le fissent, je puis répondre seulement qu'il paraît par les pétitions et les rapports que l'assemblée a reçus de beaucoup d'endroits; il y a dans tous les coins du Haut-Canada un très-grand nombre de personnes qui désireraient avoir des ministres en liaison avec l'église d'Écosse, et la majorité les désireraient suivant ce que nous sommes portés à croire; on ne dit pas s'ils sont à présent des dissidens ou non.

Comment sont nommés les ministres parmi les presbytériens de l'église d'Écosse?—Par élection, à ce que je crois.

Par qui est exercée la juridiction du presbytère dans les Canadas?—Je ne sais pas, à proprement parler, qu'il y ait aucun presbytère; il y a ce qu'on appelle un presbytère en liaison avec la sécession, mais il n'y a aucun presbytère en liaison avec l'église d'Écosse, et je ne pense pas que l'église d'Écosse croye avoir le droit d'établir des presbytères au-delà des bornes du royaume d'Écosse.

Le ministre écossais de Calcutta, n'est-il pas en liaison avec l'assemblée générale d'Écosse?—Il y a quelque chose d'anormal dans cet établissement, et on devrait penser qu'on s'y éloigne de la pratique rigoureuse de l'église.

Mardi, 1er jour de juillet 1826.

Le Rév. *Robert Alder*, introduit; et examiné.

Vous avez fait les fonctions de missionnaire de la conférence Wesleyenne britannique en Canada?—Oui.

Connaissez-vous les circonstances de la réunion méthodiste wesléyenne dans le Haut et dans le Bas-Canada?—Je suis très-bien au fait de ses circonstances dans le Bas-Canada, et au fait en partie de son état dans le Haut-Canada.

Pouvez-vous dire quel est à présent le nombre des ministres-wesléyens dans le Bas-Canada?—Il y en a neuf.

Sont-ils tous des sujets nés du Roi?—Ils sont tous natifs du Royaume-Uni de la Grande Bretagne et d'Irlande.

Par qui sont-ils employés, et sous la direction de qui agissent-ils?—Ils sont employés par la conférence britannique, corps qui est reconnu dans un acte enroloé dans la haute cour de chancellerie en Angleterre, et ils continuent d'agir sous la direction de la conférence pendant tout le temps que durent les travaux de la mission. D'après la nature particulière de notre discipline, la conduite de tous les ministres au dehors est aussi bien connue de la conférence ici, que l'est la conduite d'aucun de nos ministres en Angleterre.

De quelle manière les missionnaires wesléyens du Bas-Canada sont-ils destinés aux travaux des ministres?—Par l'imposition des mains et la prière, après avoir été examinés à trois diverses reprises sur leurs connaissances générales et leur instruction théologique, etc.

Sont-ils entièrement dévoués à leur profession de missionnaire, ou sont-ils engagés aussi dans des emplois séculiers?—Ils sont entièrement dévoués aux œuvres du ministère; on ne leur permet pas même de tenir une école pour leur profit particulier; l'instruction qu'ils donnent à la génération naissante est entièrement gratuite.

De quelles sources retirent-ils leur revenu?—Des contributions volontaires du peuple au milieu duquel ils travaillent, et de la conférence britannique.

Quel est le terme moyen du revenu de chaque ministre, et sur quel principe est-il réglé?—On fournit à un missionnaire marié une maison garnie, et une somme annuelle d'environ cent guinées; s'il a trois enfants on lui donne trente-cinq louis de plus pour ses enfants, et ainsi en proportion du nombre de ses enfants.

Ainsi le comité doit-il entendre que la conférence britannique dépense une somme tous les ans pour couvrir le déficit des contributions volontaires du peuple du Canada?—Oui.

Pouvez-vous dire quelle est la somme que la conférence britannique dépense généralement pour le soutien de la mission du Canada?—De £500 à £700 pour le soutien de notre mission dans le Bas-Canada.

Chacun de ses ministres a-t-il une chapelle où il célèbre le service?—Oui, et à l'exception des ministres établis à Québec et à Montréal, dont les travaux se bornent principalement à ces deux villes, nos missionnaires de campagne prêchent à cinq congrégations par semaine l'une portant l'autre, et ils font souvent de cinquante à soixante-dix milles.

Quel est le nombre de chapelles ou de maisons d'écoles dans le Bas-Canada employées aux objets du culte public dans votre société?—Je pense que nous avons 10 chapelles dans le Bas-Canada, et probablement de 40 à 50 autres endroits où nous célébrons ordinairement le service divin.

Pouvez-vous dire le nombre des membres de vos sociétés, et le nombre de ceux qui assistent généralement à vos congrégations?—Nous avons environ 1,500 membres dans nos sociétés dans le Bas-Canada, et nos congrégations se montent probablement de 5,000 à 6,000.

Trouvez-vous qu'outre ces 5,000 ou ces 6,000, un nombre considérable de personnes assistent de fois à autre, quoiqu'attachées à d'autres dénominations?—Oui, de fois à autre.

De quelle manière sont bâties les chapelles, et les lieux de culte public?—Par les contributions volontaires du peuple, qui se met souvent dans des embarras pécuniaires pour élever des lieux de culte; notre chapelle de Montréal a coûté entre £4,000 et £5,000 et les frais en ont été soutenus entièrement par les habitants de la ville.

Croyez-vous qu'il soit pourvu suffisamment à l'instruction religieuse et à la demande du peuple?—Non, je ne crois pas qu'il soit pourvu suffisamment; il n'y a pas un nombre suffisant de missionnaires Wesleyens dans le Bas-Canada.

Quelle croyez-vous en être la raison?—Le manque des moyens pécuniaires. Les deniers perçus par la réunion Méthodiste en Angleterre pour les objets des missions, sont appliqués au soutien de missionnaires en Irlande, dans le sud et l'ouest de l'Afrique et dans les Indes Orientales et Occidentales, aussi bien que dans l'Amérique du Nord. La raison pour laquelle nous désirons obtenir une part dans les réserves du clergé, n'est pas notre profit personnel; mais c'est afin d'avoir les moyens d'étendre les opérations de nos missions dans le Bas-Canada.

Les ministres Wesleyens n'ont-ils pas déployé une activité particulière dans les townships de l'Est dans le Bas-Canada?—Oui, et à l'exception des ministres de l'église d'Angleterre, il n'y a pas d'autres ministres liés avec aucun corps ecclésiastique en Angleterre qui prêchent dans ces townships.

Croyez-vous que si les ministres Wesleyens se retiraient des townships, l'église d'Angleterre fut capable de leur fournir un clergé suffisant?—Non, je ne pense pas, et voici l'opinion du gouverneur général, que je demande la permission de lire et d'extraire d'une lettre qu'il m'a écrite et que j'ai reçue peu de jour avant de laisser la province:—

"Nous savons tous, (remarque Sa Seigneurie,) que l'église établie ne peut fournir des ecclésiastiques à tous les endroits qui en ont besoin et qui en demandent, dans cette difficulté les ministres Wesleyens ont rendu des services du plus haut prix, et je pense qu'ils sont qualifiés et aptes à rendre des services beaucoup plus grands sous la protection et l'encouragement qu'ils désirent du gouvernement de Sa Majesté."

N'y a-t-il aucun ministre presbytérien de l'église d'Ecosse dans les townships de l'Est dans le Bas-Canada?—Aucun.

Quelles autres sociétés religieuses outre l'église d'Angleterre et les méthodistes wesléyens ont des ministres dans les campagnes du Canada agissant sous la direction d'autorités ecclésiastiques dans la Grande Bretagne?—Aucune; il n'y a pas un ministre dans tous les townships, à l'exception du clergé de l'église d'Angleterre et de nos propres ministres, qui agissent sous la direction d'une autorité ecclésiastique dans la Grande Bretagne.

Vous-avez donné le nombre des ministres méthodistes dans le Bas-Canada, et le nombre des membres de leurs congrégations; pouvez-vous donner les mêmes renseignements au comité à l'égard du Haut-Canada, en autant que vous en êtes au fait?—Dans le Haut-Canada il y a 46 ministres méthodistes; il y a 66 chapelles et environ 530 autres lieux où le service divin se fait régulièrement.

Quel croyez-vous être le nombre de vos membres et le nombre de vos auditeurs réguliers dans le Haut-Canada?—Le nombre des membres de la société méthodiste dans le Haut-Canada est de 9,000; le nombre des auditeurs réguliers est de 37,000, formant un cinquième de la population totale de la province.

En addition à celles que vous avez mentionnées, n'y a-t-il pas aussi une mission méthodiste parmi les sauvages Mississaga?—Oui; et suivant le témoignage du vénérable archevêque de Québec, les travaux des ministres wesléyens parmi ces sauvages leur ont été d'un grand avantage, sous un point de vue social aussi bien que sous un point de vue moral et religieux.

Les congrégations méthodistes du Haut-Canada sont-elles sous la direction des missionnaires envoyés par la conférence britannique?—Elles ne le sont pas; elles ont été jusqu'ici sous la direction de la conférence méthodiste des Etats-Unis; cependant cette liaison est maintenant dissoute; et nous espérons qu'il se fera bientôt un arrangement par lequel les méthodistes du Haut-Canada seront amenés à agir sous la direction de la conférence britannique, comme les méthodistes du Bas-Canada l'ont fait depuis plusieurs années.

Y a-t-il quelque point de différence, en matière de dogme ou de discipline, entre la conférence britannique, et la conférence américaine?—Aucun d'importance. Nous nous regardons comme un même corps; mais nous ne trouvons pas juste que les méthodistes du Haut-Canada soient sous la juridiction d'une autorité ecclésiastique étrangère.

Le comité doit-il donc entendre que pourvu que vous eussiez les moyens de fournir des ministres, ces congrégations n'auraient aucune objection à recevoir ces ministres envoyés par la conférence britannique tout-à-fait aussi volontiers que ceux qu'envoie la conférence de New-York?—La conférence des Etats-Unis n'envoie pas maintenant de ministres dans le Haut-Canada. Le peuple désire extrêmement d'être pourvu de ministres venus de ce pays; et nous recevons chaque année les demandes les plus pressantes pour des ministres anglais.

Comment a-t-il été arrêté l'envoi de ministres wesléyens des Etats-Unis?—Par un accord entre les méthodistes du Haut-Canada et la conférence méthodiste des Etats-Unis.

Ainsi vous croyez que c'est le désir des méthodistes du Haut-Canada d'être pourvus de ministres plutôt par la conférence britannique que par la conférence des Etats-Unis?—Oui, j'ai raison de croire que c'est le cas.

Et c'est d'après le désir du peuple lui-même que les ministres méthodistes des Etats-Unis ne peuvent plus venir dans le Haut-Canada?—Oui, à cause de l'influence des sentimens britanniques.

Croyez-vous que le gouvernement colonial du Haut-Canada ait manifesté quelque désir pour l'extension des méthodistes-wesléyens britanniques en cette province?—Je crois qu'il y a au bureau colonial des documens adressés par sir Peregrine Maitland au comte Bathurst et à M. Huskisson, qui feront voir que Son Excellence désire extrêmement que le nombre des ministres méthodistes britanniques soit augmenté autant que possible dans le Haut-Canada; et j'ai entendu dire qu'il avait écrit en Angleterre il y a peu de temps, pour recommander que s'il était possible on nous accordât un aide pécuniaire pour cet objet.

Croyez-vous que sous la 31me. du feu roi les méthodistes-wesléyens aient quelques droits, suivant la lettre de ce statut, à participer aux réserves du clergé, ou ne font-ils que désirer d'y obtenir une part dans le cas où le statut serait changé sur ce point?—Il y a à ce sujet parmi nous différentes opinions; mais je crois que l'opinion générale de nos ministres dans le Bas-Canada, est que si les revenus sont appropriés uniquement à l'usage de l'église d'Angleterre, nous n'y mettrons pas d'objections; mais que si les presbytériens doivent avoir quelque part dans ces réserves, nous croyons alors que nous avons au moins autant de droit qu'eux; et nous serions extrêmement mécontents si on n'avait pas égard à nos réclamations.

Prétendez-vous donc fonder vos réclamations à participer aux réserves du clergé uniquement sur un principe d'équité, comme étant un des corps de protestans les plus nombreux dans le pays, et non sur le principe de l'interprétation précise de la loi?—Comme je l'ai déjà dit il y a une différence d'opinion à ce sujet; quelques uns de nos amis pensent que nous avons un juste droit, et d'autres pensent qu'aucune autre dénomination n'y a droit, que l'église d'Angleterre; cependant l'opinion générale à ce sujet parmi nous est telle que je l'ai dit ci-devant au comité.

Supposant qu'il y eut à cet égard un changement qui donnât la légalité à vos prétentions à une part des réserves, sur quel principe voudriez-vous exclure les autres dénominations de dissidens protestans?—Nous ne voulons pas les exclure, mais nous pensons que nous sommes placés absolument dans d'autres circonstances que les dissidens du Bas-Canada, parce que la conférence britannique de la réunion-wesléyenne est comptable envers le gouvernement et le public de la Grande Bretagne, de la bonne conduite de tous ses missionnaires, tandis que les ministres des églises dissidentes ne peuvent donner que leur garantie personnelle pour leur bonne conduite; nous croyons que sur ce motif nos prétentions sont beaucoup mieux fondées que les leurs. Aussi comme je l'ai déjà dit la conférence britannique dépense annuellement une somme considérable pour le soutien de notre mission en Canada. Nous fondons aussi notre demande sur le bien qui a été effectué dans les Canadas par le ministère des méthodistes, et sur leur nombre actuel et leur respectabilité.

Les méthodistes-wesléyens du Bas-Canada ont-ils montré quelque mécontentement de ce qu'on ne leur permettait pas de tenir registre des naissances, mariages et sépultures de leur communion?—De très-grands mécontentemens; carquoique nous soyons d'opinion qu'un refus aussi complètement opposé à toute tolérance ne nous fasse pas du tout de tort dans l'estime du peuple du Bas-Canada, nous croyons que c'est une dégradation pour la société à laquelle nous appartenons; en outre, les enfans de nos membres doivent grandir sans recevoir de nom, le baptême des chrétiens, et les corps de nos amis décédés demeurer sans sépulture suivant le rit chrétien, ou il nous faut nous exposer à des pénalités très-sévères en remplissant ces devoirs.

Y a-t-il quelque statut provincial qui, d'après la manière dont vous l'interprétez, vous donne le droit de registre?—Oui.

Y a-t-il en quelque différence d'opinion entre les juges sur l'interprétation de ce statut?—Oui. Le juge Sewell, juge en chef de la province du Bas-Canada a expliqué la loi de manière à nous priver d'un registre légal; il a décidé que les méthodistes et les dissidens ne sont pas protestans, et que comme l'acte ne pourvoit qu'à la célébration de ces fonctions par les ministres protestans, nous n'avons pas droit de les célébrer! Le juge Reid et ses confrères de la cour du banc du roi dans le district de Montréal sont d'une opinion différente; la preuve en est que le juge Reid accorda il y a quelques années un registre légal à notre missionnaire à Montréal.

La législature provinciale n'a-t-elle pas passé un bill dans le dessein de remédier à cet inconvénient?—Oui.

Connaissez-vous les motifs sur lesquels la sanction royale a été refusé à ce bill?—Je crois que ce n'était pas à cause d'aucune objection au principe du bill, mais à cause de quelques défauts de formes que s'y trouvaient.

Les wesléyens en général seraient-ils satisfaits si on passait un acte peu étendu, un acte déclaratoire des intentions du statut contesté de la 35e. de George 3. ?—Oui.

Sur quel pied est la chose en Angleterre?—Nous avons pouvoir en Angleterre d'administrer le sacrement de baptême et d'enterrer les morts; et nous tenons des registres réguliers de nos baptêmes et de nos sépultures.

Avez-vous des droits semblables dans les autres colonies de l'Amérique du Nord?—Dans toutes les colonies de l'Amérique du Nord nous avons le droit d'administrer le sacrement de baptême et d'enterrer les morts; et dans la province de la Nouvelle-Ecosse nous avons aussi le pouvoir de solemniser les mariages; nous avons toujours joui de ce privilège dans la Nouvelle-Ecosse, comme en jouissent à tous les autres ministres de l'évangile.

Savez-vous si la loi est différente, ou si on l'interprète d'une manière différente?—La loi est différente.

Y a-t-il eu quelques disputes à l'égard des cimetières en Canada entre l'église d'Angleterre et les méthodistes wesléyens, quant au droit de solemniser les sépultures, comme il y en a eu entre l'église d'Angleterre et les presbytériens?—Non, nous n'avons jamais été engagés dans des disputes semblables.

Vous-avez dit que les méthodistes wesléyens du Canada seraient mécontents si quelque partie des réserves du clergé était assignée aux presbytériens; n'êtes vous pas d'opinion qu'ils sont sur un autre pied que vous, voyant qu'ils sont une des églises établies et reconnues par la loi?—Nous ne connaissons rien de l'église presbytérienne d'Ecosse comme église établie hors de l'Ecosse; nous la regardons comme un établissement strictement local, et nous pensons que ses ministres n'ont aucun droit à des privilèges particuliers dans aucune des colonies de Sa Majesté, parce qu'ils appartiennent à l'église d'Ecosse.

La regardez-vous comme bornée à l'Ecosse?—Oui.

Sur quel point de vue voyez-vous l'église presbytérienne qui est établie en Irlande?—Je sais qu'il y a un petit nombre de l'église presbytérienne établie dans le nord de l'Irlande, mais je ne sache pas que l'église presbytérienne soit établie généralement en Irlande.

Savez-vous qu'une fois elle a été en possession des dîmes dans le Nord de l'Irlande?—Oui, mais elle n'a jamais été en possession d'un semblable privilège en Canada, ni dans aucune des colonies de l'Amérique du Nord; on regarderait comme un grief d'avoir deux hiérarchies ecclésiastiques de dotées dans les colonies.

De quelle manière supposez-vous que le fardeau pesât sur vous?—Nous voulons dire que si l'église presbytérienne aussi bien que l'église d'Angleterre devait être établie et dotée dans les colonies, il y aurait deux établissements ecclésiastiques dans le pays, ce dont les autres dénominations seraient très mécontentes.

Vous savez que dans le cas où l'on ferait ces deux établissements ils ne seraient pas soutenus au moyen de taxes sur le pays?—Non, il ne le serait pas; mais la dénomination wes-léyenne a en Canada un beaucoup plus grand nombre de ministres et d'églises organisées que n'en ont les presbytériens, et elle a au moins fait autant pour avancer l'amélioration religieuse et morale du peuple; sa loyauté est bien connue, elle est reconnue dans la lettre que voici, et elle a été reconnue à différentes occasions par les divers gouverneurs de l'Amérique du nord britannique; et nous serions mécontents si l'on mettait les presbytériens dans des circonstances plus favorables que nous, parce que nous ne pouvons concevoir qu'ils aient aucun juste droit à la jouissance d'aucun privilège dans les colonies, sans que nous l'ayons comme eux.

Y a-t-il quelques membres de votre croyance dans l'une ou l'autre des assemblées législatives?—Il y en a dans la chambre basse du Haut-Canada; et plusieurs font partie de la commission de la paix, et tiennent des commissions dans la milice provinciale.

Y en a-t-il soit dans le conseil législatif ou dans le conseil exécutif?—Je ne crois pas.

Y a-t-il des presbytériens dans l'un ou l'autre conseil?—Je n'en sais rien; je désirerais dire que nous nous regardons comme une branche de l'église d'Angleterre tant ici qu'en dehors.

Le très-honorable Robert John Wilmot Horton, membre du comité; examiné.

Etes-vous d'opinion que sous l'acte de 31me. Geo. 3, c. 31, l'Assemblée du Bas-Canada avait légalement droit à approprier les droits perçus en vertu de la 14me. Geo. 3, c. 88?—Je suis d'opinion qu'elle n'avait pas légalement ce droit, pour les raisons suivantes: premièrement, il y a eu deux actes de passés en l'année 1774 au sujet du gouvernement du Canada; l'un la 14me. Geo. 3, c. 83; l'autre la 14me. Geo. 3, c. 88; l'acte de la 31me. Geo. 3, c. 31, communément appelé l'acte de Québec, rappelé particulièrement autant de l'acte de la 14me. Geo. 3, c. 83, qui se rapporte en aucune manière à la nomination du conseil pour les affaires de la dite province de Québec, etc. Il me paraît concluant que ce rappel partiel impliquait la continuation en pleine force du reste de ces actes, dont le dernier imposait les droits en question.

Secondement, la 46e. clause de la 31e. Geo. 3, c. 31, qui est fondée principalement sur la 18e. Geo. 3, c. 12, communément appelé l'acte déclaratoire, statue, "que rien de contenu dans cet acte ne s'étendra ni ne sera entendu s'étendre à empêcher ou gêner l'exécution d'aucune loi qui a été ou sera en aucun temps faite par Sa Majesté, ses héritiers ou successeurs, et le parlement de la Grande-Bretagne, pour établir des réglemens ou des prohibitions, ou pour imposer, lever ou percevoir des droits pour le règlement de la navigation ou pour le règlement du commerce à être faits entre les dites deux provinces, ou entre aucune des dites provinces et aucune autre partie des domaines de Sa Majesté, ou entre aucune des dites provinces et aucun pays ou état étranger, ou pour fixer et diriger le paiement de remises sur les droits ainsi imposés, ou pour donner à Sa Majesté, ses héritiers ou successeurs, aucun pouvoir ou autorité, par et de l'avis et consentement de tels conseils législatifs et assemblées respectivement, de changer ou rappeler aucune telle loi ou lois, ou aucune partie d'icelles, ou d'en empêcher l'exécution d'aucune manière que ce soit;" en recourant au tarif contenu dans la 14e. Geo. 3, c. 88, on verra qu'il règle le commerce à être fait entre les colonies et les autres parties du monde, suivant la phrase employée dans la 46e. clause; il impose un droit de 3d. par gallon d'eau de vie et autres liqueurs spiritueuses, de manufacture britannique; 6d. par gallon de rum ou esprits importés d'aucune des colonies à sucre de Sa Majesté dans les Indes Occidentales; 9d. par gallon de rum importé des autres colonies en Amérique; 1s. par gallon d'eau de vie étrangère ou autres liqueurs spiritueuses de manufacture étrangère, importé ou introduit de la Grande-Bretagne, et ainsi de suite; présentant ainsi une échelle graduée de droit qui a rapport aux intérêts commerciaux du pays. Si le comité veut ensuite recourir à la s. 47, il se convaincra qu'on avait intention de maintenir cet acte en force, et non de le rappeler; la section est comme suit:—"Pourvu toujours et qu'il soit statué par l'autorité susdite, que le produit net de tous les droits qui seront ainsi imposés," (ne faisant aucune allusion quelconque aux droits qui ont été ainsi imposés) "sera dans tous les temps à l'avenir appliqué à et pour l'usage de chacune des dites provinces respectivement, et en telle manière seulement qu'il sera ordonné par aucune loi ou lois qui pourront être faites par Sa Majesté, ses héritiers ou successeurs, par et de l'avis et consentement du conseil législatif et de l'assemblée de cette province."

Troisièmement, parce que si on recourt à ce qui a eu lieu dans d'autres colonies qui avaient des législatures à l'époque de la passation de l'acte déclaratoire, il est parfaitement notoire qu'il ne s'est pas passé une année depuis la passation de cet acte déclaratoire, sans que les droits qui ont été prélevés sous des actes britanniques passés avant l'acte déclaratoire, n'aient été perçus et même remis en ce pays et déposés à l'échequier. Je demande permission de rappeler à l'attention du comité le cas de la Jamaïque. Les commissaires des douanes à la Jamaïque ont remis annuellement en ce pays les droits prélevés sous les actes susdits; je prends la cédule telle qu'elle appert pour l'année 1822; droits par l'acte 25, c. 2. £31 18s. 6d.; item, 6 Geo. 2, et 4 Geo. 3, £3252 8s. 13d.; si l'interprétation que soutient l'Assemblée du Bas-Canada est légale, il est tout à fait clair que tous ces droits ont été transmis illégalement depuis l'époque de l'acte déclaratoire.

Quatrièmement, parce que les actes coloniaux qui étaient en force avant l'acte déclaratoire, et qui ordonnaient l'appropriation de deniers autrement que par la législature, ont toujours continué d'être en force, nonobstant l'acte déclaratoire; ce fait me paraît prouver par analogie en faveur de l'interprétation que je soutiens. Je rappellerai à l'attention du comité l'acte des Lucayes, passé dans la 8e. Geo. 2, pour lever diverses sommes d'argent pour le paiement des salaires des fonctionnaires, pour défrayer la dépense des sessions de l'Assemblée, et pour d'autres dépenses contingentes du gouvernement; non seulement cet acte a été en force depuis l'époque de l'acte déclaratoire, mais les officiers en loi de la couronne ont donné leur opinion en février 1821, que vu l'expiration de certains actes suspensifs qui avaient rappelé cet acte, on doit le regarder comme de nouveau en force, et que Sa Majesté pourrait appliquer les deniers qu'il prélevait sans l'intervention de la chambre d'assemblée, et sans autre appropriation particulière par la législature des Lucayes. Pour ces raisons je suis décidément d'opinion que l'interprétation soutenue par l'Assemblée coloniale du Canada, savoir, qu'elle a un droit légal à l'appropriation du revenu prélevé sous la 14e. Geo. 3, est une interprétation insoutenable.

Je demanderai de plus la permission d'expliquer au comité, que les disputes élevées entre le gouvernement exécutif et l'Assemblée, se sont élevées principalement à cause de cette interprétation. Depuis l'année 1818 jusqu'en l'année 1825, il y a eu constamment des difficultés en conséquence de ce que l'Assemblée a soutenu cette opinion; mais en 1825 il fut passé un acte durant l'administration de sir Francis Burton, (5 Geo. 3, c. 27.) où se trouve le passage suivant:—"Vu que par le message de son excellence le Lieutenant-gouverneur, daté du 18 de février 1825, soumis aux deux chambres de la législature, il paraît que les fonds déjà appropriés par la loi ne sont pas suffisants pour défrayer toutes les dépenses du gouvernement civil de votre Majesté en cette province; et de l'administration de la justice, et autres dépenses mentionnées dans le dit message; et vu qu'il est expédient de faire d'autres dispositions pour les défrayer," etc. Il est évident ici que la validité de la 14e. Geo. 3, est reconnue par la diction de cet acte, il est reconnu que les fonds qu'il prélevé sont appropriés légalement; et sous cet acte du gouvernement local il n'exista aucun difficulté quelconque, excepté qu'en pratique on avait réduit l'estimation des charges portées par le gouvernement exécutif contre le revenu de la couronne, en ramenant l'octroi proposé de £65,002 1s. 8d., à une somme n'excédant pas £61,611 7s. 11d., laissant par là un déficit de £3,390 13s. 9d.; cet somme de £3,390 13s. 9d. avait rapport à certains items auxquels l'Assemblée objectait spécialement, lesquels items avaient été particulièrement portés contre le revenu de la couronne; mais comme l'Assemblée vota cette somme en bloc et non par items, il était nécessairement laissé à la discrétion du Lieutenant-gouverneur d'arranger ce déficit comme il ju-

gerait à propos. Le simple fait est que par cet acte l'Assemblée ne vota pas £3,390 13s. 9d. qu'on jugeait nécessaires au service public, comme il paraît par l'estimation du Lieutenant-gouverneur. Quant à la manière dont on arrangea ce déficit dans la pratique, le secrétaire d'état (lord Bathurst) abolit quelques-unes des places comprises dans ces £3,390, et transporta les autres contre le revenu territorial de la couronne, sur lequel l'Assemblée ne prétendait à aucune juridiction du moins pas aussi directement; il est parfaitement vrai que dans le principe lord Bathurst blâma la conduite du Lieutenant-gouverneur en sanctionnant cet acte; mais c'était sous l'impression que les termes de l'acte ne maintenaient pas l'intégrité du revenu de la couronne, et conséquemment qu'il était contraire aux instructions royales. L'année suivante, en 1826, dans la vue de purer ce qu'on interpréta l'acte de 1825 comme sanctionnant l'intégrité du revenu de la couronne, l'Assemblée passa les résolutions suivantes avant de commencer le vote des subsides pour l'année:—"Résolu, premièrement, que l'application d'aucunes sommes d'argent déjà prélevées ou qui pourront ci-après être prélevées sur les sujets de Sa Majesté en cette province, d'une autre manière qu'il n'est ou ne pourra avoir été ordonné par une disposition expresse de la loi, est une infraction des privilèges de cette chambre, et tend à renverser le gouvernement de cette province tel qu'établi par la loi. Secondement, qu'aucune loi imposant des droits ou taxes sur les sujets de Sa Majesté en cette province, établissant des fonds pour défrayer les dépenses du gouvernement civil de Sa Majesté et celles de l'administration de la justice ou de la législature en cette province, ne peut être censés conférer à aucune personne le pouvoir ou le droit d'employer les deniers en provenant ou d'en faire une appropriation spéciale et la distribution, sans le consentement et l'autorité de la législature. Troisièmement, que les sommes accordées et appropriées pour aucun objet en particulier ne devraient être appliquées par le pouvoir exécutif qu'à ces objets mêmes, et que l'application du surplus d'aucuns fonds à des fins pour lesquelles ils n'auraient pas été appropriés, est un emploi illégal des deniers publics, une violation de la foi publique, ainsi que des droits et privilèges de cette chambre, et tend à renverser le gouvernement de cette province, tel qu'il est établi par la loi. Quatrièmement, que cette chambre considérera le receveur-général de Sa Majesté en cette province, et toute autre personne ou personnes y concernées, comme personnellement responsables pour tout argent prélevé sur les sujets de Sa Majesté en cette province, qui peut lui ou leur venir légalement entre les mains, et peut avoir été payé par lui ou elles en vertu d'aucune autorité quelconque, à moins que tel paiement ne soit autorisé par une disposition expresse de la loi." Je ne puis dire au comité si le bill de 1826 était *verbatim* le même que l'acte de 1825, parce qu'on envoie pas les bills en ce pays; mais ce bill fut amendé par le conseil législatif dans le but de maintenir en termes non équivoques l'intégrité du revenu de la couronne prélevé sous la 14e. Geo. 3; la conséquence de cet amendement fut que l'Assemblée refusa de procéder sur le bill à son retour de la chambre haute, et en conséquence les subsides ne furent pas votés. Je ne dois pas oublier de représenter très-distinctement au comité, premièrement, que la manière dont les produits de la 14e. Geo. 3, avaient été appliqués, était uniformément mise devant l'Assemblée, qui avait conséquemment le pouvoir de faire des remontrances contre chacun des items y inclus, ou de diminuer les subsides généraux de manière à attendre dans la pratique l'appropriation de ce revenu; mais l'Assemblée n'était décidée à rien moins qu'à soutenir la légalité de l'appropriation de ce revenu par elle-même, et on regardait cette interprétation comme une interprétation à laquelle le gouvernement de Sa Majesté ne pouvait consentir sans négliger le maintien des intérêts de la couronne.

J'ai ainsi tâché de donner au comité des renseignements exacts sur ce point, et je le prie de se rappeler qu'on a toujours été disposé à donner à l'Assemblée l'appropriation absolue de ce revenu, pourvu qu'elle consentit à voter la liste civile actuelle pour un nombre d'années ou pour la durée de la vie du Roi, et dans l'état de collision de sentimens où se trouvaient l'Assemblée comme représentant les intérêts français et le conseil législatif comme représentant les intérêts anglais, on croyait que si le gouvernement civil dépendait pour se soutenir d'un vote annuel de la législature, il y avait peu de chance que le service public allât bien dans cette colonie. Il me paraît impossible que personne puisse se former des vues exactes sur la dispute entre la colonie et le gouvernement exécutif, sans s'assurer si les items que le gouvernement exécutif portait contre le revenu de la couronne, étaient ou n'étaient pas en justice de nature à recevoir la sanction et l'approbation de l'Assemblée coloniale.

Sur quel motif est-il dit que dans les onze ans qui se sont écoulés entre 1763 et 1774 les lois anglaises ont été en force dans les townships du Bas-Canada?—Il émana en 1763 une proclamation royale dont le préambule était dans les termes suivans: "Attendu que nous avons pris en notre considération royale les acquisitions étendues et importantes, assurées à notre couronne dans l'Amérique par le traité définitif de paix conclu à Paris le dixième jour de février dernier; et désirant que tous nos aimés sujets tant de nos royaumes que de nos colonies en Amérique, puissent profiter aussitôt que possible des grands avantages qui doivent en résulter pour leur commerce, leurs manufactures et leur navigation, nous avons jugé à propos d'émaner notre présente proclamation royale." Dans le corps de la proclamation se trouve le passage suivant: "et attendu que ce sera beaucoup contribuer au prompt établissement de nos dits nouveaux gouvernements, que d'informer nos aimés sujets de nos soins paternels pour la sûreté de la liberté et des propriétés de ceux qui sont ou deviendront habitans d'iceux, nous avons jugé à propos de publier et déclarer par notre présente proclamation, que dans les lettres patentes sous notre grand sceau de la Grande-Bretagne, par les quelles les dits gouvernements sont constitués, nous avons expressément donné pouvoir et direction à nos gouverneurs de nos dites colonies respectivement, qu'aussitôt que l'état et les circonstances de nos dites colonies le permettront, de l'avis et consentement des membres de notre conseil, ils aient à sommer et convoquer des assemblées générales dans les dits gouvernements respectivement, en telles manières et forme usitées et dirigées dans les colonies et provinces en Amérique qui sont sous notre gouvernement immédiat; et nous avons aussi donné pouvoir aux dits gouverneurs, du consentement de notre dit conseil et des représentans du peuple, à être ainsi convoqué comme susdit, de faire constituer et ordonner des lois statuts et ordonnances pour la paix publique, le bien-être et bon gouvernement de nos dites colonies, ainsi que du peuple et des habitans d'icelles, aussi conformer que faire se pourra aux lois d'Angleterre et sous les mêmes réglemens et restrictions que dans les autres colonies; et en attendant, et jusqu'à ce que telles assemblées puissent être convoquées comme susdit, tous ceux qui habitent ou se retireront dans nos dites colonies peuvent espérer notre protection royale pour la jouissance du bénéfice des lois du royaume d'Angleterre; et à cet effet nous avons donné pouvoir sous notre grand sceau aux gouverneurs de nos dites colonies respectivement, d'écrire et constituer de l'avis de nos dits conseils respectivement, des cours de judicature et de justice publique dans nos dites colonies, pour entendre et déterminer toutes causes tant civiles que criminelles, suivant la loi et l'équité, et autant que faire se pourra conformément aux lois d'Angleterre, avec liberté à toutes personnes qui se trouveront lésées par le jugement de telles cours, dans toutes causes civiles, d'en appeler à nous, en notre conseil privé, sous les conditions et restrictions ordinaires."

De quelle manière les actes subséquens du parlement affectent-ils la proclamation de 1763?—L'acte de la 14me. Geo. 3, c. 83, était intitulé, acte pour faire des dispositions plus efficaces pour le gouvernement de la province de Québec dans l'Amérique du Nord. Par la 4me. clause de cet acte toutes les dispositions précédentes faites pour cette province devaient être nulles et sans force après le 1er de mai 1775; et à l'égard de la proclamation de 1763, la clause s'exprime comme suit: "Et vu que les dispositions faites par la dite proclamation au sujet du gouvernement civil de la dite province de Québec &c. &c. ont été trouvées par expérience inapplicables à l'état et aux circonstances de la dite province, &c. &c.; Qu'il soit statué, que la dite proclamation, en autant qu'elle se rapporte à la dite province de Québec, et la commission sous l'autorité de laquelle le gouvernement de la dite province est à présent administré, et toute ordonnance ou ordonnances, &c. &c. et toutes commissions, &c. &c., sont par le présent révoquées, annulées et invalidées." Les clauses de l'acte de la quatrième à la neuvième contiennent des dispositions qui regardent les canadiens français; et ensuite la neuvième clause est comme suit: "Pourvu toujours que rien de contenu dans cet acte ne s'étendra ou ne sera entendu s'étendre à aucunes terres qui ont été accordées par sa Majesté, ses héritiers et successeurs, pour être tenues

en franc et commun socage." C'est pourquoi il me paraît qu'en tant qu'elle concerne la population anglaise résidant dans les townships, la proclamation de 1763 devait avoir sa pleine force à son égard. Dans l'acte de la 31e. Geo. 3, c. 31, communément appelé l'acte de Québec, l'acte de la 14e. Geo. 3, c. 83, qu'on vient de citer, n'était rappelé qu'en tant qu'il regardait l'établissement d'un conseil à Québec, conséquemment on doit regarder le reste de ses dispositions comme resté en force; et la 43e. clause de cet acte est comme suit: "Et qu'il soit de plus statué par l'autorité susdite, que toutes les terres qui seront ci-après concédées dans la dite province du Haut-Canada, seront concédées en franc et commun socage, de la même manière que les terres sont maintenant tenues en franc et commun socage dans cette partie de la Grande Bretagne appelée Angleterre; et que dans tous les cas où l'on concèdera ci-après des terres dans la dite province du Bas-Canada, et où le concessionnaire désirera qu'elle soit concédée en franc et commun socage, elles seront ainsi concédées." La partie finale de cette clause pourvoit aux changements qui seront faits par des lois locales dans les Canadas, et continue comme suit: "Mais sujettes néanmoins à tels changements au sujet de la nature et des conséquences de cette tenure en franc et commun socage, qui pourront être établies par aucune loi ou lois qui pourront être faites par sa Majesté, ses héritiers ou successeurs, par et de l'avis et consentement du conseil législatif et de l'assemblée de la province." Les dispositions que l'on trouve ensuite à ce sujet dans la législation, se trouvent dans la huitième clause de la 6e. Geo. 4. c. 69, communément appelé acte des tenures du Canada, qui déclare que les terres tenues en franc et commun socage dans le Bas-Canada doivent être soumises aux lois d'Angleterre; comme cela me paraît strictement d'accord avec la 43e. clause de la 31e. du feu roi, lorsqu'on examine cette clause, eu égard à la législation précédente; laquelle clause que j'ai citée statue absolument que les concessions seront faites dans le Haut-Canada en franc et commun socage; mais à l'égard du Bas-Canada, la législature locale avait le pouvoir de modifier cette disposition, si la chose était trouvée expédiente par la législature et par la couronne.

Quelle est la substance de l'acte qui a pourvu à l'augmentation du nombre de représentants dans l'assemblée législative du Haut-Canada?—Le préambule de cet acte, passé le 7 mars 1820, est comme suit: "Vu qu'à cause de l'accroissement rapide de la population de cette province, on juge que sa représentation dans la chambre d'assemblée des communes est trop limitée, il est rappelé autant des diverses lois maintenant en force qui règle le nombre des représentants, pour savoir, dans le parlement provincial." Il continue ensuite à statuer que les comtés qui contiendront 1,000 habitants seront représentés par un membre; lorsqu'ils contiendront 4,000 habitants, par deux membres; que certaines villes, lorsqu'elles contiendront 1,000 âmes, seraient représentées par un membre; que la population serait établie par les rapports des différents greffiers des villes; que lorsqu'une université serait établie dans la province, elle serait représentée par un membre. Le gouverneur devait émaner des writs d'élection, tel que pourvu par la 31e. du feu roi. L'acte ne devait pas diminuer le nombre des membres maintenant députés par aucun comté, ni rendre nécessaire l'émanation de nouveaux writs d'élection à cause de l'augmentation des habitants, depuis la dernière élection. Les comtés qui contiendraient moins de 1,000 âmes devaient être attachés à celui des comtés voisins qui aurait le plus petit nombre d'habitants. Aucune personne qualifiée à voter dans une ville ne pouvait voter pour en comté en vertu de la même propriété. Les habitants des villes qui députaient un membre ne devaient pas être compris au nombre des habitants des comtés, pour les objets de cet acte.

Quelle était la substance du bill pour unir les législatures des provinces du Haut et du Bas-Canada, qui fut introduit et retiré dans la session de 1822?—Il rappelait autant de la 31e. Geo. 3, c. 31, qui établissait une législature pour chacune des provinces du Haut et du Bas-Canada, ne devant y avoir à l'avenir qu'un seul conseil législatif réuni et une seule assemblée réunie pour les deux provinces. Le conseil législatif réuni devait être composé des membres actuels des deux conseils, avec pouvoir à sa Majesté d'y sommer de temps à autre telles personnes ou personnes que sa Majesté, ses héritiers et successeurs, jugeraient convenables. Ces sommations à être mises à effet sous les dispositions de la 31e. Geo. 3. Le gouverneur devait avoir le pouvoir de nommer et de déplacer l'orateur du conseil législatif; l'assemblée réunie devait se composer des membres actuels des assemblées du Haut et du Bas-Canada, et continuer jusqu'au 1er. de juillet 1824, à moins qu'elle ne fût plutôt dissoute. L'acte du Haut-Canada de la 6e. Geo. 4. devait continuer à être en force, et devait, sujet à tous les changements du bill d'union, être appliqué à la représentation de la dite province du Haut-Canada dans l'assemblée réunie de la même manière qu'il avait été applicable à la représentation du Haut-Canada avant la passation de l'acte. Le gouverneur du Bas-Canada était autorisé à ériger de nouveaux comtés dans les townships, ces comtés devant être représentés dans l'assemblée, et tous les anciens comtés qui ne députaient qu'un membre seraient représentés par deux membres. On pourvoit en même temps qu'aucune subdivision des comtés maintenant établis ou à être ci-après établis dans aucune des dites provinces, excepté tel que pourvu ci-dessus à l'égard des townships, ne s'étendrait ou ne serait entendu s'étendre à augmenter le nombre des représentants de ces comtés. Il était pourvu aussi à ce que le nombre de représentants pour chaque province n'excédât pas 60. Aucun acte pour changer le nombre des représentants ne pouvait être passé à moins d'être sanctionné par une majorité des deux tiers de l'assemblée législative aussi bien que du conseil législatif. Les dispositions de la 31e. Geo. 3, au sujet des élections devaient demeurer en force. Les qualifications des membres devaient consister en propriétés foncières de la valeur de 500l. sterling, et il était prescrit un serment pour assurer cette qualification, et les personnes qui jureraient à faux devaient être coupables de parjure. La décision des élections contestées devait être la même que sous la 31e. du roi. Le gouverneur devait avoir le pouvoir d'appeler à l'assemblée deux membres du conseil exécutif dans chaque province, et il devait y siéger avec pouvoir de prendre part aux débats, et avec tous les autres pouvoirs, privilèges et immunités excepté celui de voter. La législature réunie devait s'assembler une fois dans les douze mois, et durer cinq ans, jusqu'à l'époque d'une élection générale: la majorité des votes devait décider. Les membres du conseil et de l'assemblée devaient prendre les sermens prescrits par la 31e. Geo. 3; la déclaration de la sanction royale devait être réglée par les dispositions de la 31e. Geo. 3; toutes les lois en force au temps de la passation de l'acte dans les dites provinces, ou dans l'une d'elles, ou dans aucune partie d'elles, devaient rester dans le même état, et les privilèges des membres devaient continuer d'être précisément les mêmes. Il était statué de plus, que depuis le temps de la passation de cet acte tous les procédés écrits quelconques seraient en langue anglaise, et que 15 ans après la passation de l'acte les débats dans les chambres se feraient entièrement en anglais, et dans aucune autre langue; que rien dans cet acte, ni aucun acte à être passé par la législature réunie, ni aucune résolution ou autre procédé du conseil législatif ou de l'assemblée, ne pourrait gêner ou être entendus gêner le libre exercice de la religion de Rome, ni préjudicier aux redevances d'usages et aux droits que le clergé de la dite église peut tenir recevoir et posséder, sous la dépendance de la suprématie du roi, telle que reconnue dans l'acte de la 31e. de Geo. 3, et le clergé et les curés qui remplissent maintenant les fonctions ecclésiastiques, ou qui par la suite avec l'approbation et le consentement de sa Majesté, exprimé par écrit par le gouverneur, &c. &c. seraient dûment collatés, nommés ou assignés à aucune paroisse, devaient continuer à tenir, recevoir et posséder leurs honoraires et leurs droits d'usage, aussi pleinement qu'ils y avaient droit sous l'acte de la 31e. du Roi. Toutes les autres dispositions de l'acte de la 31e. du Roi devaient rester en force.

Les objections qu'on opposa à ce bill étaient-elles principalement fondées sur les principes du bill, ou sur quelque partie des détails?—Il a été fait des objections par les deux provinces, mais plus particulièrement par le Bas-Canada, contre les principes du bill; on a aussi fait des objections à quelques uns des détails.

Voulez-vous avoir la bonté d'indiquer au comité à quelles parties on fit objection?—On objecta que le principe établi pour la représentation donnerait nécessairement une plus grande proportion de représentants au Haut-Canada, d'autant que l'acte pour augmenter la représentation des communes de cette province suivant l'accroissement de la population, devait continuer d'être en force, tandis qu'il n'existait dans le Bas-Canada aucune loi pour le même objet; conséquemment la passation d'aucune loi semblable dans le Bas-Canada dépendrait du consentement commun des deux assemblées après l'époque de l'union. On fit aussi objection aux qualifications, et à l'introduction de deux membres du conseil exécutif, comme orateurs, et non comme voteurs; mais la disposition

qui ordonnait que tous les procédés écrits fussent immédiatement en langue anglaise, et qu'après 15 ans tous les débats fussent en anglais, était regardé comme dominant assez à conclure qu'on voulait par degrés angliciser la province unie dans ses institutions.

Avez-vous quelque observation à faire sur cette disposition du bill?—Il est impossible de nier que l'intention de ce bill ne fût de réaliser l'expression employée par M. Pitt en 1791, savoir, de ramener les Canadiens à la langue, aux mœurs, aux usages, et par dessus tout, aux lois et aux institutions de la Grande Bretagne.

En faisant cette déclaration, M. Pitt ne dit-il pas en même temps qu'il ne visait à une semblable assimilation, que dans le cas où elle pourrait avoir lieu du plein gré des Canadiens français, et le motif même qui l'engagea à séparer la colonie en deux provinces, n'était-il pas de garantir les Canadiens français de toute tentative possible de la part du gouvernement de produire cette assimilation sans leur consentement et leur concurrence absolue?—On regardait le bill d'union comme nécessaire en conséquence des défauts inhérents du bill de 1791, qui mettait les deux provinces dans un état de collision perpétuelle, d'où on ne pouvait espérer de sortir dans le temps, si ce n'est au moyen d'une union législative, et conséquemment quelles que fussent les objections abstraites à cette mesure, ou la regardait comme d'une nécessité publique et permanente.

Mais le comité ne doit pas comprendre que vous représentez M. Pitt comme ayant désiré d'assimiler les lois et les usages des deux branches de la population du Canada sur une autre base que l'entière concurrence de la population française à cette assimilation?

—Je veux seulement faire entendre que M. Pitt contemplant cette assimilation comme devant naître de la législation de 1791. Je pense que le bill d'union de 1822 était défectueux en ce qu'il n'assurait pas plus explicitement les droits, les privilèges, les immunités et les avantages dont la population française jouit sous ses propres lois, et en ne rendant pas ces lois tellement permanentes que cette législature réunie n'eût pas le pouvoir de les rappeler.

Pensez-vous qu'on pût maintenant dresser quelque bill dont le but serait l'union des deux provinces, et le faire de manière à ce qu'il ne rencontrât aucune objection de la part des habitants de ces provinces?—Je suis persuadé qu'on ne pourrait faire aucun bill qui ne rencontrerait aucune objection, mais je suis convaincu qu'on pourrait assez considérablement améliorer ce bill de 1822 pour faire disparaître une grande partie des objections qu'on y opposait non sans raison, et je ne vois moi-même aucune alternative entre la proposition de donner à la province du Haut-Canada un port qui la mette à même de maintenir sa communication avec la mer et qui la rende par là indépendante du Bas-Canada, au sujet du revenu provenant de droit, sur les marchandises importées d'outre mer, et d'un autre côté la mise à effet de dispositions pour une union législative.

Pourrait-on donner un port au Haut-Canada de quelque autre manière qu'en annexant Montréal à cette province?—Je ne connais nulle autre facilité géographique d'effectuer ce projet.

Pensez-vous que les objections que feraient les habitants du Bas-Canada contre ce dernier arrangement, ne fussent presque aussi considérables que contre une union des deux provinces?—Je n'ai nulle doute que les Bas-Canadiens ne fissent de très fortes objections contre cette proposition, mais je répète que si les circonstances relatives des deux provinces, et le devoir rigoureux de la mère patrie d'agir avec justice envers l'une et l'autre, je ne vois moi-même d'autre alternative que celle-là. Cependant je ne puis oublier de faire remarquer que si des considérations de défense mutuelle, et un sentiment d'intérêt commun, rendent l'opinion favorable à l'union législative des deux provinces, il ne me paraît y avoir aucun autre mode décisif d'en ajuster les intérêts au sujet de l'appropriation du revenu commun, que d'identifier les intérêts, comme le ferait la mesure de l'union; mais en même temps d'une union qui garantirait à la population française ses lois et ses institutions dans les seigneuries, jusqu'à empêcher la législature combinée de détruire ces lois et ces institutions, et qui en même temps réserverait assez d'espace dans la partie non établie de la province, pour permettre à la population française de s'étendre dans la sphère d'opération des lois françaises.

Pourrait-on, dans votre opinion, mieux prévenir les difficultés qui s'élèvent au sujet du règlement de la perception et de la distribution du revenu des douanes sur les marchandises importées dans le Saint-Laurent, que par les dispositions contenues dans l'acte du commerce du Canada?—Je n'imagine pas que dans les circonstances actuelles des deux provinces on put suggérer aucun moyen qui pût mieux remplir ce but, que celui qui est prescrit par les dispositions de cet acte.

Plusieurs témoins ont exposé au comité que suivant leur opinion on pourrait adopter un système de droits et de remise, et qu'on pourrait adopter un système d'entrepôt, dans le Bas-Canada, pour les marchandises qui seraient ensuite importées dans le Haut-Canada et y payeraient les droits, et que l'un ou l'autre de ces systèmes serait préférable à la marche qui a été établie par la loi; ces plans étaient-ils sous la considération du département colonial lorsqu'on s'est décidé en faveur de cette mesure?—On avait fait dans le temps un grand nombre de suggestions au département colonial, et on trouva alors, comme je crois qu'on trouverait maintenant, que les habitants du Bas-Canada étaient disposés à croire à l'existence de ces facilités, et que ceux du Haut étaient presque unanimement de l'opinion contraire.

M. Ellice fait allusion dans son témoignage à certains obstacles qui ont empêché la mise à effet des dispositions de l'acte appelé Acte des Tenures du Canada, et il renvoie à des instructions envoyées au gouvernement local pour mettre à effet les dispositions de l'acte de 1822; pouvez-vous informer le comité de la nature de ces instructions?—Le conseil exécutif ne regardait cette question qu'abstraitement, et en égard simplement à une prise d'équitable des droits de la couronne dont les seigneurs voudraient se racheter; mais le grand objet de la clause était non seulement de libérer les seigneurs des redevances féodales payables à la couronne, mais aussi de les mettre à même d'émanciper leurs censitaires sous-tenanciers, et d'introduire généralement par là un système de tenures plus favorable à l'agriculture et à l'amélioration générale de la province. Lord Dalhousie reçut donc instruction de donner toutes espèces d'encouragement aux seigneurs pour l'émancipation de leurs tenanciers et pour faire savoir que dans le cas où un seigneur s'engagerait ouvertement à libérer ses censitaires sur un principe d'équitable composition lorsqu'ils le demanderaient, la couronne dans ce cas libérerait le seigneur au taux de cinq par cent, ou en d'autres termes pour un vingtième au lieu d'un cinquième de la valeur.

Le comité a été informé qu'une partie considérable des terres du Bas-Canada a été concédée en parties très-considérables à des personnes qui ne sont pas résidentes et qu'on peut à peine trouver; avez la bonté de dire quel serait suivant votre opinion le meilleur moyen d'obvier aux difficultés qui retardent maintenant la culture de ces terres?—Je serai disposé à concourir dans l'opinion de M. Ellice, que si on pouvait mettre à exécution une taxe sur les terres en friche, ce serait un mode aussi commode pour y remédier que le projet des échettes; mais en même temps je ne suis pas du tout de l'opinion de M. Ellice sur les difficultés pratiques de mettre à effet un système pratique d'échettes. On l'a mis en exécution dans la pratique dans le Nouveau-Brunswick, pour un million d'acres; et je ne vois pas pourquoi, avec les réglemens convenables, on ne pourrait également le mettre à exécution dans le Bas-Canada. Il serait nécessaire pour cet objet de donner du temps aux parties intéressées pour exécuter les stipulations de l'obligation d'établissement, qu'elles ont jusqu'ici omis d'exécuter; vu qu'il serait peu séant de leur faire soudainement porter les conséquences de cette omission à laquelle le gouvernement exécutif s'est tacitement soumis. Il y a un moyen de mettre à effet ce principe d'échettes, savoir la confiscation en faveur du gouvernement d'une certaine partie de la terre elle-même, comme pénalité pour le défaut d'amélioration, cette confiscation devant avoir lieu périodiquement jusqu'à ce qu'elle fut toute consommée, en supposant que la personne exécutante pas les améliorations dont elle serait convenue. Il fut envoyé des instructions par lord Bathurst, sous la date du 1826, pour former une commission d'échettes, et pour rechercher le meilleur mode d'appliquer le principe en remède pratique; mais rien n'est plus certain qu'à moins qu'on ne pourvoie à quelque remède pratique, soit par taxe ou par échette, les terres concédées qui sont maintenant en friche dans le Bas-Canada, doivent absolument empêcher jusqu'à un point considérable toutes les améliorations dans la province.

L'opération d'une taxe imposée sur les terres en friche, tomberait-elle en conflit d'aucun-

ne manière avec le système d'échettes dont on a ordonné la mise en opération?—Je pense que les principes des échettes pourraient être mis à effet par la couronne simultanément avec toute taxe que la législature pourrait imposer sur les terres non en culture. Lord Dalhousie dit, dans une lettre adressée à lord Bathurst, du 5 avril 1825, que par rapport à l'échette et à la forfeiture des concessions de terre faite d'avoir rempli les conditions d'établissement stipulées dans les lettres patentes, il a à faire remarquer que sur deux millions et demi d'acres concédés de cette manière dans le Bas-Canada, il n'en reste pas moins de sept millions sans culture, et sujet par conséquent à être repris par la couronne. On suppose que six millions d'acres sous la tenure seigneuriale sont dans le même état, mais à l'égard de cet espèce de terre il est douteux jusqu'où la couronne peut avoir le droit de les reprendre si le changement proposé de tenure est exécuté jusqu'à un certain point. Lord Dalhousie fait remarquer la convenance aussi bien que le droit de reprendre cette immense étendue de terres pour l'établissement d'émigrés. Il ajoute que le mode de procédés indiqué par les loix du Canada pour la réunion des terres tant en soccage qu'en seigneurie, est tombé en désuétude, est tellement surchargé de difficultés, et tellement inapplicable à l'état présent de la province, surtout à l'égard des concessions dans les townships, qu'il est presque impossible à la couronne de reprendre ses justes droits. En conséquence de cette suggestion de lord Dalhousie, on introduisit dans l'acte des tenures du Canada la clause qui pourvoit à l'établissement de cours d'échettes.

Quelles démarches le bureau colonial a-t-il pris pour remédier à ce mal?—La 10^e clause de la 6^e Geo. 4, c. 56, communément appelé Acte des Tenures du Canada, pourvoit à ce que des cours d'échettes soient constitués dans la province du Bas-Canada pour décider des forfeitures de terres non cultivées sujettes à échetter en faveur de la couronne. En l'année 1826, lord Bathurst envoya des instructions à lord Dalhousie pour qu'il nommât un des juges inférieurs pour remplir les fonctions de la cour d'échettes sous la clause de l'acte du parlement. Lord Dalhousie repliqua que le juge n'avait pas le temps de remplir ces devoirs, et qu'il faudrait nommer quelqu'autre personne, sur quoi M. Huskisson lui écrivit des instructions pour l'autoriser à nommer une personne compétente pour remplir ce devoir. On doit se rappeler qu'il n'existe aucun fonds quelconque pour mettre à effet ce principe d'échettes, à moins que le parlement n'en vote un. On regardait les difficultés attachées à la mise à effet d'un principe satisfaisant d'échettes comme si considérables, que lorsque le colonel Cockburn fut envoyé en qualité d'inspecteur et de commissaire, il reçut des instructions séparées de communiquer avec les gouverneurs de toutes nos colonies de l'Amérique du Nord, et particulièrement avec lord Dalhousie, pour faire rapport au gouvernement ici sur la meilleure méthode pratique de mettre le système d'échettes à effet à l'époque la plus prochaine possible. Qu'on me permette de dire comme mon opinion qu'à moins qu'on ne mette complètement à effet un système d'échettes, il n'existe possiblement aucune amélioration pour ces colonies, et que j'ai toute raison de croire que les renseignements qui sont entre les mains du gouvernement sont de nature à le mettre à même de mettre ce système à exécution à une époque prochaine.

Les terres sont-elles maintenant concédées en Canada d'après un système propre à prévenir le retour probable de cet inconvénient?—Entièrement; mais on peut remettre au comité un exposé du système d'après lequel elles se concèdent. Le système d'après lequel elles se concèdent maintenant, est qu'on les concède précisément en proportion des capitaux que le concessionnaire a à y appliquer.

Exige-t-on des sûretés suffisantes pour l'emploi des capitaux sur les terres?—Je pense que ces sûretés sont comprises dans les réglemens prescrits.

Le comité a été informé par M. Ellice, qu'il a trouvé beaucoup de difficultés à effectuer une mutation de la tenure seigneuriale de ses terres en celles de franc et commun soccage, sous les dispositions de l'acte pour cet objet; voulez-vous dire de quelle manière on peut obvier à ces difficultés?—Le premier arrangement qu'à fait le gouvernement, au sujet de la mutation de la tenure féodale en franc et commun soccage, pourvoit seulement à la libération du tenancier immédiat. La conséquence fut que l'objet de ce changement de tenure ne fut pas mis à effet. Le seigneur était libéré de ses obligations envers la couronne, mais il ne pouvait être obligé de libérer ses sous-tenanciers des mêmes obligations. L'acte des tenures du Canada pourvoit à ce que dans le cas où la couronne jugerait à propos de remettre ses droits au seigneur en considération de cinq pour cent sur la valeur prise, le seigneur de son côté pût être forcé par la loi à se soumettre à un arbitrage entre lui-même et son sous-tenancier, de sorte que son sous-tenancier pût réclamer de lui la même mutation qu'il avait effectuée pour lui-même avec la couronne.

Quelles sont les difficultés qui empêchent que cet arrangement ne soit mis à effet?—Je pense que les difficultés qui se rencontrent sur ce point, sont le manque absolu de dispositions de la part de la population française de se prévaloir de cette permission, et dans le fait c'est une permission dont il n'y a que les anglais qui puissent se prévaloir.

Mais M. Ellice, qui était très-pressé à s'en prévaloir, rencontra tant de difficultés qu'il fut obligé d'abandonner la chose; et une des difficultés qu'il expose est l'énormité de la prime d'un cinquième de la valeur demandée par la couronne?—La couronne demandait un cinquième dans le principe, mais en considération des avantages qu'on attendait d'un changement de tenure, la couronne renouça à ce cinquième ou à 20 pour cent en considération de cinq pour cent.

Voyant les difficultés qui continuent d'exister, trouveriez-vous convenable que la couronne réduisît encore ses demandes?—Si le seigneur voulait réduire ses demandes contre ses sous-tenanciers en même-temps que la couronne réduirait ses demandes contre lui, je suis disposé à répondre que je trouverais la chose très-à-propos; mais je ne comprends pas sur quel principe de justice le seigneur pourrait soutenir ses droits en entier à l'égard de ses sous-tenanciers, tandis que de l'autre côté la couronne avantagerait le seigneur. On regardait dans le temps, d'après tous les renseignements que le gouvernement avait pu se procurer, que la couronne faisait un sacrifice beaucoup plus grand en faveur du seigneur, que le seigneur en faveur de ses sous-tenanciers; et il ne s'en suivait pas qu'en supposant que la couronne eût entièrement renoncé à ses demandes, cela eût facilité d'aucune manière la mutation de tenure entre le seigneur et ses sous-tenanciers.

Trouveriez-vous convenable que la couronne réduisît encore ses demandes, afin de faciliter l'amélioration de la colonie par un changement de tenure?—S'il était prouvé d'une manière présomptive que l'effet de la réduction des demandes de la couronne fût dans la pratique la libération de cette espèce de biens, je dirais en ce cas que cela vaudrait la peine que la couronne fit un sacrifice; mais on a pensé que l'arrangement était aussi juste et aussi équitable, et qu'il produirait aussi probablement effet, que toute autre arrangement qui pût être; il est impossible de ne pas voir que si ce changement de tenures devait avoir lieu sur un plan étendu dans les seigneuries, et que la conséquence en fût l'introduction des lois anglaises pour les terres dont la tenure aurait ainsi été commuée, il y aurait beaucoup de confusion à avoir des biens entremêlés pour ainsi dire alternativement, et à ce qu'une loi différente y fût applicable.

Pensez-vous qu'on pourrait donner quelques instructions pour rendre ce changement de tenures plus praticable?—Je ne sais certainement pas qu'on pût donner des instructions pour le rendre plus praticable.

Pourrait-on amender l'acte de manière à faciliter la mutation?—Je n'ai qu'à répéter que suivant moi il n'y aurait que les anglais qui possèdent des biens dans les seigneuries qui prissent avantage de cette permission; et je n'imagine pas qu'on pût donner de plus grandes facilités que celles que donnent maintenant les instructions, combinées avec les dispositions de l'acte.

M. Ellice a mentionné qu'un receveur anglais est nommé pour la province, avec des sûretés insuffisantes reçues en Angleterre; quels réglemens pourraient à ce que vous pensez y servir de remède à l'avenir?—La nomination du receveur appartient exclusivement à la trésorerie, et conséquemment je n'ai pas de connaissance détaillées sur ce sujet, pour me mettre à même de faire quelques suggestions particulières. En même-temps j'observerai qu'il est expédient, suivant mon opinion, de donner la publicité la plus illimitée, tant dans les colonies que dans la mère-patrie, à tous les comptes d'argent, toutes les appropriations et les affaires de finances. Si on suit équitablement ce principe; il suffira, suivant mon jugement, à prévenir ultérieurement toutes difficultés sérieuses sur ces matières.

M. Ellice a dit que le gouverneur du Bas-Canada avait reçu des instructions de remédier aux difficultés provenues de ce que l'assemblée ne votait pas les subsides, par ses propres warrants sur le receveur, à qui les taxes sont payées en vertu des dispositions de l'acte du commerce du Canada; avez-vous quelques renseignements à donner au comité sur ce point?—Le gouverneur n'a pas reçu instruction d'approprier les droits perçus sous l'acte du commerce du Canada; mais dans la nécessité où il s'est trouvé souvent, et la cessation totale de tous subsides de maintenir le gouvernement de la colonie, il a tiré sur le revenu non approprié, et cette conduite doit nécessairement n'être justifiée que par l'extrême difficulté et l'embarras de sa situation; la discrétion qu'il a été forcé d'exercer dans ces occasions a reçu la sanction des secrétaires d'état.

Voulez-vous avoir la bonté de détailler au comité les circonstances qui ont accompagné l'introduction du bill des aubains?—Le but du Haut-Canada, en désirant la passation du bill des aubains, était d'autoriser les aubains (dans la signification rigoureuse de ce terme) à siéger dans la législature, et d'assurer les titres; personne ne pouvait légalement avoir droit à la possession d'immeubles sans être sujet-né, ou sans avoir prêté le serment d'allégeance, et il y avait un grand nombre de personnes qui n'étaient pas qualifiées sous ces restrictions.

Savez-vous quelle proportion de la population du Haut-Canada était dans cette situation?—Une proportion très-considérable de la population du Haut-Canada était sujette à cette restriction; et il était nécessaire de faire d'abord passer un acte en ce pays, pour donner effet à tout acte local qui serait passé dans la province pour remédier à cet inconvénient à l'égard des élections.

À l'égard des dispositions de l'acte local, que le lieutenant-gouverneur du Haut-Canada avait reçu ordre de faire introduire dans l'assemblée, ses dispositions avaient été dressées avec le plus vif désir d'amener une conciliation entière, et à l'égard de la conduite du département colonial, il est nécessaire de mentionner que les instructions que lord Bathurst avait envoyées dans la colonie pour la passation d'un bill local, et qui excitaient des mécontentemens, étaient des réglemens qui avaient reçus l'approbation d'un membre de la législature qui se trouvait en ce pays plus ou moins avec le caractère d'agent de la province au sujet de certains griefs dont on se plaignait. Lorsque le département colonial connut ces objections, qu'on trouva sans s'y attendre de la part de la législature, lord Goderich envoya des instructions, sur lesquelles il fut introduit un bill qui a finalement réglé la question.

Y avait-il des différences essentielles entre le bill proposé par lord Bathurst, et celui qui fut proposé par lord Goderich et accepté en Canada?—Sans aucun doute; la principale distinction était que par le bill suggéré par lord Bathurst, toutes personnes étaient obligées quelque temps qu'elles eussent résidé dans le pays, d'avoir recours aux mêmes moyens d'établir leurs titres que celles qui par comparaison n'y résidaient que depuis peu; et la distinction faite par lord Goderich, était de limiter le temps pour lequel il fallait prendre ces précautions, et de regarder la possession antérieurement à l'année 1820 comme valant titre en elle-même; mais je répète qu'on ne s'attendait pas à ce que la province réclamât contre le défaut d'une semblable limitation, ou contre l'établissement de l'enregistrement, dont on fit aussi un sujet de plainte.

Ne regardez-vous pas le bureau colonial comme responsable de tout système politique suivi pendant longtemps par le gouverneur d'une colonie?—Sans nul doute, dans les cas que l'on peut caractériser comme constituant un système politique.

Pour bien juger des mesures que le gouvernement devrait adopter, n'est-il pas nécessaire que le bureau colonial soit bien au fait de tout ce qui se passe entre l'assemblée de la province et le gouverneur?—Certainement, et c'est pour cela que les journaux de l'assemblée sont transmis, accompagnés des commentaires que le gouverneur trouve convenable d'ajouter; mais il ne s'en suit pas qu'on doive nécessairement faire un sujet d'observation des bills rejetés par le conseil législatif.

Les mesures qu'on a prises pour disposer des réserves de la couronne sont-elles dans votre opinion de nature à remplir le but désiré?—Je suis d'une opinion bien différente de celle de M. Ellice à l'égard de la marche que le gouvernement a adoptée pour disposer des réserves de la couronne et du clergé en faveur de la compagnie du Canada; il dit que le gouvernement avait essayé de transporter tous ces biens à la compagnie du Canada, mais que l'église, toujours attentive à son intérêt, n'approuva pas le prix fixé par les commissaires, lequel dans le fait était beaucoup au-dessus de leur valeur actuelle, et qu'on a laissé passer cette chance de faire disparaître en partie cette nuisance, et qu'il est impossible de s'empêcher de remarquer la marche vacillante du bureau colonial, qui n'insista pas à ce que l'arrangement fût exécuté. Le principe sur lequel on remit ces terres entre les mains des commissaires était un principe général d'évaluation moyenne, et l'église qui était obligée de veiller à ses propres droits légitimes, se plaignait, avec justice à ce que je le crois, que tandis que les réserves du clergé étaient d'une plus grande valeur, le terme moyen établi pour ces terres, donnait nécessairement par acre une moindre somme que celle que ces réserves ecclésiastiques auraient rapportés si on les eût prises séparément.

Y a-t-il quelque raison de croire que les réserves du clergé valent plus par acre que les réserves de la couronne?—Tous les rapports qui ont été faits au département colonial vont à prouver que les réserves du clergé, qu'on a toujours choisi avec le plus grand soin, ont dans le fait une plus grande valeur que les terres de la couronne.

Dans la division du township qui a le choix des réserves du clergé?—Le gouverneur et le conseil. Il est nécessaire d'observer que le septième approprié au clergé est approprié par un statut; le septième assigné à la couronne est simplement à la discrétion de la couronne.

Suivant votre opinion, les démarches que l'on a prises pour pourvoir à l'aliénation des réserves du clergé seront-elles suffisantes pour cet objet?—Le comité sait qu'il a été passé un bill pour autoriser le gouverneur et le conseil dans le Haut-Canada à vendre annuellement 100,000 acres des réserves du clergé, suivant mon opinion ce bill est suffisant pour apporter le remède si impérieusement requis; parce que je pense qu'il serait extrêmement expédient de faire vendre des parties des réserves du clergé, pour donner de la valeur au reste, pour faire les chemins et remplir l'obligation d'établissement, et les préparer à la culture, et je suis d'opinion que si cette obligation était remplie, et que les réserves du clergé fussent améliorées jusqu'à un certain point, il n'y aurait aucune difficulté à les louer à long terme, de manière à les rendre productives à une époque beaucoup plus rapprochée qu'on ne pourrait s'y attendre. Les produits de la vente de ces réserves, ainsi qu'il est ordonné par le statut, doivent être appliqués dans les fonds et les rentes et profits appliqués aux objets mentionnés par l'acte 31^e Geo. 3, quelques puissent être ces objets; mais je fais allusion à l'aliénation absolue d'une partie de ces réserves pour appliquer les deniers de la vente d'icelle à l'amélioration du reste, en donnant par-là à ce reste une plus grande valeur, que n'en avait le tout avant l'aliénation.

Se trouve-t-il quelque chose dans l'acte de 1791 qui paraisse avoir trait à la dépense d'une somme d'argent sur ces réserves dans le but de les améliorer?—Il ne paraît pas y avoir la moindre allusion à la nécessité d'y appliquer des capitaux avant de pouvoir les rendre productives. Il est évident que le but de ceux qui dressèrent l'acte de 1791, ainsi que le réglemen sur les réserves de la couronne, était fondé sur l'attente que la civilisation entourerait ces terres en friche, et leur donnerait par là de la valeur, tandis que l'effet en a été actuellement que l'existence de ces réserves est ce qui a empêché cette civilisation de s'étendre.

Il paraît que sur les terres de la couronne concédées à la compagnie du Canada, on a accordé à l'église écossaise une réserve annuelle de 750L; dans quelles vues a été faite cette réserve?—On a regardé comme extrêmement expédient de pourvoir aux besoins de l'église écossaise, et quel qu'eût pu être le montant de l'arbitrage des réserves du clergé, il était tout à fait évident que quand même on aurait adopté en principe la division des profits de ces réserves entre les deux églises, elle n'aurait rapporté que 200L par an à l'église écossaise, ce qui n'aurait pas suffi pour répondre aux besoins de ses pasteurs, et en conséquence le secrétaire d'état recommanda d'approprier une partie des produits des paiements de la compagnie du Canada au paiement du clergé écossais.

Pendant combien de temps ces 750l. doivent-ils être continués à l'église presbytérienne ?—Les 750l. sont nécessairement durant bon plaisir, mais il doit durer tout le temps que dureront les paiements de la compagnie du Canada, ce qui renferme une période certaine de 15 années, et la probabilité d'une durée beaucoup plus longue. M. Ellice observe que "les réserves du clergé sont tenues dans un état de désert, n'y ayant personne d'assujéti à remplir les obligations des chemins, et le colon industriel étant exposé à tous les inconvénients d'avoir de grandes forêts interposées entre son établissement et les marchés, ou bien que des gens en occupent sans titre les parties les plus améliorées et les mieux accessibles." Jesuis d'opinion qu'on ferait disparaître cet inconvénient en grande partie, sinon en entier, par l'aliénation d'une partie des réserves du clergé pour en appliquer les produits à l'ouverture de chemins, et en général à l'exécution de ce qu'on appelle les obligations d'établissement; et que l'effet en serait non seulement d'améliorer la condition générale de la province, mais comme je l'ai déjà observé de donner au reste de ces réserves une valeur infiniment plus grande que celle qu'elles ont dans leur état actuel.

Suivant quelle méthode a-t-on disposé des réserves de la couronne dans tous ces districts ?—Il n'est peut-être pas nécessaire de remarquer que la couronne ayant l'appropriation incontestable des six-septièmes, après avoir soustrait un septième pour les besoins du clergé, ou ne pouvait avoir d'autre motif en en mettant un septième à part du reste, qu'un motif fondé sur l'attente déjà mentionnée, qu'une valeur particulière se rattacherait à cette réserve, en conséquence de l'établissement des terres environnantes; et les terres non-concédées ayant été en quantité si considérable dans le Haut-Canada, il n'a jamais été nécessaire d'approprier ces réserves de la couronne pour répondre aux demandes des colons; c'est pourquoi, sur le même principe que les réserves du clergé, elles sont demeurées des nuisances pratiques à la province.

L'attention que vous avez portée à ce sujet, vous a-t-elle fait douter de la convenance de pourvoir aux besoins religieux de la société dans un pays comme le Canada, au moyen d'un revenu permanent tiré de l'appropriation d'une partie du sol ?—En répondant à cette question, qu'il me soit permis de faire une distinction entre les glèbes assignés à l'usage actuel d'un ecclésiastique, et de grands partis de terre mis à part pour faire un revenu à l'église; je pense que la première mesure est ou ne peut plus expédiente; je pense que l'autre présente nécessairement dans la pratique des difficultés qu'il serait fort à désirer de faire disparaître; et il me paraît que dans le cas actuel le remède pratique est d'approprier des terres de glèbe, lorsque les circonstances le demanderont, à l'usage des ecclésiastiques de l'église d'Angleterre; et quant aux revenus généraux de l'église, d'appliquer les produits de la vente de ces réserves à mesure qu'on les retire de main-morte. Je voudrais expliquer que lorsque je parle d'assigner particulièrement des glèbes à un ecclésiastique de l'église d'Angleterre, je ne veux pas dire nécessairement à même les terres réservées par l'acte de 1791, mais à même de terres à la disposition de la couronne qu'on pourrait échanger contre les terres ainsi réservées, s'il s'en trouvait de plus commodément situées.

D'après les facilités que vous avez eues de connaître les sentimens et les opinions du peuple du Canada à ce sujet, ne seriez-vous pas disposé à dire que le gouvernement et la législature d'Angleterre, devraient bien prendre garde de rien faire qui pût donner lieu au plus léger soupçon qu'on ait eu quelque intention d'établir une église dominante dans le pays ?—L'acte de 31e. Geo. 3, c. 31, clause 36, établissait les réserves du clergé, c'est-à-dire, ordonnait que la septième partie des concessions de terres fut assignée et appropriée au soutien et au maintien d'un clergé protestant dans les colonies; et il est dit qu'on le fait comme le meilleur arrangement possible pour assurer un soutien et un maintien dûs et suffisans à un clergé protestant dans les dites provinces. La 37e. clause statue, "que toutes et chaque rentes, profits ou émolumens qui peuvent en aucun temps provenir de ces terres ainsi assignées et appropriées, seront uniquement applicables au maintien et au soutien, et à aucun autre usage ou objet." Ainsi jusque là on ne fait aucune mention d'une église dotée; mais la 38e. clause continue à statuer, "qu'il sera loisible à Sa Majesté, etc. de constituer et établir dans chaque township ou paroisse qui sont maintenant ou qui pourront être à l'avenir formés, constitués ou érigés dans l'étendue de l'une ou de l'autre des provinces du Bas ou du Haut-Canada, une ou plusieurs cure ou rectorat, ou cures ou rectorats, suivant l'établissement de l'église d'Angleterre, et de temps à autre par un instrument sous le grand sceau de la dite province, de doter chacune de ces cures ou rectorats d'autant ou de telle partie des terres, etc." voulant dire les réserves du clergé, "qu'il pourrait être jugé expédient d'approprier alors sous les circonstances existantes de tel township ou paroisse." La clause suivante rattache les mêmes termes et les mêmes conditions à ces cures ou rectorats, et la prestation des mêmes devoirs, que d'accord avec la nature d'une cure ou rectorat en Angleterre. La clause suivante les met sous la juridiction de l'évêque. La 11e. clause donne le pouvoir, "pouvoir certainement très-important, à la législature locale, de changer ou rappeler les diverses dispositions y contenues, par un acte ou des actes qui étant passés par les deux assemblées, recevront l'approbation de la couronne. C'est pourquoi je demande qu'on me permette de faire les observations suivantes en réponse à la question, si je ne serais pas disposé à recommander de prendre garde qu'il ne s'élève quelques soupçons qu'on ait eu l'intention d'établir une église dominante dans cette colonie. Il me paraît parfaitement clair que ceux qui ont dressé cet acte étaient dans l'impression erronée que ce système de terres réservées, à une époque comparativement prochaine, produirait un fonds qui pourrait être généralement applicable à former le revenu du clergé de l'église établie, soit l'église d'Angleterre ou celle d'Ecosse, vu que je conçois que les termes "clergé protestant" se rapportent au clergé des deux établissemens reconnus; et il me paraît d'après l'arrangement de ces clauses, qu'on établissait une dotation spéciale en terres pour l'église d'Angleterre, dans les cas où il y en aurait besoin, tandis qu'on ne dotait pas l'église d'Ecosse de la même manière; conséquemment je crois que je suis justifiable de conclure qu'on avait intention de faire de l'église d'Angleterre une église dominante, tant qu'elle devait avoir l'avantage de terres particulièrement assignées à son maintien, ce qui la distinguait de l'église d'Ecosse, qui devait avoir telle proportion des profits, rentes et émolumens de ces réserves, qu'on jugerait expédient de lui assigner, à la discrétion du gouvernement exécutif. Mais il me paraît tout à fait établi qu'on n'avait aucune intention d'établir nécessairement l'église d'Angleterre comme église dominante, d'autant que la 11e. clause donne pouvoir aux législatures locales de changer du consentement de la couronne, toutes les dispositions qui sont contenues dans les 37e., 38e., 39e. et 40e. clauses.

Suivant votre plan, les mesures que vous avez suggérées vont-elles jusqu'à déranger l'appropriation des terres du clergé lorsqu'elles seront améliorées ?—Si le comité veut me permettre de répéter une suggestion, la voici: que pour libérer la province des inconvénients pratiques des parties des réserves qui arrêtent la culture générale et la civilisation de la province, je propose d'en aliéner une partie pour faire des chemins et préparer des voies à la culture et à l'établissement. A présent il n'existe en vertu d'aucun acte aucun pouvoir d'effectuer cet objet, vu que la loi ne fait qu'autoriser à les vendre, et à appliquer le produit de la vente dans les fonds pour l'appropriation future, si on retient ces réserves pour un temps considérable, il n'y a aucun doute qu'à la fin, après que le cours peut être de siècles entiers elles acquerraient une très-grande valeur; mais si on les vend de bonne heure, il me paraît que les deniers de la vente peuvent être appliqués légitimement aux objets que l'acte du Canada a en vue, savoir un soutien d'un clergé protestant, comprenant sous ces termes le clergé de l'église établie, et je ne vois pas quel désavantage il pourrait survenir à la colonie (pourvu que ces terres soient progressivement retirées de main-morte) en conséquence de l'application des deniers de la vente à cet objet. Je proposerais que toute la meilleure partie des réserves du clergé, qui a déjà acquis de la valeur à cause de la proximité des terres cultivées, fût mise en vente la première, et ainsi de suite jusqu'à ce qu'on ait disposé de la totalité. M. Ellice dit dans son témoignage par rapport à ces réserves, qu'il n'y a pas d'espoir à ce qu'il s'en vende au montant de 100,000 acres par année, ou même qu'il s'en vende 25,000 acres. Il ajoute, "ils ne font rien pour encourager les colons; ils ne font pas de chemins, ne bâtissent pas de moulins, et n'appliquent pas un shilling de capitaux." Or je propose de remédier à ces inconvénients, en permettant l'aliénation absolue d'une partie de ces mêmes réserves pour

Quel but a-t-on en en limitant la quantité des réserves du clergé qu'on pourrait vendre chaque année ?—C'est par ce qu'on supposait qu'il n'y aurait pas de chalandis au-delà de ce montant, vu la quantité de terres que la compagnie du Canada a à concéder, et l'étendue de territoire qui n'est pas encore concédée.

Cet état de choses n'ôtait-il pas la nécessité d'une limitation ?—En voici la raison: s'il n'y avait pas de limites, on pourrait en mettre 500,000 acres dans le marché et les vendre pour rien, et c'était en conséquence pour empêcher que les réserves ne fussent exposées en vente à la hâte et sans prévoyance, qu'on y a posé des limites; mais s'il y avait quelques chances d'effectuer la vente de ces réserves à une époque plus rapprochée, je regardais la limitation comme très-impolitique.

Le comité a été informé que l'établissement de l'université du Haut-Canada, de l'administration de laquelle ont été exclus toutes les croyances protestantes, excepté celle de l'église d'Angleterre, a tenu considérablement à accroître les jalousies qui existaient déjà dans le Haut-Canada envers l'église d'Angleterre; pouvez-vous informer le comité en vertu de quelles instructions cette université a été ainsi fondée ?—Elle a été fondée par une charte sous le grand sceau, et elle libérait les étudiants de l'obligation de souscrire les trente-neuf articles, obligation qui avait été imposée par la constitution des autres provinces de l'Amérique du Nord.

De quelle manière est-elle dotée ?—Elle est dotée en terres, et une appropriation est faite en sa faveur à même les produits des réserves du clergé vendues à la compagnie du Canada.

Le conseil n'a-t-il pas la nomination des professeurs ?—Sans doute. N'exige-t-on pas que tous les membres du conseil soient membres de l'église d'Angleterre ?—Oui.

A-t-on effectivement disposé des réserves de la couronne, de manière à prévenir la continuation des inconvénients qu'elles avaient produits ?—On a disposé de toutes les réserves de la couronne dans le Haut-Canada en faveur de la compagnie du Canada, à l'exception de celles des nouveaux townships qui ont été tracés depuis le 1er. de mars 1823.

Sur quel pied sont-elles dans le Bas-Canada ?—Elles restent toujours sans être établies; dans le fait, la quantité de terres établies est d'autant moindre dans le Bas-Canada que dans le Haut, qu'il y a beaucoup moins de réserves de la couronne dans une province que dans l'autre. Mais suivant mon opinion rien ne peut être plus impolitique que de faire une distinction dans les six-septièmes qui appartiennent à la couronne. Je regarde comme erroné le principe de la réserve d'un septième à la couronne, vu qu'on devrait avoir pour principal objet l'établissement entier des districts particuliers, plutôt qu'un établissement partiel et général.

Voulez-vous mentionner au comité les sommes qui ont été payées par la compagnie du Canada, et leur appropriation ?—La somme que la compagnie des terres du Canada est actuellement obligée de payer en 16 ans, par versemens annuels, se monte à 301,367l. sterling. Elle est obligée d'appliquer à l'amélioration du pays d'un million d'acres, donné en lieu des réserves du clergé, une somme de 43,000l. Elle a le 1er. juillet 1829 fait le premier paiement de 20,000l.; ce paiement surpassait quelques-uns de ceux des années subséquentes, afin de couvrir les frais de l'arrangement. En 1827, 15,000l.; en 1828, 15,000l.; en 1829, 15,000l.; en 1830, 16,000l.; en 1831, 17,000l.; en 1832, 18,000l.; en 1833, 19,000l.; en 1834, 20,000l.; et 20,000l. chaque année subséquente jusqu'à la fin du terme, étant à l'option de la compagnie d'augmenter les versemens si elle le juge à propos, pourvu que le compte soit finalement réglé la dernière année, c'est-à-dire le 1er. de juillet 1834. L'appropriation que le secrétaire d'état a recommandée aux lords de la trésorerie est comme suit: premièrement, la somme de 5,500l. par an pour le service civil du Haut-Canada, qui jusqu'à cette année n'avait formé un item de l'estimation annuellement votée par le parlement; secondement, 1,000l. comme octroi annuel pour la bâtisse d'un collège pour la province; troisièmement, la somme de 400l. comme salaire annuel de l'évêque catholique-romain résidant dans cette colonie; quatrième, la somme de 750l. annuellement pour le soutien des prêtres catholiques-romains dans la province; cinquièmement, la somme de 750l. annuellement pour le soutien des ministres presbytériens en liaison avec l'église d'Ecosse, ayant des congrégations fixes dans la province; sixièmement, la somme de 400l. comme pension au colonel Talbot, en récompense des services de cet officier, et des sacrifices qu'il a faits pour établir les districts de Londres et de l'Ouest; la somme de 2,566l. comme compensation annuelle pour l'espace de sept ans à ceux des officiers du département de la concession des terres dans le Haut-Canada, qui sont privés de leurs émolumens par l'adoption des nouveaux réglemens pour la concession des terres. La somme totale de ces appropriations se monte à 14,766l. ce qui laisse une balance non-appropriée de 7,333l. par an.

M. Ellice a dit que le gouvernement n'avait pas occasion d'appliquer cet argent au paiement de la liste civile du Haut-Canada, vu que le revenu courant perçu sur le commerce du Canada est parfaitement suffisant, ou pourrait être rendu parfaitement suffisant, pour balancer les listes civiles des deux provinces; concurrez-vous dans cette opinion ?—Je me perds en cherchant à comprendre sur quelles données M. Ellice énonce cette opinion. Je crois que rien ne peut surpasser l'économie avec laquelle la législature du Haut-Canada distribue les finances sous son contrôle; et je ne connais aucun fonds qui pût rendre de trop le paiement des 28,000 annuellement votés par le parlement.

Comment la corporation du clergé est-elle nommée ?—La corporation du clergé a été établie à la recommandation du gouverneur et du conseil exécutif, et nommée par des instructions envoyées au gouverneur du Canada de nommer un comité du clergé, dont l'évêque serait le président, pour rechercher le moyen le plus productif d'administrer les terres mises à part pour le clergé par la 31e. du roi, cette disposition étant nécessairement limitée à donner à bail, vu qu'aucun pouvoir d'aliéner n'est contenu dans l'acte.

Par quel instrument cette corporation a-t-elle été établie ?—Elle devait être établie par un instrument sous le grand sceau de la province, en vertu d'instructions du gouvernement ici.

Y a-t-il une copie de l'acte qui l'établit ainsi, au bureau colonial ?—Je ne crois pas, cet acte ayant été dressé dans la colonie.

Y a-t-il au bureau colonial copie des instructions qui ordonnait au gouverneur d'émaner un semblable instrument ?—Oui.

Vous savez que M. Ellice a dit comme son opinion qu'on ne devait imputer aucun blâme aux personnes attachées au gouvernement exécutif dans l'une ou l'autre province, mais que les dissentions du Canada ont été la conséquence inévitable de la détermination du gouvernement ici à persévérer dans un mauvais système ?—Je trouve beaucoup de difficulté à concilier le témoignage de M. Ellice sur ce point. Il dit que le grand objet de l'assemblée du Bas-Canada est de maintenir ses institutions séparées, ses lois, son église et sa condition distincte de celle du peuple de l'Amérique, et que quoiqu'on puisse faire beaucoup par des concessions mutuelles, tous ses objets ne peuvent être effectués qu'au prix des intérêts de la population anglaise, et par le retardement de toute amélioration dans le pays. Le comité sait que c'est précisément là le langage que tiennent les pétitions des townships qui ont été présentées au Parlement, et spécialement de celles qui sont soumises à recomité, faites au gouverneur général de la part des townships l'année qui suit la proposition de l'union. Ces pétitions expriment distinctement la reconnaissance des pétitionnaires envers le conseil législatif, pour avoir résisté à la tentative de l'assemblée de nuire à la population anglaise et de retarder l'amélioration. D'un autre côté les Canadiens français se plaignent du conseil législatif comme étant la principale source des dissentions qui existent dans la province. M. Neilson emploie ces expressions "Les lois que le peuple regarde comme nécessaires au bien-être commun sont rejetées par le conseil législatif, ce corps étant principalement composé de personnes qui dépendent du gouvernement exécutif de la province." L'objet de l'opposition du conseil législatif aux mesures de l'assemblée, si M. Ellice a des vues correctes sur les projets de cette assemblée, est de maintenir les intérêts de la population anglaise, et d'empêcher le retardement de l'amélioration du pays, que les Canadiens français ont en vue, suivant M. Ellice. Je désirerais faire voir que l'opinion de la population anglaise est telle que je le dis, en renvoyant au paragraphe suivant qui se trouve dans la pétition des townships à la chambre

des communes: " Que tandis que vos pétitionnaires attendaient patiemment de la lé- bre 1827.—Ordre général de milice.—Le gouverneur en chef s'étant occupé depuis quel- gislature provinciale l'effet de leurs sollicitations réitérées pour le redressement de leurs que temps de la considération des revues faites par les officiers commandans les bataillons griefs, le conseil législatif dans la session de l'année 1825, à la recommandation de Son de milice, éprouve une vraie satisfaction en renouvelant l'expression de son approbation Excellence le gouverneur en chef, passa un bill de la nature la plus avantageuse, qui de la disposition générale et de la conduite régulière de cette grande force nationale; introduisait dans ces townships la loi anglaise du douaire et du transport d'immeubles. Les revues ont été complètes quant au nombre, et il n'y a que peu de cas dans lesquels et rendait les charges spéciales, y établissant aussi des bureaux publics pour l'enrégis- le gouverneur en chef ait trouvé nécessaire d'exprimer sa censure. Son Excellence en trement de toutes les mutations des propriétés foncières et de toutes les hypothèques sur conséquence transmit à tous et chacun des bataillons ses remerciemens pour leur conduite; icelles: que quoique ce bill, où on s'abstenait avec soin de toute innovation non nécessaire, dans l'espérance qu'il n'aura nulle raison l'été prochain, de recourir de nouveau au seul ne troubla pas la routine ni ne toucha aux coutumes des Canadiens français des seigneuries, devoir pénible qui lui reste à remplir; celui de publier les noms des officiers qui ne peu- la chambre d'assemblée montrant son mépris caractéristique pour les réclamations de vent offrir des excuses suffisantes de la négligence de leurs devoirs et de leur absence des vos pétitionnaires, négligea de procéder sur ce bill lorsqu'il lui fut transmis du conseil revues."

Il ne me reste qu'à expliquer que lord Dalhousie expose que le procureur-général de Sa Majesté pour la province du Bas-Canada a donné comme son opinion, que les vieilles ordonnances de 1787 ou 1789 étaient redevenues en force, et certains officiers de milice ayant opposé la conduite conséquente de lord Dalhousie en cette occasion, fondée comme elle était sur l'opinion du procureur-général, ont non seulement refusé d'assister aux parades d'été, mais ont montré autrement un esprit de désobéissance aux ordres; en conséquen- ce de quoi lord Dalhousie a démis ces officiers, dont la conduite et la situation rendaient cet exemple nécessaire; et sur les motifs ci-dessus la conduite de sa seigneurie a reçu la sanction du secrétaire d'état.

M. Cuvillier dit dans son témoignage que lord Dalhousie, par son message à la législa- ture en 1794, donna au nom du Roi le revenu casuel et territorial à la province du Bas- Canada, pour aider au soutien de son gouvernement civil; de là selon lui le contrôle que l'assemblée a sur ce revenu. C'est en conséquence de ce don, fait à la province par sa Majesté pour les besoins publics d'icelle, que la législature a droit de l'approprié. On lui demande ensuite, sous quelle forme ce don a-t-il été fait, et il répond, " par message." On lui demande ensuite, " ce message de lord Dalhousie dit-il que le Roi approprierait ces revenus au service de la province, ou qu'il en faisait don à la législature, pour qu'elle les appropriât au service de la province?" il répond " qu'il ne se rappelle pas les termes pré- cis du message, mais qu'il se rappelle que le revenu casuel et territoriale était donné à la province en aide de son gouvernement civil." Pouvez-vous procurer au comité quelques renseignements positifs sur ce point?—Il parait par les journaux de la chambre d'assemb- lée, sous la date du 29 avril 1794, "qu'un message de son excellence le gouverneur, signé de son excellence, fut présenté à M. l'orateur, lequel message fut lu en anglais et répété en français, tous les membres de la chambre étant découverts, et il est comme suit: " Dor- chester, gouverneur. Le gouverneur a donné des ordres pour faire soumettre à la cham- bre d'assemblée un compte du revenu provincial de la couronne, depuis le commencement de la nouvelle constitution jusqu'au 10 de janvier 1794: premièrement, le revenu casuel et territorial, tel qu'établi avant la conquête; dont il a gracieusement plu à sa Majesté d'ordonner l'application aux défrayemens des dépenses civiles de la province." Le comité n'hésitera pas à admettre que les expressions de la couronne, qu'il a gracieusement été donné des ordres pour l'application du revenu territorial au défrayement des dépenses civiles de la province, ne peuvent être regardées en raison ni en justice comme un don à la législature par lequel elle acquiert le droit d'appropriation. Je demanderai qu'on me permette, pour éclaircir cette distinction entre l'application des revenus locaux à l'avantage des colonies, suivant la discrétion et sous la sanction du gouvernement de sa Majesté, et la cession de ces revenus aux colonies pour leur appropriation absolue, de soumettre au comité la lettre suivante, qui fut adressée par lord Bathurst en manière de circulaire aux colonies ayant des législatures locales, le 8 d'octobre 1825, et qui me parait contenir très clairement les raisons pour lesquelles un vote annuel de la liste civile est moins avantageux qu'un arrange- ment plus permanent. " Downing-street, 8 octobre 1825.—Monsieur, vous savez que dans toutes les discussions qui ont eu lieu ces années dernières en parlement au sujet des estimations coloniales, on a objecté que les colonies de l'Amérique du Nord devraient prendre sur elles les dépenses permanentes et nécessaires de leur gouvernement civil, qui ont été portées jusqu'ici contre les revenus de ce pays. J'ai toujours eu de la répugnance à entreprendre ce sujet, jusqu'à l'époque où, vu la prospérité croissante de ces colonies, et la condition à laquelle elles étaient dans le fait parvenues du côté de la population et des ressources, je pourrais presser la chose avec la conviction que la proposition serait non seulement de nature à être soutenue par la législature, mais comme de nature à rencontrer des dispositions les plus expressées de se rendre aux desirs du gouvernement. J'ai aussi tardé d'insister sur ce point jusqu'à ce que le parlement eût effectivement fait disparaître les restrictions auxquelles le commerce des colonies avait été sujet jusqu'ici, par ce qu'il aurait pu paraître déraisonnable de faire dépendre en quelque sorte l'extension aux colonies d'une politique aussi libérale, de leurs dispositions à se charger sur un pied équitable des dépenses de leur propre gouvernement; cependant c'est pour moi une marche plus agréable, (et une marche qui comme je m'en suis flatté ne sera pas trouvée moins efficace,) de me reposer plutôt sur les dispositions des sujets de sa Majesté dans les colonies, à fournir ce qu'ils sentent le prix de ces avantages après qu'on les leur a accordés, plutôt qu'à avoir tenté de les engager à accéder à cette proposition par des promesses de concessions et d'avantages à venir. Par les mesures que le parlement a récemment adoptées, les restric- tions aux quelles j'ai fait allusion ont été levées; et les colonies jouissent maintenant, sous la protection de sa Majesté, de la même liberté de commerce avec la mère-patrie et avec les pays étrangers, que si elles formaient par le fait des parties intégrantes des Royaumes-Unis. On espère avec confiance que cette état de choses ne peut manquer de produire un accroissement de prospérité qui mettra les colons à même de supporter les charges du gouvernement civil, sans qu'il soit nécessaire d'imposer des taxes additionnelles, ou s'il est nécessaire d'augmenter les taxes pour un certain temps, les rendra moins onéreuses que celles qu'ils sont maintenant obligés de supporter. J'ai en fréquemment occasion de regretter les conséquences incommodes qui sont provenues dans quelques-unes des colonies de sa Majesté, de la pratique de pourvoir par un vote annuel aux charges du gouvernement civil qui sont permanentes de leur nature, et qui conséquemment, suivant les principes constitutionnels qui sont communs au Royaume Uni et aux colonies, ne devraient pas être classées parmi les services publics contingens, auxquels, vu leur fluctuation nécessaire, il peut-être pourvu convenablement lorsque l'occasion parait le demander. Dans le fait, la nécessité d'un vote annuel pour le soutien d'un établissement fixe et permanent, n'est pra- tiquement qu'à embarrasser le service public, et à troubler l'harmonie qui doit exister entre les diverses branches de la législature; elle tend même à affaiblir cette confiance entre le gou- vernement et les habitants d'une colonie, qui est également nécessaire au juste soutien de l'un et au bonheur et à la prospérité de l'autre. Dans l'exécution pratique de cette pro- position, la législature ne peut manquer d'observer avec satisfaction, qu'on ne prétend pas charger les revenus provinciaux d'aucun excédant au-delà des charges ordinaires et établies depuis longtemps, à moins qu'elle ne juge elle-même de l'expédience d'une aug- mentation. Les charges dont l'estimation actuelle se compose étant toutes strictement d'une nature permanente, je proposerais que l'acte qui sera nécessaire pour que la colonie prenne sur elle, continuât en opération pendant l'espace de dix ans. L'adoption cor- diale de cette proposition par la législature ne peut manquer de resserrer encore davantage les liens qui subsistent si heureusement entre la mère-patrie et ses dépendances, et de pro- duire chez elle des dispositions favorables à appliquer ses capitaux aux besoins des colonies. Et lorsqu'on considère l'énormité de la dépense que la Grande-Bretagne a nécessairement à supporter pour la défense militaire de ses colonies, il paraîtrait déraisonnable, sous les circonstances actuelles, de mettre en doute les dispositions de ces dernières à pourvoir d'une manière convenable aux charges nécessaires de leur gouvernement civil. Vous expliquerez à la législature de la manière la plus étendue dans le cours de la prochaine ses- sion, l'attente du gouvernement de sa Majesté à ce sujet, et vous l'informerez en même temps que quels que soient les fonds qui pourront être prélevés ou jergas dans la province, ceux de ces fonds qui ne seront pas sous le contrôle de la législature seront appro- priés à l'avantage de la province, à la discrétion et sous la sanction du gouvernement de Sa Majesté."

L'autre ordre est comme suit: " Bureau de l'adjutant général des milices, 13 déco-

bre 1827.—Ordre général de milice.—Le gouverneur en chef s'étant occupé depuis quel- gislature provinciale l'effet de leurs sollicitations réitérées pour le redressement de leurs que temps de la considération des revues faites par les officiers commandans les bataillons griefs, le conseil législatif dans la session de l'année 1825, à la recommandation de Son de milice, éprouve une vraie satisfaction en renouvelant l'expression de son approbation Excellence le gouverneur en chef, passa un bill de la nature la plus avantageuse, qui de la disposition générale et de la conduite régulière de cette grande force nationale; introduisait dans ces townships la loi anglaise du douaire et du transport d'immeubles. Les revues ont été complètes quant au nombre, et il n'y a que peu de cas dans lesquels et rendait les charges spéciales, y établissant aussi des bureaux publics pour l'enrégis- le gouverneur en chef ait trouvé nécessaire d'exprimer sa censure. Son Excellence en trement de toutes les mutations des propriétés foncières et de toutes les hypothèques sur conséquence transmit à tous et chacun des bataillons ses remerciemens pour leur conduite; icelles: que quoique ce bill, où on s'abstenait avec soin de toute innovation non nécessaire, dans l'espérance qu'il n'aura nulle raison l'été prochain, de recourir de nouveau au seul ne troubla pas la routine ni ne toucha aux coutumes des Canadiens français des seigneuries, devoir pénible qui lui reste à remplir; celui de publier les noms des officiers qui ne peu- la chambre d'assemblée montrant son mépris caractéristique pour les réclamations de vent offrir des excuses suffisantes de la négligence de leurs devoirs et de leur absence des vos pétitionnaires, négligea de procéder sur ce bill lorsqu'il lui fut transmis du conseil revues."

Il ne me reste qu'à expliquer que lord Dalhousie expose que le procureur-général de Sa Majesté pour la province du Bas-Canada a donné comme son opinion, que les vieilles ordonnances de 1787 ou 1789 étaient redevenues en force, et certains officiers de milice ayant opposé la conduite conséquente de lord Dalhousie en cette occasion, fondée comme elle était sur l'opinion du procureur-général, ont non seulement refusé d'assister aux parades d'été, mais ont montré autrement un esprit de désobéissance aux ordres; en conséquen- ce de quoi lord Dalhousie a démis ces officiers, dont la conduite et la situation rendaient cet exemple nécessaire; et sur les motifs ci-dessus la conduite de sa seigneurie a reçu la sanction du secrétaire d'état.

M. Cuvillier dit dans son témoignage que lord Dalhousie, par son message à la législa- ture en 1794, donna au nom du Roi le revenu casuel et territorial à la province du Bas- Canada, pour aider au soutien de son gouvernement civil; de là selon lui le contrôle que l'assemblée a sur ce revenu. C'est en conséquence de ce don, fait à la province par sa Majesté pour les besoins publics d'icelle, que la législature a droit de l'approprié. On lui demande ensuite, sous quelle forme ce don a-t-il été fait, et il répond, " par message." On lui demande ensuite, " ce message de lord Dalhousie dit-il que le Roi approprierait ces revenus au service de la province, ou qu'il en faisait don à la législature, pour qu'elle les appropriât au service de la province?" il répond " qu'il ne se rappelle pas les termes pré- cis du message, mais qu'il se rappelle que le revenu casuel et territoriale était donné à la province en aide de son gouvernement civil." 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Le comité n'hésitera pas à admettre que les expressions de la couronne, qu'il a gracieusement été donné des ordres pour l'application du revenu territorial au défrayement des dépenses civiles de la province, ne peuvent être regardées en raison ni en justice comme un don à la législature par lequel elle acquiert le droit d'appropriation. Je demanderai qu'on me permette, pour éclaircir cette distinction entre l'application des revenus locaux à l'avantage des colonies, suivant la discrétion et sous la sanction du gouvernement de sa Majesté, et la cession de ces revenus aux colonies pour leur appropriation absolue, de soumettre au comité la lettre suivante, qui fut adressée par lord Bathurst en manière de circulaire aux colonies ayant des législatures locales, le 8 d'octobre 1825, et qui me parait contenir très clairement les raisons pour lesquelles un vote annuel de la liste civile est moins avantageux qu'un arrange- ment plus permanent. " Downing-street, 8 octobre 1825.—Monsieur, vous savez que dans toutes les discussions qui ont eu lieu ces années dernières en parlement au sujet des estimations coloniales, on a objecté que les colonies de l'Amérique du Nord devraient prendre sur elles les dépenses permanentes et nécessaires de leur gouvernement civil, qui ont été portées jusqu'ici contre les revenus de ce pays. J'ai toujours eu de la répugnance à entreprendre ce sujet, jusqu'à l'époque où, vu la prospérité croissante de ces colonies, et la condition à laquelle elles étaient dans le fait parvenues du côté de la population et des ressources, je pourrais presser la chose avec la conviction que la proposition serait non seulement de nature à être soutenue par la législature, mais comme de nature à rencontrer des dispositions les plus expressées de se rendre aux desirs du gouvernement. J'ai aussi tardé d'insister sur ce point jusqu'à ce que le parlement eût effectivement fait disparaître les restrictions auxquelles le commerce des colonies avait été sujet jusqu'ici, par ce qu'il aurait pu paraître déraisonnable de faire dépendre en quelque sorte l'extension aux colonies d'une politique aussi libérale, de leurs dispositions à se charger sur un pied équitable des dépenses de leur propre gouvernement; cependant c'est pour moi une marche plus agréable, (et une marche qui comme je m'en suis flatté ne sera pas trouvée moins efficace,) de me reposer plutôt sur les dispositions des sujets de sa Majesté dans les colonies, à fournir ce qu'ils sentent le prix de ces avantages après qu'on les leur a accordés, plutôt qu'à avoir tenté de les engager à accéder à cette proposition par des promesses de concessions et d'avantages à venir. Par les mesures que le parlement a récemment adoptées, les restric- tions aux quelles j'ai fait allusion ont été levées; et les colonies jouissent maintenant, sous la protection de sa Majesté, de la même liberté de commerce avec la mère-patrie et avec les pays étrangers, que si elles formaient par le fait des parties intégrantes des Royaumes-Unis. On espère avec confiance que cette état de choses ne peut manquer de produire un accroissement de prospérité qui mettra les colons à même de supporter les charges du gouvernement civil, sans qu'il soit nécessaire d'imposer des taxes additionnelles, ou s'il est nécessaire d'augmenter les taxes pour un certain temps, les rendra moins onéreuses que celles qu'ils sont maintenant obligés de supporter. 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Dans l'exécution pratique de cette pro- position, la législature ne peut manquer d'observer avec satisfaction, qu'on ne prétend pas charger les revenus provinciaux d'aucun excédant au-delà des charges ordinaires et établies depuis longtemps, à moins qu'elle ne juge elle-même de l'expédience d'une aug- mentation. Les charges dont l'estimation actuelle se compose étant toutes strictement d'une nature permanente, je proposerais que l'acte qui sera nécessaire pour que la colonie prenne sur elle, continuât en opération pendant l'espace de dix ans. L'adoption cor- diale de cette proposition par la législature ne peut manquer de resserrer encore davantage les liens qui subsistent si heureusement entre la mère-patrie et ses dépendances, et de pro- duire chez elle des dispositions favorables à appliquer ses capitaux aux besoins des colonies. Et lorsqu'on considère l'énormité de la dépense que la Grande-Bretagne a nécessairement à supporter pour la défense militaire de ses colonies, il paraîtrait déraisonnable, sous les circonstances actuelles, de mettre en doute les dispositions de ces dernières à pourvoir d'une manière convenable aux charges nécessaires de leur gouvernement civil. Vous expliquerez à la législature de la manière la plus étendue dans le cours de la prochaine ses- sion, l'attente du gouvernement de sa Majesté à ce sujet, et vous l'informerez en même temps que quels que soient les fonds qui pourront être prélevés ou jergas dans la province, ceux de ces fonds qui ne seront pas sous le contrôle de la législature seront appro- priés à l'avantage de la province, à la discrétion et sous la sanction du gouvernement de Sa Majesté."

L'autre ordre est comme suit: " Bureau de l'adjutant général des milices, 13 déco-

Mardi, 15e. jour de Juillet, 1828.

John Neilson, Ecuyer, réintroduit; et examiné.

UNE PETITION signé de vous, de D. B. Viger et d'Austin Cuvillier, a été référé à ce Comité; il y voit que depuis que vous avez laissé le Bas-Canada, le Gouvernement de cette colonie a commis divers autres actes dont vous vous plaignez; le Comité désire entendre tout ce que vous avez à dire au soutien ou en explication de vos plaintes.—Je ne sais rien de ce qui est arrivé dans le Bas-Canada depuis mon départ que par des lettres privées et des journaux, et par certaines résolutions qui ont été transmises à M. M. Viger et Cuvillier et à moi, et qui contiennent des plaintes à ajouter à celles que contenait la Pétition présentée à la Chambre des Communes il y a quelque temps. Ces résolutions sont maintenant en ma possession.

Ayez la bonté de les remettre?—

[Le témoin remet les Papiers suivants:]

PROVINCE DU BAS-CANADA.

A une assemblée de Tenanciers et autres Propriétaires, formant les comités nommés aux assemblées générales de Propriétaires, tenues dans le but de s'adresser par pétition à Sa Majesté et aux deux Chambres du Parlement, contre la présente administration du Gouvernement Provincial, et de suivre les objets des dites pétitions, convoquée en la Maison de Louis Roy Portance, Ecr. en la Cité de Montréal, 17e. Avril, 1828.

Présens.—François Ant Larocque, Ecr. à la Chaire;—Membres du Comité de Montréal: François Ant. Larocque, l'Honorable P. D. Debartzch, Membre du Conseil Législatif; Louis Roy Portance, James Leslie, Robert Nelson, Jules Quesnel, F. W. Desrivères, Hertel de Rouville, Joe. Waller, Chs. F. Roy, François Picard, Roch de St. Ours, F. A. Quesnel, F. Peltier fils, L. M. Viger, D. Mondelêt, M. F. Valois, J. D. Bernard, Joseph Allard, Jos. Roy, Michel Vieau, R. J. Kimber, Aud. Papineau, Jos. Valois, P. Ritchot, Alex. Berthelot, U. Desrochers, J. B. Lebourdais, Louis Barré, Ig. Bertrand père, François Roy, Simon Valois, L. Bouzon dit Major, François Desautels, André Jobin, A. N. Morin;—du Comité Général du District des Trois-Rivières: J. E. Dumoulin, J. Desfossés;—du Comité du Comté de Richelieu, le dit Honorable P. D. Debartzch, M. C. L.; le dit Roch de St. Ours, J. D. Nelson;—du Comté d'York; Ignace Raizenne, J. B. Dumouchel et Alexis Demers;—du Comté d'Essex; le dit André Papineau, François Coyteux;—du Comté de Kent; R. Boucher de la Bruère, René Boileau fils, Pierre Papineau, Augustin Blais, Jos. Bresse, Jos. Demers, Timothée Kimber, P. C. B. de la Bruère;—du Comté de Surrey, Joseph Allard;—du Comté de Bedford; le dit Hertel de Rouville;—du Comté de Huntingdon; Eustache Masson, Ecuyer;—

Les Résolutions suivantes ayant été lues séparément, furent unanimement adoptées:—

Résolu, 1.—QU'IL devient nécessaire que le Comité central des Districts de Montréal et des Trois-Rivières, les autres Comités et le peuple du pays, expriment leurs opinions et leurs sentiments au sujet de certains actes de l'administration de Son Excellence le Comte de Dalhousie, et de certaines procédures et décisions des cours de justice au soutien de cette administration et tendant à détruire les libertés et la sécurité du peuple; lesquels dits actes, procédures et décisions ont eu lieu depuis le départ des agens de cette Province pour l'Angleterre, et justifient et supportent les accusations contenues dans la pétition du peuple transmise au Roi et à son Parlement par l'entremise des dits agens contre Son Excellence et son administration et le système de gouvernement suivi en cette province.

Résolu, 2.—Que Son Excellence et son administration ont avoué, par des actes publics, l'intention de détruire la liberté de la presse, d'empêcher les discussions publiques sur les mesures de Son Excellence, excepté en autant qu'elles lui seraient favorables, et d'infliger des punitions pour l'exercice du droit inné des sujets britanniques, de s'assembler et de s'unir pour déclarer les sentiments publics, excités par des actes de l'administration considérés injustes et oppressifs, et de prendre des mesures pour faire connaître ces actes et ces sentiments publics par pétition ou autrement, à Sa Majesté le Roi et aux autorités en Angleterre.

Résolu, 3.—Qu'à l'appui de telles intentions, Son Excellence depuis le départ des agens a fait usage de prétendues lois de milice dont l'existence légale est contestée sur de bonnes autorités, pour insulter des citoyens respectables nés dans le pays, grands propriétaires et universellement estimés, tels entr'autres Hertel de Rouville, R. Boucher de La Bruère, François Légende, Antoine Poulain de Courval et Jean Moysse Raimond, écuyers, lieutenants-colonels et majors de divisions de milices dans ce district et dans celui des Trois-Rivières, en leur élevant leur grade, parcequ'ils ont assisté aux assemblées de comités en commun avec les autres propriétaires et tenanciers, pour adopter des résolutions au sujet de leurs griefs et une pétition fondée sur leurs à Sa Majesté le Roi et au Parlement contre Son Excellence et son administration.

Résolu, 4.—Que Son Excellence a donné le premier avis de leur démission à ces respectables individus en la publiant dans ses journaux officiels sans leur avoir donné aucune communication antérieure de plaintes portées contre eux. Que cet ordre arbitraire ainsi publié, accusait en face du public et de tout le pays, ces individus loyaux et estimés, parcequ'ils avaient pris part avec leurs co-sujets et concitoyens à des mesures légitimes au sujet des affaires de leurs pays natal, où ils ont des intérêts et une mise considérable et permanente "d'avoir été les agents actifs d'un parti hostile au gouvernement de Sa Majesté;" se servant ainsi d'un ordre officiel et de la voie des journaux pour diffamer ces citoyens loyaux et respectés et le pays; et que le dit ordre avouait et marquait la volonté d'appuyer une doctrine dangereuse, oppressive, illégale et inconstitutionnelle, savoir: que "la subordination militaire" et le respect pour l'autorité militaire, exigeaient des officiers de milice et des miliciens de s'abstenir de participer aux assemblées de propriétaires, (et les miliciens en ce pays le sont pour la plupart) de discuter les affaires civiles et les méfaits de l'administration, et d'adresser des pétitions à Sa Majesté le Roi; étant bien connu que presque tout individu dans la province de 18 à 60 ans est milicien; et cherchant ainsi à priver les habitants du pays de discuter aucunement les affaires publiques et les méfaits de l'administration, et de s'adresser par pétition au Roi et au Parlement; les soumettant virtuellement à la loi martiale.

Résolu, 5.—Que deux assemblées de propriétaires et franc-tenanciers composées des comités de pétitionnaires dans le district des Trois-Rivières, nommés à une assemblée générale des propriétaires, pour s'occuper de toutes matières ayant rapport à leur pétition contre Son Excellence et son administration, et en général des affaires publiques qui devaient être confiées à leurs agents, ont passé des résolutions tendantes à exprimer les sentiments publics au sujet du dit ordre diffamatoire et inconstitutionnel publié par Son Excellence, lesquelles résolutions contenaient en substance que les individus disgraciés et insultés, bien connus des dits propriétaires, ne perdaient rien par là de la haute estime de leur concitoyens; que l'attaque faite par Son Excellence contre leur loyauté et leur honneur était sans fondement; que des dites assemblées ayant ajouté que ceux qui consentaient à prendre la place de ces individus respectables ne seraient pas regardés comme les

amis de leur pays; lesquelles résolutions devaient être transmises aux agens des pétitionnaires au soutien de la dite pétition pour obtenir le rappel de Son Excellence et un changement d'administration.

Résolu, 6.—Que ces résolutions en défense de la réputation d'individus attaqués par un document public mis en circulation par la voie des journaux de l'administration, ont été publiées dans la Gazette de Québec par l'ordre des dits comités et signés par les secrétaires Charles Mondelêt et Ant. Zéphirin Leblanc, écuyers.

Résolu, 7.—Que dans le dernier terme de la cour du banc du roi tenue à Québec, pour les causes criminelles, James Stuart, écuyer, procureur-général de Sa Majesté pour la dite Province, qui est aussi conseiller-exécutif, et sert de conseil à la présente administration, et est un violent adversaire de la Chambre d'Assemblée, a présenté au grand jury de Québec, cinq bills d'accusation pour libelle contre la Gazette de Québec au sujet de publications ayant rapport aux affaires publiques de ce pays, dont deux étaient nommément pour avoir publié les susdites résolutions; quatre desquels bills y compris les deux pour la publication de ces résolutions ont été rapportés par le dit grand jury; et que le dit procureur-général présenta aussi deux bills pour libelle contre Charles Mondelêt, écuyer, l'un desquels était pour avoir signé et communiqué les dites résolutions, et l'autre pour avoir adressé une lettre à Son Excellence au sujet de sa démission de la milice; lesquels dits bills ont aussi été rapportés par le grand jury.

Résolu, 8.—Qu'à un terme criminel de la même cour qui venait alors d'être tenu aux Trois-Rivières, où Mr. Mondelêt réside, et où avaient été commis les actes pour lesquels il était accusé, quelqu'innocent et même quelque louable qu'ils fussent; que le procureur-général aurait pu et dû procéder contre lui aux Trois-Rivières, mais qu'au lieu de suivre cette marche honnête et équitable il a d'une manière vexatoire et oppressive, et pour mieux réussir dans ses projets de vengeance, traduit le dit Mr. Mondelêt à Québec, où il a fait descendre aussi cinq autres individus comme témoins, à la distance de quatre-vingt dix milles, et dans un autre district, et ce dans la saison la plus défavorable et dans un temps où il était même dangereux de voyager, et où la vie de quelques uns d'entr'eux s'est trouvée en grand danger, dans un moment où Mr. Mondelêt a été enlevé au fort des devoirs de sa profession; que la mise en accusation d'un individu hors de son district et pour de simples malversations (*misdeemeanors*), lorsqu'il était facile de l'y accuser, et sa déportation à trente lieues de son domicile, est un acte arbitraire et tend à vexer et à injurier les sujets de Sa Majesté qui ne sont pas aveuglément dévoués à toutes les mesures de l'administration.

Résolu, 9.—Que le dit Procureur-Général qui a présenté ces bills d'accusation au grand jury de Québec, est un des conseillers exécutifs de Sa Majesté et forme partie de l'administration dont le pays se plaint; que le juge en chef de la Province, Jonathan Sewell, écuyer, siégeant dans la dite cour de Québec, qui doit prendre connaissance de ces indictments, est aussi un des conseillers exécutifs et le principal conseil de la même administration; que les shériffs qui dirigent la formation arbitraire et sans contrôle des jurys en cette province, sont des officiers dépendant entièrement pour leur place lucrative du bon plaisir de l'administration, et qu'à Québec le shérif est le fils du susdit juge en chef siégeant sur le banc, et zélé pour la défense de l'administration et pour la répression de toutes plaintes contre elles et de tous les moyens qui peuvent servir à faire connaître ces plaintes.

Résolu 10.—Que l'influence de ces circonstances est suffisamment prouvée par la composition du dit grand jury, dont plusieurs membres tiennent des commissions durant bon plaisir, et dont quatorze ou plus ont été tirés du faible parti qui s'oppose avec violence aux opinions du pays et qui est conduit par les mêmes passions et les mêmes opinions que l'exécutif; et que tous les membres du dit grand jury de Québec, à l'exception d'un seul, ont été choisis en dedans des murs et dans l'enceinte de la cité de Québec.

Résolu, 11.—Que dans la cour d'oyer et terminer tenue pour le district de Montréal, dans le mois de Novembre dernier, et dans le dernier terme criminel du Banc du Roi pour le dit district, en mars dernier, trois bills d'accusations pour libelle ont été rapportés par le grand jury contre Jocelyn Waller, écuyer, et Ludger Duvernoy, et un contre James Lane, pour des publications innocentes et louables dans l'opinion de ce Comité, et pour des écrits au sujet des affaires publiques du pays et contre les méfaits de l'Administration qui ne contiennent rien d'attentatoire aux lois ni à l'ordre public, mais qui respirent au contraire un sentiment uniforme de loyauté et d'attachement au Gouvernement de Sa Majesté, et n'ont été exposés aux plaintes du Procureur-Général que parce qu'ils contenaient l'expression libre mais légale et constitutionnelle des sentiments de la plus grande partie de la province sur les mesures de la présente Administration; et que les dits écrits non plus que les susdites résolutions adoptées dans le district des Trois-Rivières, n'ont jamais embrassés d'autres objets que ceux qui font le sujet des plaintes de quatre-vingt sept mille des sujets de Sa Majesté en cette province dans leur requête à Sa Majesté et au Parlement Impérial contre la présente Administration.

Résolu, 12.—Que le Shérif du district de Montréal, Louis Guzy, écuyer, est étranger de naissance et Conseiller Législatif, et qu'il tient sa place lucrative sous le bon plaisir de l'Exécutif dont il adopte les opinions et les passions.

Résolu, 13.—Que les jurés choisis arbitrairement par des officiers dépendans de l'Administration n'inspirent aucune confiance pour la due répartition de la justice et de la loi qu'en particulier les deux corps de grands-jurys qui ont rapporté les dits bills à Montréal, et qui ont été choisis par le dit Louis Guzy, écuyer, étaient pour la plupart composés de partisans violents de l'Administration provinciale, notoirement opposés aux opinions de la grande majorité du pays, soit qu'on la considère sous le rapport des propriétés ou de la population; égards par de violents préjugés et tirés de la petite faction du pays qui a signé les adresses virulentes contre la branche représentative du Gouvernement.

Résolu, 14.—Que le Procureur-Général a obtenu une règle pour faire décider par un jury spécial quelques-uns des dits indictments rapportés à Montréal, au prochain terme de Septembre; quoiqu'on puisse croire que les règles qui accordent des jurys spéciaux en certaines matières criminelles en Angleterre, ne sont pas applicables ici, et que les jurys appelés en ce pays "jurys spéciaux" soient choisis d'après la loi pour décider certaines causes civiles dans une classe peu nombreuse de la société; et que le choix de ces jurys spéciaux ainsi que des grands et des petits jurys dépendent entièrement des dits Shériffs, de sorte que les jurys spéciaux, bien loin d'étendre la protection du sujet, seraient beaucoup moins favorables que le *common panel*, puisqu'il est évident que le Procureur-Général peut faire tirer ces jurys d'une petite faction du pays, et qu'ils baseraient évidemment leur verdict sur leurs antipathies et leurs préjugés politiques notoirement violents, quelqu'honnête et quelque respectable qu'ils puissent être d'ailleurs, et sous l'influence desquels on peut croire qu'ils agiraient dans leurs décisions sur ces indictments.

Résolu, 15.—Que le dit James Stuart, écuyer, a, dans ses discours qu'il a prononcés devant les Cours de Sa Majesté, faussement calomnié des loyaux sujets de Sa Majesté en cette province, en disant hautement que les publications qu'il traduisait, avaient une tendance séditieuse et étaient des libelles séditieux contre le Gouvernement de Sa Majesté, et que le dit James Stuart a poursuivi avec une rigueur et une violence extraordinaire, et a assujéti à une gêne et à d'autres inconvénients nullement nécessaires à la due administration de la justice les individus prévenus d'offenses contre le Gouvernement, c'est-à-dire, contre l'Administration dont le dit James Stuart fait partie.

Résolu, 16.—Que le choix des grands-Jurys dans les trois occasions ci-dessus, dans un temps où des accusations d'une nature politique devraient leur être soumises, et les autres actes du dit Procureur-Général au sujet des dites accusations, ont inspiré une défiance insurmontable de ses principes et de ses opinions et de celles de la plupart des autres fonctionnaires du même département, et ont rendu suspecte l'administration de la justice criminelle en cette province.

Résolu, 17.—Que Charles Richard Ogden, écuyer, Solliciteur-Général de cette province, est aussi un des principaux Conseillers de la présente Administration. et a, en diverses occasions, montré ses préjugés violents contre les opinions du peuple; et qu'en particulier le dix-huit de Décembre dernier, au moment où les électeurs et franc-tenanciers du comté de Montréal devaient s'assembler légalement pour discuter les mesures de l'Administration, le dit Charles Richard Ogden, Ecuyer, a, dans le dessein d'empêcher la dite assemblée et d'arrêter l'expression des sentiments du peuple au sujet des dites mesures,

mesures, fait arrêter les dits Jocelyn Waller et Ludger Duvernay à l'occasion des dits libelles prétendus, et dans la vue d'effrayer et d'intimider les loyaux sujets de Sa Majesté.

Résolu, 18.—Que s'il était besoin de nouvelles preuves pour persuader au peuple du pays que les procédures (*process*) des cours criminelles en cette province, sont entièrement entre les mains et sous l'influence de l'administration, et que les poursuites ci-haut mentionnées ne sont que des moyens pour gêner et étouffer l'expression des sentiments des sujets de Sa Majesté sur les mesures de l'administration actuelle, il en serait amplement convaincu par l'avidité avec laquelle le dit procureur-général soumet au grand-jury des accusations contre la publication des procédés publics et constitutionnels du Pays, ou d'autres écrits également innocens, pendant qu'il laisse en paix jouir de toute la protection des loix et du Gouvernement, les journaux publiés par l'autorité et le contrôle de l'administration, quoique les dits journaux soient continuellement remplis des injures les plus grossières et des déclamations les plus insultantes contre le peuple du pays, et tendant à lui inspirer des préjugés contre le Gouvernement de Sa Majesté, en ce qu'il voit les dits écrits libelleux entièrement méconnus et négligés par le dit procureur-général dans ses procédés auprès des cours de justice.

Résolu, 19.—Qu'en effet depuis le commencement de l'administration de Son Excellence le Comte de Dalhousie, et principalement depuis quelques années, les journaux sous le contrôle ou sous la protection de l'administration, et notamment la "Gazette de Québec," publiée par autorité, le "Quebec Mercury" imprimé par les imprimeurs de Sa Majesté, et la "Gazette de Montréal," publiée par autorité, imprimé par Robert Arnould, ont servi sans interruption de véhicules aux calomnies les plus odieuses et aux injures les plus grossières contre le peuple, ses représentants, ses loix, ses mœurs, la religion, attentatoires aux droits et aux privilèges à lui accordés par des Actes solennels et des Loix du Parlement Impérial, et tendant au renversement de sa constitution; que d'autres écrits semblables sont sortis des presses de l'administration, le tout à la connaissance du dit procureur-général, qui les passe sous silence, pendant qu'il poursuit d'office avec acharnement toute expression de la part du pays, d'opinion défavorable à l'administration.

Résolu, 20.—Que ce silence et cet oubli de la part du dit procureur-général, équivalent à une protection illimitée accordée par l'administration, et par les cours de justice, à toutes les opinions et à toutes les calomnies et les injures qu'il plaira aux partisans de l'administration de publier par leurs organes, et qu'ils convainquent de plus en plus le peuple que ces injures et ces calomnies, dont ces feuilles et ces écrits sont le receptacle, et qui conseillent et désirent le renversement de la condition sociale du peuple, de toutes ses institutions et de ses privilèges constitutionnels, ne sont que l'expression des opinions et des vœux de l'administration actuelle, de son chef et de tous les membres qui la composent; et que le peuple, les corps ou les individus ainsi injuriés et vilipendés ne peuvent espérer aucun redressement de la part des cours de justice en ce pays, le dit procureur-général et autres officiers également dépendans étant les seuls canaux par lesquels on puisse tenter de l'obtenir.

Résolu, 21.—Que le dit Jonathan Sewell, Ecuyer, juge en chef de cette Province, a déclaré que tout juge de paix avait droit d'arrêter l'imprimeur ou l'auteur d'aucun écrit que lui le dit juge de paix pourrait croire être un libelle, et de l'obliger à donner caution de comparution et de bonne conduite; et que le dit juge en chef, et la cour susdite de Montréal ont décidé que la cour pourrait sur un indictment pour libelle et avant conviction, obliger l'accusé à donner caution pour bonne conduite.

Résolu, 22.—Que ces doctrines sont d'autant plus alarmantes, que dans la nouvelle commission de la paix récemment émanée de Son Excellence, le système d'exclusion a été pratiqué de manière à exclure presque tous ceux qui ne partageaient pas les opinions de l'Administration et qui formaient partie de la commission auparavant, de sorte qu'elle est presque entièrement composée d'individus sur le dévouement desquels l'Administration peut compter.

Résolu, 23.—Que les principes ainsi décidés, et le système ainsi suivi détruisent la liberté de la presse, et la menace d'une persécution perpétuelle, à moins qu'elle n'agisse d'une manière agréable à l'Administration provinciale et à ses partisans.

Résolu, 24.—Que Son Excellence le Comte de Dalhousie, dernièrement, et après communication officielle des pétitions du peuple au Roi et au Parlement, dans lesquelles il se plaignait, entre autres griefs, de la confusion des pouvoirs législatifs et judiciaires en la personne d'un certain nombre d'individus, fait émaner le *Mandamus* de Sa Majesté nommant Jean Thomas Taschereau, écuyer, membre du Conseil Législatif de cette province, quoique le dit Jean Thomas Taschereau soit aussi un des juges puisés de la Cour du Banc du Roi pour le district de Québec; et ce sans attendre la décision de Sa Majesté sur les plaintes des pétitionnaires à ce sujet.

Résolu, 25.—Que Son Excellence le Gouverneur en Chef par les abus et malversations exposés plus au long dans les dites pétitions, et par les démarches et actes de son Administration depuis le départ des agens des pétitionnaires, a entièrement perdu la confiance du peuple, et ne pourrait en aucune manière, dans l'opinion de ce Comité, s'attirer celle du corps législatif s'il était assemblé sous le gouvernement de Son Excellence.

Résolu, 26.—Que les efforts et les actes exposés dans les Résolutions précédentes, tendent:

A gêner l'exercice des droits civils, et à soumettre le peuple à la loi martiale;

A empêcher des assemblées publiques pour des objets légitimes;

En diffamant des individus respectables par des documens publiés d'une manière officielle;

En accusant de libelle les Résolutions adoptées par des sujets britanniques au sujet de ces documens, et pour repousser les diffamations contenues dans les dits documens;

En traduisant les accusés d'une manière vexatoire, de leur juridiction naturelle à une autre, dans un district éloigné;

La liaison des Shériffs avec l'Administration et leur absolue dépendance d'elle; d'un Gouverneur qui a déjà déclaré que tous les fonctionnaires doivent se conformer à ses désirs sous peine de démission; et à Québec la parenté de père et de fils entre le Shériff et le Juge en Chef qui forme partie et est un Conseiller de l'Administration;

Le pouvoir de ces Shériffs de choisir des jurys de leur choix et de celui de l'Exécutif;

La détermination prouvée d'une manière scandaleuse dans les trois dernières Cours, d'exercer ce pouvoir formidable, de choisir les jurys à dessein et de les composer de partisans violents et dévoués et prêts à condamner toute personne et tout acte qui déplairait à l'Exécutif, et de personnes qui exprimeraient par leurs décisions les opinions et les passions d'une très petite fraction du pays;

Les procédés contre la presse et les doctrines destructives promulguées et décidées sous la sanction du Gouvernement contre la liberté d'elle;

La protection accordée aux calomnies et aux injures des journaux et des partisans de l'Administration et la certitude que ces injures et ces calomnies sont les injures et les calomnies de l'Administration;

La privation où se trouve le pays des sessions de la Législature, et principalement de la voie et de la protection de ses Représentans, maintenant suspendues en violation de l'Acte du Parlement Britannique, 31 Geo. 3, c. 81;

La faiblesse absolue de l'opinion et des sentimens publics pour restreindre une Administration hostile, qui a corrompue et possède entre ses mains tous les pouvoirs de la loi et de la magistrature;

Ont alarmé le pays et l'ont agité considérablement par la conviction formidable de la situation périlleuse et sans protection, et de sa dépendance des passions d'une faction peu nombreuse mais exaspérée, et d'une Administration aussi exaspérée et respirant la vengeance; que la perversion de la noble institution des jurés en instrument d'oppression ne laisse au pays aucune sécurité pour la vie, la liberté ou les propriétés du sujet.

Résolu, 27.—Que ce pays ne se croira en sûreté et ne pourra être en repos, que quand Son Excellence le Comte de Dalhousie sera rappelé du gouvernement, quand son Admi-

nistration sera changée, quand le présent Procureur-Général, James Stuart, écuyer, et le présent Solliciteur-Général, Charles Richard Ogden, écuyer, auront été remplacés; et par dessus tout le corps représentatif convoqué et mis en état de procéder, avec ses droits et ses justes pouvoirs, à la sécurité du peuple.

Résolu, 28.—Que les agens des pétitionnaires soient priés de faire une représentation immédiate et pressante au Secrétaire d'Etat de Sa Majesté pour les Colonies, sur la continuation des vexations et des mesures inconstitutionnelles de l'Administration du Lord Dalhousie et de demander le rappel de Son Excellence et par dessus tout la convocation immédiate de la Législature, aussi essentielle à la paix et à la tranquillité de la province; de suggérer la nécessité absolue de remplacer le Procureur-Général, le Solliciteur-Général, et de représenter que dans les circonstances actuelles, il serait très avantageux pour le bien public de succéder à ces fonctionnaires des personnes éclairées, envoyées d'Angleterre, de sentimens libéraux et douées d'esprit au-dessus du préjugé, et capables dans leurs devoirs publics de résister aux sollicitations et aux intrigues.

Regardez-vous ces Résolutions comme exprimant les opinions de la partie de la population du Bas-Canada, pour les pétitions de laquelle vous avez été nommé agent?—Il n'y a aucun doute qu'elles n'expriment les opinions de la presque totalité de la population des Districts de Montréal et des Trois-Rivières; le District de Québec n'a pas pris de part en cette occasion; il y a eu des comités de nommés à diverses assemblées de pétitionnaires, et ces comités pour les Districts de Montréal et des Trois-Rivières, se sont assemblés et ont adopté ces résolutions.

Le service de la Milice n'est-il pas de rigueur dans le Bas-Canada?—J'ai déjà dit ici que la Loi du Pays assujétissait tout homme de 18 ans à 60 aux devoirs de Milice, lorsqu'il en étoit requis conformément à la Loi.

Ces résolutions se plaignent de la démission d'Officiers de Milice; n'y a-t-il pas eu dernièrement dans la colonie deux classes de démissions d'Officiers de Milice, sur des motifs entièrement distincts?—Il y a eu un très grand nombre de démissions; d'après la liste officielle qui a été publiée, il y a eu entre 50 et 60 démissions, et environ 200 retraites, généralement sans consulter les personnes. Les démissions peuvent être divisées en plusieurs classes; les premières étoient des démissions à cause d'assemblées d'élection dans le comté d'York; la liste suivante étoit pour avoir refusé d'assister aux revues ou parades ordonnées, sur le motif qu'il n'y avoit pas de Loi de Milice en force; les démissions suivantes ont été celles du Colonel Bourdages et de Mr. Vallières, ci-devant Orateur de l'Assemblée, peu de temps après que le premier eut proposé Mr. Papineau pour Orateur, et que l'autre eut fait motion pour une adresse au Gouverneur, le priant de confirmer le choix de la Chambre. Les motifs allégués pour les principales démissions qui ont eu lieu depuis mon départ, se trouvent dans l'ordre général qu'on a déjà écrit dans les minutes; c'est pour avoir "été les agens actifs d'un parti hostile au Gouvernement de Sa Majesté;" nous ne connoissons, et personne ne connoit aucun acte commis par ces individus, si ce n'est d'avoir assistés et pris part aux assemblées où on est convenu des pétitions qui ont été présentées à Sa Majesté et à la Chambre des Communes.

Ces démissions pour avoir assistés aux assemblées d'élection sont à votre propre connoissance?—J'étois à Québec, lorsque l'ordre pour la démission de ces Officiers fut publié par autorité; leur Colonel et un Mr. Simpson étoient candidats à l'élection, et ils étoient soutenus par l'Exécutif du Bas-Canada; les Officiers démis assistèrent aux assemblées qui furent tenues en opposition à ces Candidats, et en soutinrent d'autres; quelque temps après l'élection, je ne puis dire combien, mais plusieurs d'entr'eux, furent démis par un ordre général.

Les résolutions que vous avez remises, se plaignent de poursuites politiques qui ont dernièrement eu lieu dans le Bas-Canada; savez-vous quel est le nombre des journaux du Bas-Canada, qui a été actuellement poursuivi?—On a poursuivi trois presses, publiant cinq journaux, les seuls dans le fait dans la Province qui parlent avec quelque liberté de l'administration du Gouvernement.

Combien en tout se publie-t-il de journaux dans le Bas-Canada?—Douze.

Et on en a poursuivi cinq?—Oui; les poursuites sont contre trois presses qui impriment cinq papiers.

Quand aura lieu le procès des personnes ainsi poursuivies?—Leur procès aura lieu à Montréal en Septembre.

Quand les procès auront-ils lieu à Québec?—Je ne puis dire; probablement en Septembre.

Le Comité observe qu'on se plaint dans ces résolutions de ce que ces procès politiques auront lieu à Québec devant un jury spécial et non devant un petit-jury, et les résolutions disent que cette circonstance sera défavorable aux accusés; de quelle manière est-ce le cas dans le Bas-Canada?—Je crois qu'il n'est pas décidé comment les procès auront lieu à Québec; mais il a été décidé qu'à Montréal les procès se feraient devant un jury spécial; les listes des jurys spéciaux sont dressées par les Shériffs en vertu d'une ancienne ordonnance passée par le Gouverneur et le Conseil Législatif avant l'existence de la constitution actuelle, et qui a rapport aux jurés dans les causes civiles.

Avez-vous dernièrement reçu le détail des différends politiques dans la province du Haut-Canada?—Il règne de la mésintelligence entre le Lieutenant-Gouverneur et l'Assemblée, l'Assemblée a été prorogée assez subitement, après l'emprisonnement de quelques messieurs que la Chambre d'Assemblée avoit sommés devant elle pour rendre témoignage.

Vous ne savez sur ce point que ce que vous avez vu dans les gazettes?—Seulement; excepté ce que j'ai vu dans les extraits des journaux de la Chambre d'Assemblée publiés dans les gazettes du Haut-Canada.

Le Comité observe qu'on se plaint dans les résolutions produites, de ce que la commission de la paix a été renouée à neuf dans toute l'étendue du Bas-Canada?—Oui; cela est.

Dans des vues politiques; est-ce le cas?—On croit généralement que c'est le cas; un grand nombre de personnes a été laissé hors de la commission, et des employés de l'Exécutif ont avoué publiquement que ces omissions ont été faites pour des motifs politiques.

N'y a-t-il pas eu beaucoup de membres de la Chambre d'Assemblée d'exclus de la commission?—Oui, environ six ou huit.

On a dit qu'un particulier avoit été privé de sa commission et réduit dans les rangs de la milice, de quelle manière la loi l'oblige-t-elle à remplir les devoirs comme simple milicien?—La loi dit que tout homme sain de corps de 18 ans à 60 est obligé de servir dans la milice; et celui qui n'est ni officier ni exempt par la loi doit servir comme simple milicien.

De quelle manière met-on cette loi en force?—Il y a des amendes contre ceux qui n'y assistent pas; il y a maintenant une contestation dans les cours de justice au sujet de la loi; on poursuit en dommage ceux qui ont fait payer les amendes ou vertu des vieilles ordonnances.

Les amendes sont-elles fortes?—Les amendes imposées par les lois qui existoient, n'étoient pas fortes; mais celles des ordonnances du Conseil Législatif, de 1787, que le Gouverneur prétend être en force, sont passablement fortes; et ce qui est le pire, elles sont imposées par la sentence d'une cour martiale, au lieu de l'être dans une cour civile.

Savez-vous quelque chose de la correspondance qui a eu lieu entre Monsieur Parent et Narcisse Duchesnay, éc., lieutenant-colonel?—Je l'ai vue dans les gazettes.

Connaissez-vous les parties?—Oui.

[On remet une gazette au témoin.]

Est-ce là la gazette à laquelle vous faites allusion?—Dans cette gazette est une traduction, dont j'ai l'original en Français, de la correspondance entre Mr. Duchesnay et Mr. Parent, qui était enseigne dans la milice de Beauport, ces lettres sont des traductions correctes des originaux que j'ai vus en Français.

[Elles furent remises, et sont comme suit :—]

A Narcisse Duchesnay, Ecuier, Lieutenant-Colonel, &c. &c.

“ Beauport, 28 Janvier 1828.

“ Mon Colonel,

“ Sous l'administration d'un homme à jamais mémorable et digne de l'amour de tous les bons et loyaux sujets, je me trouvais honoré de mériter assez la confiance d'un si illustre personnage, pour me charger d'une commission d'enseigne.

“ Mais en ce jour que l'on ne serait être citoyen étant milicien-commissionné, que tant de personnes mille fois plus respectables que moi ont été déplacées, et qu'd'autres, étrangers et inconnus, ont été substitués à leur place, je me croirais souillé si je retenais une commission qui n'a plus rien que de dégradant à mes yeux.

“ Quelque honoré que je fusse lorsque je reçus cette commission, je ne l'acceptai qu'après avoir su que mon devoir serait d'agir conformément à la loi. Cette conformité ne pouvant plus être, ma commission cesse d'exister. Elle est à vous, disposez en.

(signé) “ M. PARANT.”

“ Bureau de l'Adjudant-Général,
Québec, 22 Février 1828

“ Le lieutenant-Colonel N. J. Duchesnay commandant le 5e. bataillon du Comté de Québec, m'ayant transmis votre lettre en date du premier de ce mois, je l'ai soumise à Son Excellence le Commandant en Chef, qui a ordonné que votre commission d'enseigne qui accompagnait votre lettre insolente, fut brûlée comme marque de son plus grand mépris, et de communiquer au Lieutenant-Colonel N. J. Duchesnay de vous mettre au rang de simple milicien, pour y faire le devoir comme tel.

“ F. VASSAL DE MONVIEL, Adj. Gén. M. F.”

“ A M. Parant, Milicien.”

[On remet une autre gazette au témoin.]

Cette gazette contient-elle une copie correcte des Résolutions qui furent adoptées à une assemblée constitutionnelle des Trois-Rivières, le 25 Février 1828, qu'on allègue être en ce moment le sujet d'une poursuite publique?—Oui; les résolutions en Français nous ont été envoyées en notre qualité d'agens.

Ayez la bonté de les lire ?

[Le témoin les lut, comme suit :]

Assemblée Constitutionnelle :—Trois-Rivières.

A une Assemblée extraordinaire du Comité Constitutionnel du District des Trois-Rivières tenue en la maison de R. Kimber, écuyer, Lundi le 25 Février 1828;—Présens, René Kimber, écuyer, à la Chaire; M.M. Pierre Défossés, Jean Doucet, Etienne Tapin, J. Dubord Lafontaine, Jean Défossés, Louis R. Talbot, William Vondeuvelde, Antoine Garséau, M. M. Joseph Louval, Etienne Leblanc, Pierre Blouin, Ls. Oliv. Coulombes, Laurent Craig, Charles Mondelét, Ant. Z. Leblanc :

Lu l'Ordre Général de Milice du 21 du courant.

Résolu, 1.—Que la loyauté, l'intégrité, la fermeté et l'indépendance qui ont de tout temps caractérisé toutes les actions publiques et privées de François Legendre et Antoine Poulin de Courval, Ecuier, Vice-Présidents de ce Comité, et spécialement la conduite qu'ils ont déployée dans la crise qui a nécessité de la part des habitants de ce pays des accusations contre le comte de Dathousie, leur méritent la confiance et le respect de tous leurs concitoyens.

Résolu, 2.—Que ce Comité a appris par l'Ordre Général de Milice du 21 du courant, que Son Excellence George Comte de Dalousie a cassé et démis de leurs rangs de Lieutenants-Colonels de la milice, ces deux messieurs, en alléguant “ qu'ils se sont montrés les agens actifs d'un parti hostile au Gouvernement de Sa Majesté.”

Résolu, 3.—Que dans l'opinion de ce Comité, cet allégué de la part de Son Excellence est entièrement mal-fondé.

Résolu, 4.—Qu'en conséquence ce comité se croit autorisé à déclarer que ces démissions ne pourraient jamais porter atteinte à la respectabilité de ceux qu'elles ont pour objet.

Résolu, 5.—Que l'adresse suivante à Messieurs François Legendre et Antoine Poulin de Courval, soit adoptée par ce comité, et qu'un comité spécial composé de quatre membres, savoir : Messieurs Jean Doucet, Joseph Dubord Lafontaine, Etienne Leblanc et Jean Défossés, prennent les moyens de la faire parvenir à Messrs. Legendre et Courval.

(Vrai extrait.)

Charles Mondelét, }
A. Z. Leblanc, } Secrétaïres.

Etes-vous certain que la poursuite était pour la simple insertion de ces Résolutions ou quelques remarques l'accompagnaient-elles?—Je ne puis parler très correctement de ce qui eut lieu, mais je sais que c'était là un des articles incriminés dans le bill d'indictement présenté par le Procureur Général; l'article fut publié en Français; ceci en est une traduction; il y a huit ou dix ou peut-être douze accusations de portées contre les presses que j'ai mentionnées; et les accusés sont obligés à comparation et à bonne conduite sous les plus fortes pénalités; au montant, je crois, de plusieurs milliers de louis, 4,000l. ou 5,000l.; il y a d'autres résolutions. Je crois que je pourrais procurer copie de tous les articles inculpés par indictement, si on le désirait.

Les papiers du gouvernement ont-ils tenu un langage très-moderé pendant tout ce temps?—Non, pas du tout. Ils ont tenu quelquefois un langage très violent; il est tout-à-fait naturel, lorsque les partis sont très animés, dans le temps des élections, et peu après, que les papiers soient très animés aussi. Les premières accusations pour des offenses liées avec la politique locale, ont eu lieu peu de temps avant la convocation de l'Assemblée, après la dissolution de 1827. Les bills d'indictement furent rejetés au terme régulier, et il fut tenu une Cour d'Oyer et Terminer où l'on présenta de nouvelles accusations pour les mêmes offenses, et où elles furent rapportées.

APPENDICE.

APPENDICE No. 1.

Aux Honorables Chevaliers, Citoyens et Bourgeois représentant les Communes du Royaume Uni de la Grande-Bretagne et d'Irlande, assemblées en Parlement :

La PETITION des Soussignés, fidèles et loyaux Sujets de Sa Majesté, de naissance ou d'origine Britannique, habitant les Townships de Dunham, Staudbridge, St. Armand, Sutton, Potton, Stanstead, Barnston, Barford, Hereford, Farham, Bronie, Bolton, Haelly, Compton, Clifton, Granby, Shefford, Stukeley, Orford, Ascott, Eaton, Newport, Bury, Hampden, Milton, Roxton, Durham, Melbourne, Windsor, Shipton, Stoke, Dulwell, Simpson, Kingsley, Grantham, Wickham, Wendover, Brompton, et autres Townships et lieux situés dans la Province du Bas-Canada.

Représentent humblement,

Que vos Pétitionnaires ont appris avec la satisfaction la plus cordiale et la reconnaissance la plus profonde, qu'il a été introduit un Bill dans l'Honorable Chambre des Communes, à la dernière session du Parlement du Royaume Uni, pour unir les Provinces du Haut et du Bas-Canada sous une même Législature; mesure que les habitants des Townships du Bas-Canada regardent comme le seul moyen efficace de terminer les difficultés et les troubles qui les ont fait souffrir par le passé, et de prévenir les maux dont la continuation de l'état présent de choses les menacerait pour l'avenir.

Que la situation des habitants des Townships est différente de celle de toute autre partie de l'Empire Britannique, et deviendra probablement la cause des plus grands malheurs pour les habitants actuels et leur postérité, à moins que la Législature du pays de leurs ancêtres ne veuille étendre son secours jusqu'à eux; comme on le démontrera brièvement dans l'exposé suivant :—La province du Bas-Canada, suivant son état actuel, peut être séparée en deux parties; savoir premièrement, les seigneuries ou le Bas-Canada Français, qui comprend une étendue étroite de terre des deux côtés du fleuve St. Laurent, et dont la profondeur varie de dix milles à quarante; et secondement, les Townships ou le Bas-Canada Anglais, qui comprend le reste de la province, et est plus étendue et capable de contenir une population beaucoup plus forte que les seigneuries ou le Bas-Canada Français. La partie seigneuriale du Bas-Canada, dont la population peut-être regardée à peu près comme à moitié remplie, est principalement habitée par des Canadiens, Français d'origine et de langage; mais elle contient en outre une population d'environ 40,000 habitants d'origine Britannique. Les Townships, ou le Bas-Canada Anglais, sont entièrement peuplés d'habitants de naissance et d'extraction Brianniques, et de loyalistes Américains qui se montent à présent à environ 40,000 âmes, qui n'ont aucune autre langue que celle de leurs ancêtres Britanniques, qui habitent des terres qui leur ont été concédées sous la tenure Britannique du franc et commun socage, qui ont un clergé protestant, pour le soutien duquel une partie de ces terres est mise en réserve, et qui cependant sont soumis aux lois françaises, (la Coutume de Paris,) auxquelles ils n'entendent rien, compilées dans une langue qu'ils ne comprennent pas.

En addition aux maux de cette nature à des lois étrangères écrites dans une langue étrangère les Townships, ou le Bas-Canada Anglais, souffrent en outre de nouvelles difficultés, en ce qu'ils n'ont pas de Cours dans leurs limites pour administrer même ces lois étrangères, mais qu'ils sont forcés pour obtenir justice de la loi sur l'affaire la plus insignifiante, de se rendre aux Cours établies dans les villes de Québec, de Montréal et les Trois-Rivières, dans le Canada seigneurial, souvent à une distance de 100 ou 150 milles, à travers un pays où il est souvent difficile et dangereux de voyager, à cause de l'insuffisance des lois qui regardent les communications; et pour mettre le comble à leurs griefs les Townships sont de facto sans représentation quelconque dans la Chambre d'Assemblée Provinciale du Bas-Canada. L'Assemblée Provinciale a toujours traité leurs plaintes avec mépris ou avec indifférence; et vos pétitionnaires ne peuvent se rendre compte de ce qu'ils sont placés pour ainsi dire presque hors du giron du gouvernement civil, par une négligence si éloignée de la marche suivie par les Législatures des autres provinces britanniques, si ce n'est par la supposition que la Chambre d'Assemblée composée de Canadiens Français n'a eu nullement le désir de donner des facilités aux émigrés de la Grande-Bretagne ou d'origine britannique, pour trouver un asile ou s'établir dans le Bas-Canada. Si c'était là en effet son but, elle n'a pas manqué de succès partiel, vu que sur les milliers d'émigrés qui sont arrivés de la Grande Bretagne pendant ces dernières années, il y en a à peine 1,000 qui se soient établis dans les Townships du Bas-Canada; mais ils sont allés en grand nombre dans les Etats-Unis, croyant peut-être qu'ils s'y trouveraient moins un pays étranger que dans cette colonie britannique dans ses circonstances actuelles, et vu la composition étrangère de la branche représentative de sa Législature.

Vos pétitionnaires ne détailleront pas l'exposé général qu'ils ont fait de leur condition, en entrant dans le détail des malheurs et des difficultés nombreuses qu'ils ont eu à combattre, quoiqu'ils ont que ce récit exciterait la pitié. Ils se contenteront de dire que comme les établissements ont été commencés sous ces tenures Anglaises, comme il reste encore une immense étendue de terres à établir, et comme la population du Bas-Canada est insignifiante si on la compare au nombre qu'elle est capable d'atteindre, il ne peut y avoir de juste raison de favoriser une partie de la province, de manière à en faire une nation étrangère lors de sa maturité, ou de persévérer dans un système calculé à détourner les personnes d'origine britannique et leurs descendants de s'établir sur les terres en friche de la couronne.

Dans l'administration des colonies comme dans la direction de la jeunesse, la prudence semblerait dicter de regarder comme de la plus profonde importance les intérêts fixes de la maturité future, et non les inclinations momentanées de la condition actuelle. Déjà, dans un court espace de temps, près de 100,000 émigrés de naissance britannique n'ont pas eu le temps de passer dans le Bas-Canada; si la composition étrangère de la Législature ne les avait pas forcés de chercher un refuge ailleurs, ils auraient pu augmenter la force et les moyens de la population anglaise de la province. Mais nonobstant les obstacles opposés par le passé à l'accroissement de la colonie, à moins qu'on ne laisse les mêmes causes opérer le même effet par la suite, les émigrés à venir et leurs descendants, réunis aux Anglais déjà établis dans le pays, pourront former à la fin la grande majorité des habitants, et faire du pays une colonie britannique par le fait comme il est de nom. Et en atteignant cet heureux résultat, on ne pourrait faire aucun tort aux justes droits d'autrui, et on ne nuirait même à aucun préjugé, excepté à l'opinion abusive mise en circulation et encouragée par des demagogues, que les Canadiens d'extraction française doivent demeurer un peuple distinct, et qu'ils ont droit à être regardés comme une nation;—préjugés dont la conséquence nécessaire sera que la Province du Bas-Canada (dont la sixième partie n'est pas établie) sera regardée comme leur territoire national, ou on ne leur permettrait de s'établir qu'à ceux qui seraient disposés à se faire Français; préjugés cependant qui, lorsqu'ils subsistent qu'ils puissent paraître, acquerront de la force et de l'influence si on ne les décourage promptement et complètement, et qu'on trouvera non seulement incompatibles avec le devoir et l'allégeance d'une colonie, mais même dangereux à la sûreté future des colonies voisines, et de nature à renverser les droits de tous les

les habitans des Townships aussi bien que de tous les Anglais établis dans le Canada seigneurial, à travers lequel se fait en entier le commerce avec la mère-patrie.

Vos Pétitionnaires, les habitans du Bas-Canada Anglais, se sont toujours flattés qu'on imposerait ou qu'on ne maintiendrait dans cette partie du pays aucune loi dont la tendance fût de les forcer de ressembler à une nation étrangère, et de la dépouiller des marques de leur origine britannique; et leur confiance à cet égard a été augmentée par le souvenir des promesses de feu Sa Majesté, de donner des lois anglaises à ses sujets qui s'établiraient en Canada, et par l'exception contenue dans l'Acte de Québec de 1774 (exception qui jusqu'ici n'a jamais été mise en force dans la pratique, qui déclarait que les dispositions de cet Acte pour l'établissement des lois françaises, "ne s'étendraient pas aux terres à être concédées ci-après en franc et commun socage," tenure qui existe exclusivement dans les Townships.

Vos Pétitionnaires ont senti, et il se flattent que c'est un sentiment qui ne peut manquer d'attirer la sympathie cordiale de leurs compatriotes et des compatriotes de leurs ancêtres dans la Grande-Bretagne, que la connaissance de la langue anglaise, leur langage natal, devrait suffire pour les mettre à même d'apprendre leurs droits et de remplir leurs devoirs comme sujets fidèles, lorsqu'ils résideraient sous des tenures britanniques, dans une colonie qui est du moins de nom colonie britannique. Ils ont senti qu'un des objets les plus grands et les plus glorieux des nations qui élèvent et protègent des colonies, doit être d'établir une race qui perpétue dans les siècles à venir la ressemblance honorée de la mère-patrie; et ils ont senti qu'il ne pouvait être d'accord avec la dignité ni avec les intérêts de la Grande-Bretagne, pour en faire par la suite une image de la France sous le rapport du langage et des lois, lorsque la France est exempte de tous les frais pour la protéger. Ils ont regardé les Townships du Bas-Canada, maintenant habités exclusivement par des colons de naissance et d'origine britanniques, ne parlant que la langue anglaise, et ayant un clergé protestant doté d'un septième des terres, comme ayant un droit sacré à la protection du Gouvernement Britannique contre la perspective pénible et humiliante pour les habitans de voir leur postérité contrainte d'apprendre la langue et de prendre les mœurs et le caractère d'un peuple étranger. Et ils ont cru aussi que le droit des Townships à être représentés dans l'Assemblée Provinciale ne leur aurait été refusé dans aucune autre colonie britannique, pas même ici peut-être, s'ils n'eussent pas eu une langue et une origine britanniques.

Si des vues raisonnables de sûreté future permettaient à vos Pétitionnaires de se borner à ce sujet, ils borneraient volontiers leurs sollicitations à un point, celui d'être représentés dans le Parlement Provincial en proportion de la conséquence et de l'importance croissante des districts étendus qu'ils habitent; mais il est possible que même ce privilège sacré et inestimable, s'il leur était accordé, perdît beaucoup de ses avantages et de son efficacité pour avancer la colonisation des terres en friche par des émigrés de la Grande-Bretagne, en conséquence de l'influence d'une majorité de Canadiens-Français, qu'on retrouverait encore dans la chambre d'Assemblée du Bas-Canada, qui au milieu des professions d'attachement à la mère-patrie, cherche à se maintenir comme peuple distinct et séparé. Pour assurer et conserver à la colonie et à la mère-patrie tout l'avantage qui résulterait probablement de l'établissement de principes destinés à produire parmi tous les habitans de toute origine une assimilation graduelle de sentimens britanniques, il serait essentiellement nécessaire qu'une union législative eût lieu entre les provinces du Haut et du Bas-Canada.

Il y a beaucoup de raisons, en addition à celles que vos Pétitionnaires viennent de donner, qui rendent l'union législative des deux provinces indispensables à leur prospérité commune, et qui font désirer très ardemment cette mesure à tous les habitans de l'une ou de l'autre, qui ne sont pas sous l'influence de préjugés nationaux qu'on devrait éteindre, ou d'intérêts locaux et privés qui ne valent pas la peine qu'on en tienne compte contre les avantages généraux que procureraient l'union.

Vos Pétitionnaires représentent humblement que les Canadiens-Français n'ont pu opposer à leur union d'arguments que l'analyse ne ramène à cette interprétation réelle, qu'ils désirent demeurer comme peuple séparé, afin de devenir finalement par là une nation française, ou comme ils se sont appelés, la "Nation Canadienne." Les Canadiens, sans devoir aucune partie de leur accroissement à l'émigration, ont plus que deux fois doublé depuis la conquête; et quoiqu'on eût pu jusqu'au temps présent les assimiler à leurs co-sujets britanniques sans injustice et sans les priver de droits réels, ils ont cependant encore aujourd'hui à un petit nombre près d'exceptions individuelles, un caractère aussi étranger que lorsque la conquête eut lieu; et ils doivent le garder toujours, si l'état présent des choses est permanent. C'est pourquoi la crise actuelle offre cette alternative à la Grande-Bretagne, soit d'unir les provinces pour engager les Français à devenir Anglais, ou de laisser subsister la division pour engager les Anglais du Bas-Canada à devenir Français. Et la question n'est pas de savoir si un pays déjà peuplé doit renoncer à son caractère et à ses sentimens nationaux, comme les Canadiens-Français peuvent essayer de le représenter, mais si un pays en grande partie désert, et qui doit être par la suite principalement peuplé par une race britannique, doit prendre le caractère, la langue et les mœurs d'une nation étrangère. Si l'on préfère cette dernière marche, la Grande-Bretagne élèvera un peuple d'étrangers, qui verra la rapidité de leur accroissement, deviendront à une époque peu éloignée le fléau des colonies voisines; tandis que si on adoptait l'union, on ferait finalement disparaître les préjugés et les inimitiés nationales produites par la différence d'origine, et on consoliderait la population des deux provinces en une masse homogène, animée des mêmes vues d'intérêt public, et des mêmes sentimens de loyauté envers le souverain commun.

La situation géographique des deux provinces, et les relations que la nature a établies entre elles, en exigent absolument et indispensablement l'union sous une même législation, car elles n'ont qu'une même sortie à la mer, et un même canal de communication avec la mère-patrie. L'unique clef de cette communication, le port de mer, est en la possession du Bas-Canada, et avec lui les seuls moyens qui pendant un temps considérable dans un nouveau pays peuvent permettre de prélever un revenu pour le soutien du gouvernement. Il doit être extrêmement impolitique de mettre ou de laisser exclusivement la seule clef de communication, la seule source de revenu, entre les mains d'un peuple comme les Canadiens-Français, de principes anti-commerciaux, et opposés à une assimilation avec leurs co-sujets britanniques; et le contrôle sur l'imposition et le rappel des droits d'importation établi par l'acte de la dernière session du Parlement Impérial, ne peut être rien de plus qu'un remède temporaire, d'autant qu'ils ne donne droit au Haut-Canada qu'à une espèce de veto, et qu'il n'a aucune voie initiative ou délibérative dans les dispositions; et toutes la sagesse humaine ne suffirait pas pour établir, tant que les provinces continueraient d'être séparées, un système de revenus sur les importations, qui ne donnera pas à l'une ou à l'autre des avantages injustes et inégaux, et qui par là ne produira pas nécessairement le mécontentement et les inimitiés.

Vos Pétitionnaires représentent humblement de plus qu'on a admis depuis longtemps les Canadiens Français à jouir de la liberté et des droits de sujets britanniques, droits beaucoup plus étendus que ceux qu'ils auraient pu espérer de jouir s'ils eussent continué d'être une colonie de la France; mais les droits et les devoirs sont réciproques; partout où se trouvent les premiers, les seconds sont obligatoires, et lorsqu'on repand sur les Canadiens la liberté et la protection de la Grande-Bretagne, il ne peut être que juste et généreux d'exiger en retour des amendemens à la constitution, de manière à encourager une partie de nos frères de la Grande-Bretagne à s'établir eux et leur postérité sur les terres de la couronne dans le Bas-Canada. Par l'union des deux provinces, personne ne pourrait raisonnablement se plaindre d'injustice; on n'enlèverait aucun droit, on ne mettrait de côté aucune juste prétention, et même on ne heurterait aucun préjugé, excepté ceux seulement de ceux qui nourrissent des idées visionnaires sur l'existence future d'une nation Galo-Canadienne, que l'union ferait tout d'un coup et pour jamais disparaître.

Pour découvrir avec certitude quels sont réellement les sentimens qui excitent de l'opposition à l'union, (quelque variés que puissent être les prétextes allégués,) il ne faudrait qu'examiner s'il y aurait quelques objections à la mesure si la population avait une même origine dans des provinces situées l'une à l'égard de l'autre comme le sont les Canadas?—La réponse est claire; il n'y en aurait pas. Et si les motifs réels de l'opposition de nos co-sujets Canadiens-Français, soit qu'ils soient avoués ouvertement ou spécieuse-

ment déguisés, viennent de l'intention de rester ou de former un peuple séparé pour perpétuer parmi nous les malheureuses distinctions d'Anglais et de Français, ils fournissent les plus fortes raisons possibles en faveur de l'union. Vos pétitionnaires avaient espéré humblement que le soin tutélaire de la mère-patrie, la providence aidant, aurait rassuré ces colonies dans cette partie du globe contre le danger fatal de ces animosités et de ces distinctions nationales qui ont duré tant de siècles, et qu'ont causé des maux si nombreux aux Bretons de l'Europe. Et entretenant, comme ils font, la plus parfaite assurance que la mesure contraire, de l'union des deux Canadas garantirait leur postérité de la manière la plus équitable et la plus avantageuse des maux qu'ils ont mentionnés, ils conçoivent humblement que l'honneur aussi bien que l'humanité de la mère-patrie en demandent la mise à effet pendant qu'elle est encore facilement praticable, avant que la population devienne formidable par le nombre, et avant que des exaspérations sans cesse réitérées aient rendu les animosités plus profondes et héréditaires.

C'est pourquoi vos pétitionnaires supplient très humblement qu'il soit passé un acte pour autoriser le Gouvernement Exécutif Provincial à diviser les Townships du Bas-Canada en comtés ayant droit de choisir des membres, de manière à pourvoir équitablement aux intérêts de leur population future suivant l'étendue de leur territoire, et aussi pour unir les provinces du Haut et du Bas-Canada sous une seule Législature, d'une manière qui accordera une représentation proportionnée en quelque sorte à l'étendue territoriale, qui pourvoira par là à l'état croissant du pays, et aussi qui à la fin deviendra nécessairement proportionnée à sa richesse et à sa population.

Et vos Pétitionnaires, comme de droit, ne cessent de prier, &c.

La Pétition ci-dessus fut envoyée des Townships en 1823, et signée presque unanimement par tous les chefs de familles dans les Townships; le nombre des signatures surpassait 10,000. On peut maintenant, si on le requiert produire avec cette pétition, d'autres pétitions même des seigneuries du Bas-Canada, et du Haut-Canada, en faveur de l'union des deux provinces.

APPENDICE, No. 2.

Pétition des Comtés du District de Québec; et du Comté de Warwick, District de Montréal.

A la Très-Excellente Majesté du Roi :

Qu'il plaise à votre Majesté,

Nous, les fidèles et loyaux sujets de votre Majesté, habitans de votre Province du Bas-Canada, supplions très-humblement votre Majesté de vouloir bien accueillir favorablement cette humble Pétition que nous déposons respectueusement au pied de Votre Trône Impérial, avec des vœux pleins de reconnaissance et d'un attachement inviolable envers votre auguste personne et le gouvernement paternel de votre Majesté.

Parmi les bienfaits nombreux dont les habitans du Bas-Canada sont redevables envers le gouvernement de votre Majesté, nous mettons au premier rang l'excellente constitution accordée à cette province par l'Acte du Parlement Britannique passé dans la trentième et dernière année du règne de feu notre souverain seigneur le roi, votre auguste père, de mémoire à jamais réverée.

Appelés par cette acte à l'entière jouissance de la liberté constitutionnelle britannique; et devenus les dépositaires de nos propres droits sous la sauve-garde de la mère-patrie, nous avons contracté l'obligation de conserver ce dépôt sacré et de le transmettre à nos descendants, tel qu'il nous fut confié par les grands hommes qui présidaient alors aux destinées de ce grand et glorieux empire.

Vivement pénétrés de cette obligation et frappés des abus qui se sont glissés dans le gouvernement de cette province, et des maux publics qui pèsent sur ces habitans, nous avons l'espérance que l'Assemblée de cette province, dans le parlement convoqué pour la dépêche des affaires, le vingt de novembre dernier, prendrait en considération l'état de la province, et adopterait des mesures efficaces pour obtenir la correction de ces abus et le remède à ces maux; nous en avions un engagement assuré dans la loyauté, le désintéressement et le zèle éprouvés de nos représentans, mais nous avons eu la douleur d'être frustré dans notre espérance par le refus fait par Son Excellence le Gouverneur en Chef d'approuver l'orateur choisi par l'Assemblée, et par la proclamation du vingt deux du même mois de novembre prorogeant le parlement provincial; et dans ces circonstances, privés des services de nos représentans, assaillis par de grands maux, et menacés de maux plus grands encore, nous implorons humblement votre majesté, source de toute grâce et de toute justice.

Les hommes d'état, patriotes éclairés, qui tracèrent notre acte constitutionnel et le parlement qui l'adopta, voulurent nous donner un gouvernement mixte sur le modèle de la constitution britannique; les débats au parlement et l'acte lui-même font foi de ces vues bienfaisantes de la Législature Impériale, un Gouverneur, un Conseil Législatif et une Assemblée devaient être trois branches indépendantes l'une de l'autre et représenter le roi, les lords et les communes; mais le véritable esprit de cette loi fondamentale n'a pas été consulté dans la formation du Conseil Législatif, car la majorité de ce corps se trouve composé de personnes dont les principales ressources, pour leur subsistance et celle de leur familles, étant les gages, appointemens et honoraires des charges et emplois qu'elles possèdent sous le bon plaisir du gouvernement provincial, elles sont intéressées à maintenir et à augmenter les gages, appointemens et honoraires des officiers publics, payé par le peuple, et à soutenir plusieurs abus favorables aux gens en place. Ainsi le Conseil Législatif n'est en effet que l'exécutif sous un autre nom, et la législature provinciale se trouve réduite de fait à deux branches, le gouvernement et l'Assemblée, sans avoir l'avantage de la branche intermédiaire et médiatrice accordée à cette province par l'acte de sa constitution; et de cette première et capitale erreur sont résultés et résultent journellement une multitude de maux et l'impossibilité d'y porter remède.

Nous reconnaissons que le Conseil Législatif doit être indépendant, et s'il l'était il ne nous appartiendrait pas de nous plaindre à votre majesté des refus réitérés, de la part de ce corps, de procéder sur plusieurs bills venant de l'Assemblée lorsqu'émimentement utiles et même nécessaires qu'ils puissent être; mais considérant ce refus comme le résultat naturel de la composition du Conseil Législatif et de l'état de dépendance où se trouve la majorité des membres, nous regardons les actes du Conseil Législatif comme les actes du gouvernement exécutif de la province, et c'est pourquoi nous représentons très-humblement à votre majesté, que le Conseil Législatif de cette province dont la majorité est composée de conseillers exécutifs, de juges et autres personnes dans la dépendance du gouvernement exécutif, a, d'année en année, rejeté plusieurs bills, refusé et négligé de procéder sur plusieurs autres bills envoyés par l'Assemblée, pour remédier aux abus, répandre l'éducation, promouvoir des objets d'utilité publique et l'amélioration du pays, augmenter la sûreté des personnes et des biens, et pour l'avancement du bien-être et de la prospérité générale de la province. Particulièrement:—

Plusieurs bills annuels accordant les sommes nécessaires pour toutes les dépenses du gouvernement civil de la province, mais réglant et limitant la dépense.

Pour procurer un recours légal aux sujets qui ont des réclamations contre le gouvernement provincial.

Pour régler certains honoraires d'office.

Pour mettre les habitans des villes en état d'avoir une voix dans l'administration de leurs affaires locales et un contrôle sur les deniers levés sur eux par cotisation.

Pour faciliter l'administration de la justice dans la province, pour qualifier les jurés et régler la formation et introduire la procédure par jurés dans les campagnes, et diminuer les frais occasionnés aux plaideurs par l'éloignement des sièges des juridictions.

Pour pourvoir à une prison nouvelle et suffisante pour le district de Montréal.

Pour qualifier les juges de paix.

Pour continuer les actes qui régissent la milice de la province.
 Pour augmenter et répartir la représentation dans la Chambre d'Assemblée d'une manière égale parmi les électeurs qualifiés dans l'étendue de la province, particulièrement dans les nouveaux établissements et les townships.

Pour la sûreté des deniers publics entre les mains du receveur-général de sa majesté en cette province.

Pour l'indépendance des juges en leur assurant leurs appointemens actuels, pourvu que leurs commissions fussent durant leur bonne conduite, et pour pourvoir à un tribunal pour juger les accusations portées par l'assemblée, de manière à assurer la juste responsabilité des grands fonctionnaires publics de la province.

Pour nommer et soutenir un agent autorisé pour la province, pour résider en Angleterre et y veiller aux intérêts d'icelle.

Nous voyons avec douleur, et sommes forcés d'exposer à Votre Majesté que, depuis plusieurs années les revenus des biens-fonds, les profits du commerce et de l'industrie, et le prix de la main-d'œuvre en cette province, ont beaucoup diminué et diminuent encore, et nous croyons que dans les circonstances actuelles, il ne serait pas équitable d'imposer des taxes ou nouveaux droits sur les habitans de cette province, pour les usages publics, et que les seuls fonds sur lesquels on puisse raisonnablement compter pour aider à répandre l'éducation et faciliter l'industrie individuelle, sont ceux qui proviennent du revenu actuel de la province.

Cependant, plus de la moitié de ce revenu public est employé, depuis plusieurs années, au paiement des appointemens, émolumens et dépenses des officiers du Gouvernement civil de la province, sans compter les appropriations spéciales ordinaires et indispensables et ce qui augmente notre inquiétude, c'est que depuis plusieurs années ces appointemens, émolumens et dépenses ont beaucoup augmenté, sans le consentement de la Législature; que dans plusieurs cas ils ont été payés à des personnes absentes et autres qui n'ont rendu aucun service à la province, que dans d'autres cas, ces appointemens, émolumens et dépenses sont excessifs, lorsqu'on les compare aux services dont ils sont la récompense, aux revenus des biens-fonds et aux rémunérations ordinaires que reçoivent des individus doués des mêmes talents, caractère et industrie que ceux à qui ces appointemens et émolumens sont accordés sur les deniers publics de la province. Enfin, c'est qu'indépendamment de ces appointemens, émolumens et dépenses, déjà exorbitans et excessifs, les sujets de Votre Majesté payent à divers officiers de Votre Gouvernement Provincial, divers honoraires qui croissent à un point très-onéreux, ce qui surcharge les particuliers et diminue la protection des lois, les avantages du Gouvernement et les ressources du pays dans ses besoins.

Nous sommes convaincus, qu'outre la sécurité parfaite dont doivent jouir les sujets de Votre Majesté dans leurs biens, un des moyens les plus efficaces pour avancer la prospérité générale et en prévenir le déprissement, est d'aider et faciliter les progrès des connaissances utiles et le libre cours de l'industrie, et nous avouons avec autant de satisfaction que de reconnaissance que notre Législature provinciale, depuis la fin de la dernière guerre avec les Etats-Unis de l'Amérique, a approprié des sommes considérables sur les deniers publics, pour aider aux progrès de l'éducation et faciliter l'industrie, par l'ouverture et l'amélioration des communications intérieures, mais nous avons à remplir le pénible devoir d'exposer à Votre Majesté que ces deniers employés sous la direction du Gouvernement Exécutif de la province, n'ont pas produit les avantages qui devaient résulter de leur application légale et judicieuse, et que plusieurs des personnes à qui le Gouvernement Exécutif avait confié la dépense de ces deniers n'en ont rendu compte que tard ou d'une manière insuffisante.

Nous voudrions épargner à Votre Majesté la douleur d'apprendre que dans cette colonie britannique des sommes considérables de deniers provenant du revenu public, ont été employées d'années en années sous l'autorité du Gouvernement Exécutif, sans aucune appropriation par le corps législatif de la province (tandis que les appropriations nécessaires étaient rejetées par le Conseil Législatif), pour défrayer de prétendues dépenses du Gouvernement civil et d'autres dépenses pour lesquelles il n'a été rendu aucun service à la province ou pour payer des appointemens nouveaux ou augmentés, qui n'ont jamais reçu la sanction de la Législature, mais nous craignons en taisant ces monstrueux abus de consolider notre propre esclavage par un coupable silence et nous implorons la justice de Votre Majesté.

Aussi négligent à conserver qu'actif à prodiguer les deniers publics, le gouvernement exécutif de la province a non seulement souffert que de grosses sommes de deniers, entre les mains du receveur-général et d'autres dépositaires publics soumis à sa surveillance et son contrôle, fussent diverties, mais a nommé d'autres officiers à la place de ces dépositaires fautifs sans prendre aucune mesure suffisante pour l'avenir, et qu'ayant avancé à différentes personnes diverses grosses sommes de deniers appropriés par la Législature, la négligence du gouvernement exécutif à cet égard a été telle que plusieurs de ces personnes, n'ont pas rendu compte quand elles auraient dû le faire, quelques uns n'ont rendu compte que d'une manière insuffisante, et d'autres n'ont rendu aucun compte, et quoiqu'ils aient été nommés par le gouvernement exécutif à d'autres places de confiance, d'honneur et de profit, et nous soumettons très humblement à Votre Majesté que par toutes ces négligences, le gouvernement exécutif de la province a exposé vos fidèles sujets à des pertes sérieuses, dissipé et mis en danger les ressources de la province et assujéti les habitans à des fardeaux inutiles.

Les habitans de cette province ont déjà fait de respectueuses remontrances auprès du gouvernement de Votre Majesté au sujet du collège et des biens ci-devant possédés par l'ordre des Jésuites en cette province, et tout en déplorant le mauvais succès de nos demandes passées, nous espérons encore que Votre Majesté nous rendra justice dès que la vérité sera connue, et nous exposons très humblement que les jésuites n'ayant jamais été propriétaires, mais seulement dépositaires de ces biens pour l'éducation de la jeunesse du Canada, leur extinction n'a pu conférer au souverain plus de droit dans ces biens qu'ils n'en avaient eux-mêmes, et que conséquemment Votre Majesté n'a succédé à la possession de ces biens qu'à la charge de les employer à l'éducation de la jeunesse du Canada suivant leur destination primitive, cependant nous sommes privés de ces biens ci-devant appliqués à l'éducation de notre jeunesse sous la direction des Jésuites, l'éducation languit faute de cette ressource, et nous assurons Votre Majesté que vos fidèles sujets Canadiens déplorent amèrement cette privation.

L'établissement des terres incultes de la province, dont l'importance a fixé plus d'une fois l'attention du gouvernement impérial de Votre Majesté, a été négligé d'une manière inexplicable par le gouvernement exécutif de la province, jusque là, que de grandes portions de terres, concédées ou réservées par la couronne ont depuis longtemps et sont encore possédées au milieu ou dans le voisinage immédiat des établissemens existans, sans que les propriétaires ou possesseurs de ces concessions et réserves aient été obligés d'accomplir les conditions d'établissement auxquelles ces concessions ou réserves ont dû être faites par le gouvernement de Votre Majesté, ou à remplir aucun devoir quelconque à l'égard de ces terres, ce qui accable les colons actuels, détourne les nouveaux habitans et retarde l'augmentation de la prospérité générale de la province.

Mais ce qui surtout afflige les fidèles sujets de Votre Majesté en cette province, c'est que pendant l'existence des abus et griefs dont nous venons de tracer le pénible tableau, et d'autres abus et griefs dont nous avons à souffrir, divers officiers du gouvernement exécutif de la province ont, à diverses reprises fait de fausses représentations et des tentatives pour obtenir du gouvernement impérial et du parlement du Royaume-Uni divers changemens dans la constitution et le gouvernement de cette province, à l'insu de vos fidèles sujets en cette province, au mépris de nos droits les plus sacrés et de nos plus chers intérêts, dans le même temps où une majorité de conseillers exécutifs, juges et autres officiers dans le conseil législatif empêchaient que les habitans de cette province eussent en Angleterre un agent accrédité pour veiller à nos intérêts et obtenir qu'ils fussent entendus par le gouvernement de la mère-patrie. Et c'est sous ces circonstances qu'ont été obtenus, et le rétablissement et la continuation par l'acte du parlement du Royaume-Uni passé dans la quatrième année du règne de Votre Majesté, chapitre six, certains droits temporaires imposés par des actes provinciaux et des actes qui affectent la tenure des terres en cette

province, à l'insu de ses habitans, au renversement de leurs droits les plus chers et de leurs intérêts essentiels, sans la connaissance ou le consentement des propriétaires principalement affectés par ces actes, et nous éprouvons la plus vive douleur en voyant les infortunes de ces individus pour nous dépouiller des droits et des avantages qui nous ont été assurés par l'autorité souveraine d'un peuple puissant et généreux, sous les auspices de ses plus grands hommes.

C'est pourquoi nous supplions très respectueusement Votre Majesté de vouloir bien prendre cette humble requête en votre très gracieuse considération et exercer votre prérogative royale de manière à ce que vos fidèles sujets en cette province soient soulagés des dits abus et griefs; qu'il leur soit fait justice et qu'ils soient maintenus et assurés dans la pleine et entière jouissance de la constitution du gouvernement établie par le dit acte de la trente-et-unième année du règne de son Sa Majesté le roi votre auguste père, sans qu'il soit fait aucun changement quelconque.

Et vos supplians, comme de droit, ne cessent de prier.

Décembre, 1827.

[N. B.—Les pétitions aux Lords et Communes sont les mêmes que celle ci-dessus, avec seulement les changemens de style nécessaires.]

Récapitulation des signatures à la pétition ci-dessus :

Comté de Cornwallis	- - - - -	3,583
Devon	- - - - -	2,139
Hertford	- - - - -	2,394
Dorchester	- - - - -	4,157
Partie de Buckinghamshire	- - - - -	1,532
Dito de Hampshire	- - - - -	1,316
Québec	- - - - -	5,870
Orléans	- - - - -	1,018
Northumberland	- - - - -	2,445
Total, district de Québec,		24,484
Comté de Warwick,		4,904
		29,388

2 Février 1828.

RESOLUTIONS sur lesquelles la pétition précédente était fondée.

A une assemblée d'électeurs de la cité et des faubourgs de Québec, qui approuvent la conduite de la chambre d'assemblée, convoquée pour considérer s'il ne serait pas expédient de soumettre par une humble pétition à Sa Majesté et aux deux chambres du parlement, l'état actuel de la province, et les abus et griefs existant, et de demander qu'il y soit porté remède et que justice soit faite; tenue à l'hôtel de Malhiot, le 13 décembre 1827.

Louis Abraham Lagueux, écuyer, à la chaire :

Il fut résolu,

1^o.—QU'IL y avait lieu d'espérer que dans la session du parlement provincial assemblée le 20 novembre dernier pour la dépêche des affaires publiques, l'état de la province serait amélioré, qu'il serait porté remède ou pris des mesures pour remédier aux maux qu'éprouvent ses habitans, et que la paix, le bien-être et le bon gouvernement de la province y seraient promus.

2^o.—Que la dite session a été interrompue par le refus de la part de Son Excellence le gouverneur en chef d'approuver, suivant l'usage parlementaire, l'orateur choisi et présenté par l'assemblée de la manière ordinaire, et par la proclamation du 22 novembre pro-rogeant le parlement provincial.

3^o.—Qu'il est expédient dans ces circonstances de soumettre par une humble pétition à Sa Majesté et aux deux chambres du parlement du Royaume-Uni, l'état de la province et les maux auxquels sont exposés les habitans de la province dans l'espoir que par l'exercice de la prérogative royale et la justice du parlement, il y sera porté remède de manière à ce que la constitution de cette province, telle que maintenant établie par acte du parlement de la Grande Bretagne soit conservée et maintenue dans son intégrité.

4^o.—Que depuis plusieurs années les revenus des biens-fonds en cette province, les profits du commerce et de l'industrie et le prix de la main-d'œuvre ont beaucoup diminué et diminuent encore de la manière la plus alarmante.

5^o.—Qu'outre l'assurance dont doivent jouir les sujets de la plus parfaite sécurité pour leurs personnes et leurs biens, un des moyens les plus efficaces pour avancer la prospérité générale et en prévenir le déprissement est d'aider et faciliter les progrès des connaissances utiles et le libre cours de l'industrie.

6^o.—Que quoique depuis la fin de la dernière guerre, la Législature de cette province, ait approprié sur les deniers publics des sommes considérables pour aider à l'éducation et pour faciliter l'industrie par l'ouverture et l'amélioration de communications intérieures et que ces appropriations nient été employées sous la direction du Gouvernement Exécutif de la province, elles n'ont pas produit les avantages que l'on en devait espérer, et que plusieurs des personnes auxquelles l'Exécutif avait confié la dépense de ces deniers, n'en ont rendu compte que tard ou d'une manière insuffisante.

7^o.—Que dans les circonstances actuelles de la province, on ne peut équitablement imposer aucune taxe ou nouveaux droits pour les usages publics d'icelle, et qu'on ne peut compter sur aucun autre fonds pour aider à répandre l'éducation et faciliter l'industrie individuelle, que sur ceux provenant du revenu public actuel de cette province.

8^o.—Que plus de la moitié du montant entier du dit revenu public a été employé depuis plusieurs années au paiement des appointemens, émolumens et dépenses des officiers du Gouvernement civil de la province, sans compter les appropriations spéciales ordinaires.

9^o.—Que les dits appointemens, émolumens et dépenses ont été beaucoup augmentés depuis plusieurs années sans le concours et le consentement de la Législature, et dans plusieurs cas ont été payés à des personnes absentes et à d'autres qui n'ont rendu aucun service à la province, et dans d'autres cas les dits appointemens, émolumens et dépenses sont excessifs, comparés aux services rendus, aux revenus des biens-fonds, et aux récompenses ordinaires que reçoivent des individus doués des mêmes talents, caractère et industrie, que ceux qui reçoivent les dits appointemens et émolumens.

10^o.—Qu'indépendamment de ces appointemens, émolumens et dépenses inutiles et excessifs, les sujets du Roi payent à divers officiers du Gouvernement des honoraires qui augmentent à un point accablant et insupportable, ce qui surcharge les particuliers et diminue la protection de la loi, les avantages du Gouvernement et les ressources du pays, dans ses besoins.

11^o.—Qu'une majorité de personnes qui se fondent principalement pour leur soutien et celui de leurs familles sur les appointemens et émolumens des emplois publics, qu'elles tiennent durant le bon plaisir du Gouvernement, ont été placées dans le Conseil Exécutif et Législatif de cette province, plusieurs desquelles ont un intérêt personnel à maintenir et augmenter les dits appointemens, honoraires, émolumens et dépenses excessifs et à perpétuer d'autres abus profitables aux gens en place.

12^o.—Qu'une majorité dans le dit Conseil Législatif composé principalement de Conseillers Exécutifs de juges et autres officiers possédant leurs places durant bon plaisir, a, d'année en année, rejeté, refusé ou négligé de procéder sur divers bills nécessaires, envoyés par la Chambre d'Assemblée de la province, pour remédier à des abus qui pèsent sur les sujets, pour aider à répandre l'éducation pour l'avancement d'objets d'utilité générale et

et l'amélioration du pays, pour augmenter la sûreté des personnes et des biens, et pour promouvoir le bien-être et la prospérité publique; notamment:

- Plusieurs bills annuels accordant les sommes nécessaires pour toutes les dépenses du Gouvernement civil de la province, mais réglant et limitant les dépenses.
- Pour procurer un recours légal aux sujets qui ont des réclamations contre le Gouvernement provincial.
- Pour régler certains honoraires d'office.
- Pour mettre les habitans des villes en état d'avoir une voix dans l'administration de leurs affaires locales et un contrôle sur les deniers levés sur eux par cotisation.
- Pour faciliter l'administration de la justice dans la province, pour qualifier les jurés et en régler la formation et introduire la procédure par jurés dans les campagnes, et diminuer les frais occasionnés aux plaideurs par l'éloignement des sièges des juridiction.
- Pour pourvoir à une prison nouvelle et suffisante pour le district de Montréal.
- Pour qualifier les juges de paix.
- Pour continuer les actes qui régissent la milice de la province.
- Pour augmenter et répartir la représentation dans la Chambre d'Assemblée d'une manière égale parmi les électeurs qualifiés dans l'étendue de la province, particulièrement dans les nouveaux établissemens et dans les Townships.
- Pour la sûreté des deniers publics entre les mains du receveur-général de Sa Majesté en cette province.
- Pour l'indépendance des juges en leur assurant leurs appointemens actuels, pourvu que leurs commissions fussent durant bonne conduite, et pour pourvoir à un tribunal pour juger les accusations portées par l'assemblée de manière à assurer la juste responsabilité des grands fonctionnaires publics de la province.
- Pour nommer et soutenir un agent autorisé pour la province pour résider en Angleterre et y veiller aux intérêts d'icelle.

13°.—Que le rejet réitéré, le refus ou la négligence de procéder sur ces bills nécessaires, et autres envoyés par l'assemblée au conseil législatif, de la part d'une majorité du dit conseil composée de conseillers exécutifs, de juges et autres officiers tenant leurs commissions durant bon plaisir, doivent être censés l'acte du gouvernement exécutif, et comme tels, sont un grief public, qui est contraire à la constitution du gouvernement tel qu'établi par la loi en cette province.

14°.—Que des sommes considérables d'argent provenant du revenu public levée en cette province ont été employées d'année en année sous l'autorité du gouvernement exécutif sans aucune appropriation par le corps législatif de la province (tandis que les appropriations nécessaires ont été rejetées dans le dit conseil législatif) pour payer de prétendues dépenses du gouvernement civil et d'autres dépenses pour lesquelles il n'a été rendu aucun service à la province, ou pour des appointemens ou traitemens nouveaux et augmentés qui n'ont jamais été reconnus par la législature.

15°.—Que des sommes considérables d'argent provenant du revenu public levées en cette province, entre les mains du receveur-général et autres dépositaires de deniers publics, alors et encore sous le contrôle et la surveillance du gouvernement exécutif de la province, ont été diverties, et qu'il a été nommé d'autres officiers à la place des dits receveur-général et dépositaires, sans prendre aucune sûreté suffisante pour l'avenir, exposant par là le public à des pertes sérieuses, dissipant ou mettant en danger les ressources de la province, et exposant les habitans à des fardeaux inutiles.

16°.—Que diverses autres sommes d'argent appropriées par la législature ont été avancées à diverses personnes nommées par l'exécutif, dont plusieurs n'ont pas rendu compte de ces avances dans le temps où elles auraient dû le faire, ont rendu compte d'une manière insuffisante, ou n'ont rendu aucun compte quelconque, ainsi qu'il paraît par l'état mis devant l'assemblée d'après une adresse dans la session de mil huit cent vingt six, et que des personnes ainsi en défaut et d'après le dit état, ont été nommées à d'autres places d'honneur, de confiance et de profit.

17°.—Que le collège et les revenus des biens du ci-devant ordre des jésuites, originellement destinés et autrefois employés à l'éducation civile et religieuse de la jeunesse de cette province, n'ont point été ainsi employés depuis nombre d'années et qu'il n'en est rendu aucun compte à la législature ou aux habitans de cette province.

18°.—Que de grandes portions de terres incultes concédées ou réservées par la couronne en cette province, ont été depuis longtemps et sont encore tenues ou milieu ou dans le voisinage immédiat d'établissements, sans que les propriétaires ou possesseurs d'icelles aient été obligés à accomplir les conditions d'établissement auxquelles ces terres ont été accordées par la couronne, ou à remplir aucun autre devoir relativement aux dites terres, ce qui accable les colons actuels, détourne les nouveaux habitans et retarde l'augmentation et la prospérité générale de la province.

19°.—Que pendant l'existence de ces abus et griefs et de plusieurs autres, divers officiers du gouvernement exécutif de la province ont fait à diverses reprises de fausses représentations et des tentatives pour obtenir du gouvernement de Sa Majesté en Angleterre et du Parlement du Royaume-Uni divers changemens dans la Constitution du Gouvernement de cette province telle qu'établie par un Acte du Gouvernement Britannique, au mépris des droits et des intérêts des habitans de cette Province, à leur insu, et dans un temps où la dite majorité de Conseillers Exécutifs, de Juges et autres officiers dans le Conseil Législatif, s'opposait à ce que les dits habitans eussent un agent autorisé en Angleterre pour veiller à leurs intérêts et faire en sorte qu'ils fussent entendus par le gouvernement de la mère-patrie.

20°.—Que le rétablissement ou la continuation par l'Acte du Parlement du Royaume-Uni, (4 Geo. 4 & 6) de droits temporaires imposés par des Actes provinciaux, a été ainsi obtenu, de même que les Actes qui affectent les tenures des terres en cette province, le tout au mépris des droits les plus chers et des intérêts essentiels des habitans de cette province et sans la connaissance ou le consentement des personnes principalement affectées par les dits Actes.

21°.—Que l'emploi ci-dessus mentionné des deniers levés en cette province, sans l'appropriation par la Législature d'icelle.

Les dites avances de deniers à des personnes qui n'en ont pas suffisamment rendu compte. Les dites dissipations des deniers publics et la nomination de personnes comme dépositaires de deniers publics sans sûretés suffisantes.

L'emploi des revenus des biens du ci-devant ordre des Jésuites à d'autres objets qu'à l'éducation de la jeunesse de la province.

Le défaut d'accomplissement des conditions des concessions des terres incultes de la couronne, et des tentatives de la part des officiers du gouvernement exécutif pour obtenir en Angleterre des changemens dans la constitution établie et dans les lois de la province, à l'insu de ses habitans et sans leur donner l'occasion d'être entendus, sont des griefs dangereux pour la paix, le bien-être et le bon gouvernement de cette province.

22°.—Que les conclusions de la requête à Sa Majesté soient, qu'elle veuille bien prendre ce qui précède en sa très-gracieuse considération, exercer sa prérogative royale de manière à ce que ces sujets en cette province soient soulagés contre les dits abus et griefs, et qu'il soit fait justice à ce sujet, afin que les habitans de cette province soient assurés dans la pleine jouissance de la constitution du gouvernement établie par l'acte passé dans la trente-et-unième année du règne de feu son père royale d'heureuse mémoire.

23°.—Que les conclusions de la requête aux chambres du parlement soient qu'elles prennent ce qui précède en considération, qu'elles fassent faire un enquête et que les pétitionnaires soient entendus enfin que justice soit faite, et que le sujet en cette province soit assuré dans la pleine jouissance de la constitution du gouvernement établie par l'acte passé dans la trente-et-unième du règne de feu Sa Majesté, sans aucun changement quelconque.

24°.—Qu'il soit nommé un Comité de trente-cinq électeurs dûment qualifiés par la loi à voter pour des membres de l'assemblée de cette province, pour dresser et préparer des pétitions d'après les résolutions ci-dessus, avec plein pouvoir de prendre toutes les mesures nécessaires pour les soumettre à la signature des électeurs, pour les faire mettre au pied du trône et les faire présenter aux lords et aux communes, et aussi pour les rendre efficaces et les soutenir par des témoignages.

25°.—Que cette assemblée contribuera et aidera à procurer des souscriptions volontaires pour couvrir les dépenses nécessaires pour les sujets sus-mentionnés.

26°.—Que Messieurs Amable Berthelot, François Blanchet, J. L. Borgia, J. B. E. Bacquet, Robert Blackiston, Michel Borne, J. Bigouette, Michel Clouet, John Cannon, Joseph Dorion, Etienne Defoy, John Duval, John Fraser, H. G. Forsyth, Pierre Faucher, Joseph Gagné, A. R. Hamel, H. S. Huot, Louis Lagueux, Joseph Légaré, père, Louis Lagueux, fils, Jacques Leblond, Et. C. Lagueux, J. Lanvein, Ignace Légaré, J. L. Maret, Louis Massue, Joachim Mondore, John Neilson, Vallières de St. Réal, Pierre Pelletier, Joseph Roy, Augt. Gauthier, Thomas Lée et Louis Fortier, composent le dit Comité et que neuf forment un quorum, avis par écrit des temps et lieu d'assemblée étant préalablement laissé au domicile de chacun des membres du dit comité.

27°.—Que le dit comité ait le pouvoir d'ajouter à son nombre et d'aider à transmettre de semblables pétitions de toute autre partie de ce district, dans le cas où l'on s'adresserait à lui pour cette effet, et où il aurait été fait des contributions à l'appui du fond du dit comité pour aider à la dépense ci-dessus mentionnée.

28°.—Que Joseph Roi, écuyer, soit trésorier du dit comité, et qu'il soit tenu de rendre compte au dit comité et à une assemblée des électeurs publiquement convoquée, et que tous les payemens qu'il fera, soient appuyés d'ordre du dit comité certifiés par la signature du secrétaire.

LOUIS A. LAGUEUX, président.
H. S. HUOT, secrétaire.

A une assemblée du comité, vendredi, 14 décembre 1827, les officiers suivans ont été nommée:—J. R. Vallières de St. Réal, écuyer, président; Henry George Forsyth, écuyer, et Louis Abraham Lagueux, écuyer, vice-présidens; Messrs. H. S. Huot et J. B. E. Bacquet, secrétaires.

H. S. HUOT, secrétaire.

PROVINCE DU BAS-CANADA.

Pétition des Comtés des Districts de Montréal et des Trois-Rivières.

[Cette pétition se trouve en langue française dans le rapport; elle est ainsi donnée de préférence, parceque c'est dans cette langue qu'elle a été dressée. Les pétitions aux Lords et aux Communes sont les mêmes que celle au Roi, avec les changemens de style nécessaires.]

A la très-excellente Majesté du roi.

La Pétition des soussignés fidèles et loyaux sujets de Votre Majesté résidens dans le Bas-Canada.

Qu'il plaise à Votre Majesté,

Dans une partie éloignée des immenses domaines de votre Majesté, il existe un peuple peu nombreux, il est vrai, mais fidèle et loyal: il jouit avec orgueil et reconnaissance, sous la domination de votre Majesté, du noble titre de sujets Britanniques, qui lui a été conféré sous le règne de votre père de glorieuse mémoire, avec tous les droits qui font de ce titre un objet d'envie. Plus ce bienfait était grand, plus votre bon peuple du Bas-Canada a cru devoir montrer de reconnaissance: l'histoire est là pour déposer en notre faveur: laissez nous lui le soin de prouver que nous avons deux fois empêché ce pays de passer sous une domination étrangère.

Reconnaissans de l'inestimable présent que nous a fait la mère-patrie en nous accordant notre constitution, convaincus qu'elle peut faire le bonheur de vos fidèles sujets en Canada, le premier de nos vœux est de la conserver intacte et de jouir librement des droits précieux qu'elle nous assure.

Parmi les droits inhérens au titre de sujets Britanniques, celui de pétition est un des plus importants et des plus sacrés: il assure au plus pauvre individu le droit d'être entendu et l'espoir de la justice lors même qu'il se plaint des personnes les plus élevées en dignité. La voix de tout un peuple sera sans doute encore plus puissante, lorsqu'elle parviendra aux pieds de votre trône, et qu'elle révélera à votre Majesté que l'oppression peut exister sous son gouvernement paternel.

L'éloignement où nous sommes du siège de l'empire, et l'espoir d'un changement pour le mieux nous ont engagés jusqu'à ce jour à un pénible silence; mais l'excès du mal nous force enfin à le rompre. Il ne convient pas au caractère de sujet Britannique de souffrir servilement l'oppression: la patience dans ce cas n'est une vertu que pour des esclaves.

Nous venons déposer à vos pieds nos justes plaintes contre Son Excellence George Comte de Dalhousie. Chargé par vous même de vous représenter dans votre Colonie, et de vous faire éprouver les bienfaits du Gouvernement de votre Majesté, il s'en faut de beaucoup, malheureusement pour nous, qu'il ait rempli la haute mission dont vous l'aviez gracieusement chargé pour le bonheur de vos fidèles sujets Canadiens.

Il a pendant son administration, commis différens actes arbitraires, tendant à aliéner l'affection des fidèles sujets de votre Majesté et subversifs du Gouvernement tel qu'établi par la loi dans cette province.

Il a, par warrant ou autrement, tiré des mains du receveur-général de cette province des sommes considérables sans y être autorisé par la loi.

Il a, volontairement et méchamment, tronqué, supprimé, gardé par-devers lui et soustrait à la connaissance du Parlement Provincial, divers documens et papiers publics nécessaires à la dépêche des affaires et au bon gouvernement de cette province, et ce au grand détriment du service public et au grand préjudice des sujets de votre Majesté en la dite province.

Il a volontairement et en violation de son devoir envers son souverain et ces fidèles sujets en cette province, conservé dans l'exercice de ses fonctions, John Caldwell, écuyer, ci-devant Receveur-Général, entre les mains duquel le revenu public de cette province était versé, en vertu de la loi et des instructions royales, ongtemps après que ce fonctionnaire public avait avoué sa malversation et déclaré son incapacité de satisfaire aux demandes faites contre lui pour le service public; et ce au grand détriment des habitans de cette province, et au grand préjudice du service et de la foi publique.

Il a, en opposition à la pratique constante du gouvernement de Votre Majesté, et en violation de son devoir comme administrateur du gouvernement de cette province, nommé John Hale, écuyer, pour remplacer le dit John Caldwell, comme receveur-général, sans exiger ni requérir de lui les sûretés ordinaires requises pour assurer la due exécution des devoirs de cette place.

Il s'est, en différens temps, servi de son autorité comme commandant-en-chef, pour influencer, et intimider les habitans de cette province dans l'exercice de leurs droits civils et politiques.

Il a, comme commandant-en chef, renvoyé et disgracié un grand nombre d'officiers de milice dans la province, sans cause juste, ou raison suffisante.

Il a, sans cause, ou raison suffisante, arbitrairement et despotiquement, renvoyé et privé plusieurs officiers civils des places de confiance et de responsabilité qu'ils occupaient, et ce au préjudice de ces officiers et du service public.

Il a maintenu et conservé, et conserve et maintient en place, plusieurs fonctionnaires publics, après qu'il a été prouvé que leurs nominations à telles places, ou que leur conduite dans l'exercice de leurs fonctions étaient préjudiciables au service de Votre Majesté et aux intérêts de ses sujets en cette province.

Il a multiplié dans des temps de tranquillité, et sans aucune nécessité, des cours spéciales d'oyer, et terminer, outre les termes réguliers et ordinaires des cours criminelles établies

établies par la loi, imposant par là un fardeau considérable aux sujets de votre Majesté, et une dépense énorme à la province.

Il a, par des prorogations et dissolutions subites et violentes du Parlement Provincial, méprisé les intérêts publics de cette province, retardé ses progrès, empêché la passation d'actes utiles; il a dans ses discours lors de telles prorogations, faussement accusé les représentants, du peuple, afin de les décrier dans l'opinion de leurs constituans et dans la vue de créer auprès du Gouvernement de votre Majesté des préjugés défavorables à la loyauté et au caractère des sujets canadiens de votre Majesté; il a toléré et permis que les Gazettes du Gouvernement publiées sous son autorité ou sous son contrôle, portaient journellement les accusations les plus fausses et les plus calomnieuses contre la Chambre d'Assemblée, ainsi que contre tout le peuple de cette province.

Il a, par le même moyen menacé le pays d'exercer la Prérogative Royale d'une manière violente, despotique et désastreuse, c'est-à-dire, de dissoudre continuellement, ou selon l'expression insultante de ces menaces, de chasser le corps représentatif jusqu'à ce que les franc-tenanciers et les propriétaires se vissent obligés de choisir pour représentans, non plus ceux qui auraient leur confiance, mais ceux qui seraient disposés à tout accorder à l'Exécutif et à lui sacrifier le droit qu'a le peuple de cette province, agissant par ces représentans, de déterminer quelle somme de deniers publics l'administration aura le droit de dépenser, et d'assurer l'emploi fidèle de ces deniers; ou bien qu'il punirait la province en rejetant les bills passés par les représentans du peuple pour l'avantage général, jusqu'à ce qu'ils abandonnassent le droit de fixer et de contrôler la dépense; et que les magistrats et les juges du pays seraient, aussi bien que les bas officiers, destitués des hautes et importantes places qu'ils occupent, et qui, dans l'intérêt public comme dans l'intérêt des particuliers, exigent l'indépendance et l'impartialité la plus absolue, s'ils n'étaient pas agréables à la présente administration.

Il a, conformément à la politique vindicative ainsi avouée par ces écrits par lui employés, puni en effet le pays, en ne donnant point la Sanction royale à cinq bills d'appropriation pour aider les progrès et l'amélioration du pays en 1826, auxquels votre Majesté a bien voulu depuis donner sa sanction, et en permettant à ses conseillers exécutifs et autres personnes sous son contrôle et possédant des places durant plaisir, de se servir de leur prépondérance dans le Conseil Législatif dont ils sont aussi membres, pour supporter cette politique vindicative, et rejeter en 1827, tous les bills d'appropriation pour l'avancement de la province et pour des objets de charité qui avaient été passés annuellement depuis un grand nombre d'années.

Il a violé les franchises électives des habitans de cette province, en essayant directement et indirectement d'influer sur l'élection des membres de la Chambre d'Assemblée de cette province.

Il a, enfin par tous ces divers actes d'oppression, créé dans tout le pays un sentiment d'alarme et de mécontentement, déprécié l'autorité du pouvoir judiciaire dans l'opinion publique, affaibli la confiance du peuple dans l'administration de la justice, et inspiré dans toute la province un sentiment insurmontable de méfiance, de soupçon et de dégoût contre son administration.

Nous osons donc supplier votre Majesté de vouloir bien prendre en sa royale considération, les vexations qu'ont éprouvées vos fidèles sujets dans cette partie éloignée de vos domaines. Pressés sous le poids de tant d'actes d'oppression, nous avons cru devoir supplier votre Majesté de vouloir bien, pour l'intérêt de son service dans cette colonie, et l'avantage de ses fidèles sujets y résidens, rappeler pour toujours son Excellence le Gouverneur en Chef, comme ne pouvant plus jouir de la confiance publique dans cette province, ni en administrer le gouvernement avec honneur pour la couronne ou avantage pour le peuple.

Qu'il plaise à Votre Majesté,

Privés comme nous le sommes maintenant, par la prorogation du Parlement Provincial, des services publics de nos représentans, des services que nous avions droit d'attendre de leur zèle connu pour les intérêts de la province, et de leur patriotisme éprouvé, nous sommes dans la nécessité de soumettre nous-mêmes à la bienveillante considération de votre Majesté, quelques objets que nous estimons de la plus haute importance pour le bien-être du pays, objets qui tendent également à assurer le bonheur du peuple, et à rendre cette colonie plus utile à l'empire britannique, ce qui ne peut qu'intéresser le cœur royal de votre Majesté, sous le double rapport de père de son peuple et de chef suprême d'un puissant empire.

L'éducation est le premier des biens qu'un père puisse donner à son fils, le premier des biens qu'une législation éclairée puisse assurer au peuple. En rendant justice aux efforts qui ont été faits dans ce pays vers cet objet important, par plusieurs corps et par un grand nombre de particuliers, on ne peut cependant disconvenir que l'éducation publique n'est pas encouragée dans ce pays en proportion de ses besoins. Et pourtant la province n'était pas dépourvue de moyens: la munificence des Rois de France et les bienfaits de quelques particuliers n'avaient rien laissé à désirer à ce sujet. Des fondations vraiment royales tant par leur objet que par leur étendue, assuraient à ce pays des ressources suffisantes pour le temps, et croissantes avec les besoins de la population. Depuis l'extinction de l'ordre des Jésuites en ce pays, ses biens sont passés aux mains du Gouvernement de votre Majesté. Votre Majesté peut seule les rendre à leur première, à leur bienfaisante destination. Nous l'en supplions très-humblement. Qu'il ne puisse pas être dit que cette province a été privée sous le Gouvernement du Roi constitutionnel de la Grande Bretagne, des bienfaits que le Roi absolu de la France lui avait conférés pour l'éducation de ses habitans.

Un des droits naturels, fondamentaux, inaliénables des sujets britanniques, un des titres de leur gloire et de leur sûreté, c'est le droit de se taxer eux-mêmes et de contribuer librement aux charges publiques selon leurs moyens. A ce titre naturel nous joignons encore les droits résultans de la loi écrite, des actes du Parlement Impérial qui déclarent que l'Angleterre renonce à imposer des taxes dans les colonies, et qui donnent à cette province le droit de faire des lois pour sa tranquillité, son bonheur, et son bon Gouvernement. Nous supplions humblement votre Majesté d'excuser notre témérité, ou bien plutôt d'approuver notre confiance en votre justice et en celle du Parlement Impérial, qui nous engage à nous plaindre de ce que ces droits ont été lésés d'une manière grave par des Actes du Parlement Impérial. Nous faisons allusion surtout à l'acte de commerce du Canada, passé dans la troisième année du règne de votre Majesté, ch. 119, et à celui des tenures des terres, passé dans la sixième année du règne de votre Majesté, ch. 59, contre lequel nous avons déjà adressé par la voie de nos représentans à votre Majesté nos humbles réclamations: l'un établit directement des impôts dans cette colonie, et les rend perpétuels sans la participation du Parlement Provincial; l'autre touche à des objets de législation intérieure sur lesquels nous croyons humblement que la législature coloniale avait pleine juridiction.

Nous croirions, Sire, mériter bien peu les inestimables bienfaits que nous procure la constitution qui nous régit, si nous ne faisons tous nos efforts pour la conserver intacte. C'est prouver combien nous en sentons tout le prix.

La cumulation dans une seule et même personne de plusieurs places importantes dans ces colonies et qui nous semblent incompatibles, est un obstacle vivement senti, un obstacle considérable au bon gouvernement de cette province. Nous voyons dans ce pays les places de juges du Banc du Roi, de conseillers exécutifs et législatifs possédées par la même personne. Nous croyons humblement que ces hautes fonctions devraient être exercées isolément au lieu d'être cumulées: que les juges bornés aux importantes fonctions de leur état ne devraient pas siéger dans les conseils: que les conseillers législatifs ne devraient pas être admis au conseil exécutif, et vice versa; qu'il serait convenable que les juges fussent plus indépendans, sujets seulement avec les autres grands fonctionnaires publics à un tribunal établi dans la province pour juger des *impeachments*. Nous avons déjà fait des représentations et des démarches concernant ces différens objets par les moyens de nos représentans dans la Chambre d'Assemblée. Les mesures par eux proposées ont échoué dans les autres branches de la Législature. Nous supplions humblement Votre Majesté de vouloir bien prendre en sa considération royale les maux nombreux

qui doivent inévitablement résulter de cette distribution impolitique et peu sage de tous les pouvoirs du gouvernement, afin qu'étant très-justement condamnés par Votre Majesté, il vous plaise ordonner à vos ministres de donner des instructions au Gouvernement colonial à ce sujet, de manière à autoriser la passation d'actes par le Parlement provincial, qui tendraient à corriger ces abus.

L'accroissement rapide de la population depuis la première démarcation des Comtés, rendant nécessaire un changement correspondant dans la Représentation provinciale, votre Parlement jugea prudent, comme mesure préliminaire, de constater l'état actuel de la population, par un recensement qui devait servir de base aux changements à faire dans la représentation. La Chambre d'Assemblée passa ensuite à plusieurs reprises un bill pour augmenter le nombre des comtés et des représentans. Ces bills ont également échoué dans les autres branches de la Législature.

Il est encore un objet qui intéresse vivement le peuple de cette province, c'est la nomination d'un agent provincial accrédité, auprès du Gouvernement de Votre Majesté, qui pourrait faire parvenir aux pieds du trône, l'expression de nos besoins, fournir aux ministres de Votre Majesté des renseignemens utiles et veiller à nos intérêts particuliers. Cette province a déjà plus d'une fois éprouvé le besoin d'un semblable agent: les représentans n'ont pas encore pu réussir à obtenir la passation d'un acte à cet effet. Les accusations mal-fondées portées par le Gouverneur en Chef contre la Chambre d'Assemblée, dans son discours de prorogation au dernier Parlement, auxquelles la Chambre n'a pas encore eu occasion de répondre, démontrent la nécessité d'un agent, le Gouverneur qui accuse la Chambre ne pouvant guère être le canal de communication dont les accusés puissent se servir avec confiance pour défendre leur cause. Nous supplions humblement Votre Majesté de vouloir bien ordonner à vos ministres de donner des instructions au Gouvernement colonial en vertu desquelles un bill pour l'augmentation de la représentation puisse être sanctionné, ainsi qu'un bill pour accorder à cette province l'avantage dont jouissent la plupart des autres colonies de Votre Majesté, celui d'avoir un agent colonial, nommé et député par le peuple de la colonie, pour veiller à ses intérêts en Angleterre.

Le tout très-humblement soumis à la bienveillance et à la sagesse de Votre Majesté; par les fidèles et loyaux sujets de Votre Majesté dans le Bas-Canada.

Les pétitionnaires soussignés, qui comme il est de leur devoir, ne cesseront de prier. Bas-Canada, Janvier 1828.

Récapitulation des Signatures jusqu'au 6 Février 1828:	
Comté de Montréal,	7,753
Kent,	2,163
Huntingdon,	5,327
Leinster,	6,192
Surrey,	3,080
Bedford,	1,342
York,	4,199
Richelieu,	5,175
Ellingham,	2,654

Total pour le district de Montréal,	40,885
Total pour le district des Trois-Rivières,	10,660

District de Québec,	51,550
	29,338

Total aux deux Pétitions, 80,863
Transmis depuis, jusqu'au 17 Février, 1828:
Districts de Montréal et des Trois-Rivières, et District de Québec, 6,212

Grand Total, 87,090

Présidens des divers comités de comtés qui ont certifié la nomination des agens des pétitionnaires, savoir, Messieurs Neilson, Viger et Cuvillier, membres de l'Assemblée Bas-Canada:—Fran. Desrivieres, président des pétitionnaires du comté de Montréal; Fran. Ant. La Rocque, Montréal; René de la Bruère, comté de Kent; Lut. le Roux, comté de Leinster; Pierre Amiot, comté de Surrey; Chas. de St. Ours, comté de Richelieu; P. D. Debartzch, comté de Richelieu; Hertel de Rouville, comté de Bedford; François Xavier Mailhot, comté de Surrey; Ignace Raizeune, comté d'York; Louis Roy Portelance, Montréal.

District de Montréal, Février 1828.

APPENDICE No. 3.

Aux Honorables Chevaliers, Citoyens et Bourgeois, représentant les Communes du Royaume-Uni de la Grande-Bretagne et d'Irlande, assemblés en Parlement.

La PÉTITION des soussignés, fidèles et loyaux sujets de Sa Majesté, de naissance ou d'origine britannique, habitant les Townships de Dunham, Stanbridge, St. Armand, Sutton, Potton, Stanstead, Barnston, Barford, Hereford, Farnham, Brome, Bolton, Hatley, Compton, Clifton, Granby, Shefford, Stukeley, Orford, Ascot, Eaton, Newport, Bury, Hampden, Milton, Roxton, Durham, Melborne, Windsor, Sipton, Stoke, Dudswell, Simpson, Kingsey, Grantham, Wickham, Wendover, Brompton, et autres Townships et Lieux, situés du côté Sud-Est du Fleuve Saint-Laurent, dans la Province du Bas-Canada:

Représente humblement,

Que le nombre des habitans de naissance et d'origine britanniques qui réside maintenant dans la province du Bas-Canada, excède 80,000 âmes, ce qui surpasse le nombre de tous les habitans du pays, au temps où il devint colonie britannique.

Que les townships du Bas-Canada forment une partie considérable de l'étendu territoriale de la province, sont séparés des seigneuries ou des anciennes concessions françaises et féodales d'icelle, et habités par une population de plus de 40,000 âmes, composée presque en entier de personnes de naissance ou d'origine Britannique, et dont le nombre va toujours croissant, au delà de la marche naturelle, grâce à l'heureuse accession d'émigrés de la mère-patrie.

Que des l'année 1763, une proclamation de Sa Majesté promit à ses sujets qui viendraient s'établir en Canada, sur les terres alors non concédées, l'avantage des lois de son royaume d'Angleterre. Que les promesses de cette proclamation ont été quant à eux sanctionnées et confirmées, par l'exception contenu dans le statut, 14, Geo. 3, qui déclarait que les dispositions de cet acte qui établissaient les lois Françaises, ne s'étendraient pas ni ne s'interpréteraient de manière à s'étendre aux terres à concéder en franc et commun socage, tenure exclusive des townships.

Qu'il n'a été fait dans la province aucune loi ou aucunes dispositions législatives pour donner effet dans la pratique aux précieux avantages des lois anglaises qui leur avaient été promises comme susdit; quoique les vœux des townships à cet égard aient été hautement exprimés et universellement connus. Qu'en conséquence le Parlement impérial, exerçant sa bienfaisance, a bien voulu passer dans la sixième année du règne de sa présente Majesté, un acte qui ne requérait pas moins l'égard dû à l'honneur national qu'un sentiment de justice envers vos pétitionnaires; et par lequel tous les doutes entretenus avec trop de scrupule sur l'interprétation du statut susdit de la 14e. G. 3, ont été heureusement levés à l'égard des townships, et de l'établissement en iceux des lois anglaises au sujet des tenures.

Qu'il est venu à la connaissance de vos pétitionnaires que nombre d'habitans des seigneuries,

gneries, sous l'influence des meneurs Canadiens-Français de la Chambre d'Assemblée, ont maintenant une pétition à la Législature impériale pour le rappel du statut sus-mentionné de la sixième année de sa présente Majesté, communément appelé "Acte des Terrains du Canada."

Que vos pétitionnaires sont pénétrés d'une reconnaissance au-delà de tout ce qu'ils pourraient exprimer pour l'avantage que leur a conféré le susdit statut du Parlement impérial, en leur accordant les avantages des lois de la mère-patrie, et en préservant les liens et le caractère qui les rattachent à l'empire auquel ils appartiennent, et qu'ils seront prêts en tous tems à défendre ces liens contre tout envahisseur ou tout ennemi, soit dans le Bas-Canada ou ailleurs.

Que pour donner un effet pratique et un but aux avantages que leur a conférés l'Acte récent du Parlement impérial, et aussi pour prévenir leur ruine par les trames des Canadiens-Français de la Chambre d'Assemblée, il devient nécessaire que les Townships, qui n'ont jamais été représentés jusqu'ici dans la Législature provinciale malgré leurs sollicitations répétées à ce sujet, soient divisés en comtés avec droit de députer des membres à la Législature provinciale, et qu'il soit établi dans leur étendue des cours et des juridictions compétentes pour l'administration de la justice en conformité aux lois qui leur ont été généralement accordées par la mère-patrie.

Que tandis que vos pétitionnaires attendaient patiemment l'effet de leurs sollicitations répétées à la Législature provinciale pour le redressement de leurs griefs, le Conseil Législatif, dans la session de l'année 1825, à la recommandation de Son Excellence le Gouverneur en Chef, passa un bill de la nature la plus avantageuse, pour introduire dans ces Townships la loi anglaise du douaire et des transports d'immeubles, et pour rendre les charges sur iceux spéciales, y établissant aussi des bureaux publics pour l'enregistrement de toutes les mutations des propriétés foncières et de toutes les hypothèques sur icelles.

Que quoique dans ce bill on se fût abstenu avec soin de toute innovation non nécessaire, et qu'on n'eût ni troublé la routine ni touché aux coutumes des Canadiens-Français dans les seigneuries, la Chambre d'Assemblée, montrant son mépris caractéristique pour les réclamations de vos pétitionnaires, négligea de procéder sur le dit bill lorsqu'il lui fut envoyé du Conseil pour sa concurrence; c'est pourquoi ils sont forcés de demander l'intervention du Parlement impérial pour l'établissement de bureaux d'enregistrement comme susdit.

C'est pourquoi vos pétitionnaires supplient humblement qu'il plaise à votre honorable Chambre de passer un Acte pour autoriser la division des Townships en un nombre compétent de comtés, suivant l'étendue du territoire, afin qu'il puisse être pourvu aux intérêts de la population composée de colons émigrés, par une part dans la représentation dûment proportionnée à leurs justes droits; et aussi pour établir tel nombre et telle espèce convenables de cours et de juridictions, que pourront le requérir les intérêts de ces divisions étendues de la province et fins de la justice; et de plus pour établir des bureaux publics de registres pour l'enregistrement de tous les actes et contrats transportant ou hypothéquant les immeubles en icelles.

Et vos pétitionnaires, comme de droit, ne cesseront de prier, &c. &c.

APPENDICE, No. 4.

ACTE INDENTE' pour le transport d'un certain parti de terres dans le comté de Montgomery, maintenant le comté de Herkimer.

CETTE indenture faite le treizième jour de mai en l'année de Notre Seigneur mil sept cent quatre vingt seize, entre de la cité de New-York, sa femme, et de la cité de Londres, dans le royaume de la Grande-Bretagne, marchand d'autre part; témoigne, que le dit sa femme, et

sa femme, pour et en considération de la somme de trois mille deux cents livres, argent légal de l'état de New-York, à eux payée comptant, au ou avant le scellé et la livraison de ces présentes, par le dit dont la réception est par ces présentes accusée et reconnue; et le dit et ses hoirs, exécuteurs et administrateurs à toujours libéré et déchargé d'icelle par ces présentes; ont cédé, donné, vendu, aliéné, remis, déchargé, transporté, assuré, inféodé et confirmé, et par ces présentes cèdent, donnent, vendent, alièment, remettent, déchargent, transportent, assurent, inféodent et confirment, pleinement librement et absolument, au dit et ses hoirs et ayant cause à toujours, toute cette certaine étendue de terre située dans le comté de Montgomery, maintenant le comté de Herkimer, formant partie de l'achat sauvage fait par et leurs associés, en vertu d'une licence accordée à et

et comme et distinguée, dans la division du dit achat en townships, sous le nom du township nombre quarante, commençant à l'angle ouest du township nombre six, aux limites nord-est du township nombre cinq, et courant de là le long des dites limites nord-est du township nombre cinq et les limites nord-est du township quarante-un, nord trente degrés ouest, cinq cent vingt cinq chaînes; de la nord soixante degrés est, quatre cent quatre vingt chaînes; de la sud trente degrés est, cinq cent vingt cinq chaînes; et de la sud soixante degrés ouest, quatre cent quatre vingt chaînes, jusqu'au point de départ, (les quelles lignes courent suivant la variation de la boussole en l'année mil sept cent soixante et douze.) contenant vingt cinq mille deux cents acres, concédés par le peuple de l'état de New-York, à par lettres patentes, datées du quatorzième jour d'août, en l'année de Notre Seigneur mil sept cent quatre vingt six; sujette néanmoins aux exceptions, réserves et conditions contenues dans les dites lettres patentes: Ensemble avec toute et chacune les dépendances, privilèges et avantages quelconques, inhérents ou appartenant d'aucune manière aux dites prémisses ci-dessus mentionnées et décrites, et la réversion ou réversions, résidu et résidus, rentes, revenus et profits d'icelles; et aussi les fonds, droit, titre, intérêt, propriété, prétention et réclamation quelconque des dites parties en premier lieu nommées, tant en droit qu'en équité; et aussi tout douaire ou droit de douaire, dans et sur icelles et chaque partie et portion d'icelles, avec les accessoires: Pour avoir et tenir les prémisses ci-dessus cédées, données et décrites, avec les accessoires, par le dit et ses hoirs et ayant cause, pour leur propre usage, profit et avantage à toujours. Et les dits pour eux, leurs hoirs, exécuteurs et administrateurs, conviennent, promettent, consentent et accordent à et avec le dit et ses hoirs et ayant cause, que les prémisses ci-dessus cédées, données et décrites, et chaque partie et portion d'icelle, avec leurs dépendances, sont maintenant et seront et demeureront ci-après à toujours au dit et à ses hoirs et ayant cause, parfaitement francs, quittes et déchargés de tous autres et précédents titres, charges, conditions ou grèvements d'aucune nature et espèce quelconque, eux, exécutés, commis, faits ou soufferts, ou à exécuter, à commettre, à faire ou à souffrir par les dits ou aucun d'eux, ou leur hoirs ou ayant cause, ou par quelqu'autre personne, ou personnes quelconques, ayant ou prétendant quelque chose sur les dites prémisses. Et aussi, que les dits et leurs hoirs, et toutes et chaque personne ou personnes quelconques, possédant en droit ou en équité quelque fonds, droit, titre ou intérêt, à, dans et sur les prémisses ci-dessus cédées, de leur fait, d'eux, sous eux ou pour eux, en tout tems ci-après, à la demande raisonnable du dit et

aux propres frais et charges en loi du dit ou ses hoirs ou ayant cause, feront, consentiront et exécuteront ou feront faire, consentir et exécuter toute et chaque autres, et nouveaux transports et assurance légale et raisonnable, pour mieux et plus efficacement saisir et assurer le dit ou ses hoirs ou ayant cause, ou par son ou ses conseillers en loi: Et les dits et administrateurs garantiront et défendront à toujours par ces présentes les prémisses ci-dessus décrites et transportées, et chaque partie et portion d'icelles, envers le dit et ses hoirs et ayant cause, absolument et à toujours.

En foi de quoi les parties ont réciproquement ci-apposé leurs seing et sceau à ces présentes, les jours et ans que dessus écrits.

(Signé)

Signé, scellé et remis en présence de

DOSSIER.

Etat de New-York, SS: Qu'il soit notoire que le treizième jour de mai, en l'année de Notre Seigneur, mil sept cent quatre vingt seize, sont comparus personnellement devant moi l'un des maître en chancellerie de l'état de

New-York, les dits femme, et sa femme, des autres parts nommés, lesquels ont respectivement reconnu qu'ils avaient signé, scellé, consenti et remis respectivement l'acte et release des autres parts, comme et pour leur acte et convention volontaire, pour les causes et objets y mentionnés; et ayant examiné séparément et à part, et privement et à part de leurs dits maris respectivement, la dite femme du dit et la dite femme du dit elles ont séparément confessé et reconnu qu'elles avaient consenti le dit acte librement et sans aucune crainte ou contrainte de la part de leurs dits maris respectivement; et n'y ayant au dit acte aucune rature ou interligne de conséquence, excepté celui notés, j'en permets l'enregistrement.

(Signé)

Reçu ce treizième jour de mai en l'année de Notre Seigneur mil sept cent quatre vingt seize, la somme de trois mille deux cent livres du dit acquéreur au présent acte ci-dessus dénommé, étant le prix de vente y mentionné; en foi de quoi nous avons signé le présent.

(Signé)

Témoin.

Consigné au bureau du secrétaire de l'état de New-York, au registre des contrats cotté M R page 302, &c: ce dixseptième jour de mai, mil sept cent quatre vingt seize.

(Signé)

Dép. Secr.

APPENDICE, No. 5:

LETRES PATENTES à Township No. 40, dans l'achat de et en 1772, contenant 25,200 acres.

Le peuple de l'Etat de New-York, par la Grâce de Dieu, Libre et Indépendant: A tous ceux que ces présentes verront, salut: Sachez que nous avons donné, cédé et confirmé, et que par ces présentes nous donnons, cédon et confirmons à toute cette certaine étendue de terre située dans le comté de Montgomery, formant partie de l'achat Sauvage fait par et leurs associés, en vertu d'une licence accordée à et connue et distinguée, dans la division du dit achat en townships, sous le nom du township nombre quarante. Commencant à l'angle Ouest du Township nombre six, aux limites Nord-Est du Township nombre cinq, et courant de là le long des dites limites Nord-Est du Township nombre cinq, et les limites Nord-Est du Township nombre quarante-un, Nord trente degrés Ouest cinq cent vingt cinq chaînes; de là Nord soixante degrés Est, quatre cent quatre vingt chaînes; de là Sud trente degrés Est, cinq cent vingt cinq chaînes; et de là Sud soixante degrés Ouest, quatre cent quatre-vingt chaînes, jusqu'au point de départ, (lesquelles lignes courent suivant la variation de la boussole en l'année 1772), contenant vingt-cinq mille deux cents acres; avec ensemble tous et chaque droits, hoirs et dépendances y attenants ou appartenants en aucune manière, à l'exception et réserve pour nous-même de toute mine d'or et d'argent, et de cinq acres sur chaque cent acres de la dite étendue de terre pour les chemins: pour avoir et tenir les prémisses ci-dessus décrites et cédées, par le dit et ses hoirs et ayant cause, comme bon et irrévocable bien d'héritage, à toujours; à condition néanmoins que dans l'espace de sept ans à compter du premier jour de Janvier ensuivant la date des présentes, il y aura actuellement un établissement de fait sur la dite étendue de terre cédée par les présentes pour chaque six cent quarante acres d'icelle; autrement ces présentes lettres patentes et le fonds accordé par icelles cesseront, finiront et deviendront nulles. En foi de quoi nous avons fait émaner ces présentes nos lettres patentes, et y fait apposer le grand sceau de notre dit état. Témoin notre fidèle et bien aimé écuyer, gouverneur de notre dit état, général et commandant en chef de toute la milice, et amiral de la marine d'icelui, en notre cité de New-York, ce quatorzième jour d'août, en l'année de Notre Seigneur mil sept cent quatre vingt six; et la onzième année de notre indépendance.

Examiné,

Examiné, approuvé par les commissaires au bureau des terres, et passé au bureau du secrétaire, le 14e jour d'août 1786.

Sécretaire.

SCEAU.

UN SOLEIL LEVANT: EXCELSIOR, entouré de " LE GRAND SCEAU DE L'ETAT DE NEW-YORK."	UN ROCHER sortant de la mer, entouré de " FRUSTRA, 1772.
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APPENDICE, No. 6.

TRANSPORT de 38,900 acres de terre, dans les comtés de Washington et de Clinton, dans l'état de New-York; juillet 1769.

CETTE indenture, faite le seizième jour de juin, en l'année de Notre Seigneur mil sept cent quatre vingt quinze, entre sa femme, et

de la cité de Londres, dans le royaume de la Grande-Bretagne, d'autre part; témoigne que les dites parties en premier lieu mentionnées, pour et en considération de la somme de dix mille livres, argent légal de l'état de New-York, à eux payées comptant, au ou avant le scellé et la livraison de ces présentes, par le dit, dont la réception est par ces présentes accusée et reconnue; ont cédé, donné, vendu, aliéné, remis, déchargé, transporté, assuré, inféodé et confirmé, et par ces présentes cèdent, donnent, vendent, aliènent, remettent, déchargent, transportent, assurent, inféodent et confirment, pleinement librement et absolument au dit, ses hoirs et ayant cause à toujours,

tous ces deux certains partis de terre situés, assis et étant dans les comtés de Washington et de Clinton, dans l'état de New-York, le premier commençant à l'angle nord-ouest ou le plus au nord d'un parti de mille acres de terre concédé à le douzième jour de juillet mil sept cent soixante neuf, et courant de là, ouest, quatre cent quatre vingt chaînes, de là, sud, quatre cent quatre vingt chaînes, de là, est, deux cent soixante huit chaînes, jusqu'à un parti de quatorze cent quarante acres de terre arpenté pour, de là le long d'icelui, nord cinquante deux degrés ouest, quatre vingt huit chaînes, nord trente huit degrés est, cent vingt chaînes, sud cinquante deux degrés est, cent vingt chaînes, et sud trente huit degrés ouest quatre vingt seize chaînes, de là est, cent douze chaînes, jusqu'au Lac George, de là au nord le long d'icelui jusqu'à un parti de six cents acres de terres concédé à de là le long d'icelui, nord cinquante deux degrés vingt minutes ouest, quatre vingt quatre chaînes, et nord trente sept degrés quarante minutes est, quatre vingt chaînes, jusqu'à un parti de terre de huit cent acres concédé au dit de là le long d'icelui, nord cinquante deux degrés vingt minutes ouest, trente trois chaînes et quarante cinq chaînons, nord trente sept degrés quarante minutes est, quatre vingt neuf chaînes et quarante cinq chaînons, sud cinquante deux degrés vingt minutes est, quatre vingt neuf chaînes et quarante cinq chaînons, et sud trente sept degrés quarante minutes ouest, quatre vingt neuf chaînes et quarante cinq chaînons, jusqu'au dit parti de six cent acres, de là le long d'icelui, sud cinquante deux degrés vingt minutes est, trente chaînes jusqu'au dit Lac, de là au Nord le long d'icelui jusqu'à un parti de terre concédé à de là le long de ce dernier, sud quatre vingt huit degrés ouest, quatre chaînes, et nord cinq degrés est, cent cinquante une chaîne, jusqu'à un parti de terre concédé à de là le long d'icelui, et le long d'un parti concédé à, nord quatre vingt cinq degrés ouest, quatre vingt chaînes, et nord cinq degrés est, quatre vingt chaînes jusqu'au dit parti concédé à de là le long d'icelui nord soixante deux degrés ouest, cent dix chaînes, et nord vingt huit degrés est, cinquante huit chaînes, jusqu'au point de départ; exceptant et réservant sur le dit parti autant des patentes accordées à et à qu'il en est compris dans icelui, contenant, non comprise la dite exception et réserve, vingt deux mille cent acres. Le second parti, commençant à l'angle sud-est du dit premier parti, sur la rive ouest du dit Lac George, et courant de là à l'ouest cent douze chaînes jusqu'au parti de quatorze cent quarante acres de terre arpenté pour, de là le long d'icelui, sud trente huit degrés ouest, vingt quatre chaînes, et nord cinquante deux degrés ouest, trente deux chaînes, jusqu'au dit premier parti, de là le long des limites sud d'icelui, et continuant à l'ouest, deux cent quatre vingt huit chaînes, de là sud, quatre cent quatre vingt chaînes, de là est, vingt une chaînes, jusqu'à un parti de terre concédé à de là le long d'icelui, nord quarante deux degrés vingt minutes est, soixante trois chaînes, nord vingt degrés trente minutes est, soixante six chaînes, sud soixante quatre degrés trente minutes ouest, soixante six chaînes, et sud quarante deux degrés vingt minutes ouest, douze chaînes, de là est, deux cent soixante cinq chaînes, jusqu'au dit Lac George, de là au nord le long d'icelui jusqu'aux terres concédées à de là le long d'icelui, nord cinquante deux degrés vingt minutes ouest, cent vingt quatre chaînes, nord trente sept degrés quarante minutes est, soixante une chaînes et cinquante chaînons, nord cinquante deux degrés vingt minutes ouest, cent chaînes, nord trente sept degrés quarante minutes est, cent chaînes, sud cinquante deux degrés vingt minutes ouest, cent chaînes, sud trente sept degrés quarante minutes ouest, quatorze chaînes, et sud cinquante deux degrés vingt minutes est, soixante chaînes, jusqu'au dit Lac George, de là au nord le long d'icelui jusqu'à un parti de terre concédé à de là le long d'icelui parti, et le long d'un autre parti concédé à nord trente six degrés trente minutes ouest soixante six chaînes, sud quatre vingt huit degrés trente minutes ouest, seize chaînes, nord un degré trente minutes ouest, dix sept chaînes, et nord soixante-et-onze degrés est, soixante chaînes, jusqu'au dit Lac, et de là au nord le long d'icelui jusqu'au point de départ, contenant dix sept mille six cents acres, lesquels dits deux partis de terres ont été concédés au dit, et à par lettres patentes datées du troisième jour de mai en l'année de Notre Seigneur mil sept cent quatre vingt quinze, remises avec les présentes; aussi un acte de transport par le dit sa femme, aux dits et daté du vingt deuxième jour d'avril et du vingtième jour de mai de cette présente année, aussi remis avec les présentes; comme il paraîtra plus amplement en ayant recours aux dites patentes et au dit acte; et aussi exceptant et réservant sur les dits deux partis de terre, un parti de six cents acres transporté à et à; aussi un autre parti de deux cents acres

transporté au dit; et sujets néanmoins aux conditions, stipulations et accords exprimés dans la patente susdite: Ensemble avec toute et chacune les dépendances, privilèges et avantages quelconques, inhérens ou appartenans d'aucune manière aux dites prémisses ci-dessus mentionnées et décrites, et la reversion et reversions, résidu et résidus, rentes, revenu et profit d'icelle; et aussi tous les fonds, droit, titre, intérêt, propriété, prétention et réclamation quelconque des dites parties en premier lieu nommées; pour avoir et tenir les dits deux partis de terre avec les accessoires (sujets aux exceptions, réserves et conditions susdites,) par le dit

ses hoirs et ayant cause, pour l'unique usage, profit et avantage du dit ses hoirs, exécuteurs, administrateurs ou ayant cause à toujours. Et les dites parties en premier lieu mentionnées, pour elles, leurs hoirs, exécuteurs et administrateurs, couviennent, promettent et consentent par ces présentes à et envers le dit ses hoirs exécuteurs, administrateurs et ayant cause, qu'elles dites parties en premier lieu nommées sont au temps du scellé et de la remise de ces présentes, légalement saisies de leurs propres droits, des dits deux partis de terre ci-transportés, avec les dépendances, et qu'elles ont par envers elles juste droit plein pouvoir et légale autorité de les céder et transporter (avec les exceptions et réserves susdites) au dit ses hoirs et ayant cause, comme bon, sûr, parfait, absolu et irrévocable bien d'héritage, sous la loi de simple redevance, et aussi que lui le dit ses hoirs et ayant cause pourront et il leur sera loisible de temps à autre et en tout temps à l'avenir, d'occuper posséder et avoir paisiblement et tranquillement les prémisses ci-dessus décrites avec les dépendances, sujettes aux exceptions conditions et réserves susdites. Et les dites parties en premier lieu nommées, pour elles, leurs hoirs, exécuteurs et administrateurs, s'engagent à garantir et à défendre à toujours par ces présentes les prémisses ci-dessus décrites et transportés, et chaque partie et portion d'icelles. En foi de quoi les dites parties en premier lieu nommées ont apposé leurs seing et sceau à ces présentes les jours et au que dessus écrits.

_____ L. S. _____ L. S.
_____ L. S. _____ L. S.

DOSSIER.

Qu'il soit notoire que le dixseptième jour de juin mil sept cent quatre vingt quinze, sont comparus devant moi de l'état de New-York, et l'un des maîtres en chancellerie et sa femme, et et sa femme, lesquels ont respectivement reconnu qu'ils avaient signé, scellé et remis cet acte pour les objets y mentionnés; et les dites et étant par moi examinées privément et à part de leurs maris, ont séparément reconnu qu'elles avaient signé scellé et remis icelui sans aucune menace crainte ou contrainte de la part de leurs dits maris respectivement; et ayant examiné le dit acte et n'y trouvant aucune rature ou entreligne (excepté ceux notés,) j'en permet l'enregistrement

Cette indenture de Release, signée, scellée et remise en présence de

sa femme, et sa femme, et transport de 38,900 acres de terre.—16 juin 1795.

Consigné au bureau du secrétaire de l'état de New-York au registre des contrats MR, page 359, &c. ce 16e. jour de mai 1796.

Dép. Secr.

APPENDICE No. 7.

POPULATION du Bas-Canada; prise sur une Copie imprimée du Recensement publié en 1827.

Comtés.	Townships.	Seigneuries.	Sujets ou habitants de terres ou de villages sauvages.	Population totale.	Membres de l'Assemblée.	OBSERVATIONS.
1. Gaspé,	4919	1125	381	6425	1	Il n'est pas souvent détaillé dans le recensement indiqué, quels sont ceux des endroits mentionnés qui sont dans les seigneuries et quels sont ceux qui sont dans les townships de Gaspé; mais on suppose qu'on peut estimer la population comme approchant d'un côté et de l'autre la population donnée pour les townships et les seigneuries. On croit que ce comté est principalement peuplé d'émigrés venus des îles britanniques et par leurs descendants, et que sa position géographique le destine à faire partie du Nouveau-Brunswick.
2. Cornwallis,		20012		20012	2	Aucun des townships de ce comté n'est mentionné dans le recensement.
3. Devon,		11934		11934	2	Idem.
4. Hertford,		14044		14044	2	Idem.
5. Dorchester,	219	19458		19707	2	Plusieurs des townships de ce comté ne sont pas nommés dans le recensement.
6. Buckingham,	6450	27032	40	33522	2	La plus grande partie des townships de ce comté n'est pas nommée dans le recensement.

Comtés.	Townships.	Seigneuries.	Sauvages ou habitants de terres ou de villages sauvages.	Population totale.	Membres de l'Assemblée.	OBSERVATIONS.
7. Richelieu,	9544	26712		36256	2	Quelques-uns des townships de ce comté, qu'on sait être habités, ne sont pas nommés dans le recensement.
8. Bedford,	10782	12672		23654	1	St. Armand (quoique concession féodale) ayant été établi il y a plus de 30 ans par d'anciens loyalistes, et ayant été rendu en terres exemptes des droits seigneuriaux (exemption cependant qui ne pouvait être rendue légale avant la passation de l'acte des tenures du Canada,) et s'étant joint aux pétitions des townships au Parlement impérial, se regardant comme appartenant à ces derniers plutôt qu'à la partie seigneuriale de la province, sa population est ajoutée ici à celle des townships, comme l'est aussi celle de St. Thomas et de St. George ou Caldwell's Manor. Il y a en outre beaucoup d'Anglais dans les seigneuries.
9. Surrey,		11573		11573	2	Il n'y a pas de townships dans ce comté.
10. Kent,		10890		10890	2	Idem.
11. Huntingdon,	5743	31433	2408	39586	2	Il y a parmi les habitants des seigneuries de ce comté plusieurs milliers d'Anglais de naissance ou d'origine.
12. Cité et Comté de Montréal.		25976 11109		37085	0	Il n'y a pas de townships dans ce comté. Le recensement indiqué ne fait pas de distinction entre les habitants Anglais et Français; mais on estime que les habitants Anglais de la ville et du comté se montent à entre 10,000 et 15,000.
13. York,	2876	26913		30096	2	La plus grande partie des townships de ce comté n'est pas nommée dans le recensement. Il y a plusieurs milliers d'Anglais d'origine dans les seigneuries.
14. Effingham,		14921		14921	2	Le nom d'aucun township ne paraît dans le recensement de ce comté.
15. Leinster,	484	19273		19757	2	Il n'y a qu'un des townships de nommé dans le recensement de ce comté. Les seigneuries contiennent nombre d'habitants Anglais.
16. Warwick,	11	15924		15935	2	Idem.
17. Ville de Trois-Rivières et Comté de St. Maurice.		2906 18160		21066	4	Aucun township n'est mentionné dans le recensement. Les seigneuries et la ville contiennent un nombre considérable d'Anglais.
18. Hampshire,		13312		13312	2	La carte ne représente aucun township tracé jusqu'à présent dans ce comté.
19. Cité et Comté de Québec,		22021 6602	160	28623	6	Le recensement ne donne pas les noms des townships de ce comté. Il y a dans la ville et dans le comté plusieurs milliers d'Anglais d'origine.
20. Northumberland,		11210		11210	2	Il n'y a aucun township de nommé.
21. Orléans,		4022		4022	1	Ce comté ne comprend qu'une petite seigneurie.
Total,	41110	379272	2901	423373	50	

APPENDICE, N^o - 8.
RESOLUTIONS relatives à l'appropriation des réserves du clergé, passées par la Chambre d'Assemblée des Communes du Haut-Canada, dans la 3e. Session du 9e. Parlement, 7e. Geo. IV.; 22 décembre 1826.

Extrait des Journaux, pp. 23, 24.

1.—Résolu, Que la dépêche du Très Honorable Comte Bathurst, principal Secrétaire d'Etat de Sa Majesté pour les Colonies, communiqué à cette Chambre le 12 du courant par son Excellence le Lieutenant-Gouverneur, en réponse de l'adresse de cette Chambre à Sa Majesté lors de la dernière session, au sujet des réserves du clergé, n'est pas satisfaisante pour cette Assemblée, en tant qu'elle garde le silence sur une partie considérable de la représentation respectueuse de cette Chambre contenue dans la dite adresse.

5.—Résolu, Que l'interprétation donnée à l'acte impérial, qui approprie les réserves du clergé en faveur d'individus liés avec l'église d'Angleterre, et la détermination du clergé de cette église à enlever à toutes les autres dénominations de protestants résidant dans la province, la jouissance d'une partie quelconque des avantages qui proviennent ou pourront provenir des terres ainsi mises en réserve, requèrent l'attention immédiate de la Législature Provinciale sur un sujet d'un aussi grand intérêt pour le public en général, et que cette prétention de l'église protestante épiscopale est contraire à l'esprit et à l'intention de la 31e. Geo. 3, et très nuisible aux intérêts et aux vœux de la province.

Pour, 28.—Contre, 3.—Majorité, 25.

6.—Résolu, Qu'il n'y a en comparaison qu'une très petite proportion des habitants du Haut-Canada qui soient membres de l'église d'Angleterre, et qu'en conséquence le clergé de cette église ne devrait pas en justice désirer pour lui seul la jouissance de tous les avantages qu'offrent ces terres, à l'exclusion de ses co-sujets, quoiqu'ils soient également loyaux et fermes dans leur attachement au gouvernement de Sa Majesté et à la constitution.

7.—Résolu, Que dans un pays où la population est éparsée, comme dans le Haut-Canada, où le pauvre ne peut se procurer aisément des moyens d'instruction morale, c'est le devoir impérieux du parlement de procurer tous les secours en son pouvoir pour le soutien de l'éducation.

8.—Résolu, Que les dispositions actuelles pour le soutien des écoles de district et des écoles communes sont tout à fait insuffisantes pour les besoins du peuple, et qu'on devrait travailler à les augmenter par tous les efforts raisonnables, de manière à mettre les avantages d'une éducation décente à la portée de l'habitant le plus pauvre.

9.—Résolu, Que c'est l'opinion d'une grande partie du peuple de cette province qu'on devrait disposer des terres du clergé, au lieu d'en laisser la jouissance au clergé d'une partie peu considérable de la population, et que les produits de la vente de ces terres devraient être appliqués à augmenter la gratification provinciale pour le soutien des écoles de district et des écoles communes, et pour la dotation d'un séminaire provincial d'éducation, et pour aider à ériger des lieux publics de culte pour toutes les croyances chrétiennes.

Pour, 31.—Contre, 2.—Majorité, 29.

Résolu, Que le nombre des membres de l'église Protestante Episcopale dans ces provinces n'est qu'en très faible proportion avec le nombre des autres chrétiens, nonobstant le secours pécuniaire que les membres de cette église reçoivent exclusivement depuis longtemps d'une société bienveillante en Angleterre, et leurs prétentions au monopole des réserves du clergé.

Pour, 30.—Contre, 3.—Majorité, 27.

APPENDICE, N^o . 9.

QUATRIEME article du traité définitif de paix, conclu entre les Rois de la Grande-Bretagne et de France, le 10e. jour de février en l'année 1763, contenant la cession du Canada à la Couronne de la Grande-Bretagne.

Sa Majesté très-chrétienne renonce à toutes prétentions qu'elle a jusqu'ici formées ou pourrait former sur la Nouvelle-Ecosse ou Acadie, dans toutes ses parties, et garantit le tout et toutes ses dépendances, au Roi de la Grande Bretagne.

De plus, Sa Majesté très-chrétienne cède et garantit à sa dite Majesté Britannique, en plein droit, le Canada, avec toutes ses dépendances, ainsi que l'Isle de Cap Breton, et toutes les autres îles et côtes dans le Golfe et le Fleuve St. Laurent, et en général tout ce qui dépend des dits pays, terres, îles et côtes, avec la souveraineté, propriété, possession, et tous droits acquis par traité ou autrement, que le Roi très-chrétien et la Couronne de France ont eu jusqu'à présent sur les dits pays, îles, terres, places, côtes, et leurs habitants, de sorte que le Roi très-chrétien cède et transporte le tout aux dits Roi et Couronne de la Grande-Bretagne, et cela de la manière et formelles plus amples, sans restrictions, et sans pouvoir s'écarter de la dite garantie, sous aucun prétexte, ou de pouvoir troubler la Grande-Bretagne dans les possessions sus-mentionnées.

Sa Majesté Britannique, de son côté, consent d'accorder la liberté de la religion catholique aux habitants du Canada. Elle donnera en conséquence les ordres les plus efficaces, que ses nouveaux sujets Catholiques-Romains puissent professer le culte de leur religion selon les rites de l'église de Rome, autant que les lois d'Angleterre le permettent.

Sa Majesté Britannique, consent de plus que les habitants, français ou autres, qui avaient été sujets du Roi très-chrétien en Canada puissent se retirer en toute sûreté et liberté où ils jugeront à propos; qu'ils vendent leurs biens, pourvu que ce soit à des sujets de Sa Majesté Britannique; et qu'ils emportent leurs effets avec eux, sans être restreints dans leur émigration, sous aucun prétexte quelconque, à l'exception de celui des dettes ou de poursuites criminelles; et le terme limité pour cette émigration sera fixé à l'espace de dix-huit mois, à compter du jour de la ratification de l'échange du présent traité.

On estime que les Seigneuries qui comprennent les villes et la plus grande partie des villages contiennent près de 50,000 habitants Anglais d'origine. Cependant, ne déduisant des seigneuries que 45,000 comme la proportion d'habitants Anglais d'origine, l'exposé de la population de Bas-Canada sera comme suit: population française, 334,272, sauvages, métis, &c., habitant les terres sauvages, 2991; anglais, 86,110; total, 423,374.

La population réunie des comtés d'Orléans, de Northumberland, de Hampshire, de Devon, de Québec, de Surrey et de Kent, se monte par le recensement à 91,564; mais ils députent dix-sept membres à la Législature tandis qu'une population anglaise de 80 à 90,000 âmes, vu la distribution et l'état de la représentation, ne peut être regardée que comme en députant un, savoir de Gaspé, lorsque dans la même proportion elle aurait droit d'en députer 16. Il n'y a, en fait et en vérité, aucune représentation proportionnée respectivement à la population, ou aux intérêts divers qui existent dans le Bas-Canada en y comprenant ceux du commerce; mais elle est tirée dans le fait de la partie féodale et anti-commerciale du territoire. Le rapport de l'accroissement de la population anglaise durant les deux ou trois années qui se sont écoulées depuis le recensement, a été et doit continuer d'être plus élevé que celui de la population française, en conséquence de l'émigration; et on doit se rappeler que le recensement ne tient aucun compte de plusieurs townships habités.

APPENDICE, N^o. 10.

PROCLAMATION du Roi de la Grande-Bretagne, datée du 7 octobre 1763.

Par le Roi.—Proclamation.

GEORGE R.

ATTENDU que nous avons pris en notre considération royale les acquisitions étendues importantes assurées à notre couronne dans l'Amérique, par le traité définitif de paix, conclus à Paris, le dixième jour de février dernier; et désirant que tous nos aimés sujets, tant de nos royaumes que de nos colonies en Amérique, puissent profiter aussitôt que possible des grands avantages qui doivent en résulter pour leur commerce, leurs manufactures et leur navigation, nous avons jugé à propos, de l'avis de notre conseil privé, d'émaner notre présente proclamation royale, par laquelle nous publions et déclarons à tous nos aimés sujets que, de l'avis de notre dit conseil privé, nous avons accordé nos lettres patentes, sous notre grand sceau de la Grande-Bretagne, pour ériger dans les pays et isles à nous cédés et confirmés par le dit traité, quatre gouvernements distincts et séparés, connus et appelés par les noms de Québec, Floride Orientale, Floride Occidentale et la Grenade, et limités et bornés comme suit savoir :

Premièrement, le gouvernement de Québec, borné sur le côté de Labrador par la rivière St. Jean, et de la par une ligne tirée de la source de cette rivière, à travers le lac St. Jean, jusqu'à l'extrémité sud du lac Nipissim; de là la dite ligne traversant le fleuve St. Laurent et le lac Champlain par les quarante cinq degrés de latitude nord, passe le long de la hauteur des terres qui sépare les rivières qui se déchargent dans le fleuve St. Laurent de celles qui tombent dans la mer; et aussi le long de la côte nord de la Baie des Chaleurs et de la côte du Golfe St. Laurent jusqu'au Cap Rosiers, et de là traversant l'embouchure du fleuve St. Laurent, par l'extrémité ouest de l'isle d'Anticosti, se termine à la susdite rivière St. Jean.

Secondement, le gouvernement de la Floride Orientale, borné à l'ouest par le golfe du Mexique et la rivière Apalachicola, au nord par une ligne tirée de cette partie de la dite rivière où les rivières Catahouchee et le Flint se rencontrent, jusqu'à la source de la rivière Ste. Marie, et en suivant le cours de la dite rivière jusqu'à la mer Atlantique; et à l'est et au sud par la mer Atlantique et le golfe de la Floride, compris toutes les isles à six lieux des côtes de la mer.

Troisièmement, le gouvernement de la Floride Occidentale, borné au sud par le Golphe du Mexique, compris toutes les isles à six lieux de la côte depuis la rivière Apalachicola jusqu'au lac Pontchartrain; à l'ouest par le dit lac, le lac Maurepas et le fleuve Mississippi, au nord par une ligne tirée est de cette partie du fleuve Mississippi qui est dans les trente et un degrés de latitude nord jusqu'à la rivière Apalachicola, ou Catahouchee, et à l'est par la dite rivière.

Quatrièmement, le gouvernement de la Grenade comprenant les isles de ce nom, ensemble les Grenadins et les isles de la Dominique, de St. Vincent et Tobago.

Et afin d'étendre les pêches libres de nos sujets jusque sur les côtes de Labrador et isles adjacentes, nous avons jugé à propos, de l'avis de notre dit conseil privé, de mettre toute cette côte depuis la rivière Saint-Jean jusqu'au détroit de Hudson, ensemble avec les isles d'Anticosti et de la Magdeleine, et toutes les petites isles situées sur la dite côte, sous le soin et l'inspection de notre gouverneur de Terre-Neuve.

Nous avons aussi jugé à propos, de l'avis de notre conseil privé, de joindre les isles de Saint-Jean, et du Cap Breton ou l'île Royale, avec les petites isles y adjacentes, à notre gouvernement de la Nouvelle-Ecosse.

Nous avons aussi, de l'avis de notre conseil privé susdit, annexé à notre province de Géorgie toutes les terres sises entre les rivières Attamaha et Sainte-Marie.

Et attendu que ce sera beaucoup contribuer au prompt établissement de nos dits nouveaux gouvernements, que d'informer nos aimés sujets de nos soins paternels pour la sûreté de la liberté et des propriétés de ceux qui sont ou deviendront habitans d'iceux, nous avons jugé à propos de publier et déclarer par notre présente proclamation, que dans les lettres patentes sous notre grand sceau de la Grande-Bretagne par lesquelles les dits gouvernements sont constitués, nous avons expressément donné pouvoir et direction à nos gouverneurs de nos dites colonies respectivement, qu'aussitôt que l'état et les circonstances de nos dites colonies le permettront, de l'avis et consentement des membres de notre conseil, ils aient à sommer et convoquer des assemblées générales dans les dits gouvernements respectivement, en telles manières et forme usitées et dirigées dans les colonies et provinces en Amérique qui sont sous notre gouvernement immédiat; et nous avons aussi donné pouvoir aux dits gouverneurs, du consentement de notre dit conseil, et des représentans du peuple à être ainsi convoqués comme susdit, de faire, constituer et ordonner des lois, statuts et ordonnances pour la paix publique, le bien-être et bon gouvernement de nos dites colonies, ainsi que du peuple et des habitans d'icelles, aussi conformes que faire se pourra aux lois d'Angleterre, et sous les mêmes réglemens et restrictions que dans les autres colonies; et en attendant, et jusqu'à ce que telles assemblées puissent être convoquées comme susdit, tous ceux qui habitent ou se retireront dans nos dites colonies, peuvent espérer notre protection royale pour la jouissance du bénéfice des lois du royaume d'Angleterre; et à cet effet nous avons donné pouvoir, sous notre grand sceau, aux gouverneurs de nos dites colonies respectivement, d'ériger et constituer, de l'avis de nos dits conseils respectivement, des cours de judicature et de justice publique dans nos dites colonies, pour entendre et déterminer toutes causes tant civiles que criminelles, suivant la loi et l'équité, et autant que faire se pourra, conformément aux lois d'Angleterre, avec liberté à toutes personnes qui se trouvent lésées par le jugement de telles cours, dans toutes causes civiles, d'en appeler à nous, dans notre conseil privé, sous les conditions et restrictions ordinaires.

Nous avons aussi jugé à propos, de l'avis de notre conseil privé comme susdit, de donner à nos gouverneurs et conseillers de nos dites trois nouvelles colonies sur le continent, plein pouvoir et autorité d'entrer en accord et convenir avec les habitans de nos dites nouvelles colonies, ou avec toute autre personne qui s'y retirera, pour les terres, possessions et héritages dont il est maintenant, ou sera ci-après, en notre pouvoir de disposer, et de les accorder à telles personnes sous telles conditions, et moyennant tels modiques cens, servitudes et reconnaissances qui ont été établis et réglés dans d'autres colonies, et sous telles autres conditions qui nous paraîtront nécessaires et convenables pour l'avantage des concessionnaires, et l'amélioration et établissement de nos dites colonies.

Et attendu que nous désirons donner, dans toutes occasions, des témoignages de notre approbation royale de la conduite et bravoure des officiers et soldats de nos armées, et de les récompenser: Nous commandons et autorisons, par ces présentes, nos gouverneurs de nos trois colonies susdites, et nos autres gouverneurs de nos différentes provinces sur le continent de l'Amérique Septentrionale, de concéder sans honoraires ni récompenses, à ceux des officiers et soldats réduits qui ont servi dans l'Amérique Septentrionale, durant la dernière guerre, et qui y résident actuellement et s'adresseront en personne, les quantités de terre suivantes, sujettes après l'expiration de dix années au même cens que les autres terres sont sujettes dans la province où elles seront accordées, et sujettes aussi aux mêmes conditions de culture et d'amélioration, savoir :

A chaque personne ayant rang d'officier d'état major,	- - -	5,000 acres.
A chaque capitaine,	- - -	3,000 "
A chaque officier subalterne,	- - -	2,000 "
A chaque officier non-commissionné,	- - -	200 "
A chaque soldat,	- - -	50 "

Nous autorisons aussi et requérons les gouverneurs et commandans en chef de toutes nos dites colonies sur le continent de l'Amérique Septentrionale, d'accorder sous les mêmes conditions les mêmes quantités de terre à ceux des officiers réduits de notre marine royale, ayant le même rang, qui ont servi à bord de nos vaisseaux de guerre dans l'Amérique Septentrionale lors de la réduction de Louisbourg et de Québec dans la dernière guerre, et qui feront une application en personne à nos gouverneurs respectifs pour telles concessions.

Et attendu qu'il est juste et raisonnable et essentiel pour nos intérêts et la sûreté de nos colonies, que les différentes nations ou tribus de sauvages avec lesquelles nous sommes liés, et qui vivent sous notre protection, ne soient point molestés ni troublés dans la possession de telles parties de nos domaines et territoires qui ne nous ayant point été cédées, leurs sont réservées ou à quelqu'une d'elles, comme leur terrain de chasse; nous déclarons donc, de l'avis de notre conseil privé, comme notre volonté et plaisir royal qu'aucun gouverneur ou commandant en chef d'aucune de nos colonies de Québec, de la Floride Orientale ou de la Floride Occidentale, n'aye, sous quelque prétexte que ce puisse être, à accorder des ordres d'arpentage ou à passer des patentes pour des terres au delà des bornes de leurs gouvernements respectifs tels qu'ils sont désignés dans leur commission; comme aussi qu'aucun gouverneur ou commandant en chef de nos autres colonies ou plantations en Amérique, n'aye pour le présent et jusqu'à ce que notre plaisir soit plus amplement connu, à accorder des ordres d'arpentage, ou passer des patentes, pour des terres au delà de la tête ou source d'aucune des rivières qui tombent dans la mer Atlantique venant de l'ouest ou du nord-ouest, ou pour aucune terres quelconques qui ne nous ayant point été cédées, ou n'ayant point été par nous achetées comme susdit, sont réservées aux dits sauvages ou à quelques uns d'eux.

Et nous déclarons de plus, comme notre volonté et plaisir royal, que pour le présent comme susdit, nous réservons sous notre souveraineté, protection et domination, pour l'usage des dits sauvages, toutes les terres et territoires non compris dans les limites de nos dits trois nouveaux gouvernements, ou dans les limites du territoire accordé à la compagnie de la Baie d'Hudson; comme aussi toutes les terres et territoires sises à l'ouest des sources des rivières qui tombent dans la mer venant de l'ouest et du nord-ouest comme susdit; et nous défendons strictement par ces présentes à tous nos aimés sujets, sous peine de notre déplaisir, de faire aucuns achats ou établissemens quelconques, ou de prendre possessions d'aucunes des terres ci-dessus réservées, sans avoir préalablement obtenu notre permission et licence à cet effet.

Et nous enjoignons de plus et requérons strictement toutes personnes quelconques, qui volontairement ou par inadvertance se sont établies sur des terres dans les pays ci-dessus désignés, ou sur aucunes autres terres qui ne nous ayant pas été cédées, ou n'ayant point été par nous achetées, sont encore réservées aux dits Sauvages comme susdit, d'abandonner incontinent tels établissemens.

Et attendu qu'il a été commis de grandes fraudes et de grands abus dans l'achat des terres des Sauvages, au grand préjudice de nos intérêts et au grand mécontentement des dits Sauvages, afin donc de prévenir de semblables irrégularités à l'avenir, et que les Sauvages puissent être convaincus de notre justice et ferme résolution d'éloigner toute cause raisonnable de mécontentement, de l'avis de notre Conseil privé nous enjoignons strictement et commandons qu'aucun particulier ne prenne sur lui d'acheter des dits Sauvages aucunes des terres réservées aux dits Sauvages, dans ces parties de nos colonies où nous avons bien voulu permettre que l'on s'établisse, mais si dans aucun tems à venir quelques-uns des dits Sauvages étaient disposés à se défaire des dites terres, elle seront achetées seulement pour nous et en notre nom, dans quelque assemblée publique des dits Sauvages qui sera tenue à cet effet par le Gouverneur ou Commandement en chef respectif de notre colonie où seront les dites terres; et en cas qu'elles soient dans les limites de quelques gouvernements de propriétaires, alors conformément aux directions et instructions que nous ou les dits propriétaires jugeront à propos de donner à cet effet. Et nous déclarons et enjoignons, de l'avis de notre Conseil privé, que le commerce avec les dits Sauvages soit libre et ouvert à tous nos sujets quelconques; pourvu que toute personne qui se proposera de faire commerce avec les dits Sauvages, prennent une licence, pour faire tel commerce, du gouverneur ou commandant en chef d'aucune de nos colonies respectivement où telle personne résidera, comme aussi qu'elle donne des sûretés pour l'observation de tels réglemens que nous jugerons à propos en aucun tems d'ordonner et établir, soit par nous mêmes ou par des commissaires nommés à cet effet, pour l'avantage du dit commerce; et nous autorisons par ces présentes, commandons et requérons les gouverneurs et commandans en chef de toutes nos colonies respectivement, tant de celles sous notre gouvernement immédiat que de celles sous le gouvernement et la direction des propriétaires, d'accorder telles licences sans honoraires ni récompenses, prenant un soin particulier d'y insérer une condition que telle licence sera nulle et la sûreté forfaite, en cas que la personne à qui elle sera accordée refuse ou néglige d'observer tels réglemens que nous jugerons à propos de prescrire comme susdit.

Et nous enjoignons de plus et commandons expressément à tous officiers quelconques, tant militaires que ceux employés dans la conduite et la direction des affaires sauvages, dans les territoires réservés pour l'usage des dits sauvages comme susdit, de saisir et arrêter toutes personnes quelconques qui étant accusées de trahison, connivance de trahison, meurtre ou autres félonies ou malversations, voudront se soustraire à justice et se réfugieront dans les dits territoires, et de les envoyer sous une garde convenable dans la colonie où le crime dont elles seront accusées aura été commis, afin qu'elles subissent leurs procès en conséquence.

Donné à notre cour de Saint-James, le 7e. jour d'octobre 1763, dans la troisième année de notre règne.—Vive le roi.

APPENDICE No. 11.

PROCLAMATION de Sir Alured Clarke, lieutenant-gouverneur du Canada, datée du 7 mai 1792.

Alured Clarke :

GEORGE Trois, par la grâce de Dieu Roi de la Grande-Bretagne, de France et d'Irlande, Défenseur de la Foi, &c. : A tous nos affectionnés sujets que ces présentes peuvent intéresser : Vu qu'en conséquence d'un acte du parlement dernièrement fait et statué, passé dans la trente-unième année de notre règne, et de l'autorité par nous donnée à cet effet, notre ci-devant province de Québec a été divisée en deux provinces, celle du Haut-Canada et du Bas-Canada, et que notre lieutenant-gouverneur de la dite province du Bas-Canada, par le pouvoir que nous lui avons donné, est autorisé, en l'absence de notre très fidèle et bien-aimé Guy Lord Dorchester, capitaine-général et gouverneur-en-chef de notre dite province du Bas-Canada, de diviser la dite province du Bas-Canada en districts, comtés, cercles, ou villes et townships, pour mettre à effet le dit acte du parlement, et de déclarer et fixer le nombre de représentans à être choisis par chacun pour servir dans l'assemblée de la dite province; sachez donc que notre fidèle et bien-aimé Alured Clarke, notre lieutenant-gouverneur de notre dite province du Bas-Canada en l'absence de notre dit gouverneur-en-chef, a divisé et par notre présente proclamation divise la dite province du Bas-Canada en comtés, cités et villes, et déclare et fixe que le nombre des représentans d'icelles divisions sera comme ci-après limité, nommé, déclaré et fixé, c'est à savoir, Que le premier desdits comtés est toute cette partie de la dite province sur le côté sud du fleuve St. Laurent actuellement appelée le district de Gaspé, tel qu'il est désigné dans notre proclamation royale sous le grand sceau de notre ci-devant province de Québec, en date du vingt-quatrième jour de juillet dans la vingt-huitième année de notre règne; et que le second

second desdits comtés que l'on nommera Cornwallis comprendra toute cette partie de notre dite province sur le même côté du fleuve St. Laurent entre le dit comté de Gaspé et une ligne courant sud-est de l'angle occidental d'une étendue de terre communément appelée la seigneurie de Mr. Lauchlan Smith ou Ste. Anne, ensemble avec les îles de St. Barnabé et du Bic et toutes les autres îles dans le dit fleuve les plus voisines du dit comté, et lui faisant face en tout ou en partie; et que le troisième desdits comtés que l'on nommera Devon comprendra toute cette partie de notre dite province sur le même côté du dit fleuve St. Laurent entre le côté occidental du dit comté de Cornwallis et une ligne parallèle à icelui courant de l'angle occidental d'une étendue de terre communément appelée la seigneurie de la rivière du sud, ensemble avec toutes les îles dans le fleuve St. Laurent, les plus voisines du dit comté et faisant face à icelui en tout ou en partie; et que le quatrième desdits comtés que l'on nommera Hertford, comprendra toute cette partie de notre dite province sur le côté sud du dit fleuve St. Laurent entre le côté occidental du dit comté de Devon et une ligne parallèle à icelui courant de l'angle nord-est d'une étendue de terre communément appelée la seigneurie de Lauzon ou la seigneurie de la Pointe Lévy, ensemble avec toutes les îles dans le dit fleuve St. Laurent les plus voisines du dit comté et faisant face à icelui en tout ou en partie; et que le cinquième desdits comtés que l'on nommera Dorchester comprendra toute cette partie de notre dite province sur le côté sud du dit fleuve St. Laurent entre le côté occidental du dit comté d'Hertford et une ligne parallèle à icelui courant de l'angle occidental de l'étendue de terre susdite appelée la seigneurie de Lauzon ou la seigneurie de la Pointe Lévy, ensemble avec toutes les îles dans le dit fleuve St. Laurent les plus voisines du dit comté et faisant face à icelui en tout ou en partie; et que le sixième desdits comtés que l'on nommera Buckinghamshire, comprendra toute cette partie de notre dite province sur le côté sud du dit fleuve St. Laurent entre le côté occidental du dit comté de Dorchester et une ligne parallèle à icelui courant de l'angle nord-est d'une étendue de terre communément appelée la seigneurie de Sorel, ensemble avec toutes les îles dans le dit fleuve St. Laurent (ou le lac St. Pierre) les plus voisines du dit comté et lui faisant face en tout ou en partie; et que le septième desdits comtés que l'on nommera Richelieu comprendra toute cette partie de notre dite province sur le côté sud du dit fleuve St. Laurent entre le côté occidental du dit comté de Buckinghamshire et les lignes suivantes, c'est-à-dire une ligne courant sud-est de l'angle occidental d'une étendue de terre communément appelée la seigneurie de St. Ours, jusqu'à ce qu'elle rencontre le bord est de la rivière Sorel autrement appelée la rivière Richelieu ou Chambly, delà en remontant le bord est de la dite rivière jusqu'aux bornes nord est d'une étendue de terre communément appelée la seigneurie de Rouville, et de là par une ligne courant sud-est aux limites de notre dite province, ensemble avec toutes les îles dans le fleuve St. Laurent (ou le lac St. Pierre) les plus voisines dudit comté et lui faisant face en tout ou en partie, et aussi avec toutes les îles dans la rivière Sorel, Richelieu, ou Chambly, les plus voisines du dit comté et lui faisant face en tout ou en partie, renfermant dans le dit comté l'étendue de terre comprise dans les limites de la ville ou bourg de William Henry, ci-après désignées; et que le huitième desdits comtés que l'on nommera Bedford comprendra toute cette partie de notre dite province sur le côté est de la rivière Sorel autrement appelée Richelieu ou Chambly, entre la dite rivière et le côté occidental du susdit comté de Richelieu, ensemble avec toutes les îles dans la dite rivière Sorel autrement appelée Richelieu ou Chambly, les plus voisines du dit comté et lui faisant face en tout ou en partie; et que le neuvième desdits comtés que l'on nommera Surrey comprendra toute cette partie de notre dite province sur le côté sud du fleuve St. Laurent entre ce fleuve et la rivière Sorel, Richelieu, ou Chambly, et entre la ligne sud-est susmentionnée courant de l'angle occidental de l'étendue de terre appelée la seigneurie de St. Ours, et une ligne parallèle à icelle courant de l'angle occidental d'une étendue de terre communément appelée la seigneurie de Varennes, ensemble avec toutes les îles dans le fleuve St. Laurent les plus voisines du dit comté et lui faisant face en tout ou en partie, et aussi avec toutes les îles dans la rivière Sorel, Richelieu ou Chambly, les plus voisines de ce comté, et de ce côté vis-à-vis d'icelui en tout ou en partie; et que le dixième desdits comtés que l'on nommera Kent comprendra toute cette partie de notre dite province sur le côté sud-est du dit fleuve St. Laurent entre ce fleuve et la rivière Sorel, Richelieu, ou Chambly, et entre le côté occidental du dit comté de Surrey et une ligne parallèle à icelui courant de l'angle occidental d'une étendue de terre communément appelée la baronnie de Longueuil, ensemble avec toutes les îles dans le dit fleuve St. Laurent les plus voisines du dit comté et lui faisant face en tout ou en partie, et aussi avec toutes les îles dans la dite rivière Sorel, Richelieu, ou Chambly, les plus voisines du dit comté et de ce côté vis-à-vis d'icelui en tout ou en partie; et que l'onzième desdits comtés qui sera nommé Huntingdon comprendra tout le reste de notre dite province du Bas-Canada sur le côté sud du dit fleuve St. Laurent, ensemble avec toutes les îles dans le dit fleuve St. Laurent et dans la rivière Sorel, autrement appelée la Richelieu ou Chambly, les plus voisines du dit comté; et que le douzième desdits comtés que l'on nommera York comprendra toute cette partie de notre dite province du Bas-Canada sur le côté nord du dit fleuve St. Laurent, entre les bornes supérieures d'icelle et une ligne courant ouest nord-ouest de l'angle sud-est d'une étendue de terre communément appelée la seigneurie de Dumont, ensemble avec les îles Perrot et Bizarre et toutes les autres îles dans le fleuve St. Laurent et la rivière des Outaouais les plus voisines du dit comté et lui faisant face en tout ou en partie excepté les îles de Jesus et de Montréal; et que le treizième desdits comtés qui sera nommé Montréal, comprendra l'île de Montréal, renfermant pareillement telle partie d'icelle qui sera comprise dans les limites de la cité et ville de Montréal ci-après désignée; et que le quatorzième desdits comtés qui sera nommé Effingham comprendra toute cette partie de notre dite province sur le côté nord du fleuve St. Laurent et de la rivière des Outaouais entre le côté est du susdit comté d'York et une ligne parallèle à icelui courant de l'angle sud-est d'une étendue de terre communément appelée la seigneurie de Terrebonne, ensemble avec l'île Jésus et toutes les autres îles dans les dits fleuve St. Laurent et rivière des Outaouais faisant face au dit comté en tout ou en partie, excepté la susdite île de Montréal; et que le quinzième desdits comtés que l'on nommera Leinster comprendra toute cette partie de notre dite province sur le côté nord desdits fleuve St. Laurent et rivière des Outaouais entre le côté est du dit comté d'Effingham et une ligne courant nord-ouest de l'angle sud-est d'une étendue de terre communément appelée la seigneurie de St. Sulpice, ensemble avec toutes les îles dans lesdits fleuve St. Laurent et rivière des Outaouais les plus voisines du dit comté et lui faisant face en tout ou en partie; et que le seizième desdits comtés que l'on nommera Warwick comprendra toute cette partie de notre dite province sur le côté nord du fleuve St. Laurent entre le côté est du dit comté de Leinster et une ligne parallèle à icelui courant de l'angle sud-est d'une étendue de terre communément appelée la seigneurie de Berthier, ensemble avec toutes les îles dans le dit fleuve St. Laurent les plus près du dit comté et lui faisant face en tout ou en partie; et que le dix-septième desdits comtés qui sera nommé St. Maurice comprendra toute cette partie de notre dite province sur le côté nord du fleuve St. Laurent entre le côté est du dit comté de Warwick et une ligne parallèle à icelui courant de l'angle sud-est d'une étendue de terre communément appelée la seigneurie de Batiscau, ensemble avec toutes les îles dans le dit fleuve St. Laurent les plus près du dit comté et lui faisant face en tout ou en partie, comprenant dans le dit comté l'étendue de terre incluse dans les limites de la ville et bourg des Trois-Rivières ci-après désignée; et que le dix-huitième desdits comtés qui sera nommé Hampshire comprendra toute cette partie de notre dite province sur le côté nord du dit fleuve St. Laurent entre le côté est du dit comté de St. Maurice et une ligne parallèle à icelui courant de l'angle sud-ouest d'une étendue de terre communément appelée la seigneurie de St. Gabriel, ensemble avec toutes les îles dans le dit fleuve St. Laurent les plus près du dit comté et lui faisant face en tout ou en partie; et que le dix-neuvième desdits comtés que l'on nommera Québec comprendra toute cette partie de notre dite province sur le côté nord du fleuve St. Laurent entre le côté est du dit comté de Hampshire et une ligne courant nord nord-ouest de l'angle sud-ouest d'une étendue de terre communément appelée la seigneurie de Beaupré près de l'embouchure de la rivière Montmorency, ensemble avec toutes les îles dans le dit fleuve St. Laurent les plus voisines du dit comté et lui faisant face en tout ou en partie (excepté l'île d'Orléans) renfermant dans le dit comté l'étendue de terre comprise

dans les limites de la cité et ville de Québec ci-après désignée; et que le vingtième desdits comtés que l'on nommera Northumberland comprendra tout le reste de notre dite province dans le côté nord du dit fleuve St. Laurent et sur le côté est du dit comté de Québec, ensemble avec l'île aux Coudres et tous les autres îles dans le dit fleuve St. Laurent les plus voisines du dit comté et lui faisant face en tout ou en partie excepté l'île d'Orléans; et que le vingt-unième desdits comtés que l'on nommera Orléans comprendra la dite île d'Orléans: Et que la première des dites cités que l'on nommera (comme ci-devant) la cité et ville de Québec comprendra toute cette étendue de terre ou promontoire (formant une partie et portion du susdit comté de Québec) entre le fleuve St. Laurent et la rivière St. Charles, bornée par derrière par une ligne droite courant le long du front est du couvent appelé l'Hôpital Général et continué d'une rivière à l'autre, et que la dite cité et ville de Québec soit et elle est par le présent déclarée divisée en deux parties qui seront respectivement nommées la Basse-Ville et la Haute-Ville, et que la dite Basse-Ville comprendra toute cette partie de la dite étendue de terre ou promontoire située en bas de la colline appelée Cap au Diamant et les fortifications et hauteurs au delà, comprenant les deux côtés du chemin passant devant le palais de l'Intendant et par St. Roc, jusqu'à ce que le dit chemin rencontre l'arrière-ligne sus-mentionnée continuée du front est de l'Hôpital Général susdit, ensemble avec le terrain au dessus de la rue de la montagne sur le côté est d'icelle aussi haut que le terrain de l'évêché sans l'y comprendre, et sur le côté ouest de la rue de la montagne aussi haut que la ruelle qui conduit au vieux château St. Louis du haut de l'escalier opposé à la porte du dit évêché; et que la dite Haute-Ville comprendra tout le reste de la dite étendue de terre ou promontoire; et que la seconde des dites cités qui sera nommée (comme ci-devant) la cité et ville de Montréal comprendra toute cette étendue ou partie de terre (formant partie et portion du susdit comté de Montréal) bornée en front par le fleuve St. Laurent et par derrière par une ligne parallèle au cours général des murs de fortification sur le derrière de la dite ville à la distance de 100 chaînes de la porte communément appelée porte St. Laurent, et bornée sur le côté est ou d'en bas par une ligne courant parallèlement au cours général des murs de fortification sur le côté est ou d'en bas de la dite ville à la distance de 100 chaînes de la porte du côté du faubourg de Québec communément appelée la porte de Québec, et sur le côté ouest ou d'en haut par une ligne courant parallèlement au cours général des murs de fortification sur le côté ouest ou d'en haut de la ville à la distance de 100 chaînes de la porte du côté du faubourg St. Antoine communément appelée la porte des Récollets; et que la dite cité et ville de Montréal soit et elle est par la présente déclarée divisée en deux parties qui seront respectivement nommées le Quartier Est et le Quartier Ouest; et que le dit Quartier Est comprendra toute la partie est, ou d'en bas, de la dite étendue ci-dessus désignée, bornée au côté ouest, ou d'en haut, par une ligne courant par le milieu de la grande rue du faubourg St. Laurent et la continuation d'icelle, et par le milieu de la rue appelé rue de la congrégation, et de la rue Notre-Dame, et par le milieu d'icelle à l'ouest jusqu'au milieu de la rue St. Joseph, et de là descendant par le milieu de la rue St. Joseph jusqu'au fleuve; et que le dit Quartier Ouest comprendra toute le reste de la dite étendue ou partie de terre dans les limites ci-dessus désignées: Et que la première des dites villes ou bourgs que l'on nommera la ville ou bourg des Trois-Rivières comprendra toute cette étendue ou partie de terre (formant partie et portion du susdit comté de St. Maurice) bornée en front par le fleuve St. Laurent et par derrière par une ligne parallèle au cours général du dit front à la distance de 160 chaînes du point ouest de l'embouchure de la rivière St. Maurice, sur le côté ouest par la dite rivière St. Maurice et sur le côté ouest par une ligne tombant à angles droits sur la susdite arrière ligne, courant d'un point sur icelle à la distance de 160 chaînes du bord ouest de la dite rivière St. Maurice jusqu'à ce qu'elle touche le dit fleuve St. Laurent, et que la seconde et dernière des dites villes ou bourgs, que l'on nommera la ville ou bourg de William Henry comprendra toute cette étendue ou partie de terre (formant partie et portion du susdit comté de Richelieu) bornée en front par la rivière Sorel autrement appelée la rivière Richelieu ou Chambly, par derrière par une ligne parallèle au côté est de la Place Royale de la dite ville à la distance de 100 chaînes d'icelle, sur le côté nord par le fleuve St. Laurent, et sur le côté sud par une ligne parallèle au côté sud de la Place Royale de la dite ville à la distance de 120 chaînes d'icelle. Et sachez aussi que notre dit lieutenant-gouverneur a pareillement déclaré et fixé et par la présente déclare et fixe que les divers comtés de Cornwallis, Devon, Hertford, Dorchester, Buckinghamshire, Richelieu, Surrey, Kent, Huntingdon, York, Montréal, Effingham, Liens-ter, Warwick, St. Maurice, Hampshire, Québec et Northumberland, ci-dessus mentionnés, seront et peuvent être représentés dans l'assemblée de la dite province par deux membres ou représentants, qui seront dûment choisis dans et pour chacun des dits comtés respectivement et les comtés de Gaspé, Bedford et Orléans, seulement, par un membre ou représentant pour chacun des dits comtés respectivement; et les cités ou villes de Québec et de Montréal respectivement par quatre membres ou représentants pour chacun des dites cités ou villes, savoir deux membres pour chaque subdivision d'icelles respectivement; et la ville ou bourg des Trois-Rivières par deux membres ou représentants pour la dite ville ou bourg; et la ville ou bourg de William Henry seulement par un membre ou représentant pour la dite ville ou bourg; de quoi nos fidèles sujets et tous autres intéressés doivent prendre connaissance et se conduire en conséquence. En foi de quoi nous avons fait émaner nos présentes lettres patentes, et y fait apposer le grand-sceau de notre dite province du Bas-Canada. Témoins notre fidèle et bien-aimée Alured Clarke, écuyer, notre lieutenant-gouverneur et commandant en chef de notre dite province du Bas-Canada, et major général commandant nos forces dans l'Amérique Septentrionale, &c. &c. &c.; A notre château St. Louis dans la cité de Québec, ce 7e. jour de mai dans l'année de notre seigneur 1792, et dans la 32e. année de notre règne.

Hugh Finlay, faisant fonction de Secrétaire.

A. C.

APPENDICE, No 12.

ACTE pour pourvoir à l'augmentation de la représentation des Communes de cette Province du Haut-Canada, dans la Chambre d'Assemblée;

[Passé le 7 Mars 1820.]

Vu qu'à cause de l'accroissement rapide de la population de cette Province, on juge, que la représentation dans la Chambre d'Assemblée des Communes est trop limitée; Qu'il soit donc statué, par la très-Excellente Majesté du Roi, par et de l'avis et consentement du Conseil Législatif et de l'Assemblée de la Province du Haut-Canada, constitués et assemblés en vertu et sous l'autorité d'un Acte passé dans le Parlement de la Grande Bretagne, intitulé: "Acte pour rappeler certaines parties d'un Acte passé dans la quatorzième année du Règne de Sa Majesté, intitulé: "Acte pour faire des dispositions plus efficaces pour le Gouvernement de la Province de Québec dans l'Amérique du Nord, et pour faire d'autres dispositions pour le Gouvernement de la dite Province," et par l'autorité d'iceux, que toutes celles des diverses lois maintenant en force qui régulent le nombre de représentants pour servir dans le Parlement Provincial, soient et elles sont par le présent rappelées.

2. Et qu'il soit de plus statué par la susdite autorité, que depuis et après la fin du présent Parlement, tout et chaque comté maintenant formé ou organisé, ou qui sera ou pourra être ci-après formé ou organisé, et dont la population se montera à mille âmes, sera représenté par un membre dans le Parlement Provincial; et lorsque la population de tels comtés ou comtés comme susdit se montera à quatre mille âmes, les dits comtés ou comtés seront représentés par deux membres, et que toute et chaque ville ou se tiennent ou pourront se tenir les sessions de quartier pour le district, et où il y aura mille âmes sera représentée par un membre.

3. Et qu'il soit de plus statué par la susdite autorité, que la population requise de toute

et chaque ville ou comté pour les objets ci-dessus, sera établi par les rapports des divers greffiers de ville sur le nombre d'âmes dans les diverses villes et townships de cette province, desquels rapports le greffier de la paix du district ou de telle ville, township ou comté, seront ou pourront être situés, est requis par les présentes de transmettre des copies certifiées au bureau du gouverneur, du lieutenant gouverneur, ou de la personne ayant l'administration du gouvernement de cette province.

4. Et qu'il soit de plus statué par la susdite autorité, qu'aussitôt qu'une université sera organisée et en opération comme séminaire d'éducation en cette province, et en conformité aux règles et aux statuts d'institution semblable dans la Grande Bretagne, et il sera et pourra être loisible au gouverneur, au lieutenant gouverneur, ou à la personne ayant l'administration du gouvernement de cette province pour le temps d'alors, de déclarer par proclamation le parti de terre attaché à cette université et sur laquelle elle est située, comme formant une ville ou township sous tel nom qui lui paraîtra à propos, et que cette ville ou township ainsi constitué sera représenté par un membre. Pourvu toujours, néanmoins, que personne n'aura pouvoir de voter à telle élection d'un membre pour représenter la dite université en Parlement, sans avoir, outre les qualifications maintenant requises par la loi, le droit de voter dans la convocation de la dite université.

5. Et qu'il soit de plus statué par la susdite autorité, qu'il sera et pourra être loisible au Gouverneur, au Lieutenant-Gouverneur, ou à la personne ayant l'administration du gouvernement de cette province, d'émaner des writs pour l'élection de membres pour servir dans la Chambre d'Assemblée des Communes pour ces comtés et villes comme susdit, et pour la dite université, de la même manière qu'il y est pourvu par la dix-huitième clause d'un acte passé dans la trente-unième année du règne de Sa Majesté, intitulé "Acte pour rappeler certaines parties d'un Acte passé dans la quatorzième année du règne de Sa Majesté, intitulé, 'Acte pour faire des dispositions plus efficaces pour le gouvernement de la province de Québec dans l'Amérique du Nord, et pour faire d'autres dispositions pour le gouvernement de la dite province.'"

6. Pourvu toujours, et qu'il soit de plus statué, par la susdite autorité, que rien de contenu dans cet acte ne s'étendra ou ne sera entendu s'étendre à diminuer le nombre des membres maintenant députés par aucun comté ou comtés sous l'autorité d'aucun loi jusqu'ici en force en cette province, ou à rendre nécessaire l'émanation d'un nouveau writ d'élection pendant la durée d'un Parlement, à cause de l'accroissement des habitants dans aucune ville ou comté depuis la dernière élection générale précédente.

7. Et qu'il soit de plus statué, par la susdite autorité, que quand un comté maintenant formé ou qui sera ci-après formé contiendra moins de mille âmes, les dit comté ou comtés seront attachés au comté voisin dans le district où se trouvera le plus petit nombre d'âmes.

8. Et qu'il soit de plus statué, par la susdite autorité, que le nombre d'âmes dans aucune ville comme susdit, sera établi dans le rapport du greffier de ville pour le township où telle ville sera située, d'une manière distincte du nombre d'âmes de ces townships.

9. Et qu'il soit de plus statué, par la susdite autorité, qu'aucune personne qualifiée à voter dans une ville comme susdit, n'aura le droit de voter dans le comté où cette ville est située, sur la même propriété qui peut lui donner droit de voter à l'élection d'un membre pour représenter la dite ville.

10. Et qu'il soit de plus statué, par la susdite autorité, que le nombre d'âmes contenu dans une ville qui pourra ci-après élire un membre comme susdit, ne sera pas regardé comme faisant partie du nombre d'âmes requis pour donner deux membres au comté dans lequel cette ville sera située.

APPENDICE No. 13.

UNIVERSITÉ du Collège Royal à York, dans le Haut-Canada.

LA CHARTE, &c.

GEORGE QUATRE, par la grace de Dieu, Roi du Royaume-Uni de la Grande-Bretagne et d'Irlande, Défenseur de la Foi, et le reste; A tous ceux qui ces présentes verront, Salut:

Vu que l'établissement d'un collège dans notre province du Haut-Canada, dans l'Amérique du Nord, pour l'éducation de la jeunesse dans les principes de la religion chrétienne, et pour son instruction dans les diverses branches des sciences et de la littérature qu'on enseigne dans les universités de ce royaume, travaillerait puissamment au bien-être de notre dite province; et vu qu'une humble application nous a été faite par un grand nombre de nos fidèles sujets dans notre dite province, nous priant de vouloir bien accorder notre charte royale pour l'établissement plus parfait d'un collège en icelle, et pour en incorporer les membres pour les objets ci-dessus: Sachez qu'ayant pris les prémisses en notre royale considération, et pesant murement la grande utilité et l'importance d'une semblable institution, nous avons de notre grace spéciale, science certaine et propre mouvement, ordonné et accordé et ordonnons et accordons par ces présentes pour nous, nos héritiers et successeurs, qu'il sera établi ci-après un collège dans ou près de notre ville de York, dans notre dite province du Haut-Canada, avec le titre et les privilèges d'une université tel que réglé ci-après, pour l'éducation et l'instruction de la jeunesse et des étudiants dans les arts et les facultés, pour continuer à toujours à être appelé "Collège Royal."

Et nous déclarons et accordons par ces présentes que notre fidèle et bien-aimé le très-révéré Père en Dieu, Charles Jacques, évêque du diocèse de Québec, ou l'évêque pour le temps d'alors du diocèse de York pourra être située, après toute division ou changement du dit diocèse actuel de Québec, sera pour nous et de notre part visiteur du dit collège, et que notre fidèle et bien-aimé Sir Peregrine Maitland, notre lieutenant-gouverneur de notre dite province, ou le gouverneur, lieutenant-gouverneur, ou autres personnes administrant le gouvernement de notre dite province pour le temps d'alors, sera le chancelier de notre dit collège.

Et nous déclarons, ordonnons et accordons par ces présentes, qu'il y aura en tout temps un président de notre dit collège, qui sera un ecclésiastique dans les saints ordres de l'église unie d'Angleterre et d'Irlande, et qu'il y aura tels et autant de professeurs des divers arts et facultés dans notre dit collège, qu'il sera de temps à autre trouvé nécessaire ou expédient, et qui seront nommés par nous ou par le chancelier de notre dit collège de notre part, et durant notre plaisir.

Et nous accordons et ordonnons par ces présentes que le révérend John Strachan, docteur en théologie, archidiacre de York, dans notre dite province du Haut-Canada, sera le premier président de notre dit collège, et que l'archidiacre de York, dans notre dite province, pour le temps d'alors, sera en vertu de sa place, président du dit collège.

Et nous voulons, ordonnons et accordons par ces présentes, pour nous et nos héritiers et successeurs, que les dits chancelier et président, et les dits professeurs de notre dit collège, et toutes personnes qui seront dûment immatriculées et admises comme associés de notre dit collège, et leurs successeurs à toujours, formeront distinctement et séparément un corps politique et incorporé de fait et de nom, sous le nom et appellation des "Chancelier, Président et Associés du Collège Royal, à York dans la province du Haut-Canada," et que sous le même nom ils se succéderont perpétuellement autour un sceau commun, et qu'eux et leurs successeurs, auront de temps à autre plein pouvoir d'altérer, renouveler et changer ce sceau commun suivant leur volonté et plaisir, et comme il sera trouvé convenable; et que sous le même nom eux les dits chancelier, président et associés, et leurs successeurs, de temps à autre et en tout temps ci-après, auront le pouvoir et seront capables d'avoir, prendre, recevoir, acheter, tenir, acquérir, posséder, exploiter et maintenir pour l'usage du dit collège, tous apanages, terres, fouds et héritages, d'une espèce, nature ou qualité quelconque, situés et assis dans notre dite province du Haut-Canada, de manière à ce qu'ils n'excèdent pas la valeur annuelle de quinze mille livres sterling au-dessus de toutes charges, et de plus de prendre, acheter, acquérir, avoir, tenir, exploiter, recevoir, posséder et retenir tous et chaque meubles, effets, contributions charitables ou autres, dous et bienfaits quelconques.

Et nous déclarons et ordonnons par ces présentes, que le dit chancelier, président et associés, et leurs successeurs sous le même nom, pourront, et seront habiles et autorisés en loi à poursuivre et être poursuivis, plaider et être plaidés, répondre et recevoir réponse, dans toutes et chacune des cours record dans notre Royaume-Uni de la Grande-Bretagne et d'Irlande et dans notre dite province du Haut-Canada, et nos autres domaines, dans chaque et toutes actions, causes, plaidoyers, procès, affaires et demandes quelconques, de toute nature ou espèce quelconque, d'une manière et forme aussi étendue, aussi ample et aussi avantageuse, que tout autre corps politique et incorporé, ou tout autre de nos sujets-liges habile et recevable en loi, peut poursuivre, plaider ou répondre, ou être poursuivi ou plaidé ou recevoir réponse d'une manière quelconque.

Et nous déclarons, ordonnons et accordons par ces présentes, qu'il y aura dans notre dit collège ou corporation, un conseil qui sera désigné et connu sous le nom de "Conseil de Collège;" et nous voulons et ordonnons que le dit conseil soit composé du chancelier et du président pour le temps d'alors, et de sept des professeurs des arts et facultés de notre dit collège; et que ces sept professeurs soient membres de l'église unie et établie d'Angleterre et d'Irlande, et qu'avant leur admission dans le dit conseil de collège ils signent et souscrivent séparément les trente-neuf articles de religion tels que déclarés et établis dans le livre des Prières Communes; et en cas qu'en aucun temps il ne se trouvât pas dans notre dit collège sept professeurs des arts et facultés qui fussent membres de l'église établie susdite, c'est alors notre volonté et notre plaisir, et nous accordons et ordonnons par ces présentes, que le dit conseil de collège soit rempli jusqu'au nombre requis de sept, non compris le chancelier et le président pour le temps d'alors, de telles personnes graduées dans notre dit collège et membres de l'église établie susdite, qui seront nommées pour cet objet par le chancelier de notre dit collège pour le temps d'alors, lesquels membres du conseil souscriront pareillement les trente-neuf articles susdits avant d'être admis dans le dit conseil de collège.

Et vu qu'il est nécessaire de faire des dispositions pour compléter et remplir le dit conseil dès l'établissement de notre dit collège, et avant qu'on y nomme des professeurs et qu'on y confère des degrés, nous ordonnons donc et déclarons de plus que le chancelier de notre dit collège pour le temps d'alors, nommera et constituera par brevet sous son seing, lors de ou immédiatement après l'établissement d'icelui, sept personnes discrètes et convenables résidant dans notre dite province du Haut-Canada, pour constituer, conjointement avec lui le dit chancelier et avec le président de notre dit collège, le conseil primitif ou original de notre dit collège, lesquels premiers membres ou membres primitifs du dit conseil souscriront pareillement chacun les susdits trente-neuf articles, avant leur admission dans le dit conseil.

Et nous déclarons et accordons de plus que les membres du dit conseil de collège qui occuperont dans notre dit collège les places de chancelier, de président ou de professeur d'aucun art ou faculté, tiendront respectivement leurs sièges au dit conseil aussi longtemps qu'ils et chacun d'eux conserveront leurs places comme susdit, et pas plus longtemps, et que les membres du dit conseil qui ne tiendront pas de situations dans notre dit collège résigneront de temps à autre leurs sièges au dit conseil lors et aussitôt qu'il y aura dans notre dit collège un nombre de professeurs, membres de l'église établie susdite, suffisant pour remplir le dit conseil jusqu'au nombre requis ci-dessus mentionné.

Et nous donnons par les présentes pouvoir et autorité au chancelier de notre dit collège pour le temps d'alors, de décider à chaque cas quel membre particulier du dit conseil ne tenant aucune situation comme susdit, résignera son siège au dit conseil lors de l'admission d'un nouveau membre du conseil tenant une telle situation.

Et nous déclarons et accordons par ces présentes, que le chancelier de notre dit collège pour le temps d'alors présidera toutes les assemblées du dit conseil de collège auxquelles il jugera à propos ou convenable d'assister, et qu'en son absence le président de notre dit collège présidera toute assemblée semblable, et qu'en l'absence du président le plus ancien membre du dit conseil présent à cette assemblée y présidera, et que l'ancienneté des membres du dit conseil, autres que le chancelier ou le président, sera réglée suivant la date de leurs nominations respectives; pourvu toujours que les membres du dit conseil qui seront professeurs dans notre dit collège auront la préférence dans le dit conseil et seront regardés comme ayant droit d'ancienneté sur les membres d'icelui qui ne seront pas professeurs dans notre dit collège.

Et nous ordonnons et déclarons qu'aucune assemblée du dit conseil ne sera regardée ni ne sera en effet une assemblée légale d'icelui, à moins que cinq des membres au moins ne soient présents pendant toute la durée de chacune des dites assemblées; et que toutes questions et résolutions proposées à la décision du dit conseil de collège, seront décidées par la majorité des membres du dit conseil alors présents, y compris le vote du membre président, et que dans le cas où les votes seraient également divisés, le membre qui présidera toute assemblée comme dit est, donnera un vote additionnel ou prépondérant.

Et nous déclarons de plus que si quelque membre du dit conseil décède ou résigne son siège au dit conseil, ou est suspendu, ou déplacé d'icelui, ou devient incapable pendant trois mois de calendrier ou davantage à cause de toute infirmité corporelle ou mentale, ou à cause de son absence de la dite province, d'assister aux assemblées du dit conseil, alors et en chaque cas le chancelier nommera une personne propre et convenable pour agir comme membre et être membre du dit conseil au lieu et place du membre décédé ou démissionnaire, ou suspendu ou déplacé ou devenu incapable comme susdit; et que tout nouveau membre remplaçant un membre ainsi suspendu ou devenu incapable, résignera sa place lors de la cessation de cette suspension ou de la fin de cette incapacité susdite de son prédécesseur immédiat au dit conseil.

Et nous ordonnons et accordons de plus qu'il sera et pourra être loisible au chancelier de notre dit collège pour le temps d'alors de suspendre de son siège au dit conseil tout membre d'icelui, pour toute cause juste et raisonnable qu'il apparaîtra au dit chancelier; pourvu que les motifs de toute suspension semblable soient entrés et consignés au long par le dit chancelier dans les registres du dit conseil, et signés de lui; et toute personne ainsi suspendue cessera dès l'instant d'être même du dit conseil, à moins qu'elle ne soit et jusqu'à ce qu'elle soit remplacée et rétablie dans sa place à icelui par un ordre à être donné sur ce sujet par nous ou par le dit visiteur de notre dit collège agissant en notre nom et en vertu d'une délégation spéciale de notre part.

Et nous déclarons de plus qu'un membre du dit conseil qui, sans cause suffisante, suivant la permission du dit chancelier, par un ordre écrit entré exprès dans les registres du dit conseil, s'absentera de toutes les assemblées d'icelui, qui seront tenues pendant six mois de calendrier consécutifs, résignera par là même son siège au dit conseil.

Et par ces présentes, pour nous, nos héritiers et successeurs, nous voulons, ordonnons et accordons, que le dit conseil de notre dit collège ait le pouvoir et l'autorité de dresser et de faire des statuts, des règles et des ordonnances touchant et concernant le bon gouvernement de notre dit collège, la célébration du service divin dans icelui, les études, lectures, exercices et degrés des arts et facultés, et toute matière concernant icelui, la résidence et les devoirs du président de notre dit collège, le nombre, la résidence et les devoirs des professeurs d'icelui, l'administration des revenus et des biens de notre dit collège, les salaires, rétributions, paies, et émoluments du président, des professeurs, associés, officiers et serviteurs d'icelui, le nombre et les devoirs de ces officiers et serviteurs, et aussi touchant et concernant toute autre matière ou chose qui lui paraîtra bonne, convenable et utile au bien-être et à l'avancement de notre dit collège, et conforme à notre présente charte; et aussi de temps à autre, par de nouveaux statuts et des règles ou ordonnances nouvelles, de révoquer, renouveler, augmenter ou changer tous, chacun ou l'un des dits statuts, règles et ordonnances, qu'il lui paraîtra à propos et expédient; pourvu toujours que les dits statuts, règles et ordonnances, ou aucun d'icelles ou d'icelles, ne soient pas contraires aux lois et aux statuts du Royaume-Uni de la Grande-Bretagne et d'Irlande, ou à ceux de notre dite province du Haut-Canada, ou à notre présente charte;

charte; pourvu aussi que les dits statuts, et les dites règles et ordonnances, seront soumis à l'approbation du dit visiteur de notre dit collège pour le temps d'alors, et seront incontinent transmis pour cet objet au dit visiteur; et qu'en cas que le dit visiteur, pour nous et de notre part, signifie par écrit sa désapprobation d'iceux dans deux ans à compter du temps où ils sont ainsi faits et dressés, les dits statuts ou les dites règles et ordonnances, ou telle partie d'iceux ou d'icelles qui sera ainsi désapprouvée par le dit visiteur, seront absolument nuls et sans effets depuis le temps où cette désapprobation sera notifiée au dit chancelier de notre dit collège, mais autrement ils seront et demeureront en pleine force et vertu.

Pourvu néanmoins, et nous nous conservons et réservons expressément par ces présentes, pour nous, nos héritiers et successeurs, le pouvoir de reviser, confirmer ou renverser par un ordre ou des ordres à être faits par nous ou eux dans notre ou leur conseil privé, toute et chacune des décisions, sentences ou ordres à être faits comme susdit par le dit visiteur pour nous et de notre part, à l'égard des dits statuts, des dites règles et ordonnances, ou d'aucun d'iceux, ou d'icelles.

Et nous ordonnons et déclarons de plus, qu'il ne sera dressé ou fait par le dit conseil de collège aucun statut, aucune règle ou ordonnance concernant les objets ci-dessus, ou aucun d'eux, à moins qu'ils ou elles n'aient été préparés pour la délibération du dit conseil par le chancelier de notre dit collège pour le temps d'alors.

Et nous requérons le dit chancelier et lui enjoignons de se consulter avec le président de notre dit collège, et le plus ancien ensuite des membres du dit conseil de collège, sur tous statuts, règles ou ordonnances, à proposer par lui au dit conseil pour sa délibération.

Et par ces présentes, pour nous, nos héritiers et successeurs, nous ordonnons et commandons que les susdits statuts, règles et ordonnances, sujets néanmoins aux dispositions ci-dessus, seront strictement et inviolablement observés, maintenus et mis de temps à autre en pleine vigueur et effet, sous les pénalités qui seront imposées par iceux ou y contenues.

Et de plus nous voulons, ordonnons et accordons que le dit collège soit regardé et pris pour une université, et qu'il ait et possède tous et les semblables privilèges dont jouissent nos universités de notre royaume uni de la Grande Bretagne et d'Irlande, en tant que la possession ou la jouissance en est autorisée en vertu de nos présentes lettres patentes; et que les étudiants du dit collège auront la liberté et le pouvoir de prendre les degrés de bachelier, de maître et de docteur, dans les divers arts et facultés, au temps fixé, et auront en eux la liberté de remplir tous les exercices scholastiques pour parvenir à ces degrés, de telle manière qu'il sera réglé par les statuts, règles et ordonnances du dit collège.

Et de plus nous voulons, ordonnons et décidons qu'aucun test ou aucune qualification religieuse ne sera requise ni exigée des personnes admises ou immatriculées comme associés dans notre dit collège, ou des personnes admises en icelui à aucun degré dans les arts ou facultés, excepté seulement que toutes personnes admises dans notre dit collège à un degré quelconque en théologie, feront toutes et les mêmes déclarations et attestations écrites, et prendront tous et les mêmes sermens, que l'on requiert des personnes admises à un degré quelconque en théologie dans notre université d'Oxford.

Et nous voulons, statuons et ordonnons de plus, que le chancelier, le président et les professeurs de notre dit collège, et toute personnes admises en icelui au degré de maître es arts, ou à un degré quelconque en théologie, en droit, en médecine, et qui depuis le temps de leur admission à ce degré, payeront la somme annuelle de vingt shelings argent sterling, pour l'entretien et le soutien du dit collège, soient et soient regardés et réputés membres de la convocation de la dite université, et qu'en leur dite qualité de membres de la dite convocation, ils aient, exercent et possèdent tous et les mêmes privilèges dont jouissent les membres de la convocation de notre université d'Oxford, en tant que la possession ou la jouissance d'iceux est autorisée en vertu de nos présentes lettres patentes, et est d'accord avec les dispositions d'icelles.

Et nous voulons, et nous accordons et déclarons par ces présentes, pour nous, nos héritiers et successeurs, que nos présentes lettres patentes ou l'enrôlement ou l'application d'icelles, seront et pourront être bonnes, fermes, valides, suffisantes et efficaces en loi suivant le vrai sens et la vraie interprétation d'icelles, et qu'elles soient prises, interprétées et appliquées dans le sens le plus favorable et le plus avantageux, ou pour le meilleur avantage des dits chancelier, président et associés de notre dit collège, aussi bien dans nos cours de record qu'ailleurs, et par tous et chacun les juges, magistrats, officiers, ministres et autres quelconques nos sujets, et ceux de nos héritiers et successeurs, nonobstant toute erreur ou oubli de diction, omission, imperfection, défaut, cause, matière ou chose quelconque à ce d'aucune manière contraire.

En foi de quoi nous avons fait émaner nos présentes lettres patentes.

Témoin nous-même à Westminster, ce quinzième jour de mars mil huit cent vingt sept, dans la huitième année de notre règne.

APPENDICE, N^o. 14.

COPIE de l'opinion des Officiers en loi de Sa Majesté au sujet des Réserves du Clergé; datée du 15 Nov. 1819.

Doctors' Commons, 15 Novembre 1819.

Milord,

Nous avons eu l'honneur des ordres de votre Seigneurie du 14 Septembre dernier, exposant qu'il s'est élevé des doutes, savoir jusqu'à quel point, sous l'interprétation de l'acte passé dans la 31e. année de sa présente majesté (c. 31) les ministres protestants dissidents ont des réclamations légales à participer aux terres que cette acte ordonne de réserver pour le soutien et l'entretien d'un clergé protestant.

Et votre Seigneurie veut bien nous prier de prendre le sujet en considération, et de faire rapport de notre opinion à votre Seigneurie, pour l'information du Prince Régent, savoir si le Gouvernement de la province est obligé par l'Acte d'appliquer le produit des terres réservées au soutien d'aucun autre clergé que celui de l'Église d'Angleterre résidant dans la province, ou s'il serait justifiable en le faisant, et dans le cas où nous serions d'opinion que les ministres des congrégations protestantes dissidentes ont des droits communs avec ceux de l'Église d'Angleterre, désirant de plus notre opinion; savoir si dans l'application des terres réservées à la dotation de recto-rats et de presbytères, telle que requise par la 38e. clause, il est du devoir de Sa Majesté de garder une partie de ces terres pour le clergé dissident, et savoir suivant quelle proportion, d'après cette interprétation, les réserves doivent être assignées aux diverses classes de dissidents établis dans la province.

Nous sommes d'opinion que quoique les dispositions de la 31e. Geo. 3, c. 31, s. 36 et 42, pour le soutien et l'entretien d'un clergé protestant, ne se bornent pas uniquement au clergé de l'Église d'Angleterre, mais quelle puissent s'étendre aussi au clergé de l'Église d'Ecosse, s'il y a un tel clergé dans le Canada, (comme il paraît qu'on l'a admis dans les débats lors de la passation de l'Acte,) elles ne s'étendent pas cependant aux ministres dissidents, comme nous pensons que les termes de clergé protestant ne peuvent s'appliquer qu'au clergé protestant reconnu et établi par la loi.

La 37e. section, qui ordonne "que les rentes et profits des terres, &c. seront uni-

quement applicables à l'entretien et au soutien d'un clergé protestant," ne spécifie pas par quelle autorité les rentes et profits doivent être ainsi appliqués. Supposant que le Gouverneur soit dûment autorisé par l'acte à faire cette application, nous pensons qu'il serait justifiable en appliquant ces rentes et profits à l'entretien et au soutien du clergé de l'Église d'Ecosse, aussi bien que de l'Église d'Angleterre, mais non au soutien et à l'entretien des ministres des congrégations protestantes dissidentes.

A l'égard de la seconde question, la 38e. clause, "qui donne pouvoir à Sa Majesté d'autoriser le Gouverneur à constituer et à établir des cures ou rectorats suivant l'établissement de l'Église d'Angleterre," statue aussi, "qu'il pourra doter chacun de ces cures ou rectorats d'autant des terres assignées et appropriées en égard aux terres qui auront été accordées dans ce township ou paroisse, que le Gouverneur jugera être convenable, de l'avis du Conseil Exécutif."

D'après ces termes, il pourrait doter en particulier une cure ou rectorat de toutes les terres assignées et appropriées dans ce township ou cette paroisse.

Il serait incompatible avec ce pouvoir discrétionnaire de retenir absolument une partie quelconque de ces terres pour aucun autre clergé que celui qui est mentionné dans cette clause, et nous pensons qu'il n'est pas du devoir de Sa Majesté de retenir ainsi aucune partie de ces terres.

Nous avons l'honneur d'être, Milord,

De votre Seigneurie, les très humbles et obéissants serviteurs

(signé)

Christ. Robinson.
R. Gifford.
J. S. Copley.

Comte Bathurst,
&c. &c. &c.

APPENDICE, N^o. 15.

COPIE de l'opinion des Officiers en loi de la couronne, sur le droit de la couronne d'approprier le revenu prélevé en vertu de l'acte de 1774, indépendamment de l'Assemblée Législative.

Serjeants' Inn, 13 Nov. 1824.

Milord,

Nous avons eu l'honneur de recevoir la lettre de votre Seigneurie, nous transmettant copie d'une lettre du Lieutenant Général Comte de Dalhousie, datée du 28 Avril 1823, contenant un rapport fait par un comité de l'Assemblée du Bas-Canada sur les comptes provinciaux, où l'on met en question le droit du Gouvernement d'appliquer le produit du revenu provenant de la 14e. Geo. 3, c. 88, comme il l'a été invariablement depuis la passation de cet Acte, à défrayer les dépenses de l'Administration de la justice et au soutien du gouvernement civil, par l'autorité de Sa Majesté, sans l'intervention de la Législature Coloniale; et votre Seigneurie a bien voulu nous requérir de prendre le sujet en considération, et de faire rapport à votre Seigneurie, pour l'information de Sa Majesté, si le pouvoir accordé par l'Acte de la 14e. Geo. 3, est rappelé par l'Acte déclaratoire de la 18e. Geo. 3, ou par l'Acte de la 31e. Geo. 3, qui accorde une constitution aux provinces du Bas et du Haut-Canada, de manière à enlever à la Couronne l'appropriation des deniers prélevés sous la 14e. Geo. 3, et à en saisir la Législature Provinciale.

En conformité à la demande de votre Seigneurie, nous avons pris le sujet en considération, et nous demandons permission de faire rapport, pour l'information de Sa Majesté, que les droits imposés par la 14e. Geo. 3, c. 88, sont substitués aux droits qui existaient au temps de la reddition de la province aux armes de Sa Majesté, et sont appropriés spécialement par le parlement à défrayer les dépenses de l'Administration de la justice et du soutien du gouvernement civil de la province. Cet acte n'est pas rappelé par la 18e. Geo. 3, c. 12, dont le préambule déclare que le parlement n'imposera aucun droit, &c. dans le but de prélever un revenu, et dont la partie statuante établit, que depuis et après la passation de cette acte, le Roi et le Parlement de la Grande-Bretagne n'imposeront, &c. excepté seulement, &c. et qui se rapporte entièrement à l'avenir, et ne nuit pas, à ce que nous pensons, aux dispositions de l'Acte de la 14e. Geo. 3, c. 88. On peut observer de plus, que si la 18e. Geo. 3, avait rappelé la 14e. Geo. 3, les droits imposés par ce dernier Acte auraient dû cesser immédiatement, et l'Acte 18 Geo. 3, ne peut nuire à l'appropriation de droits imposés par la 14e. Geo. 3, puisque la 18e. Geo. 3, se borne aux droits à être ci-après imposés, et imposés aussi pour des objets différens de ceux que la Législature avait en vue en passant la 14e. Geo. 3, savoir, uniquement le règlement du commerce.

Nous sommes de plus d'opinion que l'Acte de la 14e. Geo. 3, c. 88, n'est pas rappelé ni affaibli par la 31e. Geo. 3, c. 31. Il est clair qu'il n'est pas rappelé dans le fait, comme nous l'avons observé à l'égard de la 18e. Geo. 3; si l'Acte avait été rappelé, les droits auraient dû cesser immédiatement; et quant à l'appropriation des droits ou au contrôle sur iceux, il n'est rien dit à ce sujet dans la 46e. et la 47e. section, ni en aucun autre endroit de l'Acte de la 31e. Geo. 3, c. 31.

À l'égard des conclusions à tirer de ce qui peut s'être passé en Canada depuis quelques années au sujet de ces droits, on peut observer que les droits ayant été imposés par le Parlement dans un temps où il était de la compétence du Parlement de les imposer, ils ne peuvent être rappelés, ni leur appropriation aucunement changée, si ce n'est par la même autorité.

Nous avons l'honneur, &c.

(signé)

J. S. Copley.
Chs. Wetherell.

Comte Bathurst,
&c. &c. &c.

Département Colonial, Downing-street, 26 Juin 1827.

APPENDICE, No. 16.

COPIE d'une pétition du Canada demandant que le clergé Presbytérien puisse participer au revenus réservés pour le clergé protestant, datée de Québec, du 20 de décembre 1827.

À la Très Excellente Majesté du roi;

Qu'il plaise à Votre Majesté,

LES sujets presbytériens de Votre Majesté, dont les noms sont soussignés, tant pour eux que pour les autres sujets de Votre Majesté professant la même croyance dans vos provinces

vinces du Haut et du Bas-Canada, demandent très humblement la permission de s'approcher du trône de Votre Majesté, et de réclamer votre appui et votre protection royale.

Un grand nombre d'entre les pétitionnaires de Votre Majesté, descendus de ces bretons du nord qui sous la conduite de l'immortel Wolfe ont si emménagement contribué à la conquête de ces colonies, ont formé avec l'accroissement d'émigrés venus d'Ecosse et d'Irlande, des masses considérables d'individus professant la foi de leurs pères.

Mûs par un zèle et ferme attachement à cette foi, vos pétitionnaires se sont jusqu'ici efforcés (au défaut de tout autre secours) de se procurer par des contributions volontaires l'avantage appréciable des services de ministres de leur croyance; mais les moyens tirés de cette source ont été tout-à-fait insuffisants pour leur procurer un nombre de pasteurs proportionné à l'étendue de la population, et ils sont aussi insuffisants pour mettre dans un état convenable d'indépendance ceux qui sont déjà établis parmi eux.

Le parlement impérial sentant la nécessité d'étendre ses soins bienfaisants aux établissements religieux de ces colonies, a statué par un acte passé dans la trente-unième année du règne de feu Sa Majesté, de glorieuse mémoire, que la septième partie des terres non concédées en ces provinces serait assignée au soutien et à l'entretien d'un clergé protestant en icelles.

La libéralité du parlement impérial ne s'est pas arrêté là, vû que ce secours ne pouvait être qu'éventuel, et que les besoins de colonies dans leur enfance et leur accroissement requéraient des secours plus efficaces sous les rapports religieux, on a fait participer le clergé de l'Eglise épiscopale en ces provinces aux sommes voté annuellement par le parlement impérial en faveur de la société pour la propagation de l'évangile dans les provinces de l'Amérique du nord.

Les pétitionnaires de Votre Majesté demandent qu'il leur soit permis d'exprimer à Votre Majesté leurs regrets que le clergé presbytérien du Canada n'ait pas été admis jusqu'ici à participer d'aucune manière aux revenus des terres ainsi réservées pour le soutien d'un clergé protestant dans la dite province, et qu'il n'ait reçu d'assistance d'aucune autre source.

Les pétitionnaires de Votre Majesté, en recourant à l'acte du parlement passé dans la 5e. année du règne de la reine Anne c. 8, et y trouvant que la religion professée et établie dans l'Eglise d'Ecosse, y est aussi bien que celle professée et établie dans l'Eglise d'Angleterre, reconnue pour la vraie religion protestante, ne peuvent concevoir pourquoi leur église serait placée dans une situation moins avantageuse que l'Eglise d'Angleterre, et pourquoi les ministres de leur croyance ne seraient pas regardés comme tombant sous la désignation de clergé protestant.

Les pétitionnaires de Votre Majesté, très gracieux souverain, supplient qu'il leur soit permis de faire observer que l'Eglise-mère d'où ils sont sortis s'est emménagement distinguée en répandant les principes de la religion et d'une saine morale, et ils sont persuadés par l'expérience des siècles, et surtout par l'exemple du pays de leurs ancêtres, qu'un peuple qui jouit des avantages d'un secours convenable pour l'instruction et l'éducation religieuses, est conduit par là à l'ordre et à la vertu; et que dans un pays où il est pourvu efficacement à ces objets, il ne reste au gouvernement qu'à jouir du spectacle de son amélioration graduelle et de l'accroissement de son bonheur, et à recevoir d'un peuple heureux, loyal et vertueux l'effusion spontanée de sa reconnaissance et de son attachement.

Vos pétitionnaires, très gracieux souverain, se flattent de l'espoir de pouvoir obtenir maintenant le secours dont-ils ont besoin, de la munificence du parlement impérial, et qu'ou les fera participer (comme ils en ont droit) aux revenus qui proviendront des terres réservées pour le soutien d'un clergé protestant, en rapport de leur population, ou en telle autre proportion qui pourra être trouvée juste et équitable; et en faisant en leur faveur telle autre disposition que dans sa sagesse le parlement impérial jugera expédient.

Les pétitionnaires de Votre Majesté ayant raison de croire que les intérêts du clergé protestant de ces provinces pourra faire le sujet de dispositions législatives durant la session prochaine du parlement, ils supplient très humblement Votre Majesté et de considérer les intérêts des pétitionnaires de Votre Majesté sur ce que dessus, et sur le tout de faire ce que Votre Majesté trouvera juste et convenable.

Et les pétitionnaires de Votre Majesté, comme leur devoir les y oblige, ne cesseront de prier.

Québec, 20 décembre 1827.

(Suivent les signatures des pétitionnaires, au nombre de plusieurs centaines.)

APPENDICE, No. 17.

COPIE de la pétition des habitans de Québec en faveur de l'union des provinces du Haut et du Bas-Canada.

A la Très Excellente Majesté du Roi :

La PETITION des soussignés, seigneurs, magistrats, membres du clergé, officiers de milice, marchands, propriétaires et autres, habitans de la cité et le district de Québec, en la province du Bas-Canada.

Représente humblement,

QUE Vos Pétitionnaires ont appris avec la plus vive satisfaction que Votre Majesté avait pris en sa gracieuse considération l'état des provinces du Haut et du Bas-Canada, dans la vue d'ajuster certains différends au sujet d'affaires de revenus, qui font le sujet de plaintes de la part de la province du Haut-Canada; et comme il paraît que le gouvernement de Votre Majesté dans le cours de ses recherches sur les sources de ces différends, s'est persuadé de la nécessité de faire quelque changement à la constitution de ces provinces, mais qu'il a remis l'adoption des mesures finales afin de donner au peuple le temps d'exprimer ses sentimens, vos pétitionnaires demandent humblement la permission de s'approcher de Votre Majesté pour lui faire le détail des maux divers dont ils ont été affligés depuis quelques années, et qui ne leur laissent aucun espoir de secours, excepté par l'interposition de Votre Majesté et du parlement impérial.

L'expérience de trente années a maintenant démontré les vices de l'acte du parlement britannique de la 31e. Geo. 3, c. 31, qui divisait la ci-devant province de Québec pour en former les provinces du Haut et du Bas-Canada. C'est à cette division que vos pétitionnaires attribuent l'état de l'inefficacité actuelle de leur législature, et le défaut de mesures nécessaires pour pénétrer la population entière du pays de sentimens convenables au caractère de sujets britanniques, et pour introduire cet esprit général d'amélioration, qui encouragé par le système commercial, anime universellement les autres colonies britanniques et leur donne la vigueur. Cette division a créé entre les deux provinces sur des matières liées avec le revenu, une différence d'intérêts également nuisible à toutes d'eux, et qui produit inévitablement les dissensions et les animosités, et pénètre les législatures des principes d'une politique étroite et égoïste, à l'encontre du développement général des ressources des provinces, et spécialement de l'amélioration des moyens de communication entr'elles; et il est essentiel de remarquer ici que presque tout le revenu des deux provinces provient de droits levés sur les marchandises importées au port de Québec en vertu de lois établies par la législature du Bas-Canada. Cet acte a aussi, vû le contrôle que sa situation géographique met le Bas-Canada à même d'exercer sur le commerce des deux

provinces, mis à sa merci le commerce d'exportation du Haut-Canada, qui est sujet au port de sortie aux réglemens et aux restrictions que la législature du lieu peut vouloir lui imposer. D'après cette circonstance, et d'après les faibles efforts qu'on a fait pour améliorer le grand canal naturel de communication en Canada, qui forment un contraste frappant avec l'esprit d'entreprise et d'énergie qu'a montré l'état voisin de New-York pour la prompt exécution de canaux, ensemble vû l'indifférence manifesté à ce sujet par la législature du Bas-Canada, vos pétitionnaires ont de justes raisons de craindre que si on persévère dans un système semblable, il tendra de la manière la plus désavantageuse à augmenter les relations commerciales du Haut-Canada avec les Etats-Unis, et à détourner par une voie étrangère l'esprit d'entreprise et le commerce de ses habitans; et non seulement ces causes font appréhender à vos pétitionnaires la perte immédiate d'un commerce avantageux, mais que leur effet graduel serait de mêler les intérêts des habitans du Haut-Canada avec ceux des habitans des états voisins, ce qui les aliénerait du peuple de cette province, affaiblirait leur affection pour le gouvernement de Votre Majesté, nonobstant leur loyauté actuelle connue et éprouvée.

La législature de cette province a été depuis longtemps agitée par les dissensions et ses délibérations ont été par là tellement multipliées qu'elle a négligé le commerce, l'agriculture, l'éducation et les autres objets d'un intérêt général. Il n'existe aucune loi pour l'enregistrement des biens et des hypothèques, si nécessaire à la sûreté des entreprises commerciales; il n'y a pas d'acte au sujet des débiteurs insolubles; et vos pétitionnaires ont attendu en vain une loi pour donner une représentation aux townships, partie fertile et précieuse de cette province, établis par des habitans d'origine britannique; vos pétitionnaires conservent peu d'espoir de l'établissement de ces dispositions législatives, et de beaucoup d'autres nécessaires pour aviver l'esprit d'entreprise et d'industrie d'un pays commerçant, jusqu'à ce qu'une réunion des deux provinces ait affaibli l'influence qui empêche jusqu'ici de les voir dans le recueil de nos statuts. Vos pétitionnaires attribuent principalement l'existence de cette influence à la division impolitique de ces provinces; qui au lieu de rendre de l'intérêt comme il est du devoir de chaque membre de la société de concourir aux mesures propres à assimiler toutes les parties de la population et à apaiser les jalousies qui subsistent naturellement entre les différentes classes, a inévitablement offert aux individus qui ont dans le principe obtenu une majorité dans la législature, la tentation de perpétuer leur pouvoir par une marche tout opposée: C'est à la même influence qu'on peut assigner le peu d'encouragement qui a été donné pour la colonisation des terres vacantes de cette province du Bas-Canada par une population britannique, et conséquemment sur plus de 80,000 personnes (égalant le quart de la population française actuelle) qui depuis la dernière guerre d'Amérique ont quitté la Grande-Bretagne et l'Irlande pour venir en cette province, il en soit à peine demeuré une vingtième partie dans ces limites.

Vos pétitionnaires ont observé avec reconnaissance la disposition d'appliquer un remède aux maux politiques actuels de ces provinces, que le gouvernement de votre Majesté a manifestée par l'acte de la présente année de votre Majesté c. 119, mais suivant leur humble opinion les dispositions de cet acte sont insuffisantes; des circonstances nombreuses tendent à rendre vaines toutes tentatives de régler d'une manière permanente à la satisfaction des deux provinces la division du revenu perçu au port de Québec, à moins qu'on ne les unisse sous une même législature; et ils demandent humblement de plus la permission d'exprimer leurs craintes que quelques-unes des dispositions de cet acte, quoique dictées par la nécessité de régler les prétentions opposées des deux provinces, ne donnent à d'autres un prétexte d'imputer au parlement impérial des dispositions bien éloignées des intentions et des vues du gouvernement de votre Majesté.

Ayant ainsi exposé les maux qu'ils ont endurés, et sentant la plus parfaite confiance en la justice et en la sagesse du gouvernement de votre Majesté, et étant persuadés que ce sujet sera soumis à l'examen le plus sérieux et le plus circonstancié; vos pétitionnaires auraient beaucoup hésité à prétendre suggérer des remèdes; mais comme on a proposé la réunion des deux provinces dans le parlement impérial, ils demandent qu'on leur permette d'exprimer leur entier acquiescement à cette mesure, sur des principes qui assureront leurs justes droits à toutes les classes des sujets de votre Majesté en ces provinces, et qui les protégeront toutes dans la jouissance des lois existantes et de leur religion, telles que garanties; cette union, dans l'opinion de vos pétitionnaires, apporterait aux maux existants le remède le plus efficace, vû qu'elle tendrait à assimiler graduellement toute la population du côté des opinions, des habitudes et des sentimens, et qu'elle donnerait un espoir raisonnable que la sagesse de la législature unie trouverait un système de gouvernement plus stable, plus uni, et plus libéral envers toutes les classes, qu'on ne l'a éprouvé jusqu'ici.

Une union, sur les principes équitables humblement suggérés par les pétitionnaires de votre Majesté, comprendra nécessairement une représentation proportionnée autant que possible, au nombre, aux richesses et aux ressources des différentes classes des habitans de ces provinces, ne demandera aucune innovation aux lois ou à la religion du pays, aucune proscription de la langue d'une partie quelconque des habitans pour les débats et les motions dans la législature; dans toutes les classes qui ont montré leur bravour et leur loyauté sous les mêmes armes dans la défense des provinces.

C'est pourquoi qu'il plaise gracieusement à votre Majesté, qu'il soit passé un bill pour l'union du Haut et du Bas-Canada, sur les principes équitables demandés par vos pétitionnaires, et que la constitution qu'il établira soit inviolablement conservée à vos pétitionnaires et à leur postérité.

Et vos pétitionnaires, comme leur devoir les y oblige, ne cesseront de prier.

Québec, décembre 1822.

Département Colonial, Downing-street, }
7 juin 1829. }

APPENDICE, No. 18.

Aux Honorables Communes du Royaume-Uni de la Grande-Bretagne et d'Irlande, assemblées en Parlement.

La PETITION des soussignés, marchands et autres en liaison avec les Canadas.

Représente humblement,

QUE vos pétitionnaires ont vu avec alarme et avec un profond regret les dissensions qui règnent dans ces provinces depuis un grand nombre d'années, et qui sont maintenant tellement de notoriété publique, que vos pétitionnaires ne trouvent pas nécessaire d'occuper de leur détail le temps de votre honorable chambre; ce n'est pas non plus le dessein de vos pétitionnaires de blâmer la conduite d'aucun individu ou d'aucun parti dans ces provinces, et d'aggraver ainsi le mal en récriminant; mais vos pétitionnaires sont animés du motif le plus louable d'appeler l'attention de votre honorable chambre sur ce qui leur paraît être pour l'avenir le seul remède efficace à ces malheureux différends.

Que vos pétitionnaires sont honnêtement convaincus que l'acte de 31e. George 3, c. 31, par lequel la ci-devant province de Québec a été divisée en deux provinces, celle du Haut et celle du Bas-Canada, a été la source fertile de tous les maux qui ont affligé et affligent encore les Canadas.

Que cette mesure très impolitique fut passée dans le temps sans avoir été désirée par le nombre alors très petit des habitans de ce qui compose actuellement la province du Haut-

Haut-Canada, et en opposition directe aux vœux des habitans de ce qui compose maintenant la province du Bas-Canada, soit d'origine française ou d'origine britannique, comme il parait clairement par la représentation faite par leur agent commun à la barre de votre honorable chambre le 23 mars 1791.

Que les funestes conséquences de cette mesure furent même dès lors si clairement prévues, et si pleinement représentées à votre honorable chambre, que vos pétitionnaires pour décrire ce qui est actuellement arrivé, ne peuvent se servir d'un langage plus convenable que celui qu'employa en cette occasion l'individu ci-dessus désigné, en recommandant de laisser la province de Québec sans division, il dit, "il y a une considération de la plus

" grande importance pour la tranquillité des habitans de toutes les parties du pays, et qui seule, j'espère, suffira pour engager cette honorable chambre à rejeter le projet d'un nouveau gouvernement indépendant. Je demande la permission de prier les honorables membres de se rappeler et de peser avec attention la situation géographique du pays, d'après laquelle il paraît évident que nul vaisseau d'aucune espèce ne peut remonter le fleuve Saint-Laurent plus haut que la cité de Montréal, à cause des rapides qui sont immédiatement au dessus de cette ville. Et comme tous les objets de nécessité ou de luxe que les habitans des districts supérieurs ont occasion de faire venir de la Grande

" Bretagne ou des pays étrangers doivent leur arriver par la voie du fleuve Saint-Laurent, ils doivent être débarqués à ou en bas de Montréal, où il doit être emmagasinés, par les marchands de Québec ou de Montréal, jusqu'à ce qu'on ait trouvé des voitures ou de bateaux pour les faire transporter; et que de même tous les produits que les habitans de ces districts supérieurs voudront exporter, doivent être envoyés en

" bateaux à Montréal ou peut-être à Québec, pour y être embarqués pour l'exportation; et que les articles importés et les articles exportés doivent également, en passant à travers la province Basse, être assujettis aux lois, aux réglemens, aux droits et aux taxes qui

" qui pourront être imposées par la législature de la Province Basse. Or supposant que la division ait lieu, comme on peut s'attendre que la nouvelle législature de Québec établira dans le temps convenable un revenu pour le soutien du gouvernement civil de cette partie de la province, il est plus que probable que tous les deniers qui seront prélevés pour cet objet ou pour aucun autre objet public le seront par des droits payables

" sur les articles importés. C'est donc un objet qui mérite les réflexions les plus sérieuses des honorables membres, de considérer jusqu'à quel point les habitans du gouvernement supérieur seront disposés et consentans à payer des taxes ou des droits sur leurs importations ou leurs exportations, lorsque le produit de ces taxes ou de ces droits devra être appliqué au soutien des dépenses du gouvernement civil de la province inférieure, ou

" pour y bâtir des édifices publics, ou autrement améliorer et embellir cette partie du pays; ou pour donner des primes ou des encouragemens à l'avancement de l'agriculture ou des branches particulières de commerce ou de manufactures, auxquels avantages la situation des habitans de la province supérieure les empêcherait de participer.

" Il est, Monsieur, impossible à la sagesse humaine, si la province de Québec est divisée, d'établir pour tous ces objets un plan qui ne donne lieu aux disputes et ne crée entre les gouvernemens des deux provinces des animosités qui en peu d'années pourraient conduire aux plus sérieuses conséquences. Ce serait jeter des semences de dissensions et de querelles qu'on trouvera extrêmement difficiles à apaiser, quelque facile qu'il soit de les exciter."

Ensuite il ajoute: "Monsieur, j'ai réfléchi mille fois sur ce sujet, depuis que j'ai entendu parler de la division projetée, mais je n'ai pu me former une idée raisonnable du motif sur lequel on a pu proposer une expérience aussi dangereuse; si à une époque future l'expérience démontrait qu'il serait expédient de diviser le pays pour l'avantage et la sûreté du Gouvernement, ou pour la commodité général ou la prospérité du peuple on pourrait le faire alors avec plus de raison, par ce qu'on aurait des connaissances plus certaines sur les conséquences d'une semblable division. Les inconvéniens qui peuvent survenir en continuant à laisser la province unie sous une seule Législature, sont en petit nombre, et ils sont bien connus et bien compris; les avantages sont l'unanimité, l'assistance et la force mutuelles; mais personne ne peut dire les dangers d'une séparation. Cependant les dangers à redouter sont la foiblesse politique, la désunion, les animosités et les querelles."

Qu'il est à la connaissance de plusieurs de vos pétitionnaires que l'acte ci-dessus était à peine devenu loi, que les ministres de Sa Majesté s'aperçurent des vices de la division de la province de Québec, comme ils le déclarèrent à l'individu qui avait fait la représentation dont vos pétitionnaires viennent de citer une partie.

Que quoique par la sagesse du Parlement Impérial il ait été passé un Acte en 1822, dans le but de faire cesser, au moins pour le moment, les disputes des deux provinces à l'égard des droits, et qu'à ce dessein on ait enlevé aux deux Législatures Coloniales pour le remettre à des arbitres le pouvoir de déterminer la part des droits qui doit revenir au Haut-Canada; cependant comme la passation même d'une telle loi indique l'existence d'un très grand mal, vos pétitionnaires sont bien assurés que ce remède, regardé comme mesure permanente, deviendrait dans son exécution la source de disputes interminables, de mé-

contentemens et de jalousies entre les deux provinces; et vos pétitionnaires regardent comme contenant le germe des mêmes effets la mesure par laquelle on ôterait à la Législature du Bas-Canada le pouvoir de prélever des droits sur les marchandises importées en cette province, sans communication antérieure au Gouvernement du Haut-Canada de tout projet de loi à cet égard, et sans le transmettre en Angleterre pour l'approbation du Gouvernement; plus vos pétitionnaires réfléchissent sur le sujet, plus ils se raffermissent dans la conviction qu'au lieu de remèdes palliatifs, on devrait avoir recours à un remède complet et efficace, et on ne peut le trouver que dans l'union des deux provinces sous une même législature.

Que comme sujets britanniques, et comme étant profondément intéressés à la prospérité de ces provinces, vos pétitionnaires ne peuvent voir sans les craintes les plus sérieuses l'état actuel des affaires et leur résultat inévitable. Situés comme le sont les Canadas à l'égard des Etats-Unis d'Amérique, il est de l'intérêt de la Grande-Bretagne de donner aux ressources de ces provinces un développement aussi rapide qu'elles en sont capables, et d'augmenter et faire accroître leur force autant que possible, dans la vue de leur continuation comme portion distincte de l'Amérique, garantie par la protection de la Grande-Bretagne, et lui procurant le moyen d'exercer une influence importante sur ce continent, de telle manière que les circonstances peuvent le rendre convenable. Pour parvenir à ce but, il serait clairement avantageux de voir régner dans les deux provinces, autant qu'il est possible d'y arriver, des sentimens communs et des vues politiques semblables, avec la conscience d'un accroissement en importance et en force; ce plan est absolument contre-carré par une division qui tend à augmenter l'opposition des habitans du Bas-Canada aux institutions, aux habitudes et aux sentimens de ceux du Haut, tandis que ces derniers, devenant graduellement de plus en plus étrangers à la province voisine, doivent naturellement et imperceptiblement contracter des liens plus étroits avec les états voisins, dont les habitans ont les mêmes lois, le même langage, les mêmes habitudes et les mêmes mœurs; tandis que par l'union des provinces les parties de la population actuellement divisées se refondraient graduellement en une masse commune, ayant les mêmes vœux et les mêmes sentimens politiques, disposée à agir de concert et à réunir ses ressources pour la défense commune.

Que vû l'état de la représentation dans le Bas-Canada, une partie considérable des sujets de Sa Majesté, se montant à ce qu'on pense à 80,000 âmes, de naissance Britannique ou d'extraction Britannique, n'est pas représentée dans la Législature, directement ni indirectement; les sujets de Sa Majesté d'extraction Française ayant le pouvoir d'exclure et excluant actuellement de la Chambre d'Assemblée tous ceux qui ne tombent pas dans leurs vues, (les quelles vues, justes ou non, l'objet actuel de vos Pétitionnaires n'est pas de discuter;) et l'effet en a été que sur le grand nombre d'émigrés qui pendant ces dernières années sont arrivés de la Grande Bretagne et d'Irlande, il n'en est probablement pas resté la vingtième partie dans les limites de la province, les autres ayant cherché protection sous des institutions anglaises, en s'établissant dans le Haut-Canada ou dans les Etats-Unis.

Que par l'union des deux provinces chaque habitant Britannique d'icelles serait représenté, si on adoptait en même tems quelque mesure pour donner aux townships les membres qui leur fussent propres; et les réclamations de ces habitans d'origine Britannique sont tellement fondées en justice, que vos Pétitionnaires ne peuvent douter que votre Honorable Chambre ne trouve à propos de remédier au défaut de représentation de ces parties précieuses et fertiles de la province.

Que la Législature du Bas-Canada a depuis longtems été tellement agitée de dissensions, et qu'elles ont tellement occupé ses délibérations, qu'elle a négligé le commerce, l'agriculture, l'éducation et les autres objets d'un intérêt général; tandis qu'avec une législature éclairée et efficace, non-égarée par des vues et des intérêts de parti, vos Pétitionnaires prévoient avec confiance l'avancement rapide de ces objets, avec l'amélioration de la navigation et des voies intérieures de communication, la passation d'un acte au sujet des débiteurs insolubles, l'établissement de bureaux pour l'enregistrement des immeubles et des hypothèques, et d'autres mesures si nécessaires à la sûreté des entreprises de commerce.

Que quand vos Pétitionnaires font ainsi remarquer à votre Honorable Chambre la nécessité d'une union et les avantages qui en découleraient suivant leur humble opinion, ils sont loin de désirer cette mesure sur d'autres principes que des principes équitables, sans rien innover aux lois ou à la religion, et sans faire violence aux sentimens d'aucun parti plus qu'il ne sera trouvé nécessaire pour arriver au bien général.

Puisse donc votre Honorable Chambre vouloir bien prendre ce que dessus en sa considération; et vos Pétitionnaires se reposent avec pleine confiance en votre sagesse pour prendre sur le tout des mesures qui avanceront les meilleurs intérêts de ces provinces, et les conserveront longtems comme des dépendances précieuses de la Couronne de la Grande Bretagne.

Et vos Pétitionnaires, comme il est de leur devoir, ne cessent de prier.

To the Honorable the House of Assembly of Lower-Canada.

A l'Honorable Chambre d'Assemblée du Bas-Canada.

Appendix (I.)
5 Decr.

THE Commissioners duly appointed to carry into effect the Act of the Legislature for making a Road between Saint Joachim and Saint Paul's Bay, most respectfully inform your Honorable House, That all the posts are taken; that eight of the Settlers on the said Road have obtained one-half the premium; two have obtained Certificates to this effect, and the four others are now building themselves houses; This Road which, with the exception of the hills at *La Mische*, is excellent in winter, is very bad in Summer, and even impassable in the rainy seasons from the want of ditches, drains and causeways; and calls for the immediate attention of the Legislature. It is desirable that from the heights of *La Mische*, the Road should follow the direct line to the ferry across the River Ste. Anne.

The whole nevertheless humbly submitted.

Saint Paul's Bay, 24th November, 1828.

GEORGE CHAPERON,
J. LEVESQUE,
J. B. DUPÈRE. } Commissioners.

STATEMENT of the manner in which the sum of One thousand pounds currency, granted by an Act of the second Session of the twelfth Provincial Parliament of Lower Canada, for making a Road from Saint Joachim to Saint Paul's Bay, has been employed and laid out.

Philippe Castagne settled at the end of the 1st mile, contracted with, and Certificate 26th April, 1828, paid at the Civil Secretary's Office,	£25 0 0
Laurent Tremblé, 20 arpents from the 4th mile, ditto ditto.	25 0 0
Mr. Etienne Rouffeu, 2 arpents from the 4th do. do. do.	25 0 0
Augustin Lemieux, between the 9th and 10th do. do. do.	50 0 0
John McLean, 4 arpents from the 12th do. do. do.	50 0 0
Simeon Bouchard, between the 14th and 15th do. do. do.	50 0 0
Mr. Charles P. Huot, Notary, 7 arpents from the 18th do. do. do.	50 0 0
Joseph Potevin, 11th mile. Certificate 10th November, 1828,	37 10 0
	<u>£312 10 0</u>

Mr. C. H. Gauvreau, Notary, his Account.

Louis Simar, 9th mile, Certificate dated 10th November, 1828,	£37 10 0
Baptiste Boily, 17th mile, do. do.	37 10 0

Names of the persons wishing to contract, and now building on the said Road.

Rémi Tremblé near the 6th mile.
Louis Gobeil, near the 15th do.
Archibald McLean, near the 20th do.
Thomas Nugent between the 21st and 22d mile.

Saint Paul's Bay, 24th November, 1828.

GEORGE CHAPERON,
J. LEVESQUE,
J. B. DUPÈRE. } Comrs.

Appendix (J.)
5th Decr.

THE Government of the Province of Lower-Canada in Account with Isaac Gouverneur Ogden, Esquire, for fundry expenditures for the relief of Insane Persons, and for the support of Foundlings, &c. within the District of Three Rivers, between the 11th of October, 1827, and the 10th October 1828, inclusive.

DR.

Letter and Number of Voucher

Support of Poor and destitute Persons. A. 1827.	
Oct. 12. To paid Truman Alger his allowance for six months to 10th instant,	1. £5 14 4½
Carried over,	£5 14 4½

Appendice (I.)
5 Decr.

LES Commissaires dâment appointés pour mettre à effet un Acte de la Législature pour établir le Chemin de communication entre St. Joachim et la Baie St. Paul, très respectueusement rapportent à vos Honneurs, que tous les Postes sont pris; huit des *settlers* établis sur le dit Chemin ont obtenu la moitié du premium; deux ont obtenu les Certificats pour cet objet, et les quatre autres sont maintenant après se bâtir. Cette communication, excellente en hiver, excepté les Côtés de *La Mische*, est bien mauvaise en été; même impracticable dans les saisons pluvieuses, faute de fossés, de décharges pour les eaux et de pontages, et demande l'attention immédiate de la Législature. Il est à désirer que, des hauteurs de *la Mische*, le chemin poursuiवे directement au passage de *la Rivière Ste. Anne*.

Le tout très humblement soumis à la haute sagesse de vos Honneurs.

Baie St. Paul le 24 novembre 1828.

GEO. CHAPERON,
J. LEVESQUE,
J. BTE. DUPÈRE, } Commissaires.

ETAT de la disposition de la somme de mille livres courant, accordée par un Acte de la deuxième Session du deuxième Parlement Provincial du Bas-Canada, à l'effet d'établir le Chemin entre St. Joachim et la Baie St. Paul.

Phillippe Castagne établi au 1er. mille, contracté, et certificat, 26 Avril 1828, payé à l'office du Secrétaire Civil,	£25 0 0
Laurent Tremblé, 20 arpents du 4ème. mille ditto ditto,	25 0 0
Mr. Etienne Rouffeu, 2 arpents du 4ème. mille ditto ditto,	25 0 0
Augustin Lemieux, entre le 9 et 10ème. mille ditto ditto,	50 0 0
John McLean, 4 arpents du 12ème. mille ditto ditto	50 0 0
Simeon Bouchard, entre le 14 & 15ème. mille ditto ditto,	50 0 0
Mr. Charles P. Huot, Notaire, 7 arpents du 18ème. mille,	50 0 0
Joseph Potevin, 11ème. mille—certificat 10 novembre 1828,	37 10 0
	<u>£312 10 0</u>

Mr C. H. Gauvreau, notaire, son compte.

Louis Simar, 9ème. mille—certificat en date 10 novembre 1828,	£37 10 0
Baptiste Boily, 17ème. mille ditto ditto	37 10 0

Noms de ceux qui désirent de contracter, et se bâtissent maintenant sur le dit chemin,

Rémi Tremblé, près du 6ème. mille.
Louis Gobeil, du 15ème. do.
Archibald McLean, du 20ème. do.
Thomas Nugent, entre le 21 & 22ème. mille.

Baie St. Paul, 24 novembre 1828.

GEO. CHAPERON,
J. LEVESQUE,
J. BTE. DUPÈRE, } Commissaires.

LE Gouvernement de la Province du Bas-Canada, en Compte avec Isaac Gouverneur Ogden; ecuyer, pour diverses dépenses et déboursés pour le soulagement des personnes dérangées dans leur esprit, et pour le support des enfans abandonnés dans les District des Trois-Rivières; depuis le 11 Octobre 1827, jusqu'au 10 Octobre 1828, inclusivement.

DR.

Index et No. des pièces justificatives.

Support des pauvres et destitués. A. 1827.	
Oct. 12. Payé Truman Alger, son allowance pour six mois au 10 courant,	1. £5 14 4½
Porté ci-contre.	£5 14 4½

Appendice (J.)
5 Decr.

Appendix
(J.)
5th Decr

Appendice
(J.)
5 Déc.

		Brought over	£5 14 4½		
		Letter and number of Voucher.			
1827.					
Oct. 12.	To paid J. Pigott, for drawing out copies of account for Legislature,	2.	1 0 0		
1828.		C.10.			
Oct. 10.	Do Truman Alger his allowance for 12 months,	A1.	11 1 10½		
	<i>Relief of Insane Persons.</i>	B.		17 16 3	
April 10.	Do. the Depositaire, for care &c. of the Insane in the cells, from 11th October last to this date, and Stove hire,	1.	56 2 4		
" "	Ditto Ellen Kent, for attendance upon Lunatic Females in Gaol, as pr. Civil Secretary's Letter of the 19th July last,	2.	9 3 0		
June 20.	Ditto Woolfworth & Dickson, for sundry articles for use of Insane,	I.	8 10 3		
Oct. 10.	Ditto the Depositaire, for care, &c. of the Insane in the Cells for the last six months,	2.	50 3 1		
" "	Ditto Ellen Kent, for attendance upon Lunatic Females, as per Civil Secretary's Letter of the 19th July 1827,	3.	9 3 0		
" "	Ditto E. Smith, for work done for Insane,	4.	1 8 6		
	<i>Maintenance and Support of Foundlings.</i>	C.		134 10 2	
1827.					
Decr. 6.	Ditto René Kimber, for Sundries for use of Foundlings,	1.	7 17 2		
1828.					
Jany. 22.	Ditto Louis Dupont, for care, &c. of Foundlings, from 10th October last to 10th inst.	2.	2 7 6		
March 1.	Ditto Marie Perigord, for do. of do. from 11th Oct. to 10th Feby. last,	3.	25 0 0		
5.	Ditto Marie Noel, for do. of do. from 10th Oct. last to 10th Feby. last,	4.	6 0 0		
April 10.	Ditto Marie Perigord, for do. of do. from 10th Feb. last to this date,	5.	12 10 0		
" "	Do. do. her Account for work done for ditto,	6.	1 3 4		
" "	Ditto Marie Noel, for care, &c. of Foundlings, from 10th Feb. last to this date,	7.	3 0 0		
" "	Ditto Dr. Carter, for Medicines & attendance on Insane and Foundlings, from 11th Oct. last to this date	8.	12 15 9		
" "	Ditto Louis Dupont, care, &c. of one Foundling for 3 months,	9.	2 5 0		
18.	Ditto Jos. Remie Toupin, for Shoes for Foundlings,	1.	1 6 6		
May 20.	Ditto Joseph Pacaud, for Sundries for use of Foundlings,	2.	0 10 0		
July 7.	Ditto Marie Turcotte, for work done for Foundlings,	3.	0 6 4½		
10.	Ditto Louis Dupont, for care, &c. of a Foundling, for last three months,	4.	2 5 0		
17.	Do. Antoine Lasonde for do. of a do. from 17th May last to this date,	5.	1 6 3		

Carried forward, £78 12 10½ 152 6 5

		Montant d'autre part,	£5 14 4½		
		Index et No. des pièces justificatives.			
1827.					
Oct. 12.	Payé J. Pigott, pour cinq Copies du Compte pour la Legislature,	2.	1 0 0		
1828.		C.10.			
Oct. 10.	Ditto Truman Alger, son Allouance pour 12 mois,	A1.	11 1 10½		
	<i>Soulagement des Personnes dérangés dans leur esprit.</i>	B.		17 16 3	
Avril 10.	Payé la Dépositaire pour le soin des Loges, depuis le 11 Oct. 1827 jusqu'au 10 Avril 1828, et pour loyer d'un Poêle pour les Loges,	1.	56 2 4		
" "	Ditto Ellen Kent, pour son service auprès des Femmes infensées, dans la Prifon, conformément à la Lettre du Secrétaire Civil en date du 19 Juillet dernier,	2.	9 3 0		
Jun 20.	Ditto Woolfworth & Dixon, pour diverses fournitures pour les Insensés,	I.	8 10 3		
Oct. 10.	Ditto la Dépositaire, pour le soin des Loges pour le derniers six mois,	2.	50 3 1		
" "	Ditto Ellen Kent, pour son service au près des Femmes infensées, dans la Prifon,	3.	9 3 0		
" "	Payé E. Smith, pour Ouvrage fait pour les Insensés,	4.	1 8 6		
	<i>Support des Enfants abandonnés.</i>	C.		134 10 2	
1827.					
Déc. 6.	Payé René Kimber, pour diverses fournitures pour les Enfants,	1.	7 17 2		
1828.					
Janv. 22.	Ditto Louis Dupont, Pension et soin des Enfants, depuis le 10 d'Octobre jusqu'au 10 courant,	2.	2 7 6		
Mars 1.	Ditto Marie Périgord, pour ditto ditto depuis 11 Octobre jusqu'au 10 Février dernier,	3.	25 0 0		
5.	Ditto Marie Noel, do. des do. depuis 11 Octobre jusqu'au 10 Février dernier,	4.	6 0 0		
Avril 10.	Ditto Marie Périgord, pour ditto des ditto depuis 10 Février dernier,	5.	12 10 0		
" "	Ditto ditto pour ouvrage fait pour ditto,	6.	1 3 4		
" "	Ditto Marie Noel, pour pension et soins des Enfants depuis 10 Février,	7.	3 0 0		
" "	Payé Dr. Carter, pour soins et médicines aux Enfants malades,	8.	12 15 9		
" "	Ditto Louis Dupont, pension et soins d'Enfants pour 3 mois,	9.	2 5 0		
18.	Ditto Joseph Rémi Toupin, pour souliers pour les Enfants-trouvés,	1.	1 6 6		
Mai 20.	Ditto Joseph Pacaud, pour diverses fournitures pour les Enfants,	2.	0 10 0		
Juillet 7.	Ditto Marie Turcotte, pour Ouvrage fait pour les Enfants-trouvés,	3.	0 6 4½		
10.	Ditto Louis Dupont, pour pension et soins d'un Enfant pendant 3 mois,	4.	2 5 0		
17.	Ditto Antoine Lasonde, pour ditto depuis 17 Mai dernier,	5.	1 6 3		

Porté ci-contre, £78 12 10½ 152 6 5

Appendix
(J.)
5th Dec.

Brought forward, £78 12 10½ 152 6 5

1828.	Letter and number of voucher.			
July 26.	To paid Marie Noel, for care, &c. of two Foundlings, from 11th April to 10th June,	6.	3	0 0
"	Ditto Antoine Lasonde, for care, &c. of a Foundling, and for funeral charges,	7.	0	8 9
Sept. 6.	Ditto Margaret Perigord, for care, &c. of 4 Foundlings, from 11th June to 10th August inclusive,	8.	7	12 4
15.	Ditto Marie Perigord, for care, &c. of seven Foundlings, from 11th April to 10th June last inclusive.	9.	12	10 0
"	Ditto do. for care &c. of three do. from 11th June to 10th August inclusive,	10.	6	3 1
"	Do. do. for work done for ditto,	11.	0	11 10
Oct. 10.	Ditto Louis Dupont, for care, &c. of one Foundling, from 11th July to this date,	12.	2	12 6
"	Ditto Dr. Carter, for Medicines and attendance upon Insane and Foundlings, from the 11th April last to this date inclusive,	13.	14	8 4
"	Ditto Margaret Perigord, for care, &c. of 4 Foundlings, from 11th August to this date inclusive, and funeral charges of one child,	14.	6	6 8
"	Ditto Marie Perigord, for do. of three do. from 11th August to this date,	15.	5	0 0
"	Ditto Marie Turcotte, care &c. of two do. from 11th June to this date,	16.	6	0 0
"	Ditto R. Kimber, for Sundries furnished for Foundlings,	17.	7	7 4
				£150 13 8½

CR.

March.	By Warrant No. 1841,	£150	0	0
	By do. " 2132,	1	1	5½
June.	By do. " 2135,	150	0	0
Oct. 10.	By Balance due J. G. Ogden, Esquire,	1	18	8
				£303 0 1½

Three-Rivers, 15th Nov. 1828.

J. G. OGDEN

Montant d'autre part, £78 12 10½ 152 6 5

1828.

1828.	Index et No. des pièces justificatives.			
Juillet 26.	Payé à Marie Noël, pour soin de 2 Enfants depuis 11 Avril jusqu'au 10 Juin,	6.	3	0 0
"	Ditto Antoine Lasonde, pour pension et soins et enterrement d'un Enfant,	7.	0	8 9
Sept. 6.	Do. Mgt. Périgord, pour do. de quatre ditto depuis 11 Juin jusqu'au 10 Août, inclusivement,	8.	7	12 4
15.	Ditto Marie Périgord, pour ditto de Sept. ditto depuis 11 Avril jusqu'au 10 Juin, inclusivement,	9.	12	10 0
"	Ditto ditto pour ditto de 3 ditto depuis 11 Juin jusqu'au 10 Août,	10.	6	3 1
"	Ditto ditto pour ouvrage fait pour ditto,	11.	0	11 10
Oct. 10.	Ditto Louis Dupont, pour soins d'un Enfant depuis 11 Juillet,	12.	2	12 6
"	Ditto Dr. Carter, pour médecines et soins aux Insensés et Enfants-Trouvés, pendant les derniers six mois,	13.	14	8 4
"	Ditto Margte. Périgord, pour pension et soins de 4 Enfants, depuis 11 Août jusqu'à cette date, et pour enterrement d'un Enfant,	14.	6	6 8
"	Ditto Marie Périgord, pour ditto de trois ditto, depuis 11 Août,	15.	5	0 0
"	Ditto Marie Turcotte, pour ditto de deux ditto depuis 11 Juin,	16.	6	0 0
"	Ditto R. Kimber, pour diverses fournitures pour les Enfants,	17.	7	7 4
				£150 13 8½

AVOIR.

Mars.	Par Warrant No. 1841,	£150	0	0
	Ditto 2132,	1	1	5½
	Ditto 2135,	150	0	0
Oct. 10.	Balance due à J. G. Ogden, Ecuyer,	1	18	8
				£303 0 1½

Trois-Rivières, 15 Novembre 1828.

J. G. OGDEN,

Appendix
(K.)
9 Decr.

STATEMENT of the Amount of the Capital Stock paid into the Bank of Montreal, of the Debts due to the same, of the Monies deposited, of the Notes in Circulation, and of the Cash on hand belonging to the said Bank, on the 1st December 1828.

CAPITAL STOCK—				
85 per cent. paid in on	£250,000, is	£212,500		
Less this Amount to be received from non-resident Stockholders,	2,665		£209,835	0 0
Debts due to the Bank, including the cost of the Building,		398,092	12	10
Monies deposited,		94,785	10	11
Bank Notes in circulation,		148,639	15	0
Cash on hand,		72,808	16	6

We do hereby certify to the best of our knowledge and belief, that

Appendix
(K.)
9 Decr.

ETAT du Montant des Fonds versés dans la Banque de Montréal, des Dettes qui lui sont dues, des Deniers qui y sont déposés, des Billets en circulation, et des Deniers en caisse, appartenans à la dite Banque, au 1er Décembre 1828.

FONDS EN PRINCIPAL.				
85 par cent payé sur	£250,000, forme	£212,500		
moins le montant à recevoir des Actionnaires non résidens, qui est de	2,665		£209,835	0 0
Dettes dues à la Banque—compris le cout de la Bâtisse,		398,092	12	10
Deniers déposés,		94,785	10	11
Billets en circulation,		148,639	15	0
Deniers en caisse,		72,808	16	6

Nous certifions par le présent, qu'au meilleur de notre connois-

Appendix (K.)
9th Decr

The above Statement of the affairs of the Bank of Montreal, is correct.

Directors. JOHN MOLSON, President.
JOHN FLEMING, V. P.
PETER MCGILL,
G. MOFFATT,
JOHN TORRANCE,
HORATIO GATES,
JOSEPH MASSON,
CHAS. BROOKE,
JOHN TRY,
WM. LUNN.

Sworn before me at Montreal,
this 5th day of Decr. 1828.
WM. ROBERTSON, J.P.

Directors absent—James Leslie, Esq., Hon. John Forsyth,
Wm. Blackwood, Esq.

STATEMENT of the FUNDS of the QUEBEC BANK, shewing the Amount of the Capital Stock paid in, of the Debts due to the same, and of the Monies deposited, of the Notes in circulation, and of the Cash in hand :—

Capital paid in,	£64,645 0 0
Debts due to the Bank,	133,316 14 3
Deposits,	32,668 17 1
Notes in Circulation,	44,328 15 0
Cash in hand,	14,710 8 11

Quebec, 2d Decr. 1828.

Directors, W. G. SHEPPARD, President.
C. SMITH, Vice-President.
JERE. LEAYCRAFT,
JOS. LEBLOND,
J. JONES, junr.
JAMES BLACK,
J. S. CAMPBELL.

Sworn to before me this 2d of
December 1828.
NOAH FREER, J.P.

MONTREAL, 3d Decr. 1828.

SIR,

At the request of the President and Directors of the Bank of Canada, I now hand you a Statement of the Affairs of that Institution, as they now stand, in conformity to the Resolution of the House of Assembly.

I have the honour to be,

Your most obedient Servant,

WILLIAM PEDDIE,
Acting for the President and Directors of
the Bank of Canada.

Notes in Circulation,	£3505 0 0
Deposits,	152 0 0
Capital paid in,	3812 10 0
Debts due to the Bank,	5861 15 5
Cash on hand,	685 0 0

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

REPORT of the Commissioners appointed for the District of Quebec, to carry into execution the Act of the 6th Geo. IV. cap. 12, intituled, "An Act to appropriate certain Sums of Money towards the support of certain Hospitals and other charitable purposes therein mentioned."

Appendix (L.)
9th Decr.

THE Commissioners have the honor to represent to Your Honorable House, that the above mentioned Act is expired; and that notwithstanding, they have continued to act in their said quality, at the request of His Excellency The Earl of Dalhousie, late Governor in Chief.

The Commissioners, in submitting to Your Honorable House, the Accounts of the Commission, think it their duty to remark, that the Cells of the General Hospital are insufficient to hold the number of Insane persons which are at the charge of the Commission: some of them have been placed in the Common Gaol of the District for the want of room in the Cells.

That to obviate this inconvenience, the Commissioners think it will be expedient to grant a sufficient sum to enable them to increase the number of the Cells.

That they notice with regret that the number of persons confided to their care augment in proportion to the population.

sance et croyance, l'état ci-dessus des affaires de la Banque de Montréal, est fidèle.

Directeurs. JOHN MOLSON, Président.
JOHN FLEMING, V. P.
PETER MCGILL,
G. MOFFATT,
JOHN TORRANCE,
HORATIO GATES,
JOSEPH MASSON,
CHARLES BROOKES,
JOHN TRY,
WM. LUNN.

Affirmé devant moi à Montréal,
ce 5ème jour de décembre 1828.
WM. ROBERTSON, J. P.

Directeurs absens :—James Leslie, Ecr., L'Hon. John Forsyth, et
Wm. Blackwood, Ecuyer.

ETAT des FONDS de la Banque de Québec, faisant voir le montant du principal qui a été versé, les Dettes qui lui sont dues, les Deniers qui y sont mis en dépôt, les Billets en circulation, et les Deniers en caisse.

Principal versé,	£64,645 0 0
Dettes dues à la Banque,	133,316 14 3
Dépôts,	32,668 17 1
Billets en circulation,	44,328 15 0
Deniers en caisse,	14,710 8 11

Québec, 2 Décembre 1828.

Directeurs, W. G. SHEPPARD, Président.
C. SMITH, V. Président.
JER. LEAYCRAFT,
JOS. LEBLOND,
J. JONES, junr.
JAMES BLACK,
J. S. CAMPBELL.

Affirmé devant moi ce
2 décembre 1828.
NOAH FREER, J.P.

MONTREAL, 3 Décembre 1828.

Monsieur,

Au désir du Président et des Directeurs de la Banque du Canada je vous transmets un aperçu des affaires de cette Institution, dans l'état où elles se trouvent actuellement, et ce, en conformité à la Résolution de la Chambre d'Assemblée.

J'ai l'honneur d'être,

Votre très-obeissant Serviteur,

WILLIAM PEDDIE,
Agissant pour le Président et les
Directeurs de la Banque du Canada.

Billets en circulation,	£3505 0 0
Dépôts,	152 0 0
Principal versé,	3812 10 0
Dettes dues à la Banque,	5861 15 5
Deniers en caisse,	685 0 0

Aux Honorables Chevaliers, Citoyens et Bourgeois de la Province du Bas-Canada, assemblés en Parlement Provincial.

RAPPORT des Commissaires nommés pour le District de Québec pour l'exécution de l'Acte de la 6ème année de George IV. cap. 12, intitulé, "Acte pour affecter certaines sommes d'argent pour le soutien de certains Hôpitaux, et autres objets de charité y mentionnés."

LES Commissaires ont l'honneur de représenter à Votre Honorable Chambre que l'Acte ci-dessus est expiré, et que nonobstant cela, ils ont continué à agir en cette qualité à la sollicitation de Son Excellence le Comte de Dalhousie, ci-devant Gouverneur en Chef.

Les Commissaires, en soumettant à Votre Honorable Chambre les Comptes de la Commission, croient devoir remarquer que les Loges de l'Hôpital-Général sont insuffisantes pour contenir le nombre des personnes dérangées dans leur esprit, et qui sont aux charges de la Commission, quelques-unes de ces personnes même ont été enfermées dans la Prison commune de ce District, faute de place dans les Loges.

Que pour obvier à cet inconvénient, les Commissaires pensent qu'il seroit nécessaire de leur allouer une somme suffisante afin de les mettre en état d'augmenter le nombre des Loges.

Qu'ils apperçoivent avec regret que le nombre des personnes confiées à leurs soins augmente en raison de la population.

Appendice (K.)
9 Dec.

Appendice (L.)
9 Dec.

Appendix
(L.)
9th Decr.

Appendice
(L.)
9 Decr.

That notwithstanding the system of economy which the Commission has adopted, the expense for the current year cannot be less than £2200.

Que nonobstant le système d'économie que la Commission a adopté, la dépense de l'année courante ne pourra être moindre que £2200.

The whole humbly submitted.

Le tout humblement soumis.

THOs. WILSON,
Wm. HOLMES,
JOS. EV. DE FUSSALA, Curé de Québec.
G. J. MOUNTAIN, D. D.
FRs. DURETTE, Treasurer.
C. D. PLANTE', Secretary.

THOs. WILSON,
Wm. HOLMES,
JOS. EV. DE FUSSALA, Curé de Québec.
G. J. MOUNTAIN, D. D.
FRs. DURETTE, Trésr.
C. D. PLANTE', Sectre.

Quebec, 6th Decr. 1828.

Québec, 6 décembre 1828.

THE Government of the Province of Lower-Canada in Account Current with François Durette, Treasurer, for the Insane, Infirm, Invalids and Foundlings in the District of Quebec.

LE Gouvernement de la Province du Bas-Canada en compte courant avec François Durette, Trésorier pour les Insensés, Infirmes, Invalides et Enfants-Trouvés dans le district de Québec.

DR.

DT.

1827.

1827.

Novr. 20. To Cash paid the Religious Ladies of the General Hospital of Quebec, being the amount of their Account enclosed herewith, for the Invalids and Infirm, from 1st May to 31st October 1827,	£255 4 0
To Cash paid the same Ladies, the amount of their Account for the Insane, from the 1st May to 31st October 1827,	293 16 0
To Cash paid the R. Ladies, General Hospital, a Balance due them by the late Treasurer, on the Account rendered 1st May last, enclosed herewith,	53 17 4
To Cash paid to the Hotel-Dieu, for the support of Foundlings, for the half year ended the 31st October 1827, as per Account herewith,	221 15 4
To Cash paid to the Hotel-Dieu, a Balance due by the late Treasurer, on their Account to the 1st May last, herewith inclosed,	19 19 9
	£844 12 5

20 Novbre. Argent payé aux Dames Religieuses de L'Hôpital-Général de Québec, étant le montant de leur compte ci-inclus, pour les Invalides et Infirmes, depuis le 1er. Mai au 31 Octobre 1827,	£255 4 0
Argent payé aux dites Dames, montant de leur compte pour les Insensés, depuis le 1er. Mai au 31 Octobre 1827,	293 16 0
Argent payé aux Révérendes Dames de l'Hôpital-Général, balance à elles due par le ci-devant Trésorier, sur le compte rendus le 1er. Mai dernier, et inclus avec le présent,	53 17 4
Argent payé à L'Hôtel-Dieu, pour le soutien des Enfants-trouvés, pour le semestre fini le 31 Octobre 1827, selon compte ci-annexé,	221 15 4
Argent payé à L'Hôtel-Dieu, balance due par le ci-devant Trésorier, sur le compte du 1er. Mai dernier, inclus avec le présent,	19 19 9
	£844 12 5

CR.

AVOIR.

1827.

1827.

Novr. 19. By Cash received by Warrant of His Excellency the Governor in Chief, from the Receiver-General, £760 3s. 3d. Sterling,	£844 12 5
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19 Novbre. Par Argent reçu, en vertu du warrant de Son Excellence le Gouverneur en Chef, par les mains du Receveur-Général, Sterling, £760 3s. 3d.	£844 12 5
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Errors excepted.

Sauf Erreurs et Omissions.

Quebec, 1st Decr. 1827.

Québec, 1er. décembre 1828.

FRs. DURETTE, Treasurer.

FRs. DURETTE, Trésorier.

(Copy.)

(Copie.)

GENERAL HOSPITAL,
28th November, 1828.

HÔPITAL-GÉNÉRAL,
28 Novembre 1828.

SIR,

Monsieur,

In answer to your enquiry relative to the Infirm which are maintained in our Hospital, we have 28 who are at the charge of the Commission, 11 Men and 17 Women; and we can admit 12 more Women, in consequence of a small Ward which we caused to be built in an apartment which before served us as a Granary.

Conformément à ce que vous désirez savoir relativement aux Infirmes qui sont entretenus dans notre Hôpital, nous en avons 28 qui sont aux charges de la Commission, 11 hommes et 17 femmes; et nous pouvons admettre 12 femmes de plus, par le moyen d'une petite salle que nous avons fait ériger dans un appartement qui nous servoit ci-devant de grénier.

We have twenty-four Cells: eighteen have been built at the expense of the Commission, and six belong to the Communauté; they are all occupied: There are twenty of these poor unfortunates at the charge of the Commission, and the others are at our expense.

Nous avons vingt-quatre loges; dix-huit ont été bâties aux frais de la Commission, et six appartiennent à la Communauté; elles sont toutes occupées. Il y a vingt de ces pauvres malheureux aux charges de la Commission, et le surplus est à nos charges.

I have the honor to be,

J'ai l'honneur d'être

Very respectfully, Sir,

bien respectueusement, Monsieur,

Your most humble and

Votre très-humble et

Obedient Servant,

très-obéissante servante,

(Signed) SR. ST. JOSEPH, Supr.

SR. ST. JOSEPH, Supre.

Thomas Wilson, Esquire,
Quebec.

Thomas Wilson, Ecuyer,
Québec.

True Copy.

Vraie Copie.

C. D. PLANTE', Secy.

C. D. PLANTE', Sec.

(Copy.)

(Copie.)

HOTEL-DIEU OF QUEBEC,
2d December 1828.

HÔTEL-DIEU DE QUEBEC,
2 Décembre 1828.

SIR,

Monsieur,

I have the honour to acquaint you that there are sixty-

J'ai l'honneur de vous informer qu'il y a soixante huit En-

Appendix
(L.)
9th Decr.

eight Foundlings at the charge of the Commission; five at forty dollars a year, and sixty-three at thirty.

I have the honor to be,
Your very humble Servant,

(Signed) SR. STE. AMBROISE.

Thomas Wilson, Esquire,
Quebec.

True Copy.
C. D. PLANTE', Secy.

The Government of the Province of Lower-Canada in Account Current with the Commissioners appointed for the District of Quebec, for the management of the Infirm, Insane, Invalids and Foundlings.

DR.

1828.	May 14.	To Cash paid to the Hotel Dieu, as per Account, for the Foundlings, from 1st Novr. 1827 to 30th April 1828,	£254	15	4½
		To ditto ditto to the General Hospital, per Account for the Invalids and Infirm, from 1st Novr. 1827 to 30th April 1828,	261	1	0
		To ditto ditto ditto for the Insane,	316	8	4
		To ditto ditto Louis Massue & Co. as per their Account,	88	19	0
		To ditto ditto Charles Chateauvert, as per his Account,	4	10	0
		To errors in Nuns' Account,	9	10	0
			<hr/>		
			£935	3	8½

CR.

1828.	May 14.	By Cash received by Warrant of the Governor in Chief, from the Receiver General, Sterling, £800,	£888	17	8½
	Sept. 19.	By ditto ditto from ditto ditto Sterling, £41 13s. 5d,	46	16	0
			<hr/>		
			£935	3	8½

Account of the other six months.

DR.

1828.	October 31.	To Account from the General Hospital for the Invalids, from 1st May to 31st October 1828,	£262	10	0
		To ditto ditto for the Insane, 337 3 4	337	3	4
			<hr/>		
		To ditto ditto from Hotel-Dieu for the Foundlings,	274	16	9
		To ditto from Louis Massue & Co. for Clothing for the Foundlings,	10	0	0
			<hr/>		
			£884	10	1

CR.

1828.	Novr. 11.	By Cash received from the Receiver-General, by order from the Governor in Chief, Sterling, £796 1 1	£884	10	1
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Errors excepted.

Quebec;
FRS. DURETTE, Treasurer.

Appendice
(L.)
9 Dec.

fans-trouvés aux charges de la Commission, cinq de quarante piastres par année, et soixante et trois de trente.

J'ai l'honneur d'être,
Votres très-humble Servante,

(Signé) SR. STE. AMBROISE.

Thomas Wilson, Ecuyer,
Québec.

Vraie Copie.
C. D. PLANTE', Sec.

Le Gouvernement de la Province du Bas-Canada, en Compte Courant avec les Commissaires nommés pour le District de Québec, pour la direction des Infirmes, des Invalides et des Enfants-trouvés.

DT.

1828.	14 Mai.	Argent payé à L'Hôtel Dieu, suivant compte, pour les Enfants-trouvés, depuis le 1er. Nov. 1827, au 30 Avril 1828,	£254	15	4½
		Ditto Ditto à L'Hôpital-Général, suivant Compte, pour les Invalides et Infirmes, depuis le 1er. Novembre 1827 au 30 Avril 1828,	261	1	0
		Ditto Ditto Ditto pour les Insensés,	316	8	4
		Ditto Ditto Ditto Ditto, Louis Massue & Compagnie, selon leur Compte,	88	19	0
		Ditto Ditto, Charles Chateaurvert, selon son Compte,	4	10	0
		Erreurs dans le Compte des Religieuses,	9	10	0
			<hr/>		
			£935	3	8½

AVOIR.

1828.	14 Mai.	Argent reçu sur warrant de Son Excellence le Gouverneur en Chef, par les mains du Receveur-Général, Stg. £800,	£888	17	8½
	19 Sépt.	Ditto Ditto de Ditto Ditto, Stg. £41 13s. 5d.	46	16	0
			<hr/>		
			£935	3	8½

Compte pour le semestre suivant.

DT.

1828.	31 Octobre.	Compte de L'Hôpital-Général, pour les Invalides, depuis le 1er. Mai au 31 Octobre 1828,	£262	10	0
		Ditto ditto, pour les Insensés, 337 3 4	337	3	4
			<hr/>		
		Ditto de L'Hôtel-Dieu, pour les Insensés,	274	16	9
		Ditto de Louis Massue & Cie. pour vêtements pour les Enfants-Trouvés,	10	0	0
			<hr/>		
			£884	10	1

AVOIR.

1828.	11 Nov.	Argent reçu du Receveur-Général, par les ordres du Gouverneur en Chef, Sterling, £796 1s. 1d.	£884	10	1
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Sauf Erreurs.

Québec;
FRS. DURETTE, Trésorier.

LIST of the Writs of *Capias ad Respondendum*, issued out of the Court of King's Bench, for the District of Montreal, directed to the Sheriffs of the said District, between the first day of January One thousand and seven hundred and ninety four, and the twentieth day of October One thousand eight hundred and twenty eight, and the Names of the Persons against whom such Writs have issued, and the Amount demanded by each; made in obedience to the Order of His Excellency the Administrator of the Government.

Appendix
(M.)
12th Dec.

TABLEAU des Mandats de *Capias ad Respondendum*, émanés de la Cour du Banc du Roi du District de Montréal, adressés au Shérif du dit District entre le premier jour de Janvier Mil sept cent quatre-vingt-quatorze, et le Vingtième jour d'Octobre Mil huit cent vingt-huit, avec les Noms des Personnes contre lesquels tels Mandats ont été émanés et les Sommes demandées; en obéissance à l'Ordre de Son Excellence l'Administrateur du Gouvernement.

RECEIVED.	NAMES.	RECEIVED.	NAMES.
1794.		1797.	
Jany. 11.	Thos. Sketchly,	Sept 22.	Geo. Forsyth,
Feby. 25.	Cornelius E. Yates,	„ „	Chs. Ames,
April. 16.	Raymon De Grey,	„ 23.	Seymour & Hunter,
May 20.	Angus M'Donald,	Octr. 14.	William Fortune,
June 2.	John Empey,	„ „	Acher Osborne,
Sept. 2.	Simeon Covell,	„ 27.	Geo. Westphal,
„ 26.	John Jones,	Nov. 18.	Saml. Sherwood,
Nov. 10.	Benj. Leroux,	„ „	Same,
„ „	Same,	Decr. 7.	Daniel Jones,
1795.		1798.	
March. 10.	John Ferguson,	Jany. 17.	Reuben E. Taylor,
11.	The same,	„ 22.	Jacob Tyler,
12.	Cornelius Monro,	„ 31.	Alexander Cuthbert,
18.	Angus M'Donald,	Feby. 6.	Catels Powers,
April 6.	Samuel Andres,	„ 16.	Jacob Tyler,
27.	John Wade,	„ 19.	John Jones,
May 4.	Joshua Hutchins,	„ 28.	Silas Pearson,
11.	Etienne Charbonneau,	March 3.	James Wilson,
22.	Amable Foucher,	„ 17.	Henry Bochart,
26.	Paul Rogers,	„ „	Achbel Hull,
June 19.	Charles Ingram,	April 5.	Julien Desrivieres,
22.	Paul Rogers,	„ 6.	Same,
30.	Fk. Devos,	„ 16.	Henry Rochart,
July 1.	Rossiter Hoyle,	„ 18.	Neil McKay,
13.	Chs. Bennett,	„ 20.	Julien Desrivieres,
Aug. 15.	George Hawley,	„ 21.	Henry Cotté,
Sep. 12.	Samuel Blanchard,	„ 28.	Henry Hay,
Oct. 1.	Henry Hall,	May 31.	Joseph Osborne,
Nov. 21.	Alex. Robertson,	June 18.	Joshua T. Cozens,
Dec. 12.	Angus McDonell,	„ „	Joseph Osborne,
14.	John Ferguson, senr.	„ 27.	William Holt,
14.	Alex. Fraser,	July 6.	Phineas Bagg,
1796.		„ 13.	Same,
Feby. 15.	James Webster,	„ 25.	Elmer Cushing,
March 7.	Alexander Fraser,	August 6.	François Perault,
April 21.	Elmer Cushing,	„ 15.	Pierre G. Cotte,
„ „	John Oakes,	„ „	The same,
22.	Joseph Osburne,	„ 20.	Chs. Duchouquet,
30.	Ad. Grant,	„ 21.	Daniel Campbell,
May 2.	Théodore de Pincier,	Septr. 4.	Jas. Larocque,
21.	Jonathan Fessett,	„ 11.	Julien Desrivieres,
June 15.	Louis A. R. Duplessis,	„ 21.	John B. Ricketts,
July 6.	S. Fassei, senr.	„ 29.	Colin McNabb,
Aug. 31.	Dd. J. & Jno. Jackson,	October 6.	William Ross,
Sept. 7.	Zila Tuttle,	„ 9.	Jean B. Dubonde,
„ „	John Ferguson,	„ 15.	John Heaffer,
Octr. 5.	Andrew Henry,	„ 25.	Ditto,
„ 12.	Chs. Crotchley,	Novr. 2.	John Hoople,
1797.		„ 5.	John Wilson,
Feby. 18.	Thomas Todd,	„ 14.	Angus R. M'Donald,
April 15.	Elmer Cushing,	„ 29.	Stephen Story,
„ „	Same,	Decr. 10.	Rheuben Waits,
May 2.	Mathurin Fournaise,	1799.	
„ 18.	William Darling,	January 5.	Pierre Papinault,
June 21.	Richard Porter,	„ 18.	Phillip Brookman,
„ 27.	Reubin Taylor,	„ „	Jos. Vielle dit Cosse,
July 21.	William Moffatt,	„ 26.	Donald M'Donald,
„ 24.	Aug. Francœur,	„ 30.	Thomas Prior,
August 2.	Jas. Mercure & Jn. Mercure,	Feby. 5.	Thomas Sketchly,
„ 17.	Arch. Montgomery,	„ 27.	John M'Kinstry,
„ 25.	Acher Osborne,	March 28.	John Allen,
„ 26.	Moses Stratforth,	April 10.	Ditto,
		„ 19.	Seraphim Lamarre,

Appendix
(M.)
12th. Dec.

RECEIVED.		NAMES.		£	s.	d.	RECEIVED.		NAMES.		£	s.	d.
1799.							1802.						
April	30.	Eustache Sabourier,		17	19	2	August	3.	Joseph Hocple,		102	10	10
		„ Louis Boileau,		45	19	2½	„	„	Simeon Chisley,		24	15	0
May	4.	Joseph Roy,		28	1	10	„	11.	R. O. Farrelle Frende,		68	1	6
		„ Augustin Beauvais,		30	2	6	„	20.	Hypolite Hertell,		24	10	9
		„ Louis Lemai,		126	7	4	„	26.	Ditto		31	1	10½
		„ Frederick Singer,		372	16	2½	Septr.	13.	Ph. L'Ecuyer,		12	10	0
	6.	Jean J. Renaud,		20	3	1½	„	17.	Benj. Jobert,		19	5	0
	7.	Hyacinthe Perrault,		12	0	0	„	30.	Jac. Gibson,		55	11	1
		„ Louis Lamagdalaine,		11	2	6	Novr.	2.	John Butler Grout,		49	3	4
	8.	Pierre Joly,		12	10	0	„	10.	Jos. des Troismaisons,		518	18	½
		„ François Beaubien,		101	0	10	„	23.	Et. Dorion,		74	6	8
June	3.	Louis Lorrain,		24	4	0	„	26.	Ditto,		75	10	0
		„ Ditto,		14	9	6	„	„	Ditto,		37	2	0
	19.	Pierre Boucherville,		19	19	6	„	„	Ditto		55	11	2
July	1.	John Curry,		31	5	5	„	„	Ditto,		42	10	6
Sept.	16.	Jean B. Larose dit Lafatte,		22	10	0	„	„	Ditto,		25	15	0
	24.	Ant. D. Beaubien,		47	9	11	Decr.	11.	Ph. Dempsey,		143	15	10
	25.	Ditto,		19	9	3	„	27.	James Tundall,		18	13	11
October	5.	Eleazer Marble,		20	7	1	1803.						
1800.							Jany.	15.	John Duboyce,		128	17	5
January	11.	Simeon Clement,		24	10	0	Febry.	5.	Elisha Banning,		23	3	9
Febry.	15.	William Mills,		11	10	0	„	10.	Richard Whartfe,		336	3	6
	22.	Isa Trot,		100	0	0	„	16.	J. P. & J. Patterson,		74	0	½
March	8.	Jonathan Sills,		52	0	0	„	26.	Antoine Maranda,		20	0	0
	19.	Isaac B. Tyler,		35	15	6	March	19.	François Trudeau,		252	16	2
March	31.	John Spaldin,		50	0	0	„	21.	Ditto,		252	16	2
April	26.	Benj. Throuin,		117	11	10	April	21.	François Radoule,		14	2	6
„	28.	Louis Peltier,		12	10	0	„	„	Frs. Thoiver,		14	7	6
May	29.	Michel Courcolle,		43	6	6½	„	„	Pierre Mineau,		35	14	10
July	2.	Leonard Stoneburner,		80	0	0	„	22.	Joseph Rouleau,		12	15	8½
„	5.	Frs. Scott & A. Montgomery,		119	10	7	„	„	J. Bte. Jacques,		71	7	2
„	„	Jas. Griffin,		247	0	1	„	23.	John Thompson,		14	13	4
„	10.	William Merrick,		139	15	7	„	„	William Thorlieme,		82	5	9
„	„	John Covell,		34	13	0	„	„	Louis Morand,		30	1	3
„	„	Peter Grant,		43	3	6	May	4.	A. J. dt. Riendau,		11	15	0
„	22.	Robert M'Gregor,		19	5	6½	„	9.	William Demont,		14	0	6
„	30.	John Syla,		275	0	0	„	12.	William Thornborn,		41	11	2
August	25.	Daniel Smith,		40	0	0	„	30.	William Johnson,		25	0	0
Sept.	11.	John Hall,		70	0	0	June	13.	John P. Dimock,		12	10	0
„	„	John McCauley,		22	1	11	„	14.	Thomas Proctor,		46	13	7
„	16.	John Matthews,		111	10	0	„	27.	Phillip Myers,		60	0	0
„	20.	Same and R. Wait,		249	15	10½	July	1.	Squire Ferris,		30	0	0
„	27.	Jos. Gaudin,		22	11	5	„	28.	Joseph Beaunes, fils,		13	5	7
October	2.	Ant. Tabeau,		1326	9	9	Sept.	19.	Nicholas Palmer,		17	14	5½
„	9.	David Brown,		73	15	4	„	26.	Joseph Collins,		167	12	0
„	16.	Honoré Bailli,		25	13	5	„	„	James Durand,		444	16	8
Novr.	17.	John Cole Price,		13	13	6	„	„	Joseph Avery,		27	1	8
Decr.	8.	John Cole Price,		28	5	4	„	30.	Michael Lapointe,		17	9	0
1801.							Octr.	15.	James Mordoff,		25	0	0
Febry.	6.	Moses Martindale,		13	7	2	„	27.	Jacob Jordan,		56	6	0
„	25.	Alex. Bouthillier,		124	4	8	Novr.	10.	John Willard,		76	4	5½
March	14.	Frs. St. Arneau,		128	10	6	Decr.	1.	Thomas Barlow,		150	0	0
April	28.	Ls. Dumouchel,		15	14	4	1804.						
May	7.	Angus M'Donell,		53	3	3	Febry.	7.	Stephen Belair,		122	6	2½
June	29.	John Henderson,		215	11	8	„	8.	John Valentine,		96	16	11
July	10.	Jas. E. Campbell,		25	0	0	March	6.	Gabriel Faubert,		62	9	1
August	6.	William Robison,		12	1	1	April	16.	Charles Chale,		14	8	5
Sept.	21.	J. Fortune,		200	19	0	„	„	Joseph Tureau dt. Blondin,		32	16	3
„	23.	Ditto		17	6	6	„	24.	Louis Cloretier,		77	5	0
Octr.	20.	Valentine Jenkins,		28	10	8	„	28.	Joseph Menard,		17	8	4
Decr.	28.	Jonathan Keiney,		328	13	11	„	30.	Amb. Charland,		12	15	5½
1802.							„	„	Louis Bourassa,		19	15	11½
Febry.	8.	Joshua Peevay,		41	5	3	May	2.	Bezaliel Geary,		65	19	0
„	18.	John Fraser,		602	0	0	„	„	Bernard Courville,		13	0	7
March	4.	Josiah Bodwick,		431	2	6	„	4.	Joseph Bazile dt. Naneur,		49	1	1
„	15.	Chs. G. Gaucher,		26	15	8	„	„	Caleb Hunt,		22	15	0
April	14.	Fred. Pinger,		384	1	2	„	„	Frs. Rossignol,		45	16	8
„	29.	Frs. Piette dit Faynant,		67	2	0½	„	8.	James Forster,		12	11	2
„	„	Nicholas Leclaire,		50	10	0	„	14.	Stephen Story,		60	0	0
May	3.	Fred. Linger,		384	0	7	„	„	Joseph P. Robillard,		14	11	11
„	„	Louis Majeur,		24	1	8	„	21.	Pierre Racine,		50	11	4
„	20.	Frs. B. de St. Armand,		138	8	10	„	22.	Pierre Rottot,		1153	9	5½
June	24.	Josiah Bodwick,		16	5	0	June	19.	Thomas Brown,		124	9	8
„	28.	Thos. Proctor,		11	7	8	„	25.	Ditto,		92	13	6½
„	30.	William Mills,		301	17	0	„	27.	Simeon McNabb,		30	2	7
July	27.	John Duboyce,		17	15	0½	July	13.	Jacob Redington,		19	10	0
„	„	Richd. Lucks,		12	0	6	„	„	Benjamin Baker,		34	6	11
„	„	Calso Gray,		64	5	0	„	16.	Frs. Menard,		29	6	5
July	28.	William Lucks,		22	3	0	„	24.	Simeon McNabb,		30	2	7

RECEIVED.				NAMES.				RECEIVED.				NAMES.				Appendix (M.)
1804.				£	s.	d.	1806.				£	s.	d.			
July	27.	Nathan Curtis,	84	14	5½	July	28.	James McMurphy,	39	0	0				12th. Dec.	
August	9.	Jeremiah Chapman,	73	15	5	August	6.	François Otte,	14	10	0					
"	13.	Pierre J. dt. Carriere,	24	11	1		11.	John Mills,	506	7	7½					
"	14.	Adam Baker,	11	9	3		19.	Pierre Peronne,	20	10	0					
"	17.	Errrol Boyd,	12	16	8		22.	David McWhirter,	72	18	7½					
"	28.	James Mordoff,	100	0	0		23.	James Lithgow,	12	10	7					
Sept.	7.	Adam Lucks,	18	0	0		"	David McWhirter,	161	11	1					
"	10.	James Mordoff,	33	0	3		27.	Robert Letry,	16	18	10					
"	14.	Moses Catlin,	102	9	9	Sept.	2.	Joseph Patenode, père,	16	11	8					
"	19.	William B. McConnell,	46	13	0		4.	Daniel Bacar,	50	0	0					
"	21.	Alex. Morris & Co.	50	1	7		9.	Joseph Penniman,	13	8	7½					
"	28.	Thomas Richardson,	31	19	0		17.	Sehiel Kilburn,	20	0	0					
October	16.	Robert Bagg,	83	5	1	October	6.	Joseph Wallingford,	17	1	3					
Decr.	14.	Is. Bossu dit Linois,	97	15	9½		10.	Richard Lucks,	25	12	8					
	19.	Cornelius Smith,	25	0	0		"	Samuel Wilson,	11	17	2					
							13.	Herman Viader,	150	0	0					
							20.	William Beamington,	115	7	9					
1805.							30.	David Bridge,	15	11	8					
Febry.	5.	John Phillips,	451	14	10		31.	John McDonall,	22	2	0					
March	2.	Thadeus L. Beach,	19	2	6		Novr.	6.	William Perry,	76	16	0				
"	"	Frs. Tetra,	421	0	0		21.	John Tuttle,	27	4	2					
"	"	Jacob Rouse,	75	13	8		Decr.	20.	John McKay,	416	11	6				
"	5.	James Farrar,	14	0	0		22.	Isaac Thompson,	22	1	2					
"	6.	Nathaniel Ladd,	20	5	0		29.	Nathaniel Jacob,	28	8	5					
"	23.	John Mason Syme,	13	9	2											
"	28.	Pierre Beaupré,	155	13	5½											
April	1.	Joseph Gourdeau,	50	18	9		1807.									
"	2.	Gardner Green,	536	13	4		Jany.	6.	John McGlaucham,	28	5	2				
"	11.	James Gruct,	21	8	4			12.	Azariah Newcombe,	12	14	11				
"	25.	Chs. Verron dit Chalon,	17	5	2½			17.	William Fortune,	80	19	3				
"	27.	Joseph Portier,	384	10	0			28.	David Sanderson,	54	12	8				
"	29.	Alexr. Cuthbert,	32	0	0		Febry.	9.	François V. Dufau,	22	10	2				
May	25.	Jos. Chamnard,	37	0	0			13.	Sanders Hodges,	50	2	3				
"	30.	Samuel Mix,	40	14	5			18.	Felix Goselin,	50	10	0				
June	8.	Theodore Eustman,	14	12	0		March	26.	Henry Reeves,	110	0	0				
"	29.	David Hyer,	26	9	6			31.	Stephen Story,	68	0	10				
July	1.	Charles White,	29	2	0		April	22.	Willim Hamilton,	205	4	9				
"	2.	Guil. Lalonde,	67	5	0			25.	Ditto,	154	8	10				
"	4.	John Phillips,	101	3	11			28.	Ditto,	17	9	9				
"	6.	John Louchs,	200	0	0		May	11.	Pierre Dupas,	37	1	3				
"	12.	Henry Bolton,	240	1	5		June	8.	William Hamilton,	154	3	10				
"	22.	Amos Eastman.	22	0	0			"	Stephen Story,	68	0	10				
August	24.	Hubert Labroix & Co.	389	16	11			"	John Thompson,	15	5	0				
"	"	Jac. & Frs. Laselle,	430	5	4			13.	Griffin Reynolds,	549	17	11				
"	26.	Saml. Calkins,	14	10	0			18.	Ditto,	499	7	11				
Sept.	3.	Gardner Lawyer,	16	17	10			"	Abraham Welch,	111	0	0				
"	"	François Tetro,	14	7	11½			25.	Abraham Nathan,	18	0	0				
"	5.	Stephen Story,	63	0	10		July	1.	Amas Deming,	25	10	10				
"	7.	Stephen Taner,	47	4	3			11.	William Fraser,	34	13	6				
"	16.	François Dubois,	239	15	0			15.	William Scott,	84	17	4½				
"	18.	Samuel Wilson,	29	0	0			16.	Peter Grant,	65	7	1				
"	25.	Gaspard Dagen,	52	2	9			17.	Nahum Baker,	80	0	0				
"	28.	Ditto,	36	0	9½		August	7.	David Stewart,	352	6	8				
Octr.	4.	John Finlay,	31	17	9			8.	Andrew Smith,	18	15	0				
Novr.	7.	James Hunt,	483	11	1			19.	Noah Kincaird,	12	19	0				
"	8.	Toussaint Patenaude,	327	18	5		Sept.	1.	J. Bte. Brisebois,	16	17	1				
"	9.	Stephen Story,	68	0	10			9.	James Russel,	18	14	11				
"	26.	Nicholas Turkington,	709	13	1		October	6.	Obediah Howe,	19	17	11				
"	28.	Broadstreet Shafford,	19	9	3			12.	Nathaniel L. Woods,	26	1	7½				
Decr.	16.	James Wells,	22	12	0			14.	Samuel Perkins,	12	10	0				
"	"	Ditto,	22	12	0			"	Samuel Lincoln,	12	13	11½				
"	"	Ditto,	22	12	0			20.	Joel Ackley,	14	4	0				
"	"	Ditto,	22	13	0			26.	John McDonnell,	12	10	0				
1806.								29.	Frederick Yeoward,	20	0	0				
Jany.	13.	G. Waite,	62	3	8			"	Ditto,	30	0	0				
"	25.	Stephen S. Kellog,	25	0	0		Novr.	2.	A. H. & C. Greenman,	11	2	6				
Febry.	8.	Nathaniel Wales,	50	0	0		Decr.	8.	William McWhirter,	112	6	5				
"	20.	Achilles Woodman,	18	5	0			15.	Samuel Huggins,	43	5	8				
"	25.	Edward Birtch,	15	0	0			"	Reuben Phillely,	24	6	2				
"	27.	John Louchs,	200	0	0			16.	Jonas More,	22	0	0				
May	12.	J. Bte. Lapointe,	45	11	6			"	John E. Burchans,	24	15	0				
"	23.	Jacob Cook,	101	9	0			28.	Peter Tarbox,	15	18	0				
"	"	John Hagerman,	29	1	0											
"	24.	James Bird,	102	1	10		1808.									
June	25.	Jonathan D. Munn,	49	17	7		Jany.	8.	David Farrand,	47	10	5				
July	1.	John Miller,	12	15	4			9.	Peter Yates,	162	11	9				
"	2.	John Tuttle,	18	0	0		Febry.	2.	John McDonell,	38	5	0				
"	"	J. Bte. Lapointe,	33	11	8			6.	Joseph Laurent,	380	9	8				
"	4.	James Moore,	41	0	0			8.	Robert Hoyle,	500	0	0				
"	25.	John Hamelton,	13	2	1		March	10.	Benjamin Foy,	103	15	2				
"	28.	Benjamin Seymour,	30	0	0			"	Samuel Townsley,	53	12	10				
								11.	Josiah Pease,	102	2	2				

Appendix
(M.)
12th Dec.

RECEIVED.		NAMES.	1808.		
			£	s.	d.
March	12.	Josiah Pease,	28	14	0
		„ Ditto.	175	5	3½
April	30.	W. H. Prigimore,	25	3	0
May	5.	Cyrus D. Hunt,	200	0	0
	6.	A. & S. Paterson,	108	11	10
	13.	Isaac Anthony,	224	17	11½
June	6.	John Dix,	200	1	6½
	8.	John McDonald,	66	7	4
	11.	Amos Lay,	39	5	7
	18.	Peter Yates,	162	11	9
July	5.	Richard Lucks,	49	0	10
	12.	Elisha Davis,	32	1	3
	16.	Jacob Church,	40	12	9
August	11.	Thadeus L. Beach,	31	12	6
Sept.	5.	John Crysler,	92	4	2½
	19.	Abner Hayes,	46	14	9
		„ Richard Duncan Fraser;	15	16	0
Octr.	25.	Edmund Boynton,	16	18	4
Novr.	5.	Jacob Heaton,	97	3	3½
	26.	Moses Nicholas, Senior,	2000	0	0
Decr.	15.	P. Dewitt Woodin;	17	5	0
	26.	William Kilburn,	28	8	0
1809.					
Jany.	14.	Jacob Lakin,	47	10	0
	25.	William Henry Prigimore,	16	3	9
Feby.	22.	Abner Hays,	46	14	9
	27.	S. Gardner Whipple,	19	5	0
March	6.	Samuel G. Whipple,	20	19	0
	18.	P. De Witt Woodin,	17	5	0
May	4.	Ls. K. Kaborouicke,	24	7	7
		„ Lt. Pesajagouchikan;	15	2	7
	8.	Robert Randell,	246	15	11
	15.	Samuel Gardner,	21	2	10½
		„ John Taylor,	25	0	0
	17.	Smith Williams,	13	15	0
	26.	David Coffin,	2062	10	0
June	2.	William Hawkins,	904	3	4
	7.	Peter Cameron,	12	0	0
	19.	Cabel Farrar,	284	7	4
	30.	François De la Grave,	87	10	0
		„ Anchel Gerald,	85	2	10
		„ Levy Hungerford,	42	5	0
July	7.	Michael Rowe,	80	0	0
		„ Antoine Roche,	269	16	9
	10.	John Scott,	240	7	6
	13.	Cabel Steaman,	37	3	4
	14.	John Vankoughnet,	50	12	11
	31.	John Sparkman,	13	10	0
August	8.	Joseph Griffin,	39	16	6
	9.	Charles de la Ronde,	846	9	0
	11.	François L. O. Beirare,	62	16	11
		„ William Rees,	51	9	1
	12.	Timothy Johnston,	22	16	9
	14.	John Dunlop,	38	0	6
	16.	Daniel Mixer,	13	3	1
Sept.	5.	Antoine Lasselle,	258	10	1
	16.	Michel Mannie,	37	10	0
	19.	Dwight Lyman,	135	13	10
Octr.	4.	John Crysler,	587	16	7
		„ Jacob Brown,	750	0	0
		„ Anon Warner,	115	11	7
		„ Phillip Maddison,	15	0	0
	5.	Robert Martin,	29	6	11
	12.	James McMurphy,	11	12	7
Novr.	14.	Cor. Truesdell,	552	2	6
	22.	Colin Campbell,	29	10	0
Decr.	30.	John Porteous,	41	12	7
		„ Samuel Forbes,	23	10	11
		„ Asahil Jerome,	37	9	9
1810.					
Jany.	13.	Ezra Graves,	56	5	0
		„ Ditto,	29	10	6
February	5.	John McIntyre,	181	15	8½
	7.	Ebenezer Gleason,	25	0	0
March	3.	Nathan Stimpson,	13	8	2
		„ Peter Robertson,	247	7	6
	13.	Ebenezer Sewell,	25	12	6
	24.	Lumen Hawley,	800	0	0

RECEIVED.		NAMES.	1810.		
			£	s.	d.
March	24.	Lumen Hawley,	16	5	0 ¾
April	7.	Jas. Kittermaster,	161	14	10 ¾
May	2.	John Oakden,	350	5	4
June	5.	Henry Forrest,	43	10	1
	11.	Step. L. Creighton,	39	17	1
	15.	Jos. McCarter,	25	0	0
	20.	John McLean,	16	15	0
	28.	David Livingston,	161	4	10
	30.	Archd. McDonell,	45	0	5
		„ Donald McLemard,	30	7	9
July	2.	Pierre V. Mailloux,	747	10	0
		„ ditto,	252	10	0
	3.	John Sizes,	32	0	0
	4.	David Sheck,	200	0	0
		„ Thos. Smith,	82	10	0
		„ Jonathan Hall,	21	2	6
	5.	Thos. Armstrong,	12	10	0
	17.	Joseph Stibbens,	166	10	0
		„ David Page,	258	2	3
	20.	Samuel Mitchell,	100	0	0
	23.	Peter Grant,	90	8	0
	25.	William Heazletown,	227	18	11
	27.	William Robins,	24	6	8
August	3.	Moses Howard,	46	13	0
	4.	Isa Turner,	44	0	5
		„ ditto,	76	10	0
		„ Lot Fisdale,	34	3	0
	6.	John Kascallen,	21	0	0
	7.	John Cipriani,	28	0	0
	8.	John Henian,	16	17	8
		„ Nathan Pratt,	15	12	7
	10.	Charles Huff,	300	0	0
	11.	Zachariah Hagerman,	58	18	0
	13.	Jesse Honner,	25	0	0
	16.	John Stebbins,	1200	0	0
	17.	Angus McLaughlin,	500	0	0
		„ Alexander Robbins,	18	13	4
	18.	Henry Merkly,	151	5	3
	20.	John Stobbins,	32	10	9
	21.	Warren Green,	52	10	0
	22.	Peter Grant,	22	17	0
		„ Angus Kennedy,	82	10	0
	23.	David Page,	600	0	0
	24.	Henry Stuart,	155	15	0
	29.	Hugh McMoyl,	200	0	0
	30.	William Martin,	1000	0	0
Sept.	1.	William Jackson,	191	7	6
	3.	Angus Kennedy,	72	3	10½
	5.	Alexander McMillan,	150	0	0
	8.	I. Kellog & Chester Bells,	416	13	4
		„ Richard Goodall,	500	0	0
		„ Jas. & Simeon McNabb,	1200	0	0
	12.	Artemas M. Rosh,	26	0	0
		„ Ditto,	20	5	0
	17.	Ditto,	11	9	2
		„ Ditto,	65	14	11½
	14.	Morris Lawrence,	4000	0	0
		„ Isa Turner,	90	2	8
	15.	Peter P. Slighter,	125	0	0
	17.	Angus Browson,	110	0	0
	21.	Gideon Turner,	115	4	4
		„ Archibault Millard,	320	0	0
	22.	Wm. & Nath. Cogswell,	550	0	0
	24.	Joseph Emerson,	130	14	10
	26.	Richard Shapsley,	24	17	1
		„ Hiram Marston,	21	15	9
October	2.	Peter Hanson,	25	0	0
		„ Ditto,	124	14	0
	4.	Angus McLaughlan,	800	0	0
		„ Richard Goodall,	800	0	0
	9.	John Bragg,	19	11	5
	13.	Peter Grant,	1788	11	2
	15.	Jonathan Green,	35	9	9
	18.	William Patterson,	82	6	3
	19.	Jacob Carl Holms,	11	7	4
	23.	Samson Harrington,	80	0	0
	24.	Moses Holden,	14	18	8
		„ Robert Colburn,	75	0	0

RECEIVED.		NAMES.		£	s.	d.	RECEIVED.		NAMES.		£	s.	d.	Appendix (M.)
1810.							1811.							
October	30.	Pierre Vincent Mailloux,		187	10	0	July	1	William More,		25	0	0	12th Dec.
		" Ditto,		525	0	0			" Walter Buchanan,		28	6	7	
		" 31. Samuel Stearnes,		30	19	6		5.	Noah Crochrane,		49	10	0	
		" Ditto,		62	10	0		6.	John Rew,		19	7	2	
Novr.	3.	Billa Flint,		46	0	0		9.	Nath. F. Knapp,		60	14	5	
		" Wm. Lackore & others,		23	15	3			" Ebenezer White,		29	0	0	
	13.	John Hameton,		34	16	0		15.	John Howe,		66	17	3	
		" Henry L. Woolsey,		1,166	0	0			" Ronald McDonell,		90	0	0	
	15.	Giles Hamlin,		18	14	1		17.	John Murray,		12	10	0	
		" Josiah Sandborn,		15	10	5		18.	Henry Sanders,		20	0	0	
	17.	Ebenezer Perry,		11	9	0		20.	Allan McDonell,		23	9	3	
		" Jos. Willey,		15	12	6			" Wm. S. Crowther,		29	3	5½	
	19.	Fortunatus Eager,		296	16	11			" Ditto,		43	6	4	
		" Nath. Goff,		16	1	6		22.	Thomas Mears,		18	0	0	
	20.	Cornelius Turner,		14	5	0		24.	James Sanders,		12	18	11	
	21.	Jonathan Langley,		23	8	5		26.	William Moore,		27	8	3	
	23.	Wilford Gill,		95	8	0		27.	John M'Allister,		15	0	0	
	28.	Morris Lawrence,		459	9	1		30.	Mathew Bent,		12	11	6	
		" Chs. W. Turner,		25	0	0			" Ditto,		34	3	8	
Decr.	3.	Ira Kellog & C. Wells,		19	11	3½	August	2.	Henry Proctor,		33	0	0	
	5.	Levi Nicholls,		17	0	0			" Will. Jackson,		612	15	6	
	7.	Ichabod Olmstead,		350	10	2½			" Elisha Birdmand,		164	1	1	
	10.	Jos. Peters,		140	0	0		7.	Peter F. Le Roi & al.		105	0	5	
	12.	Gideon Turner,		41	12	4		10.	Archd. Fairfield,		95	16	8	
	20.	Albard Tinkle,		14	7	0			" Saml. Learned,		2500	0	0	
	21.	James McDonell,		24	0	0			" Ditto,		113	5	0	
1811.								13.	Duncan M'Donald,		800	0	0	
January	22.	David Nichols,		26	12	6		14.	James Bangs,		12	10	0	
		" Remember Baker,		11	14	4½			" Abraham Sleeper,		15	3	4	
		" David Nichols,		26	12	6		15.	P. F. Le Roy & al.		19	13	4	
		" Jesse Horner,		20	0	0		16.	Francis Warner,		40	0	0	
		" Samuel Faggerd,		20	0	0		17.	Jonathan Green,		107	13	4	
	23.	Roderick Stows,		307	1	0		19.	William Harris,		14	6	0	
	24.	Samuel Sandborn,		85	16	0		21.	Amas Brooks,		15	3	8	
	25.	Alexander Richards,		103	0	0		22.	Thaddeus L. Beach,		12	7	6	
Febry.	1.	Abel Morey,		150	0	0		23.	C. H. Butterfield,		457	0	0	
	2.	J. Bte. Thibet,		25	0	0		24.	William Bowles,		42	14	1	
		" Samuel Hughes,		22	6	5		27.	William Jackson,		400	0	0	
		" Calvin Conant,		314	0	11½		28.	Simeon Dawey,		28	9	0	
		" Benj. Comens, jr.,		24	0	0		31.	William de Lorimier,		22	0	0	
	5.	Ira Kellog,		416	13	4	Sept.	2.	Joshua Whitcomb,		34	15	0	
		" Arch. McDonell,		270	0	0			" John Harris,		1000	0	0	
	6.	John Symons,		32	8	7		3.	Silas Harris & al.		27	10	0	
	9.	Daniel Reddington,		18	3	8			" Josiah Sandborn,		106	7	4	
		" David Nichols,		26	12	6		5.	Marshal Smith,		298	13	2	
	14.	Melancthon Wheeler,		240	0	0		6.	William Bishop,		116	5	0	
	15.	James O'Brien,		55	0	0		7.	Caleb Seaman, junr.		33	8	7	
	16.	John McDonald		14	10	0½			" Sam. Learned,		250	0	0	
	21.	Nath. & Wm. Cogswell,		1,140	0	0		10.	Leonard Whiclock & al.		500	0	0	
	23.	Elisha Adams,		3,519	13	4		11.	Mord. Brown & al.		100	0	0	
	26.	Joshua Stevens,		37	10	0		13.	Jos. Hazellon,		39	7	8½	
March	2.	Donald McDonell,		55	7	9		16.	Will. Carrigal,		500	0	0	
		" Calvin Conant,		314	0	11			" Thomas Mears,		1500	0	0	
	4.	David Nichols,		26	12	6		17.	Geo. Taylor,		14	0	0	
	7.	Roswell Smith, jr.,		41	1	6		18.	Pierre V. Mailloux,		182	10	0	
	8.	Enoch Davis,		12	8	3			" Will. O'Brien,		131	5	0	
	16.	Daniel Perkins,		75	0	0		21.	Leonard Whiclock,		58	2	4	
April	6.	Alfred Forbes,		211	8	9			" James Henderson, junr,		286	8	6	
		" Enos Wood,		1822	0	0			" Jedediah Dennison,		11	5	8	
	17.	William Lowe,		23	15	0		25.	Adam Baker,		115	15	9	
	24.	Myrtle B. Hitchcock,		16	5	0			" Ditto,		59	14	6	
May	7.	John McDonald,		46	4	0		30.	Peter Odell,		58	10	3	
	22.	Jonathan Green,		35	9	9			" Leonard Whiclock,		412	0	0	
	28.	Alanson Allen & al.,		12	17	3	October	1.	P. V. Mailloux,		182	10	0	
	29.	W. & N. Cogswell,		243	16	11½		2.	Will. Finch,		55	0	0	
		" George Denning,		73	1	11		3.	T. L. Beach,		13	8	2	
June	1.	Nath. & Frdk. Knapp,		16	10	8		4.	John C. Johnson,		82	10	0	
	5.	Myrtle B. Hitchcock,		22	2	6			" Jos. Sampson,		27	17	2½	
	7.	Jos. N. Alport,		41	6	3		5.	William Harris,		14	6	0	
	17.	Alex. McDonell.		22	4	8		7.	Jno. Lacy & Saml. Storer,		800	0	0	
	21.	William Hay,		226	19	5		10.	Archd. Willard,		41	9	3	
	22.	Angus McLachan,		23	13	11		11.	Rd. Somerslee,		26	14	11	
	25.	Oliver Whitney, snr.,		11	17	0½		16.	Jos. Barlow,		59	11	10	
	27.	Archd. Willard,		79	8	3			" Marshall & Smith,		298	15	2	
		" Melancthon Wheeler,		375	0	0		24.	Will. Powers, senr.		52	5	0	
		" Josiah Fisk,		113	5	0		31.	Ebenezer Legros,		90	0	0	
		" Ditto,		2500	0	0	Novr.	4.	Will. Marre,		20	0	0	
	28.	Levi Bigelow,		41	4	0			" Will. Davies,		12	10	7½	

Appendix
(M.)
12th. Dec.

RECEIVED.		NAMES.	£ s. d.			RECEIVED.		NAMES.	£ s. d.			
1811.						1812.						
Novr.	5.	David Chapin,	21	5	0	June	23.	Benj. Bangs,	16	10	9	
		„ Richd. Mears,	15	0	0		25.	John Kryslar,	18	0	0	
	13.	Robt. Armstrong,	11	7	6			„ Daniel Cameron,	43	15	0	
		„ Ditto and Jas. Sawyers,	53	0	0			„ Ditto,	34	0	0	
	18.	Danl. Woodward,	30	11	0		26.	Julius Barnard,	12	6	0	
	20.	Joseph Barlow,	76	4	0			„ Walter Beckworth,	62	9	10	
		„ Will. Foot,	15	16	8		29.	Curtis Munger & al.	700	0	0	
		„ Reuben Sherwood,	100	0	0			„ Ditto,	40	5	10	
	27.	Joseph Barlow,	119	6	7	July	5.	Joseph Ober,	13	14	6	
Decr.	2.	Jos. Noble Allport,	13	15	0		7.	Giles Marvin,	40	0	0	
		„ Justus St. John,	21	1	4			„ Solomon Johns,	5,000	0	0	
		„ John Proctor,	21	0	0			„ The same,	5,000	0	0	
	6.	David Curtis,	60	0	0			„ Bel. Stearns,	300	0	0	
	16.	David Chapin,	29	14	3		8.	Peter Grant,	600	0	0	
		„ Ditto,	43	12	1			„ Ditto,	32	12	4½	
	19.	James Goslin,	12	0	0		9.	Asaph Perry,	77	8	7	
		„ Chris. Cartwright,	152	2	0		10.	Derick V. Schaick,	11	7	5	
	28.	Daniel W. Eager,	99	19	2		11.	Justin Bertrand & al.	38	15	0	
								„ Roderick Storrs,	85	16	6	
								„ Caleb Leverin,	250	0	0	
1812.								„ Stafford Stevens,	14	2	2	
January	11.	Letus Geo. Ferrand,	175	17	2		18.	Asaph Perry,	800	0	0	
	14.	Fk. Carter,	135	0	0		22.	Allen M'Cleod,	70	6	0	
	15.	Will. Johnson,	29	18	6		23.	John Farral,	29	15	9	
	17.	John Livingston,	101	18	0		August	4.	Simeon Dowey,	17	12	4
	18.	Albert Finkley,	17	8	6			7.	Sylvanus Eaton,	52	13	1½
		„ Sampson Davis,	114	15	9			10.	Ebenezer Washburn,	15	5	10
	20.	H. L. Woolsey,	23	6	8			12.	Reuben Wait,	220	0	0
	22.	John Livingston,	150	13	6			18.	Walter Ware,	19	4	3
		„ Ditto,	132	4	6			24.	Samuel Child,	100	0	0
	23.	Reuben Sherwood,	112	0	0			25.	Stephen May,	16	10	0
	27.	Calvin Dennison,	69	1	4			„ Will. Gladden,	26	2	9½	
	29.	Will. Lebarron,	45	16	5			29.	David Gibbs,	250	0	0
		„ John Daniels,	13	3	9		Sept.	10.	Alexr. Gairn,	300	0	0
February	3.	John Keith,	22	14	3			19.	Will. Wright,	12	1	10
	5.	Lumen Hawley,	13	14	0			26.	John Secley,	28	18	10½
		„ Elisha Shears,	33	15	0			28.	Noah Pomeroy,	88	3	7½
		„ Ditto,	35	15	0			„ Jos. Hollester,	108	8	0	
		„ Thos. S. Blucknett,	227	11	0		Octr.	7.	Saml. Burrige,	573	15	0
		„ Thomas Reynolds,	12	10	0			13.	Peter Grant,	86	16	4
	13.	Gilbert Harris,	80	0	0			14.	Jonath. M. Wright & al.	15,000	0	0
		„ John Bragg,	148	10	0			16.	Tappin Chamberlin,	18	15	0
	17.	Sam. B. Carpenter,	20	0	0			„ Stephen May,	16	10	0	
	22.	Geo. Wadsworth,	2,801	14	9			17.	Miles Peck,	22	18	0
		„ James Harvey,	258	8	9			20.	John Harris,	1000	0	0
	26.	William Moor,	34	2	2			28.	Thos. Delano & al.	150	0	0
	29.	Silas Burtch,	11	5	6		Nov.	6.	William Griffin,	60	0	0
March	3.	Roderick Storrs,	107	10	0			14.	Alexd. Roxburgh,	32	15	11
	9.	Ira Pember,	17	5	11½			„ Andrew Gray,	15	0	0	
	11.	Jos. Barlow & al.	1,166	6	2			26.	James Newton,	23	0	0
	13.	Anthony Rhodes,	1,049	14	10			„ William Griffin,	100	16	6	
	16.	John Burt,	25	0	0			29.	Joseph Carron, sen.	39	15	0
	20.	Geo. Payne,	39	0	0			31.	Walter Buchannan,	94	0	0
	21.	Calvin Conant,	451	0	0							
	25.	Thos. Barlow,	495	19	4		1813.					
		„ Richd. F. Everitt,	44	1	9		Jany.	7.	Nath Ryan & wife.	100	0	0
	26.	Ebenezer Bartlett,	81	11	2			11.	Thomas Graham	550	0	0
		„ James M'Donell,	56	0	8½			13.	Walter Kerr,	15	7	4
	30.	Henry Smith & al.	25	10	0		Feb.	6.	Sampson Davis,	25	0	0
April	6.	Joseph Barlow,	41	1	5			11.	Samuel Daniels,	28	19	6½
	8.	Roderick Storrs,	588	1	3			12.	Joshua Gibbs,	16	6	8
	10.	Calvin Conant,	30	2	9			„ Onimill Gibbs,	21	12	6	
	27.	Frs & Jac. Seguin,	465	10	11			16.	Samuel Wilson,	75	1	0
May	1.	Abner Hayes,	28	13	0			22.	Pierre Sibeaux,	62	19	7
		„ Mary A. Thompson,	18	0	0			23.	Benjamin Bangs,	16	10	9½
	9.	John Cross,	32	6	2			25.	Enoch Davis,	12	8	3
	14.	Jonathan Stafford,	13	18	0			30.	Geo. Merkley,	200	0	0
	16.	Will. M'Kinstry,	42	3	2		April.	22.	Cathy Went & al.	500	0	0
	18.	R. Mears,	60	0	0			29.	Bruce Robinson,	11	5	0
	21.	Walter Kerr,	12	7	4		May.	17.	Joseph Purdy,	23	0	0
	26.	Will. T. Slater,	800	0	0			26.	Mary Donnellan,	112	0	0
	27.	Orrison Butterfield.	20	3	3		June.	2.	Joseph Frobisher,	24	0	0
	29.	Nathan H. Phillips,	18	6	2			5.	Duncan McIntosh,	11	14	0
June	3.	Will. Thompson,	18	0	0			12.	John Martin,	23	12	10½
	10.	Samuel Burton,	600	0	0			23.	Benj. Finan,	350	0	0
		„ Herman Allen,	7,500	0	0			28.	Alexd. McDonald,	15	8	0
		„ Thaddeus Tuttle,	500	0	0		July.	9.	Abrather Waldren,	28	6	10½
	20.	John B. Chamberlain,	16	2	3			16.	Laurent Rolette,	11	6	5
		„ Eli Hayden,	50	0	0			„ John Daly,	14	0	5	
		„ Malcolm M'Donell,	1,000	0	0							

RECEIVED.		NAMES.		£ s. d.			RECEIVED.		NAMES.		£ s. d.			Appendix (M.)
1813.							1815.							12th. Dec.
July	20.	Rich & Bull,	19	5	9	April	27.	Frs. Lalancette,	37	6	10			
August.	4.	Squire Woodward,	66	1	6			„ Jean B. Ledoux,	117	10	7			
Sept.	7.	Charles Burnham,	18	0	0			„ Pierre Parent,	19	7	2			
	10.	Andrew C. Burke,	30	0	0			„ Jean Bte Belair,	19	7	2			
	11.	Joel Smith,	21	17	0			„ Pierre Leclair,	49	1	8			
	20.	Frans. Mabillant,	12	15	9			„ François Martin,	81	7	6			
	21.	Joseph Barlow,	27	15	0			28. Antoine Debvrasse,	146	6	4			
Oct.	4.	Charles Jones,	86	0	0			„ Samuel Wellington,	100	0	0			
	7.	Hugh Murray,	92	5	0			29. John D. Jones,	23	8	4			
	9.	The Hon. W. Campbell,	10,000	0	0			„ Same,	20	10	0			
	11.	John Deavis,	37	12	10		May	1. Daniel Parham & al.,	52	10	0			
Nov.	15.	Alexander Hover,	45	15	0			„ Nath. Reed,	28	15	0			
Dec.	22.	George Mills,	42	9	9			2. Thubrael Dodge,	29	0	9			
	24.	Reuben Sherwood,	500	0	0			3. Frs. Chaurette,	29	1	9			
	30.	Azariah Buggs,	21	0	0			„ Joseph Rellé,	23	9	7			
1814.									8. Jean Bte. Larocque,	13	15	0		
Jany.	19.	David Pilsburg,	47	10	9			9. Henry Eustan,	14	3	6			
Feb.	9.	Samuel Wilson,	29	12	6			12. Andrew Crawford,	200	0	0			
March.	9.	Reuben Sherwood,	180	0	0			17. William Randal,	14	1	2			
	26.	Elisha Perkins,	24	13	3½			18. François G. Aubin,	35	16	9			
	31.	Olivier de la Gorgendière,	27	3	6			23. William Farnsworth,	25	0	0			
April.	9.	Alexander Hays,	23	0	0			24. Levi Caldwell,	200	0	0			
May.	9.	Robert Brydie,	13	3	9			27. William S. Hughes,	14	0	0			
		„ Richard Bull,	607	3	6			31. William Stewart,	50	0	0			
	25.	Samuel Wilson,	29	12	6			„ François Pellatt,	13	7	0			
June.	10.	Same,	29	12	6			„ George Hume Read,	34	10	0			
	16.	Henry L. Sheppard,	55	10	0		June	3. Same,	40	2	8			
July.	2.	Robert Wrightson,	33	2	8			6. John Fennel,	36	0	0			
	7.	Andrew Bisett,	190	0	0			13. David Hutchings,	132	18	0			
	11.	Benj. Whitney,	31	4	9		July	8. John Winans,	74	2	3			
	25.	John McIntosh,	2,459	0	0			11. John Bostwick,	425	5	0			
	28.	Walter Buchanan,	36	4	3			21. Amos Underwood,	80	15	10			
Aug.	12.	Thomas Manson,	17	18	7			29. Same,	136	5	0			
	16.	William Griffin,	112	14	11		August	22. John Bte. Jacobs,	265	2	10½			
Sept.	12.	Samuel Foster,	23	13	6			23. John Ewbank,	13	7	6			
		„ Trueman Powell,	525	1	6			28. John Adams, jun.,	493	15	1			
	14.	Thomas Scott.	25	0	0		Sept.	15. John Tarver,	11	1	9			
	19.	John Deavis,	141	0	0			21. Jacob Smith,	450	0	0			
	24.	Joseph Auclair,	850	0	0		October	11. Michael Hughes,	19	16	6			
Oct.	3.	Samuel Wilson,	29	12	6			14. Jeremiah Draper,	1,396	19	1			
	24.	George Nevin,	12	10	0			16. James Mullen,	150	0	0			
		„ John Garside,	525	1	6			17. Samuel B. Anderson,	79	19	10			
	29.	George Nevin,	100	0	0			18. Henry L. Sheppard,	22	15	0			
Nov.	7.	Avery Storey,	500	0	0			30. John Stoddard,	500	0	0			
		„ William Robertson,	25	0	0		Novr.	2. Ebenezer Brush,	11	4	6			
	10.	William Warwick,	42	15	0			3. François Pellatt,	28	14	0			
	16.	John Garside,	144	0	0			16. William Hamilton,	150	0	0			
Dec.	6.	Thomas Graham,	16	12	6			22. John Taylor,	11,336	14	5			
	10.	Donald McDonald,	1,500	0	0		Decr.	6. Henry Bouthillier,	13	1	3½			
	27.	Daniel McDougal,	20	0	0			13. Moses Sawyer,	21	15	10			
	29.	Jos. Vaillancourt,	30	15	0			18. Nathaniel Read,	25	0	0			
	31.	Thaddeus Tuttle,	230	0	0			19. Charles Shaw,	1375	0	0			
	31.	Lubin Ainsworth,	30	6	8½			„ Benjamin Robb,	400	0	0			
1815.									27. Edward Cooper,	50	0	0		
Jany.	10.	Alexander Hover,	32	11	8			„ Merrill Barre,	18	0	0			
	12.	Job Barker,	49	9	0		1816.							
	17.	Robert Skinner,	79	7	5		Jany.	20. Ignace Rouleau,	11	5	0			
	19.	Thomas Coleman,	51	0	0			„ Austin Warner,	369	11	1			
	24.	Kobert Skinner,	19	15	9			„ John Clawson,	15	4	11			
	27.	Michael Doyle,	1,000	0	0			24. Peter Bodle,	200	0	0			
Feb.	6.	Henry Dibble,	13	3	0			„ Michael Bartlett,	200	0	0			
	22.	Benjamin Geabe,	145	17	10½			„ James Lloyd,	113	5	8			
	23.	François Richard,	60	0	0			27. Charles Ellis,	46	0	0			
March.	3.	William Weston,	120	0	0			29. Ignace Rouleau,	28	10	0			
		„ Same,	14	19	3		Feb.	3. Paul Robinson,	69	7	6			
	11.	Moses Lewis & at.,	216	4	1			8. Jean Bte. Avon dit Blondin,	21	15	0			
		„ Same,	13	3	0			17. James Lloyd,	576	2	11			
	24.	Abriel F. Ticton,	643	11	3			„ Angus McDonald,	25	11	4			
	25.	Zacchias Green,	291	0	0			„ Ignace Rouleau,	90	4	5			
		„ Will B. Whitney,	20	0	0			„ James Lloyd,	427	11	7			
	31.	„ Same,	20	0	0			20. John Blackwood,	17	0	0			
April.	1.	Phineas Page,	27	16	2			„ Benj. G. Honston,	30	0	0			
	18.	Simon Evans,	3,000	0	0			23. Ignace Rouleau,	58	7	0			
	20.	Charles Sangster,	13	6	2			„ James Lloyd,	31	0	0			
	24.	George McDougall,	11	2	6			„ Ignace Rouleau,	60	0	0			
	25.	„ Same,	19	14	7			24. J. Hunton & L. Cumstock,	35	0	0			
		„ Will: B. Whitney,	60	0	0		March	2. Jean Leclair,	43	9	6			
	27.	Joseph Lambert,	39	12	8			6. Gerald Fitzgerald,	300	0	0			

Appendix
(M.)
12th Dec.

RECEIVED.		NAMES.	£	s.	d.
1816.					
March	8.	John Dickson,	32	18	0
		Will. S. Warren,	26	0	0
	11.	Pierre Godefroi,	188	12	11
	15.	Daniel H. Spencer,	11	6	8
		John Horner,	20	8	8
	19.	Josiah Clawson,	15	4	11
		James Wells,	27	10	0
	21.	Ebenezer Kembball,	11	5	0
	27.	Rich. & Henry Burt,	11	5	4½
		Richard Burt,	13	12	8
		Walter Buckland,	30	0	0
	28.	Henry Chappel,	12	10	0
		Jeremiah Lowe,	29	6	4
April	3.	Samuel Heath,	17	5	3
	15.	Ezekiel W. Miller,	11	5	0
	19.	James Lloyd,	203	1	0
	24.	Geo. & Will. Gordon,	191	15	10½
	27.	Basile Brosseau,	36	3	4
		Frs. Chapdelaine,	25	0	0
	30.	Alex. McKenzie,	10,000	0	0
May	1.	Same,	3,000	0	0
		Alex. Norman McCleod,	3,000	0	0
	2.	Arch. Norman McCleod,	10,000	0	0
	3.	Nathaniel B. Reed,	25	0	0
	4.	Thomas Froste,	32	19	0
	8.	Kenneth McKenzie,	10,000	9	0
	10.	Roswell Wait,	121	15	8
	11.	Nathaniel Bruce,	125	0	0
		Henry Forrest,	21	7	6
	18.	Charles Daly,	11	6	6½
	20.	William Blanchard,	68	0	7
	25.	Saml. Brisbain,	15	0	0
	27.	Nathaniel B. Reed,	36	0	3
		Maxwell Strange,	7,443	17	5
	28.	Charles Davis,	93	13	3
	29.	Squire H. Rice,	53	0	0
June	1.	Louis Delaunay,	13	13	1½
	15.	Lionel Goldsmidt,	246	2	2
	18.	William Hicks, Jr.,	550	0	5
	19.	John A. Stevenson,	16	18	6
		Peter Bedle,	34	0	0
	20.	Donald Cameron,	181	15	0
		Same,	49	10	0
		John M. Brown,	300	0	0
		François Charlebois,	13	10	0
	21.	James Garret,	200	0	0
		Same,	200	0	0
	22.	Will. Geo. Hepburne,	500	0	0
		John M. Brown,	120	0	0
		Same,	220	0	0
July	3.	Jacob Johnston,	30	0	0
	5.	John McCleod,	200	0	0
		David Patterson,	58	1	2
	6.	Charles Whistler & al.,	46	0	0
	8.	Carlisle D. Tyler,	508	13	6½
		Dougal McDonnel,	26	6	1
	9.	Charles Mosher,	133	5	0
	11.	Edward Lang,	12	13	7
		Charles Katele,	100	0	0
	20.	Greenleaf Ghenev & al.,	139	4	3
August	5.	David Byron Davies,	41	9	5½
	7.	Frs. Rutter,	11	10	0
		James Cowen,	25	19	0
	9.	Obadiah Winters,	29	17	0
	10.	Theop. Mansfield,	53	12	3
		Leonard Clarke & al.	20	3	6
	13.	Abner P. Spencer,	307	2	3
	14.	Arthur Gifford,	200	0	0
	19.	Obadiah Winters,	160	0	0
	20.	Morrel Barter,	16	15	11
		Nathaniel B. Reed,	15	13	2
	21.	David Munn,	218	0	0
	23.	Kobt. McDougall,	63	6	10½
		W. G. Fitch,	12	5	0
	31.	David Munn,	25	0	0
Sept.	2.	Pierre Labere,	30	0	0
		Joseph St. Denis,	200	0	0
	3.	Nath. B. Reed,	92	10	0

RECEIVED.		NAMES.	£	s.	d.
1816.					
Sept.	5.	John Sparrow,	132	6	0
		Same,	242	13	8½
	7.	James Torrance,	11	6	8
	9.	John Chesser,	216	10	6
		Peter Tyler,	350	0	0
	11.	Daniel Curtis,	44	14	2
		Ames Brooks,	359	6	3½
	17.	Jno. Fk. Gerhard,	75	0	0
	21.	Louis Coursolle,	11	15	0
		John Caddy,	11	15	0
	24.	Thomas Weywood,	400	0	0
	28.	James Lloyd,	170	0	0
		Nath. B. Reed,	11	5	0
Oct.	1.	Phineas W. Taylor,	1,306	10	0
	2.	Michael Bartlett,	31	5	0
	5.	Charles Curtis,	2,000	0	0
	7.	Salmon Munson,	87	10	0
		Edward Sherwood,	24	3	7
		John Woolf,	3,207	12	7
	14.	Matt Gibson,	1,000	0	0
	18.	Pierre Papineau,	28	18	9
	19.	Carlisle D. Tyler,	508	13	6½
	22.	Duncan McDougall,	25	0	0
	24.	Samuel Bell,	500	0	0
	25.	Germain Michaud,	32	2	7
		Reuben Robinson,	36	5	0
		Gilbert T. Batchelor,	14	2	2
	28.	François Carlisle,	50	0	0
	31.	Jos. D. Benjamin,	15	2	6
Novr.	2.	Joseph Kelly,	11	15	0
		Nathan Allen,	24	15	2
		John Hoople,	31	5	0
	8.	William Young,	127	17	1
	12.	James Goslin,	42	13	0
		Allen Cook,	536	0	0
		Same,	512	0	0
	16.	Giles T. Chittenden,	55	14	1
	19.	Allan Grant,	115	0	0
	20.	William Tibbitts,	100	0	0
		Peter Buchanan,	63	19	3
	23.	William Clarke,	326	4	9½
		John Bragg,	100	0	0
		Same,	17	5	0
	25.	Joseph Tillon,	500	0	0
Decr.	10.	Antoine Rossignol,	67	2	2
	24.	John Chrysler,	200	0	0
	30.	William Morley,	15	7	0
1817.					
Jany.	7.	Charles Martin,	19	8	0
	8.	Solomon Flagg,	33	15	0
		Josiah Clawson,	25	0	0
	10.	Same,	100	0	0
	16.	Elijah Bigelow,	21	0	0
		Same, and Job. Bigelow,	282	1	1½
	17.	D. W. & H. Spencer,	31	11	9
	18.	F. C. Jeremy,	40	0	0
	20.	John Wallace,	19	9	5
	21.	Peter Bedle,	76	0	0
	22.	Micah Hoyt,	13	13	5
	23.	Narcisse Larnault,	95	1	6½
		Giles Chittenden,	36	19	3
	24.	John Kinsdale,	54	8	7
	29.	Joseph Vincent,	19	6	10
	31.	Leonard Smiles,	65	6	5
Feb.	1.	Peter Bedle,	76	0	0
		John Wait,	705	10	0
	6.	Marc Bingham,	26	1	0
	8.	Charles Davis,	51	10	2
		Nathaniel Newell,	337	10	0
		Same,	100	0	0
	12.	John Dunlop,	36	0	0
		Duncan Bethune,	42	9	6
	13.	John Ryan,	22	0	0
		John H. Powell,	44	7	6
	18.	Leonard Smiles,	153	11	0
	20.	N. Meneclier,	900	0	0
	22.	Bohan Sheppard & al.,	94	7	2
March	5.	Magnass Brass,	12	10	0

RECEIVED.		NAMES.			RECEIVED.		NAMES.			Appendix (M.) 12th Dec.	
1817.		£	s.	d.	1817.		£	s.	d.		
March	6.	Peter W. Wheeler,	28	4	10						
		„ Edward Cooper,	38	19	7						
	8.	S. Clark, sen., & S. Clark, jr.	49	17	6						
	10.	Chs. O. Bushman,	38	4	6						
	12.	Patrick Dero,	31	5	0	Sept.	2.	Aaron Dana,	148	6	7
	15.	Peter Edie,	11	9	4		4.	Patrick Murray,	36	7	2
		„ John Bragg,	150	0	0		8.	Otis Warren & al.,	19	2	2
	17.	Samuel Ward & al.,	120	0	0		10.	Moses Jewett,	700	0	0
		„ Cyrus Carpenter,	75	3	6		11.	Charles Fricchette,	41	12	7
	27.	Layman Warren,	27	6	1		13.	Ephraim Hungerford,	80	3	1
		„ Aaron Dana,	237	19	7			„ Joseph Ryerson,	13	7	6
		„ Pierre Gobeille,	31	7	7		15.	Samuel Bryce,	128	5	6
April	31.	John Hugh,	27	8	0		18.	Josiah Thomas,	60	0	0
	2.	Pierre Gobeille,	31	7	7		20.	Orin Perceval,	75	0	0
	5.	Charles Bill & al.,	300	0	0		22.	Chas. King Sleigh,	52	15	6
	12.	Walter A. Gunn,	29	0	0		24.	Thos. I. Sullivan,	25	16	6
	17.	William Kilson,	16	19	0	Oct.	1.	Chas Delaronde,	800	0	0
	18.	Charles Bill & al.,	300	0	0			„ Joseph Sparrow,	52	6	0
	19.	Louis Guy, jr.,	14	0	0			„ Henry Dostie,	150	0	0
	21.	John Spalz,	15	0	0			„ William Miller,	53	0	0
		„ Laurent Billette,	57	19	4		4.	Moses Jewett,	700	0	0
	22.	Samuel Ward & al.,	120	0	0		5.	Robert Jessayman,	24	0	0
	26.	Peter Merkell,	80	1	0		7.	Samuel Smith,	41	4	0
	28.	Nathaniel Bruce,	102	17	5		9.	Samuel Hedge, jr.	300	0	0
	30.	Joseph Fletcher,	53	19	6			„ Daniel Ayer,	171	11	7
May	1.	Clark Smith,	19	8	0		10.	Mathew Bord,	50	0	0
	2.	Louis Guy, jun.,	23	12	1		11.	John Thorner,	19	17	7
	3.	Louis Fournier,	15	0	0		13.	Arch. McCallum,	200	0	0
	6.	William Clark & al.,	257	10	3			„ Same,	150	0	0
		„ Joseph Sicard,	29	0	0		14.	John Dixon,	23	5	4
	7.	William Clark & al.,	40	0	0		20.	Henry Delord,	372	10	0
		„ Charles Poirier,	11	6	8		21.	Levi Hooker,	80	0	0
	9.	Jos. F. Gaudet,	13	12	0			„ Sarah Bryants,	18	0	0
	10.	Thomas Ferns,	24	0	0		23.	Edward O. Lewis,	25	0	0
June	7.	Ira Baldon,	19	15	0			„ Reuben Sherwood,	25	18	10
	14.	Peter Yager,	75	0	0		24.	Joseph Breck,	203	8	8
	16.	John Chesser, snr.,	128	8	8		27.	Ephraim Dunham,	45	0	8
	18.	Henry Shoemaker,	100	0	0		29.	Thomas Wing,	22	2	6
	19.	Jesse Thayer,	11	5	11	Novr.	5.	John S. Shaver,	250	0	0
	26.	Joseph Doré,	83	6	11		6.	Pierre Gravelley,	24	12	4
	27.	Same,	20	0	0			„ Jeremiah Perkins,	28	2	0
	28.	Pierre Petimoulx,	19	10	0		10.	Nath. Webster,	1,890	12	10
		„ John Otley,	19	0	7		14.	Simon Davis,	100	0	0
July	7.	John Gilbert,	18	12	4			„ Thomas Wing,	35	0	0
	9.	Abel Godard,	11	4	6		18.	Benj. W. Pike,	24	0	0
	10.	Joseph Breck,	203	8	8			„ Alrie Man,	192	19	7
	12.	Benj. S. Pitsbury,	15	0	0		19.	Bisset Case & al.,	13	10	0
		„ Jess Corser & al.,	19	19	0		26.	Jos. Smith Adams.	1,000	0	0
	14.	John Wait,	28	3	3	Decr.	1.	William Mix,	100	0	0
	15.	John Wilson,	50	0	0		3.	Oliver Tilton & al.,	60	12	9
	17.	Jsabel Whipple,	30	0	0		9.	Geo. Drover,	60	0	0
	18.	Edward Maynard,	247	17	9		11.	Jos. T. Gaudet,	14	0	0
	22.	Alex. J. Williamson,	15	2	6			„ Joseph Dugas,	18	0	0
		„ Same,	34	12	6		16.	Chs. G. Lester,	710	4	4
	23.	Preston Manifold,	81	3	2		19.	Chs. G. Lester,	4,000	0	0
	24.	Nicholas Meneclier & al.,	521	1	1		26.	Edward O. Lewis,	20	0	0
	25.	Aaron Dana,	237	19	7		27.	Will. T. Levitt,	19	5	6
	29.	Herbert Derome,	19	2	6		30.	Edward O. Lewis,	13	5	6½
	31.	Giles Jones,	16	17	9			„ Edward Cooper,	28	2	3
August	1.	Arch. McDonell,	22	4	0	1818.					
	4.	Taylor Wing,	11	5	0	Jany.	5.	William Spence,	12	15	2
		„ Rufus Green,	26	0	0		14.	Job. Towke,	2,500	0	0
		„ Patrick Marlow,	12	12	9		17.	Israel Subye,	14	0	0
	5.	John Lewis,	18	14	4			„ Manley Brace,	165	19	0
		„ Same,	108	5	8		20.	Ephraim Knight,	19	19	0
	7.	John Cameron,	11	8	0			„ John Thompson,	28	15	0
	8.	Greenleaf Cheney,	69	18	4		22.	Colin Chisholm,	20	0	0
		„ Clifton Jackson,	115	7	6		23.	Ephraim Knight,	100	0	0
	9.	Aaron Dana,	290	17	0		24.	Heman Banny,	140	0	3
		„ Caleb Knapp,	362	12	6		26.	Ezra Hoyle & Jn. More,	300	0	0
		„ Thomas Tolman,	235	1	6			„ Will. Spence,	11	19	8
	13.	John McKay,	522	3	10½			„ Ezra Hoyle,	307	19	7
		„ Edward Ibault,	29	4	0		27.	Murdock McKenzie,	28	18	9
	14.	Jos. Lefebvre,	83	19	0		28.	R. Cumming,	11	17	6
		„ Donald Cameron,	407	8	11		30.	Will. Murchisson,	146	10	7
	15.	Steel Smith,	25	0	0	Feb.	4.	John Hibbard,	13	6	5
	16.	Daniel Sullivan,	150	0	0			„ Oliver Whitney, jr.,	176	0	0
		„ Lawrence McKay,	15	12	6		5.	Joshua D. Hammond,	62	7	9

Appendix
(M.)
12th Dec.

RECEIVED.	NAMES.	£	s.	d.
1818.	7. John G. Hawley,	16	5	0
	9. Ephraim Knight,	21	5	5
	10. Charles Wright & al.,	23	11	7
	13. Samuel Mix,	21	19	2
	14. Jedediah Danford,	25	0	0
	16. John H. Powell,	19	7	6
	19. Joshua P. Hammond,	62	7	9
	„ William Huntington,	39	5	10½
	20. Stephen Skinner,	20	0	0
	„ Ephraim Knight,	21	5	6
	„ Jean Louis Noro,	80	0	0
	23. C. G. Lester,	923	17	6
	24. Abner Hager,	105	2	6
	„ George Dover,	26	0	0
	25. Silas Willard,	134	5	0
	27. Charles DeWitt,	95	17	0
	„ Joseph Howard,	20	6	8
	28. James Barrys,	91	12	6½
March	3. Lewis H. Thomas,	30	0	0
	5. Israel Subye,	11	12	5
	16. Colin Campbell,	20	15	0
	„ Augustus Poirier,	11	15	0
	21. Mary Gidd,	27	5	5
	„ Michael Bly,	20	13	10
	„ Fredk. Glackemeyer,	184	0	6
	23. Louis Blondeau,	247	0	0
	„ John Lindon,	30	4	6½
	27. James Scott,	12	8	1
	„ Lumen Hawley,	50	0	0
April	3. Robert Hoyle,	365	7	0
	4. Joseph Breck,	203	8	8
	6. George Dover,	20	0	0
	21. Samuel W. Hawley,	75	0	0
	„ T. J. B. W. Sullivan,	11	5	6
May	25. Martin Jordan,	58	16	9
	1. Louis Delaunay,	21	6	8½
	„ Samuel Hawley,	23	13	0
	7. Fredk. Glackemeyer,	118	16	0
	11. Clark Ross,	23	15	6
	„ Jos. Porcheron, jr.	17	2	2
	12. Bellamy Landrie,	15	13	9
	13. François Prevost,	29	0	0
	14. Charles Trudell,	22	15	6
	16. Job Thorner,	25	0	0
	25. William Bird,	288	17	9
	26. F. C. Jeremy,	21	18	0½
	27. Gabriel Lalonde,	72	17	6
	28. Joseph Roly,	40	3	10½
	„ David Davis,	16	12	6
	„ Eustache Gudoux,	51	6	8
	„ Joseph Jourdain,	17	17	5
	„ Joseph Sanfaçon,	95	11	5
	29. François Labranche,	64	19	2
	30. Levi Platt,	23	1	0
June	1. Louis Delaunay,	21	6	8
	5. Duncan McDonall,	19	13	4
	„ Frs. Eno dit Delorme,	74	10	9
	„ Henry Franklin,	200	0	0
	„ same,	150	0	0
	8. same,	300	0	0
	11. Ls. Brillon dit Lapierre,	25	0	0
	13. Fdk. Rector & alias,	50	0	0
	17. Harry Clarke,	14	0	0
	22. Jonathan Chapin,	27	0	0
	23. Angus M'Gillivray,	13	0	0
	„ Fdk. Glackmeyer,	139	15	9
	„ Aug. Poirier dit Delages,	34	10	9
	25. James P. Catty,	35	0	0
	26. George Hall,	600	0	0
	„ Elisha J. Ransom,	20	7	4
	„ John Dulmadge,	34	10	0
	„ Henry Clarke,	30	0	0
July	2. Joseph Howard,	13	5	0
	6. James M'Donell,	185	0	0
	„ Caleb Barber,	20	3	11½
	8. Jesse Hallister,	54	0	0
	„ Jean Bte. Chrétien,	50	0	0
	„ William Kingsler,	28	7	2½

RECEIVED.	NAMES.	£	s.	d.
1818.	11. George Forsyth,	437	13	10
	18. E. H. B. Hall,	124	16	6
	„ Henry Munro Fisher,	77	8	8
	21. Eliz H. Bunker,	44	17	6
	„ William M'Kenzie,	150	0	0
	22. Josiah Classen,	44	17	6
	23. William Stevenson,	81	1	5
	25. William Hamilton,	53	0	0
	28. Austin Warner,	15	17	3
August	1. Robert Coleman,	88	12	3
	3. David Scuter,	13	15	0
	4. Reuben Cutting,	13	15	0
	„ Jean St. Germain,	56	8	11
	„ Jacob Garland,	100	0	0
	6. William Williams,	12	10	0
	„ William Fidget,	20	0	0
	7. Haman Bangs,	116	3	0
	10. Robert Green,	60	0	0
	„ Obediah Winter,	72	2	8
	13. Lewis Ritter,	25	0	0
	14. Jos. Leger Parisien,	53	10	0
	„ same,	59	9	2
	17. Joseph Pendris,	14	0	0
	19. William Merrit,	31	0	0
	22. William Dixon,	11	7	6
	24. William Wilson,	50	0	0
	27. Jesse Thayer,	16	0	0
	31. Louis Blondeau,	400	0	0
	„ John Mills Jackson,	250	0	0
Sept.	5. Andrew Laing,	16	16	3
	8. Charles Gore Lester,	17	2	3
	9. John T. Bartlett,	30	14	7
	„ Samuel Prescott,	98	18	2
	10. John Crawford,	29	5	0
	„ Robert Wilkinson,	300	0	0
	12. Thomas Clarke,	50	0	0
	14. Joanna Griswold,	20	8	11
	18. Aaron Cows,	25	0	0
	„ Caleb Rayce,	29	10	0
	19. John M'Donald,	23	2	4½
	21. Joseph Petty,	150	0	0
	22. Elijah Parsons,	18	15	0
	„ Thomas Watson,	16	16	3
	23. Luther Hillard,	33	7	9
	24. John M'Gillivray,	47	13	11
	29. Jonathan Keeper,	27	15	0
	„ John P. Bartlett,	17	15	0
	30. Thomas Nixon,	700	0	0
Oct.	1. David Jacox,	18	15	0
	3. Charles DeWitt,	13	8	6
	6. T. Pierre de Salin,	39	17	0
	9. Jarvis Bennington,	200	0	0
	12. Henry Manning,	36	4	5
	14. Joseph Howard,	15	17	10½
	15. Legrand Clark,	100	0	0
	16. Samuel Wellington,	216	3	10
	19. David Reid,	39	19	0
	23. John Lewis L'african,	14	4	0
	„ same,	17	14	9
	31. Pierre Paquet,	13	15	0
Novr.	23. Morrill Magoon,	31	12	6
	24. Ninemiah Wright,	37	10	0
	„ Joseph Peladeau,	17	13	7
	25. Louis Chartrain,	43	1	3
	26. Daniel Abby,	14	5	0
	28. Jonathan Magoon,	25	0	0
Decr.	1. David Beach,	33	0	0
	7. James Morrison,	19	0	0
	26. Ewen M'Millan,	1,000	0	0
1819.				
January	2. Abraham Sutton,	38	15	5
	5. Elkanah Phelps,	401	12	1½
	7. John Phillips,	97	12	6
	8. James Curry,	11	5	0
	9. Charles E. Beauregard.	21	12	3
	14. Joseph Roy,	13	16	1½
	15. Ashley Collins,	75	0	0
	25. John Ogilvy,	45	6	3

RECEIVED.		NAMES			1819.			RECEIVED.		NAMES.			1819.			Appendix (M.) 12th. Dec.
		£	s.	d.				£	s.	d.						
Febby.	3.	Chester Barker,	13	13	1	Novr.	22.	Stephen Trowbridge,	62	11	6					
	4.	Mary Relyn,	94	1	9½		28.	Donald M'Donald,	1,000	0	0					
	11.	Smith Williams & al.,	16	16	4½		30.	John Gee,	23	6	8					
	11.	Jonathan Alger,	58	14	6	July	2.	Stephen Peters,	60	0	0					
		Charles B. You,	97	10	7		5.	George Eligh,	144	8	6					
	12.	Joshua White,	125	0	0		6.	Chs. Talon dit L'Espérance,	32	0	0					
	16.	Freeman Currier,	60	0	0		13.	Erastus Rowley,	15	0	0					
	19.	James Bennett,	17	3	9		20.	Joseph Ober,	37	10	0					
		François Levesque,	55	0	0		22.	Jas. Piercy alias Pierce,	60	18	4					
	22.	Solomon Johnston,	80	0	0		24.	Sylvester Ball,	13	16	7					
	23.	Nathaniel Felton, jr.	28	6	3			Moses Smith,	13	15	0					
	27.	Nathaniel Heath,	16	0	5½		26.	John C. Bush,	500	0	0					
March	1.	Samuel Everton,	1,400	0	0		30.	Daniel Tuttle,	21	3	11					
		Freeman Currier,	37	19	3		31.	Louis Moquin,	100	0	0					
	2.	William Baxter,	555	11	1½	August	4.	William Simpson,	50	0	0					
		Jonathan Sawyer, jr.	11	7	6			Donald M'Donald,	15	8	0					
	3.	Freeman Currier,	26	10	0			Thomas Stedman,	47	0	1½					
		John Runyan,	13	2	3			Eben Eaton,	23	15	0					
	5.	Samuel Everton,	1,400	0	0		9.	John Honey,	57	9	8½					
	8.	Claude Brayer,	11	18	6¾			Thos. Stedman,	120	0	0					
	9.	Samuel Smith,	12	10	0			Gruntus S. Knappin,	16	8	4					
	10.	George Fisher,	1,000	0	0		13.	Henry Morgan,	19	7	9					
	12.	Jos. Beaudrie dit Graveline,	13	2	2		16.	James Flood,	50	0	0					
	13.	Eliza Baker,	15	1	6			Samuel Mix,	21	19	2					
		Peleg Sterns,	187	10	0			John Cameron,	135	6	5					
	16.	William McDonald,	25	4	9			John Oiglvie,	48	17	6					
	18.	John Foster,	15	0	0		18.	Joseph Potvin,	17	3	9					
	23.	Joseph Lough,	833	16	0¼		21.	Hosea Shaw,	235	18	8					
		Same,	107	7	3			James G. M'Lean,	100	0	0					
	26.	Patrick Devereux,	17	12	3		25.	Enoch Gerrish,	400	0	0					
		James Greenleaf,	25	0	0		26.	John Dickson,	12	10	0					
		William Nelson,	22	10	0		27.	Alexander M'Tavish,	50	13	3					
	29.	Henry DeWitt,	14	5	3			Same,	19	0	0					
		Samuel Baker,	15	1	6		28.	Rodney Sheldon,	11	17	6					
		Charles DeWitt,	81	4	2	Sept.	2.	François Rossi,	104	10	0					
	30.	John M'Clarey,	15	0	0			Levi Lyon,	237	14	9½					
April	1.	Lewis de Rovin,	30	1	2		4.	John Burns,	52	16	5					
		James Pell,	150	0	0		13.	Charles Huntoon,	39	10	6					
		Thomas Fletcher,	13	14	11		14.	Samuel M'Clure,	500	0	0					
	2.	James Millar,	40	0	0			Same,	187	16	8					
		James Alexander,	175	0	0		15.	Same,	2,000	0	0					
	3.	Thomas Doige,	15	0	0		16.	Charles Huntoon,	29	4	7					
	7.	Pierre St. Germain,	100	0	0			George Dibbs,	32	0	0					
	20.	Silas S. Millard,	14	2	10		17.	Robert Manson,	19	8	9					
		Nathaniel Pronty,	18	0	0			William Smith,	20	0	0					
	26.	Bambout Mandiga,	43	11	7½			Samuel M'Clure,	200	0	0					
	29.	James Jessey,	77	0	0			Alexander Lambert,	150	0	0					
	30.	Alexander Rea,	1000	0	0		18.	William Wallace Matthews,	73	0	0					
		John Gray,	25	0	0		21.	William Walbridge,	21	10	6					
May	4.	John Ogilvie,	50	0	0		23.	Alexander M'Tavish,	400	0	0					
	5.	Hubert Faille,	150	0	0		27.	Bolton John Scott,	18	19	6					
		J. B. Chrétien,	60	0	0		29.	Thomas Hibbard,	500	0	0					
	6.	J. B. Plante alias Beauchemin,	15	0	0			Joseph Lough,	96	9	0					
		John Foster,	25	0	0		30.	William S. Simpson,	74	0	0					
		Joseph Dupré,	15	14	7			Christopher Steimm,	187	9	8					
	8.	Hugh M'Kay,	16	0	0			Guy Catlin,	222	10	0					
	14.	Ignace Perrault alias Morin,	11	2	4	October	2.	Louis Moquin,	100	0	0					
	15.	James Miller,	201	10	0		4.	John Curry,	33	0	0					
	21.	John Gee,	23	7	5			John M'Intyre,	24	16	4					
	24.	Noel Armance,	216	9	10		6.	Peter Robinson,	50	0	0					
	26.	Péter Brewster,	50	14	4		7.	John P. Bartlet,	25	0	0					
		Jos. Marie Claire,	15	0	0			James C. Stone,	50	0	0					
	31.	Angus M'Lachlin,	14	8	0		12.	William Brown,	73	18	4					
		Rufus B. Page,	32	0	0			Joseph Smith,	500	0	0					
June	1.	Joseph Ryerson,	16	5	0			Narcisse Auclair,	193	2	10					
		Peter Titus,	12	5	0		14.	Ronald M'Donald,	29	14	3					
	2.	William Williams,	13	18	0			Henry Read,	230	0	0					
		John Lamb, snr.	12	9	10		16.	John Fay,	44	0	0					
	5.	John Cameron,	150	0	0		19.	John P. Bartlet,	25	0	0					
		William O'Brien,	68	0	0		21.	John Cain,	40	0	0					
	7.	Philip Munro,	11	12	0			Same,	20	0	0					
		Arch. M'Donald,	11	17	11½		22.	Samuel Smith,	12	7	6					
	8.	Jos. Saucier,	18	8	0		28.	Jeremiah Perkins,	16	11	8					
	11.	Abel Tryon,	440	10	0		29.	John Wilson,	1,312	18	2					
	12.	David Edie,	25	0	0		30.	John Fay,	14	2	0½					
	16.	James Rogers,	1000	0	0			Samuel Smith,	16	5	0					
	18.	Wilcot A. Morse,	12	15	0	Novr.	8.	Isaac Thompson,	25	4	6½					
	21.	John Flaherty,	187	10	0			Henry Morgan,	17	0	0					

Appendix
(M)
12th. Dec.

RECEIVED.		NAMES.		£	s.	d.
1819.						
Novr.	8.	Samuel Hawley,		17	0	0
	11.	Jeremiah Parkins,		12	11	6
	13.	S. S. Dudley		165	10	1
	18.	Augustus Bartlet,		100	0	0
	19.	Pierre Moreau,		112	14	7
	20.	Aretus M. Hitchcok,		260	5	0
		„ Gabriel Tunstall,		100	0	0
	23.	Peter Atkins,		17	10	0
	25.	Silas Chandler,		120	0	0
	26.	David Sanders,		30	0	0
Decr.	11.	Samuel Fairbank,		17	2	9
	15.	Alexander Williamson,		12	17	1
	18.	Ashley Collins,		27	9	1½
	23.	William G. Fitch,		16	0	0
	29.	James S. Allen,		306	5	0
		„ Samuel G. Pierce,		50	0	0
	31.	Thomas Price,		57	9	0
1820.						
Jany.	1.	Pierce Nagle,		25	0	0
	5.	John Johnston,		60	6	0
	7.	Henry B. Baker,		200	0	0
		„ William Mason,		34	11	6
		„ William Low,		19	6	0
		„ Jonathan Elliot,		15	4	9
	8.	Jacob S. Redington,		60	0	0
	10.	Jedediah H. Douvin,		20	0	0
	13.	Solomon H. Johnson,		12	13	11
		„ Jed. Spalding,		11	16	4
		„ Thomas Price,		195	10	6
	14.	William Mason,		25	8	9½
		„ James Solomons,		140	0	0
	19.	John Weare,		60	0	0
	22.	Ashabel Stanley,		1,000	0	0
		„ Edward Robbins,		1,726	17	7
		„ Same,		781	18	5
	24.	Collin Campbell.		23	0	0
	27.	Richard Garlick,		25	0	0
Feby.	4.	Daniel Brown,		19	15	0
	5.	Jedediah Spalding,		36	10	0
		„ James Brush,		41	15	6
		„ Same,		96	4	7½
	7.	Samuel & Lumen Hawley,		41	8	7
	11.	E. E. Monk,		140	0	0
		„ William Williams,		14	3	4
	12.	James Bennett,		29	0	0
		„ George Young,		47	0	0
	15.	Arch. G. Montgomery,		29	0	0
	16.	Edward Wigan,		30	0	0
		„ Gilbert J. Batchelor,		100	0	0
	21.	Edward Robbins,		1,726	17	7
	23.	Robert Kerr,		80	0	0
	24.	Nathaniel Cleaves,		35	5	4
		„ Louis Laberge,		13	6	11
	25.	Joseph Smith,		500	0	0
	28.	Aaron Wheeler,		42	0	0
	29.	Curtis E. Crossman,		264	6	4½
March	1.	Palmer Wells,		250	0	0
	7.	Thomas Kimber,		519	0	6½
	8.	Henry Collins,		20	1	4
	11.	Nathan Winch,		15	0	0
		„ Pierre Brunell,		37	10	0
	13.	Issac Gleason,		100	0	0
	16.	Will. L. Mitchler,		65	0	0
		„ Simon Van Klick,		15	7	0
	21.	Will. T. Hall,		5,000	0	0
	25.	Ed. Nightingale,		60	0	0
	27.	John Blackledge,		50	0	0
	28.	Morrill Magoon,		47	0	0
	30.	Elephalet Bangs,		58	8	0
April	4.	John Gibson Hawley,		20	5	6
	6.	Seraphim Ferdinand,		24	8	4½
		„ Pierre Murciani,		12	10	0
		„ Thomas Kimber,		510	15	0
	7.	J. Bte Cadieux,		15	16	8
	12.	John Miller,		12	10	0
		„ William Knight,		300	0	0
	13.	John Gilroy,		17	1	6
	14.	Lunan Vaughan,		30	16	0

RECEIVED.		NAMES.		£	s.	d.
1820.						
April.	14.	Edward Nightingale,		56	8	5
	17.	Daniel Heath,		23	15	0
	18.	Ed. Nightingale,		56	8	5
	19.	Anne Blackledge,		18	16	2
	21.	Daniel Tuttle,		11	4	1½
	22.	John Wilson,		223	14	10
		„ Septimus Lathrop,		41	12	9
	25.	Pierce B. Galway,		1,000	0	0
	26.	Thomas Lonsdale,		500	0	0
		„ André Shallz,		60	0	0
May.	2.	Andrew Weidner,		25	0	0
	4.	Bernadin Shall,		21	19	6½
		„ Frs. Bouret, fils,		11	5	0
		„ Joseph Viau,		13	6	11
	6.	F. Bouchard,		12	10	0
		„ Joseph Dalcour,		39	11	2
		„ John Hart,		30	0	0
	9.	Jas. Ramsay Spotswood,		79	13	9
	11.	Dugald Cameron,		60	0	0
		„ James R. Spotswood,		26	0	0
	13.	Anne Blackledge,		50	0	0
		„ Edmund Hill,		12	11	8
	15.	Joseph Terrien,		90	0	0
	17.	Henry Wilson,		75	0	0
	25.	James Porteous,		5,000	0	0
		„ Samuel Hildreth,		150	0	0
	29.	Hannah Smith,		68	16	3
	30.	Jas. Remington,		53	13	9
		„ Ronald McDonald,		91	15	9
	31.	John Cain,		107	18	0
Junc.	1.	Alex. B. M'Phee,		48	2	6
	2.	Frs. C. Ducharme,		16	19	0
		„ John D. Turnbull,		50	0	0
	5.	John Cain,		107	18	0
	10.	Pierre Heroux,		107	12	8
		„ Daniel Heath,		13	19	6
		„ Cornelius Hopper,		53	0	4
	13.	Jean B. Girard,		19	2	6
	14.	John Burns,		150	0	0
		„ Jeremiah Whipple,		121	10	6
		„ Robert Summers,		50	0	0
	19.	Thomas A. Lewis,		38	6	7
		„ Chandler Bearson,		61	11	10
	20.	Thos. Dearden		38	0	0
		„ Will. Alexander,		60	0	0
	21.	Donald McAuley,		350	0	0
		„ Bolton S. Scott,		140	0	0
	23.	Donald McAuley,		350	0	0
		„ John Spencer,		15	0	0
	24.	Levi Sexton,		1,314	10	0
	26.	Daniel S. Baldwin,		45	10	0
		„ John Bissell,		320	0	0
	27.	Walter Beckworth,		70	12	6
	30.	Amos Denning,		426	19	1
		„ Andrew Summers,		14	10	0
July.	1.	Moses Marshall,		18	0	0
	3.	Heman Smith,		68	16	3
		„ Moses Marshall,		500	0	0
		„ John M. Gillivray,		15	0	0
	7.	John McGregor,		21	15	5
	8.	Zerah Sinclair,		17	10	0
	10.	Robert Main,		220	0	0
	12.	Peter Martinant,		24	7	6
	15.	Louis Chorette,		180	0	0
		„ Elizah Curtis,		103	19	2
	17.	Duncan McDonald,		25	0	0
		„ Will. Howarth,		16	5	2½
	18.	Jonathan Wilkins,		15	11	11
		„ Jarvis Kennington,		15	16	7
	20.	Alexander Grant, Jr.,		278	0	0
		„ Samuel Baret,		24	0	0
	21.	Peter Martinant,		100	0	0
	22.	John Tully,		14	15	0
		„ Thomas Gavin,		16	0	0
	24.	And. S. Summers,		35	0	0
		„ Allan Cameron,		150	0	0
	25.	Nath Simpson,		31	5	0
		„ John Duncan		12	10	0

RECEIVED.		NAMES.	£ s. d.		
1820.			£	s.	d.
July.	27.	Walter Buchanan,	14	7	10
	28.	Josiah C. Goodhue,	129	1	7
		„ Charles H. Jones,	42	0	0
		„ John McDonell,	11	5	0
	29.	Samson Prime,	25	0	0
		„ John Harwood,	1,000	0	0
		„ Daniel Young,	18	0	0
August	1.	James Porteous,	124	17	6
	2.	Henry & E. Curtis,	2,000	0	0
		„ John Nicholson,	150	14	1
	3.	William Davies,	100	0	0
	4.	John Nicholson,	300	0	0
	9.	Chs. M. Connelly,	41	1	2½
	10.	Joseph Boan,	34	9	5
	12.	John Roy,	46	10	9
		„ John A. Ackert,	18	17	0
	18.	Joseph Reed,	300	0	0
		„ John Elliott,	11	9	11½
		„ Louis Magug,	500	0	0
	21.	Jas. R. Spotswood,	128	3	10
	22.	William Watson,	677	13	4
		„ Joseph Spink,	200	0	0
	24.	J. E. & E. Goodhue,	129	1	7
	29.	John Anderson,	80	0	0
	30.	François Dequise,	166	4	9
	31.	Samuel Beardon,	40	0	0
Sept.	1.	Charles Rivers,	560	0	0
		„ Joseph Atkinson,	58	0	6
	4.	William Coats,	45	13	4
	5.	Damase Gagnon,	16	0	0
	8.	Robert Weir,	19	17	9
	9.	Winslow Wood,	171	3	8
		„ George Sax,	255	0	0
		„ Thos. Chamberlain,	200	0	0
	12.	William Polley,	15	10	3
	13.	Robert Mann,	19	0	0
	16.	Henry Powers,	21	11	8½
	18.	Henry Williams,	11	17	9
	19.	Daniel Farley,	30	0	0
	22.	Will. Morrison,	15	0	0
		„ Will. McKenzie,	20	15	0
	23.	Duncan McDonald,	27	7	6
	25.	Ashbel Stanley,	32	9	3
		„ William Cliff,	13	13	9
	26.	Lewis Rose Bush,	300	0	0
	27.	Will. Zuink,	12	0	0
		„ John Neale,	51	10	0
	28.	John Cahel,	15	16	2½
		„ Andrew Deacon,	45	17	8½
Oct.	5.	Jesse D. Armstrong,	26	1	6
		„ Peter Martinant,	20	7	6
		„ Joseph Ryerson,	75	0	0
	6.	Farquhar McRae,	15	5	8
		„ Same,	25	6	8
		„ Same,	16	13	2
		„ John P. Bartlett,	30	0	0
		„ Jonathan Sleeper,	18	0	0
	7.	Will. McKenzie,	23	10	0
		„ Allan Cameron,	160	0	0
	10.	John Neale,	51	10	0
	12.	Louis Turcot,	55	12	4
	14.	Peter Martinant,	20	7	6
	16.	John Chisler,	17	10	0
		„ Richd. Loucks,	198	18	9
	17.	Samuel Hyde,	33	16	6
	18.	Asher Chamberlain,	60	0	0
		„ Samuel Hyde,	25	0	0
	19.	Jacob Germain,	46	12	6
		„ Jacob Settle,	14	16	9
	20.	Peter McKinlay,	40	0	0
		„ Jacob Germain,	140	0	0
	21.	Samuel Hyde,	24	17	10
		„ Ewan McMillan,	500	0	0
	24.	John Cameron,	13	15	3½
	27.	Will. S. Johnston,	62	17	3½
		„ John Mather,	62	10	0
		„ Same,	62	15	1½

RECEIVED.		NAMES.	£ s. d.		
1820.			£	s.	d.
Oct.	27.	Barnard McGale,	95	11	4½
	30.	Joseph Atkinson,	36	11	6
Nov.	3.	Joseph Rocheleau,	11	10	0
	4.	Nathan Allen,	16	8	6
		„ Peter Hellon,	30	0	0
	6.	John G. Hawley,	16	8	10½
		„ Archibald McLellan,	11	2	9
	13.	Will. Moore,	18	17	6
	20.	Charles Harrison,	12	13	6
	21.	William McBarton,	200	0	0
		„ Henry Curtis,	148	9	11
	23.	Pierre Gamelin,	13	10	0
	24.	Elijah Curtis,	27	0	0
	27.	Joseph Duroche,	44	15	5
	28.	Smith Sandborn,	110	0	0
	30.	Henry Buys,	15	13	11
Decr.	1.	Pierre Gamelin,	20	12	6
	4.	Robert Main,	39	18	6
	5.	Samuel M'Clure,	46	2	4
	11.	Henry Curtis,	140	0	0
	14.	William Smith,	70	0	0
	16.	Samuel H. Gelston,	200	0	0
	19.	Jasper Vandersluys,	4000	0	0
		„ Same,	4000	0	0
	20.	Thomas Mears,	600	0	0
	26.	Samuel Barrett,	114	2	0
1821.					
Jany.	15.	Louis Moquin,	43	5	11
		„ James M'Intyre,	150	0	0
	20.	John Bragg,	251	10	10
	24.	Joshua Healy,	750	0	0
	25.	John Gilchrist,	19	0	0
	29.	Daniel D. Holmes,	21	19	10½
		„ Samuel Beardow,	17	3	3½
	30.	Thomas M'Connell,	228	10	0
	31.	Robt. Weir & Js. Clarke,	26	16	9
Feby.	2.	Donald M'Donald,	16	0	0
		„ John Weare,	16	9	10
	5.	Jolin Chaperon,	34	9	7
	10.	Saml. M. M'Kay,	47	15	3
		„ William Moore,	95	17	6
	13.	Peter M'Intyre,	15	0	0
		„ Saml. Bliss Cobb,	139	18	0
	14.	Alexr. J. Christie,	27	19	8
		„ Same,	148	7	5
	19.	Frs. Human,	22	5	0
	23.	Henry & E. Curtis,	30	0	0
		„ Joseph Craven,	20	0	0
		„ Campbell Sweeney,	70	0	0
March	2.	Alex. M'Donell,	20	0	0
	8.	David Vaughan,	50	0	0
	10.	James Brown,	13	19	5
		„ Abisha D. Adams,	27	4	4
	31.	Orlin Bostwick,	25	0	0
April	4.	Martel H. Cournoyer,	47	0	0
	13.	Alex. M'Millan,	30	0	0
	26.	David Clarke,	100	0	0
	28.	John May,	20	0	0
		„ Thomas Price,	14	10	0
	30.	Jason C. Pierce,	12	8	0
May	2.	Jean Bte. Godard,	12	14	9
	3.	John Neale,	11	10	0
	5.	John Campbell,	15	0	0
	8.	François Brignon,	15	0	0
		„ Martel Hus dit Cournoyer,	57	0	0
	9.	Hiram R. Hurbuck,	15	16	4
	10.	David Holmes,	15	0	0
		„ William Haliburton,	500	0	0
	11.	Robert Main,	15	10	0
	12.	Peter Martinant,	24	12	3
	14.	Ewan M'Millan,	1000	0	0
	16.	Benj. Ganson,	34	5	0
	18.	Will. W. Fisher,	65	10	0
	23.	John Dunlop,	700	0	0
		„ Noahdiah Moore,	100	0	0
	26.	William Mann,	20	0	0
June	2.	Darius D. Evans,	46	4	7½

Appendix (M.)
12th Dec.

Appendix
(M)
12th. Dec.

RECEIVED.		NAMES.		£	s.	d.
1821.						
June	8.	Aaron Blanchard,		200	0	0
		„ Henry C. Bagley,		14	10	0
	11.	Henry Sheldon,		18	0	0
	13.	James P. Catty,		30	0	0
		„ Zadoch Steel,		11	9	6
	14.	John Try,		158	0	11½
		„ Same,		158	10	0
	15.	Robt. Rogers,		169	1	2
	18.	Daniel Heath,		71	17	0
	19.	Benj. Tucker,		28	4	0
		„ John Cameron,		20	0	0
		„ John Watson,		1,000	0	0
	25.	William Knight,		50	0	0
	28.	William Teasdale,		60	0	0
		„ Solomon Hoff,		18	10	0
		„ Same,		18	0	0
	29.	John Brundage,		29	6	11
	30.	Paul Terrien,		36	5	0
		„ Jonath. Sarjeants,		17	5	0
July	4.	William Newton,		25	0	0
	5.	Herman Bangs,		204	18	6
	10.	John Bouchard,		60	0	0
	15.	Ira Baldwin,		50	0	0
	17.	Calvin Wheeler,		23	10	0
		„ Same,		15	4	3
	18.	Walter Smith,		22	6	3
	25.	Richd. Allen,		18	0	0
		„ Robt. Jones,		853	15	0
		„ John McQuaig,		40	0	0
		„ Same,		45	0	0
	28.	Rich. Loucks, sen.,		50	0	0
		„ Alexander Cooper,		27	18	10
		„ James Wilson,		200	0	0
	30.	John Le Breton,		100	0	0
		„ Will. McQuilliam,		40	0	0
	31.	Amzi Wrush,		20	0	0
August	1.	Brunet Chamberlain,		32	12	6
		„ Will. McQuilliam,		18	17	1
	2.	Will. Morrison,		28	4	3
		„ Simon T. Henry,		25	5	5
		„ Will. Heakins,		65	0	0
	6.	Nathaniel Groves,		25	0	0
	11.	James Currier,		300	0	0
	14.	Alex. McDonald,		12	1	11
	17.	François Vermette,		11	14	9
	30.	Benjamin Hall,		30	0	0
		„ David Chadwick,		18	0	0
Sept.	6.	John Brown,		25	1	1½
		„ Jacob S. Reddington,		1,807	19	4½
	7.	Fk. Yarwood,		15	0	0
	8.	Rollin Livingston,		50	0	0
	11.	Jacob S. Reddington,		2000	0	0
		„ Samuel Porter,		277	8	4
		„ Joseph Morrett,		18	5	7
	17.	David Haggard,		30	0	0
	18.	Alex. McDougall,		28	8	7
	20.	Morrill Magoon,		41	17	2
	21.	John Clifford,		11	13	6
	26.	Will. Hicks,		95	19	10
	27.	Harmonius Ritter,		11	16	10½
	28.	Nathan. Capron,		20	0	0
		„ Fras. Vermette,		11	14	7
Octr.	1.	John Clifford,		11	13	6
	2.	Sam. B. Hudson,		20	0	0
	4.	Nicholas Barnard,		11	5	0
	11.	Joel Seely,		37	7	9
	13.	Amos Fox,		45	0	0
		„ Elisha Thomas,		20	0	0
		„ Pierre T. L'Esperance,		200	0	0
	14.	John Wargg,		4,300	0	0
		„ Same,		1,200	0	0
		„ Same,		1,500	0	0
	15.	John Clarke,		34	18	11
	16.	Rich. Jarlick,		60	0	0
	20.	Jacob S. Reddington,		412	15	0
	22.	John Chrysler,		550	0	0
	23.	Will. Gillespie,		11	10	0
	24.	John Stewart,		26	15	0

RECEIVED.		NAMES.		£	s.	d.
1821.						
Octr.	24.	John McLean,		102	18	6
	25.	William Cairn,		25	17	6
		„ Robert Emmerson,		250	0	0
	29.	Abraham Gent,		175	0	0
Novr.	3.	Morris Lawrence,		15	0	0
		„ Dan. McInroy,		500	0	0
		„ Nathan. Capron,		53	0	0
		„ Moses Norton,		45	0	0
		„ John Chesser, sen.		800	0	0
		„ Oliver Whitman,		28	0	0
		„ Sam. W. Ruggles,		29	0	0
	5.	Sam. H. Wilcocke,		1,200	0	0
		„ Jos. O'Clair,		100	0	0
	6.	James Burry,		75	0	0
	8.	John Halket,		5,000	0	0
	10.	Sam. Beardow,		24	2	5
	14.	Christopher Sterne,		150	0	0
	16.	Charles E. Hersey,		17	0	0
	20.	Ignace Blouin,		300	0	0
		„ E. J. Knapping,		60	5	0
	21.	R. Viau dit Laliberté,		256	17	6
	28.	Seth Pomeroy,		120	0	0
Decr.	1.	Enoch Bowers,		20	0	0
		„ Samuel Mix,		16	7	5½
	5.	Francis Crane,		33	15	9
	11.	William White,		12	7	6
	13.	Daniel McInroy,		62	11	10
		„ Patrick Clarke,		20	0	0
	20.	Geo. B. Fowle,		20	0	0
	22.	Jason C. Pierce,		1,000	0	0
	29.	Joel Smith,		58	12	0
		„ Jonathan Snow,		20	0	0
	31.	Joseph Wingfield,		170	0	0
1822.						
Jany.	12.	Jonas Buck,		62	0	0
		„ Daniel Hibbard,		37	5	0
	19.	Jasper Vandersluys,		2,500	0	0
	22.	Margaret Morgan,		14	5	0
	24.	Obediah Adams,		1,000	0	0
	28.	Obediah Adams,		365	13	8
	29.	Margaret Morgan,		26	0	0
Feby.	4.	Elijah Curtis,		2,000	0	0
	7.	John Silver,		1,000	0	0
	11.	John T. de Misani,		50	0	0
	12.	James Keating,		50	0	0
	14.	George Burrel,		36	0	0
	19.	William Lamb,		365	0	0
	20.	Henry Moss,		15	15	9
		„ Isaac Gregory,		1,000	0	0
	25.	Samuel B. Sheldon,		300	0	0
	27.	Robert Lovell,		70	15	0
	28.	Henry Forrest,		50	0	0
		„ David Solomon,		17	13	0
March	16.	Joseph Boyden,		150	0	0
	18.	Martin Cameron,		11	15	0
	19.	George Campbell,		50	0	0
		„ James Marshall,		180	0	0
	22.	John Sanford, sr.		150	0	0
	29.	John Teasdale,		37	7	10
	30.	Henry Heasley,		14	18	9
April.	6.	Regis Laurenger,		27	0	0
	18.	Allen Beach,		20	9	3
	24.	Louis Ducharme,		393	10	5
	26.	Regis Laurenger,		434	19	6
	29.	John Gordon,		26	7	0
May.	9.	Elihu Marvin,		12	17	1½
		„ Noel P. Green,		13	14	6
	14.	J. Theo. De Misani,		86	8	1
		„ Sch. Van Rensselear,		200	0	0
	16.	Martin Chrystler,		17	15	7
	23.	Arthur Gifford,		1,093	11	6
	25.	Jacques Poitras,		52	0	0
	28.	Peter Nowlan,		29	0	0
June.	5.	Farquhar McRae,		17	10	0
		„ Robert Galloway,		200	0	0
	6.	David McDonald,		150	0	0
		„ Same,		500	0	0
		„ Moses Coss,		20	0	0

RECEIVED.		NAMES	£	s.	d.
1822.					
June	14.	Dame Heath,	90	0	0
		„ James Burry,	32	1	7
	18.	Donald McDonald,	16	9	0
	20.	Stephen Weatherly,	47	12	6
		„ Robert Galloway,	70	0	0
	28.	John Archibald,	91	12	6
		„ James Hunter,	43	10	0
July	5.	Cornelius Teasdale,	22	13	8
	15.	Alexr. Cameron,	19	19	4
	17.	Richd. Sexton,	15	19	3
	18.	William Dawson,	500	0	0
	19.	Fredk. Sagar,	150	0	0
	20.	Etienne N. St. Dizier,	27	10	1
	22.	Dan. M'Martin,	30	1	7
	30.	Robert Howe,	13	0	0
August	2.	James Currier,	600	0	0
	3.	William Zurick,	13	0	0
	6.	Allen Cook,	929	7	9
		„ Michael O'Connor,	35	14	5
	9.	John Thomas,	15	3	0
	10.	John Carswell,	31	15	0
	12.	Henry Montresor,	100	0	0
		„ John Cumming,	600	0	0
	13.	Same,	400	0	0
		„ Marie Legris,	45	0	0
	21.	Hiram Nichols,	120	0	0
	26.	Thomas Wilson,	30	0	0
	27.	Cornelius Teasdale,	268	1	10
	28.	Donald Cameron,	26	0	0
Sept.	2.	James Phelan,	17	9	1
		„ Thomas Walters,	100	0	0
	4.	David McGreery,	15	0	0
	7.	John Ransom,	22	11	3
		„ Same,	137	10	0
	10.	Metcalf Haven,	800	0	0
	12.	Thomas Lottin,	11	8	2½
		„ Henry McBride,	73	15	11
	13.	Daniel Eddlestone,	70	4	8½
	18.	Thomas Hagan,	100	0	0
	23.	Francis Wilson,	150	0	0
	24.	Nathaniel Thomas,	11	2	11
	27.	Will. Gillespie,	12	15	0
	30.	Samuel Leeke,	16	12	6
		„ Orange Ellis,	80	0	0
		„ Francis Wilson,	30	3	1
Oct.	2.	John Ransom,	150	0	0
		„ Thomas Graham,	20	0	0
	4.	Will. Johnston,	87	14	10
		„ Richard Scott,	21	5	0
	5.	Jackson Laferge,	30	0	0
	18.	Dan. McDougall,	400	0	0
	19.	John Whitlock,	500	0	0
		„ Joseph Joubert,	200	0	0
	21.	David Stansfeld,	15	0	0
	22.	Norman Bethunc,	1,000	0	0
	25.	J. G. McCormick,	15	0	0
	27.	Thomas Mooney,	40	0	0
	30.	John Johnston,	90	0	0
		„ Barth. Finch,	20	5	8
Novr.	2.	Thos. P. Attrill,	1,000	0	0
	6.	Metcalf Haven,	800	0	0
	16.	Allen Cook,	929	17	9
	18.	Elihu Marvin,	13	12	9½
		„ Nahum Hall,	228	18	8
	19.	Archibald Fraser,	100	0	0
	20.	Same,	69	0	0
		„ Same,	23	15	6
	21.	Joah Seely,	73	4	2
	27.	Daniel McMartin,	70	0	0
Decr.	2.	Moses Smith,	13	15	0
	17.	George Barnard,	11	11	9
	27.	George Reed,	800	0	0
1823.					
January	8.	John Brown,	380	0	0
	9.	Elihu Spencer,	11	3	5
	15.	Atkins Dagmais,	29	3	4
	16.	Ebenezer Collar,	82	17	4
	17.	Frans. Campagnard,	19	3	2

RECEIVED.		NAMES.	£	s.	d.
1823.					
January	17.	Angus McQuaig,	26	1	0
	20.	Marie Legris,	37	8	6
	21.	Same,	31	3	8
	24.	John H. Ferris,	50	0	0
		„ William Watson,	70	0	0
	25.	Orpheus Hibbard,	15	0	0
		„ William Watson,	630	13	0
	29.	Geo. Parks,	15	0	0
		„ Farquhar McRae,	32	5	7
Feb.	3.	John Higgens,	38	13	5
	10.	Richard Sexton,	11	11	9
	20.	Farquhar McRae,	13	1	3
	21.	James S. Allen,	19	8	6
	22.	Henry Bouthillier,	18	0	0
	24.	John May,	26	13	3
		„ Same,	60	0	0
	28.	Edward Dunden,	246	16	0
March	7.	John Sax,	25	0	0
	11.	Will. W. Sleight,	28	0	0
	12.	Same,	15	17	1
	14.	Cotton B. Davis,	12	2	0
		„ Ebenezer Gleason,	36	9	10
	15.	Richd. Sexton,	137	0	0
	17.	John Ord,	21	6	3
		„ Richard Sexton,	500	0	0
		„ James Chapelle,	11	5	0
	18.	Chris. Corniel,	16	17	3
	19.	Will. S. Holt,	66	4	1
	20.	Marie Legris,	11	10	7
	28.	Gab. Barrière de Darsigny,	24	13	0
	29.	John Halkett,	500	0	0
	31.	Lyman Hutchins,	150	0	0
April	10.	Ashbel Stanley,	47	19	6
	14.	William Hardie,	20	0	0
	17.	H. D. Beaubien,	18	0	0
	24.	William Hunter,	490	0	0
	26.	Josiah L. Hay,	69	5	0
May	1.	Edward Heath,	62	10	0
	6.	Angus M'Quaig alias McQuay,	400	0	0
	9.	Thomas McQueen,	11	9	1
	12.	Jacob Williker,	500	0	0
	13.	James Foy,	90	0	0
		„ Samuel Adams,	15	0	0
	17.	Cotton B. Davis,	11	14	6
		„ John Livingston,	14	0	0
		„ Rich M. Prior,	250	0	0
	22.	Hebert Derome,	45	9	5
		„ John Atkinson,	263	12	3
	24.	Alex. McKenzie,	12	0	0
	30.	Alex. Wilson,	2,000	0	0
June	4.	Peter Gilchrist,	22	0	0
	9.	Oliver Mitchell,	250	0	0
	10.	John Nicholson,	100	0	0
	13.	Owen Southwick,	47	7	8
	18.	Daniel Young,	51	0	0
	23.	John Brewer,	250	0	0
	24.	Will. McLean,	25	14	10
	25.	Joseph Bragg,	12	0	0
	26.	Aaron B. Smith,	60	12	7
July	4.	Casimir Piette,	16	0	0
		„ John Bower,	23	10	0
		„ John Bower,	20	0	0
	7.	Will. W. Brown,	91	7	2
	9.	John Quilliam,	140	18	0
		„ James H. Lamb,	80	0	0
		„ John Le Breton,	60	0	0
		„ John Quilliam,	40	0	0
	12.	David Mays,	27	10	6
	14.	Sophriam Hickley,	150	0	0
		„ Robert Watson,	200	0	0
	15.	John Chrystler,	30	0	0
	18.	John Barnhart,	800	0	0
	24.	Joseph Godin,	19	4	2
	26.	Samuel Hawley,	11	6	11
	31.	John K. Patrick,	50	0	0
August	1.	Vital Lefebvre,	34	12	5
		„ Oliver Mitchell,	250	0	0
	11.	Martin Moore,	150	0	0

Appendix
(M.)
12th. Dec.

Appendix
(M.)
12th Dec.

RECEIVED.		NAMES.		£	s.	d.
1823.						
August	11.	Fredk. Pearl,		2,000	0	0
	12.	Henry Lawton,		12	10	0
		„ Alex. Downie,		20	0	0
	13.	Fredk. Pearl,		500	0	0
		„ Geo. Hutchinson,		15	0	0
	14.	Same,		60	7	10
	15.	Fredk. Pearl,		2,000	0	0
		„ Alexr. Downie,		135	0	0
	23.	Daniel D. Conklin,		40	0	0
	27.	Owen Southwick,		45	7	8
	29.	John Pickel,		550	0	0
	30.	Marvin Clark,		41	7	9
Sept.	1.	Joel Smith,		58	12	0
	4.	John McLean,		64	17	5
	5.	Charles Clark,		20	0	0
		„ Ignace Charvimbais,		55	0	7
	8.	Frs. Benj. Pillet,		216	12	0
	10.	Samuel Higgens,		147	6	5
	13.	Alex. Fraser,		21	15	10
	23.	James S. Allen,		17	9	2
	24.	Abner Hagan,		369	0	0
	26.	Ora Wells,		11	15	0
	27.	Henry Snieder,		11	19	2½
	29.	Thos. S. Whittaker,		110	0	0
		„ Hugh L. Smith,		20	1	4
	30.	Joseph Halston,		33	6	8
October	7.	Ger. Leblanc alias Leblanc,		45	18	3½
	8.	Thomas S. Whittaker,		300	0	0
		„ Will. Chisholm,		300	0	0
	10.	Henry Heatly,		20	11	10
	12.	Martin Moore,		300	0	0
		„ Preston Merrifield,		41	1	5
	13.	Henry Heatly,		20	11	10
	14.	Thomas Williams,		50	0	0
	21.	Ignace Ferland,		12	14	4
	28.	Joseph Petit,		100	0	0
	31.	St. McLaren,		20	0	0
Novr.	3.	Pierre Lamarque,		17	19	0
	7.	John Cummings,		250	0	0
		„ Bonav. Trudeau,		88	17	10
	10.	John Dundass,		40	0	0
		„ Geo. Buchanan,		40	0	0
	13.	Oliver Mitchell,		250	0	0
	18.	Marie Legris,		20	0	0
	22.	Alex. Reid,		25	0	0
	28.	Joseph Polier,		140	0	0
Decr.	2.	John Ransom,		25	0	0
	4.	Thos. Fingland,		75	0	0
	12.	John Atkins,		35	0	0
	15.	Robt. Thompson,		50	0	0
	17.	Lewis A. Thomas,		13	0	0
	22.	Edward P. Woolrich,		50	0	0
	24.	Thos. Fingland,		100	0	0
	26.	William Smith,		50	0	0
	30.	Alex. White,		209	3	9
	31.	Timothy Pool,		25	0	0
1824.						
January	6.	Lyman Weed,		116	4	7
	14.	Daniel Jones,		25	0	0
	21.	Ed. P. Woolrich,		35	0	0
	24.	Boswell Steel,		125	0	0
	27.	Geo. Rolland,		102	9	6
	30.	Same,		3,000	0	0
Feb.	4.	Danl. Cameron,		50	0	0
	5.	Duncan McDonald,		40	0	0
	6.	Charles Rivers,		25	0	0
	7.	John Curry,		32	0	0
	10.	Joseph Goodsell,		40	10	2
	13.	Joseph Porlier,		190	0	0
	16.	Louis Deallis,		14	0	0
	21.	Thomas McQueen,		14	0	0
	29.	William Thayer,		50	0	0
		„ John McDonell,		60	0	0
March	1.	John Arthur,		21	7	6
	8.	John Clapp,		219	3	10
	9.	Will. Campbell,		13	0	0
	12.	Joshua Healy,		80	0	0
	13.	Edward Millford,		42	11	9½

RECEIVED.		NAMES.		£	s.	d.
1824.						
March	15.	Alexander Reid,		63	17	2
	16.	Edward Millford,		75	13	8
	22.	Enoch Billings,		280	0	0
	25.	Thomas Gibson,		300	0	0
	26.	Fredk. Pearl,		250	0	0
		„ B. Charron dit Cabana,		64	17	2
	27.	Frs. Moussette,		15	0	0
April	17.	John R. Phelps,		30	9	9
		„ Jean Bte. Choquet,		17	18	2
	23.	William Roc,		1,000	0	0
	24.	Moses Batchelor,		50	0	0
		„ Thomas A. Willis,		24	18	9
	28.	Edward Millford,		135	19	5
May	10.	John Yule,		125	0	0
		„ James Connor,		70	0	0
	19.	Louis Sarrault,		92	4	5
	28.	J. H. Farnsworth,		15	0	0
	31.	Alex. Fraser,		61	19	5
June	1.	Josh. Kerr,		100	0	0
	4.	Metcalf Haven,		60	0	0
	15.	Charles Vidal,		32	6	4½
	18.	Charles Boyer,		12	6	0
	23.	Jesse W. Armstrong,		150	0	0
	28.	Simon Barbeau,		20	0	0
	29.	John Sparks,		15	2	6
July	5.	Christian Wehr,		217	1	7
	10.	Will. Macfarlane,		115	13	0
	12.	Marcel Francœur,		30	0	0
	14.	Chris. Sterne,		21	8	3
		„ Sophermus Hickley,		150	0	0
	15.	Rufus Harriman,		300	0	0
	17.	John B. Woodbridge,		20	7	6
	21.	James Aylin,		21	14	7½
	22.	Adam G. Johnston,		31	7	0
		„ Saml. Holgate,		130	0	0
	23.	James Shaw,		23	19	3
	30.	Isaac Carr,		150	10	0
August	3.	John C. Gunlock,		33	4	1
	10.	John Broody,		13	0	0
	11.	John Eisenhart,		750	0	0
	12.	Danl. Young,		40	11	5
		„ Will. Church,		27	10	0
		„ James Magee,		44	1	1
		„ John Eisenhart.		1,066	0	3
	13.	Jas. Cuthbertson,		61	19	8
	21.	L. Kinsinsique,		39	11	4½
		„ Ig. Chawoinabay,		65	12	2
		„ John Barahart,		39	14	2
Sept.	3.	Geo. B. Willard,		45	0	0
	4.	Randal Bissel,		17	17	6
	14.	James Everitt,		16	2	3
	15.	Will. Hardie,		20	0	0
	16.	Will. Cameron,		350	0	0
	20.	Alex. Hardie,		13	6	0
		„ David Dickie,		22	14	6
	22.	Frs. Tate,		27	1	7
	23.	Louis Crawford,		24	8	9
	27.	Nicholas Sparks,		90	0	0
Octr.	4.	Finnan McDonald,		173	15	0
	5.	J. S. Downs,		14	1	9
	7.	David Dickie,		140	9	1
	12.	M. Francœur,		24	11	0
	14.	Louis Crawford,		35	2	8
	15.	Geo. S. Kover,		250	0	0
	16.	O. Callagan,		15	11	4
	19.	Geo. W. Hoit,		38	15	0
		„ Jean B. Maulette,		13	7	10
	29.	E. Cheney,		14	1	2½
		„ Michael M. Byrne,		40	0	0
	30.	Angus Kennedy,		47	7	8
Novr.	1.	Same,		18	13	4
	2.	Will. Birkett,		50	0	0
	4.	Edward Fiddler,		20	0	0
	5.	John Dunn,		100	0	0
	8.	John Dougall,		250	0	0
	13.	John Everitt,		35	0	0
		„ Ann M. H. Quin,		367	2	6
	15.	Jos. McKellip,		19	10	0

RECEIVED.			NAMES.			RECEIVED.			NAMES.			Appendix (M.)
		£ s. d.						£ s. d.				
1824.						1825.						
Novr.	18.	Jos. Batson,	500	0	0	Oct.	10.	Stephen Collins,	400	0	0	12th Dec.
		John Hutchins,	14	11	6		12.	Samuel Appletree,	55	0	0	
	20.	Jos. Butterell,	35	0	0		13.	Robt. Jackson,	21	14	0	
	23.	Jos. Atkinson,	50	0	0		14.	Will. Proudfoot,	130	0	0	
	25.	Jas Davidson,	42	2	3		15.	John Barnhart,	23	0	0	
	26.	Pierre Salvir,	42	9	9		20.	James Pyke,	32	10	0	
Decr.	2.	Roswell Leavens,	200	0	0		31.	Simon St. Clair,	30	0	0	
	9.	Frs. Wyatt,	28	3	9	Nov.	3.	James Farrar,	100	0	0	
	16.	Saml Herrick,	12	10	0		4.	Thomas Mears,	15	8	0	
	24.	Will. McKay,	21	13	6			Lewis Chadwick,	15	0	0	
	28.	Mich. Scott,	1,446	13	4		7.	John Chrysler,	989	0	3½	
	31.	Heman Cady,	193	15	9		9.	William West,	15	0	0	
1825.							10.	Peter Martinant,	15	12	6	
January	5.	Mich. Stevens,	60	0	0		11.	David Manning,	15	0	0	
		Geo. S. Holt,	3,000	0	0		24.	Samuel Stacey,	240	0	0	
	6.	Will. Georgen,	1,500	0	0	Decr.	3.	Thomas McLeish,	34	10	0	
	7.	A. H. V. Bennet,	300	0	0		6.	James Pyke,	11	5	0	
	8.	Same,	400	0	0		7.	Francis Webster,	13	15	0	
		John B. Leaman,	130	0	0			Bernard Devlin,	600	0	0	
	10.	Donald Livingston,	16	0	0			Donald McAuly,	60	0	0	
	18.	William Wilson,	17	15	10		19.	Winthrop Whidon,	22	9	2	
	20.	James Macmanus,	23	2	6		21.	Robert Armour,	5,000	0	0	
	27.	Florence M'Carthy,	16	0	0		30.	James Greenfield,	31	0	0	
Febry.	1.	Alex. McPherson,	420	0	0			Same,	15	0	0	
	5.	Garret Fitzgerald,	17	8	9	1826.						
	7.	Jonathan M'Curdy,	16	0	0	Jany.	4.	Same,	17	0	3	
	11.	Benj. Davis,	200	0	0			Nathan. Pierce,	750	0	0	
		Samuel Foster,	35	0	0		14.	James Farrar,	14	0	0	
March	9.	Samuel Howe,	94	18	2		18.	Peter L. St. Germain,	35	0	0	
	24.	James Murray,	26	0	6			Joshua Whitney,	41	7	7	
	28.	Thomas Kennedy,	25	0	0		21.	James Greenfield,	21	11	0	
April	16.	Thomas Brown,	25	0	0		23.	John Brown,	30	0	0	
		Amasa J. Brown,	13	0	0		25.	Daniel Ross,	11	2	5	
	21.	Lock Catlin,	70	0	0		26.	Joseph Atkinson,	30	0	0	
	22.	Charles Vidal,	16	14	6		30.	Isaac Kerr,	48	0	0	
		Donald Livingston,	32	1	0	Febry.	4.	George Barnes,	12	10	0	
May	4.	Will. Kinsler,	27	3	0		13.	Jos. Roy,	150	0	0	
	8.	Charles Hogg,	12	4	10		23.	Andrew Clow,	23	2	6	
	9.	Frans. Vidal, fils,	83	6	8	March	6.	Rich. Meriam,	300	0	0	
	10.	Same,	130	6	8		6.	Charles Hunter,	320	0	0	
	16.	Charles Rivers,	500	0	0		10.	Martin Byrne,	35	0	0	
		William Moore,	40	13	6		16.	George Lotter,	400	0	0	
		John Cameron,	300	0	0		31.	Henry B. Cox,	2,000	0	0	
June	3.	John Dunlop,	38	2	10			Henry B. Cox,	1,500	0	0	
		Jesse. W. Armstrong,	400	0	0	April	1.	Gabriel Tunstall,	15	17	6	
	4.	Geo. W. Stephenson,	20	15	0		8.	Thomas Ferguson,	67	13	2	
	7.	Frs. Kilvitakijak,	122	16	8		20.	John Oid,	11	3	11	
	13.	John Le Breton,	20	12	10		26.	Luman Vaughan,	250	0	0	
	22.	Geo. W. Stephenson,	16	0	0	May	3.	Gabriel Tunstall,	21	7	6	
July.	3.	Rufus Wilson,	18	0	0		6.	Judson Lampton,	30	0	0	
	22.	Hugh Chisholm,	300	0	0		9.	Frederick Brown,	13	2	6	
	23.	James Pyke,	110	0	0		10.	Same,	16	17	6	
		James Morgan,	200	0	0			Alexander Fraser,	12	4	4	
	26.	P. W. Handy,	54	6	5½			Francis Alexander,	20	0	0	
	27.	A. Harbut, sen.,	30	0	0			Frek. Brown,	17	12	6	
August	16.	Rich. Jackson,	13	1	0		13.	Jeremiah Adams,	22	0	5½	
	16.	Same,	14	17	2			Sam. Cornwall,	16	6	8	
	20.	Henry Cassedy,	20	0	0		17.	James Hatch,	26	0	0	
	30.	Geo. G. Monier,	1,000	0	0			John Maloney,	36	0	0	
Sept.	3.	Frs. Vidal, fils,	27	3	8		20.	Jacob Dalmadge,	56	13	11	
	10.	Adam Crosier,	187	3	0			Fk. Kinthier,	31	16	6	
		Jos. St. Dizier,	25	0	0		22.	Will. Campbell,	200	0	0	
	13.	John M. Balfour,	50	0	0		25.	John Crysler,	100	0	0	
	15.	Freeman A. Barbour,	17	13	9			John Campbell,	500	0	0	
	16.	Francis Rasco,	520	0	0	June	2.	Alex. Macdonell,	60	0	0	
	19.	Ivey Gamel,	30	0	0			Joseph Kerr,	47	13	2	
		David Davies,	11	18	2		10.	G. Wheeler al. Willard,	25	0	0	
	21.	Antoine Malepart,	25	0	0		12.	John Field,	20	0	0	
	29.	Highland Miller,	78	2	6		14.	Antoine Dupré, jnr.	23	0	0	
Oct.	1.	Philip Bazinet,	83	10	9			Will. Maitland,	3,717	0	0	
	3.	Edward Fiddler,	24	8	0		17.	W. McFarlane,	100	0	0	
		James Pyke,	60	0	0		21.	Robt. Walker,	25	0	0	
	5.	Robert Jackson,	20	8	0		23.	Peter Martinant,	400	0	0	
	7.	Philip Bazinet,	83	10	9		24.	Chs. Rivers,	28	4	1	
		William Niles,	50	0	0	July	1.	Will. McMartin,	484	19	3	
		Absalom Shade,	60	0	0		3.	Alex. Thompson,	75	0	0	
	10.	Nicolas C. Radiger,	35	0	0			John Dalmadge,	24	14	6	

Appendix
(M.)
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RECEIVED.		NAMES.		£	s.	d.
1826.						
July	3.	Reuben Sherwood,	1,500	0	0	
	19.	Will. Blanchard,	162	11	3	
	20.	Pierre Lamarque,	29	3	4	
	24.	Matt. McNair,	500	0	0	
	26.	Thomas Price,	70	0	0	
		„ Jonathan Childs,	33	13	1	
		„ John Barwell,	50	0	0	
	29.	Jos. Atkinson,	100	0	0	
		„ Lewis Clevelin,	11	8	4	
	31.	Roswell Levins,	28	0	0	
August	1.	Hiram Curtis,	12	0	0	
		„ E. B. McLeish,	20	0	0	
	2.	Leveritt Stanhope,	12	19	5½	
	11.	George Astor,	500	0	0	
	22.	William Crooks,	7,335	2	4	
		„ Jos. Atkinson,	35	0	0	
	23.	Thos. H. Willis,	35	0	0	
	26.	Lyman Warren,	70	0	0	
Sept.	1.	Will. B. Bowen,	30	2	0	
	5.	Robt. McGregor,	21	12	0	
	7.	Jeremiah O. Donavan,	27	1	5	
	9.	Will. Patterson,	25	0	0	
	11.	J. O. Donavan,	1,500	0	0	
	13.	Laurent Gilbert,	281	0	0	
	14.	Adams H. Meyer,	53	0	0	
		„ W. B. Bowen,	54	19	0	
		„ Frs. Terrien,	55	2	6	
	16.	Edw. Herbert,	25	15	0	
	20.	John W. Strong,	6,000	0	0	
	22.	John Blasdell,	415	11	1	
		„ Chs. B. Pasteur,	38	1	8	
	26.	Christopher Reid,	30	0	0	
	28.	Fredk. Brown,	17	0	0	
	29.	George Crowper,	50	5	5	
Oct.	1.	Alexr. Young,	300	0	0	
	4.	John Todd,	35	0	0	
	5.	Richard Miram,	29	0	0	
		„ John Todd,	130	0	0	
		„ Fredk. Brown,	70	15	11½	
	6.	Martin Rickner,	33	1	1	
		„ Michael Scarbrough,	1,600	0	0	
		„ Samuel Sawyer,	219	16	10	
	7.	William Weeks,	119	5	0	
	9.	Marvin Obiatte,	500	0	0	
	11.	Will. Whitney,	75	9	5	
	12.	Alexander Young,	52	13	4	
	13.	Nathaniel Pierce,	13	15	0	
	19.	Daniel O'Hare,	25	0	0	
	26.	Ephraim Bridge,	209	11	6	
	30.	Philo Franchiell,	177	4	5	
	31.	Adam Ferrie,	25	11	2	
Novr.	4.	Sarah Christie,	30	0	0	
	6.	James Holt,	300	0	0	
	8.	Sylvester Gilbert,	426	8	4½	
	9.	Joseph Leblanc,	13	19	2	
	11.	Gedeon Lathrop,	600	0	0	
	13.	Samuel Murray,	150	0	0	
	14.	Thomas Hughes,	50	0	0	
		„ Adam G. Johnston,	88	16	2	
	18.	John Lumes,	14	10	0	
	21.	François Marié,	25	0	0	
	23.	Abner Meriam,	60	0	0	
	30.	Noel M'Lean,	2,001	1	8	
Decr.	2.	Ewen M'Millan,	68	14	4½	
	4.	Walter Beckwith,	50	0	0	
	13.	Zachariah M'Auley,	12	5	0	
	27.	Edward Pregon,	235	0	0	
1827.						
Janry.	6.	Robert M'Robb,	13	15	5	
	18.	Henry Cassedy,	16	10	6	
	19.	Dernot Dempsey,	30	0	0	
	20.	Same,	29	15	0	
Febry.	2.	Same,	29	13	0	
	27.	David Chesley,	196	16	0	
March	7.	Abel Holden,	18	5	3½	
	9.	David Chesley,	53	19	5½	
	10.	Elisha Lyman,	110	0	0	
	15.	George Proctor,	58	1	6	

RECEIVED.		NAMES.		£	s.	d.
1827.						
March	28.	James Holt,	500	0	0	
April	3.	George C. Rankin,	32	4	10	
	11.	Isaac Randall,	23	17	7	
	21.	Alexander Anderson,	15	18	2	
	27.	James Buchanan,	30	0	0	
May	4.	Joseph Atkinson,	35	0	0	
	7.	Michael Nick,	75	0	0	
	9.	Joseph Davies,	74	0	0	
	10.	Joseph Fisher,	160	0	0	
	21.	Walter Bruce,	120	0	0	
		„ Same,	150	0	0	
	28.	John Grant,	220	0	0	
June	2.	Stephens (David),	120	0	0	
	8.	George Proctor,	500	0	0	
	9.	James Rodgers,	113	18	6	
	11.	Joseph E. Gratton,	36	6	11½	
	15.	John Deeming,	161	12	9	
	16.	Chs. S. M'Kenzie,	60	0	0	
	21.	Joseph Fisher,	300	0	0	
	23.	William Dunning,	89	10	9	
	27.	John Rix,	250	0	0	
July	25.	William Murdoch,	80	4	6	
August	4.	James Gray,	35	0	0	
	11.	D. P. Nash,	180	0	0	
		„ Hubert Cook,	150	0	0	
	15.	Benj. Cummings,	19	10	0	
Sept.	1.	Jeremiah O. Donovan,	20	0	0	
	6.	John Crawford,	200	0	0	
	7.	William Bell,	15	0	0	
	22.	Ira Dowd,	25	0	0	
	24.	Alias Taron L'Espérance,	16	0	0	
	27.	Royal Corben,	200	0	0	
October	1.	Danl. Madden,	167	7	6	
	4.	Luke Lannigan,	130	0	0	
	10.	Solomon Huff,	19	10	0	
	13.	Walter Beckwith,	40	0	0	
Novr.	3.	Caleb Boyce,	12	2	1½	
	7.	N. Sparks,	19	10	0	
	13.	Joshua H. Payne,	100	0	0	
	15.	Louis Victor,	26	14	10	
	17.	Thos. L. Edwards,	12	17	6	
	29.	Paris Swain,	20	0	0	
Decr.	1.	George Miller,	198	0	0	
	4.	Adam Harrington,	65	7	3	
	11.	William Closson,	1,000	0	0	
	12.	Stephen Lawrence,	28	4	6	
	22.	Thomas Harper,	73	0	0	
1828.						
Janry.	16.	George Shute Knower,	175	0	0	
	18.	Joseph Froste,	300	0	0	
Febry.	4.	Jos. Tart,	28	10	0	
		„ Richd. Meriam,	56	0	0	
	9.	Elihu S. Spencer,	56	4	1½	
	14.	Chs. Onouanin,	132	18	0	
		„ S. P. Niemo & Darius } Daniel Griswold, }	14	0	1	
		„ Robt. M. Brownson,	12	4	5	
	23.	Henry Crampton,	60	0	0	
	27.	Harvey Kellogg,	12	10	0	
March.	6.	James Gardner,	36	5	0	
	12.	Hypolite Dufort,	50	0	0	
	15.	John Meade,	80	0	0	
	21.	Edw. Leonard,	43	8	7	
	26.	Isaac Davis,	12	4	0	
April	11.	Michael Kirk,	30	0	0	
	21.	Pascal Côte,	15	0	0	
	30.	J. B. Lefebvre,	12	10	0	
May	10.	John Dickson,	16	15	6	
	12.	James Ross,	24	5	5	
	24.	James Melville,	45	0	0	
	26.	P. J. Beaudry,	30	0	0	
June	5.	Judson Lampton,	50	0	0	
July	10.	Jos. Taration al. J. Horthy,	10	0	0	
	15.	Michael Burke,	75	0	0	
	18.	Germain Andrews,	150	0	0	
	22.	David Jardine,	42	13	6	
	31.	Samuel T. Hudson,	600	0	0	
August	1.	Henderson Scaife,	18	0	5	

RECEIVED.	NAMES.	£	s.	d.	RECEIVED.	NAMES.	£	s.	d.
1828.					1828.				
August	8. James Hay,	40	0	0	Sept.	5. Samuel Gerrard,	15,000	0	0
	11. Arch. B. Henshaw,	337	19	6		29. Giles Leach,	30	0	0
	22. Angus O. M. Kenzie,	15	0	0	Oct.	4. Nehemiah Waterbury,	375	0	0
	26. Joseph Atkinson,	300	0	0		6. William M'Kenzie,	20	0	0
	27. Frs. Couvrette,	36	0	0		8. Frans. Couvrette,	16	0	0
Sept.	5. Jos. Hénault,	23	8	9		9. Louis Bousquet,	21	5	0
	„ Alexr. Macpherson,	200	0	0					

Appendix
(M.)
12th. Dec.

N. B. Total number of Writs between the aforesaid period, 2,758.

Montreal, December 1828.

(Signed) L. GUGY, Sheriff.

LIST of the Persons arrested under and by virtue of *Writs of Capias ad Respondendum*, issued out of His Majesty's Court of King's Bench for the District of Montreal, and who have been admitted to Bail by the Sheriff of the said District, between the first day of January, one thousand eight hundred and eleven, and the twentieth day of October, one thousand eight hundred and twenty-eight, made in obedience to the order of His Excellency the Administrator of the Government.

TABLEAU des Personnes arrêtées en vertu de Mandats de *Capias ad Respondendum*, émanés de la Cour du Banc du Roi du District de Montréal, et qui ont été admises à donner des cautions par le Shérif du dit District, entre le premier Janvier mil huit cent onze, et le vingtième jour d'Octobre mil huit cent vingt-huit, fait en obéissance à l'ordre de Son Excellence l'Administrateur du Gouvernement.

1811.	£	s.	d.	1812.	£	s.	d.
January 5. Jean Bapt. Thibert,	50	0	0	July 24. John Farrel,	59	11	6
26. Roderick Stowe,	614	2	0	Sept. 28. John Seeley,	57	17	8
Febry. 14. M. Wheeler,	480	0	0	Oct. 1. Jesse Hollester,	216	16	0
March 2. Donald McDonnell,	110	15	6	14. Jonathan M. Wright, } Thomas W. Storrow, }	21,120	0	0
4. Joshua Stevens,	25	0	0	1813.			
April 11. William Lowe,	47	10	0	January 11. Thomas Graham,	600	0	0
24. M. B. Hitchcock,	32	10	0	Febry. 25. Joshua Gibbs,	32	13	4
May 8. John M'Donald,	92	8	0	May 3. Wm. Blanchard,	94	6	2
June 7. Jas. N. Alport,	82	12	6	June 7. Duncan M'Intosh,	23	8	0
28. Archd. Willard,	158	16	10	Sept. 7. Charles Burnham,	36	0	0
„ Levi Bigelow,	82	8	0	Oct. 5. Charles Jones,	172	0	0
July 1. Walter Buchanan,	56	13	2	8. Hugh Murray,	184	10	0
18. Henry Saunders,	40	0	0	9. Honble. Wm. Campbell,	600	0	0
19. Ronald M'Donell,	180	0	0	11. John Deaves,	75	5	8
„ Allen M'Donell,	46	18	3	1814.			
27. Joseph M'Allister,	30	0	0	January 11. A. Briggs,	42	0	0
August 2. Henry Proctor,	66	0	0	March 11. Reuben Sherwood,	260	0	0
23. J. L. Beach,	24	15	0	April 7. Alexander Hays,	50	0	0
26. H. L. Butterfield,	914	0	0	July 27. John M'Intosh,	4,200	0	0
Sept. 2. William Delorimier,	44	0	0	August 13. Thomas Manson,	35	17	2
3. John Harris,	1,578	0	4	Sept. 20. John Deaves,	282	0	0
7. William Bishop,	232	10	0	24. Jas. O'Clair,	1,300	0	0
16. William Carringal,	600	0	0	Oct. 24. George Neven,	25	0	0
17. Thomas Mears,	1,300	0	0	29. ditto,	42	17	0
20. P. V. Mailloux,	365	0	0	Novr. 8. William Robertson,	50	0	0
25. Adam Baker,	231	11	6	„ Avery Storey,	95	3	0
October 2. P. V. Mailloux,	365	0	0	1815.			
12. Peter Adell,	117	0	6	January 8. Robert Skinner,	158	15	10
31. Ebenezer Legros,	145	8	8	27. Michael Doyle,	60	0	0
Novr. 6. Richard Mears,	25	13	0	„ ditto,	200	0	0
„ William Davies,	25	1	6	March 25. Z. Green,	582	0	0
22. Joseph Barlow,	142	8	0	30. W. B. Whitney,	40	0	0
25. ditto,	238	13	2	April 22. Simon Evans,	500	0	0
Decr. 28. Danl. W. Eager,	156	0	0	28. Samuel Wellington,	200	0	0
1812.				May 2. Antoine Desbarats,	292	12	8
January 21. M. S. Woolsey,	46	13	4	8. P. Leclair,	98	3	4
23. Reuben Sherwood,	200	0	0	„ François Martin,	162	15	0
Febry. 5. Luman Hawley,	26	8	0	17. William Randal,	28	2	4
6. Thomas J. Plunckart,	455	2	0	24. Levi Caldwell,	116	10	6
March 3. Rodk. Stowe,	215	0	0	31. William Stuart,	100	0	0
April 8. ditto,	743	13	0	June 1. François Pillatt,	26	14	0
June 10. Herman Allen,	7,500	0	0	6. John Fennell,	200	0	0
„ Thaddeus Tuttle,	626	18	6	August 24. John Ewbank,	26	15	0
25. John Kaysler,	29	10	0	„ Jean Bte. Jacob,	530	5	9
26. Julius Barnard,	24	12	0				

Appendix
(M)
12th. Dec.

1815.		£	s.	d.
August	28. John Adams, jr.	987	10	0
Oct.	21. H. L. Shepard,	45	10	0
Nov.	16. William Hamilton,	300	0	0
	„ Charles Curtis,	559	3	1
Dec.	7. Henry Bouthillier,	26	2	7
	27. Edward Cooper,	100	0	0
1816.				
Jany.	11. Merrill Barter,	36	0	0
	24. Ignace Rouleau,	22	10	0
	„ James Lloyd,	226	11	4
Feby.	1. Ignace Rouleau,	57	0	0
	13. Jean Bte. Blondin,	43	10	0
	21. John Blackwood,	34	0	0
March	2. W. Hastings,	100	0	0
	9. John Dickson,	65	16	0
	19. Josiah Classon,	30	9	10
April	3. Samuel Heath,	34	10	6
	15. E. W. Miller,	22	10	0
	30. Alex. M'Kenzie,	1,600	0	0
May	1. ditto,	400	0	0
	2. Archd. N. M'Cleod,	400	0	0
	„ ditto,	1,600	0	0
	11. Kenneth M'Kenzie,	1,600	0	0
	20. Nathaniel Brace,	250	0	0
June	21. John A. Stevenson,	23	17	0
	24. James Garratt,	60	0	0
	„ ditto,	60	0	0
	„ William Hepburn,	245	6	1
July	6. Charles Whistler, } „ James Isley, }	92	0	0
August	1. Charles Marker,	100	0	0
	14. Arthur Gifford,	300	0	0
	19. Obediah Winters,	59	17	0
	20. Thos. Merrifield,	87	4	6
	24. William G. Fitch,	24	10	0
	27. David Munn,	436	0	0
Sept.	2. ditto,	30	0	0
	9. Peter Tylee,	700	0	0
	10. John Chesser,	433	1	0
	13. Amos Brooks,	718	12	7
	20. David Curtis,	89	8	4
Oct.	7. Charles Curtis,	993	0	0
	21. P. Papineau,	47	17	6
	24. Duncan M'Donald,	50	0	0
	25. Saml. Bell,	100	0	0
	28. Geo. T. Batchelor,	28	4	4
Nov.	2. James Kelly,	23	4	0
	23. John Bragg,	92	7	2
	25. ditto,	34	10	0
	27. Joseph Tilton,	200	0	0
Dec.	6. William Clark,	652	9	7
	14. William Tibbits,	80	0	0
1817.				
Jany.	8. L. F. Holcomb,	67	10	0
	21. James Pull, } „ Nathaniel Brass, }	38	0	0
	„ J. C. Jeremie,	80	0	0
Feby.	8. Charles Davis,	103	12	4
	10. Nathaniel Newall,	200	0	0
	12. John Dunlop,	72	0	0
	„ Nathaniel Newall,	475	0	0
	20. John H. Powell,	88	15	0
	„ John Ryan,	49	12	0
	24. Leonard Smiles,	307	2	0
March	7. Edward Cooper,	77	19	2
May	2. Louis Guy,	47	4	2
	„ ditto,	28	17	0
	9. Charles Poirier,	22	13	4
	„ Peter Merckell,	160	2	0
	„ Joseph Fletcher,	107	19	0
June	2. Ira Balden,	39	10	0
	20. Henry Shoemaker,	172	10	0
	26. Joseph Doré,	134	13	10
	27. ditto,	40	0	0
	28. P. Pétrimoulx,	39	0	0
July	17. John Wilson,	100	0	0
	25. Aaron Doind,	475	19	2
	26. A. Whipple,	60	0	0

1817.		£	s.	d.
July	29. Preston Merrifield,	162	2	4
Aug.	1. Archibald M'Donell,	44	8	0
	„ Giles Jones,	33	15	9
	9. Geo. Cheeney,	139	15	8
	15. Steel Smith,	47	10	0
Sept.	13. Patrick Murray,	72	14	4
	26. Eph. Hungerford,	160	6	2
	30. Charles K. Sleigh,	97	12	10
Oct.	4. Charles Delaronde,	1,183	18	8
	10. Samuel Smith,	82	8	0
	„ Samuel Hedge, jr.,	460	3	7
	11. Mathew Boyd,	76	5	8
	13. Arch. McCallum,	1,100	0	0
	„ Same,	300	0	0
	16. Alexis Rielle,	16	18	11
	24. Ed. O'Servis,	43	4	0
	25. Sarah Clements,	36	0	0
Nov.	6. John J. Shaver,	500	0	0
	18. Al. Mann,	385	19	2
Dec.	1. William Moor,	142	6	0
	9. George Dover,	40	0	0
	13. Jos. T. Gaudet,	28	0	0
	24. Jos. Dugas,	36	0	0
	29. Edward O'Servis,	26	11	1
1818.				
January	22. John Thompson,	57	10	0
	27. Will. Spence,	23	19	4
	„ E. Hoyt,	615	19	2
	„ Job. Forke,	3,868	15	10
	30. Eph. Knight,	184	19	8
	„ Ditto,	39	8	0
Feby.	8. Thomas Ering,	100	0	0
	20. Eph. Knight,	42	10	0
	21. Jean S. Noro,	134	11	0
March	7. Silas Willard,	268	10	0
	9. J. P. Hammond,	124	15	6
	11. Wm. Huntington,	78	11	7
	16. Aug. Poirier,	22	15	0
	21. Fred. Glackmeyer,	368	1	0
	„ Ditto,	57	0	0
	23. Mary Gedde,	54	10	10
April	4. Robt. Hoyle,	730	14	0
May.	7. Fred. Glackmeyer,	237	12	0
	15. Charles Trudelle,	45	11	0
	28. David Davis,	33	5	0
	29. Gabriel Lalonde,	45	15	0
	„ Eustache Gabouric,	102	13	4
	„ Frs. LaBranche,	123	6	8
	30. Jos. Sansfaçon,	191	2	10
June.	1. Levi Platt,	46	2	0
	6. François Eno,	149	1	6
	15. Fred. Keeler,	88	18	2
	23. Fred. Glackmeyer,	279	11	6
	28. Augustin Poirier,	69	1	6
July	1. George Hall,	900	0	0
	9. Will. Kinsler,	56	14	5
	10. Jas. Howard,	26	10	0
	11. George Forsyth,	875	7	8
	18. Elisa Hall,	249	18	0
	22. Will. McKenzie,	250	0	0
	29. Austin Warner,	31	14	6
August	17. Lewis Ritter,	50	0	0
	„ Jos. Pendris,	28	0	0
	„ David Linter,	27	10	0
	26. Jos. Leger dit Parisien,	107	0	0
	„ Ditto,	118	18	4
Sept.	22. Thomas Watson,	33	12	6
	30. Jonathan Sleeper,	58	0	0
	„ Thomas Nixon,	1,159	10	8
October	12. Henry Manning,	72	8	10
	„ J. P. Bartlett,	35	10	0
	23. Jean L. Laffricain,	28	8	0
	„ David Reed,	53	10	0
1819.				
January	8. John Phillips,	195	5	0
	9. James Curry,	22	10	0
	11. Elkanah Phelps,	250	0	0
	14. Sarah Gibbs,	27	12	3

1819.			1820.			1820.			1821.			
		£ s. d.			£ s. d.			£ s. d.			£ s. d.	
Febry.	11. Jonathan Alger,	100 0 0	April	7. Pierre Murcian,	25 0 0	April	7. Pierre Murcian,	25 0 0	Janary	8. Jacob S. Reddington,	100 0 0	
	„ Chrs. B. You,	195 1 2		8. S. Ferdinand,	48 16 9		8. S. Ferdinand,	48 16 9		10. J. H. Dorwin,	25 0 0	
	19. Jas Bennett,	34 7 6		14. L. Vaughan,	61 12 0		14. L. Vaughan,	61 12 0		13. J. Spalding,	23 12 8	
	20. Frs. Levesque,	100 0 0		15. John Gilroy,	34 3 0		15. John Gilroy,	34 3 0		15. James Solomons,	215 12 8	
March	2. Solomon Johnston,	160 0 0		25. Daniel Tuttle,	22 8 1		25. Daniel Tuttle,	22 8 1		21. Solomon Johnston,	24 7 10	
	8. C. Brayer,	23 17 1		26. P. B. Galway,	200 0 0		26. P. B. Galway,	200 0 0		22. Ashabel Stanley,	1,200 0 0	
	9. John Runyan,	26 4 6	May	3. Daniel Heath,	27 10 0	May	3. Daniel Heath,	27 10 0		27. John Ware,	91 10 0	
	10. George Fisher,	400 0 0		16. James Therien,	27 10 0		16. James Therien,	27 10 0		31. Richd. Garlick,	37 0 0	
	15. E. Baker,	30 3 0		24. Henry Wilson,	80 0 0		24. Henry Wilson,	80 0 0		„ John Johnson,	120 0 0	
	16. Peleg Stearns,	375 0 0		25. Samuel Hildreath,	198 4 6		25. Samuel Hildreath,	198 4 6		February	5. Daniel Brown,	39 10 0
	19. John Foster,	24 4 0		26. James Porteous,	3,000 0 0		26. James Porteous,	3,000 0 0		11. Charles E. Monk,	280 0 0	
	29. Joseph Lough,	1,663 12 1		30. John Miller,	25 0 0		30. John Miller,	25 0 0		26. Farquhar McRae,	40 0 0	
	„ ditto,	214 14 6		„ Gedeon Lathrop,	25 0 0		„ Gedeon Lathrop,	25 0 0		28. Aaron Wheeler,	82 1 0	
	31. Samuel Baker,	30 3 0	June	12. Daniel Heath,	27 19 0	June	12. Daniel Heath,	27 19 0		29. C. E. Grossman,	528 12 9	
April	2. Thomas Fletcher,	27 9 10		22. Donald M'Auley,	587 14 0		22. Donald M'Auley,	587 14 0		March	7. Samuel Menard,	200 0 0
	3. Thomas Doige,	30 0 0		27. John Bissell,	617 7 0		27. John Bissell,	617 7 0		23. William J. Hall,	1,000 0 0	
	7. P. St. Germain,	199 6 0		28. Levi Sexton,	2,584 0 0		28. Levi Sexton,	2,584 0 0		30. E. Bangs,	116 16 0	
	8. James Millar,	80 0 0		„ John Spencer,	30 0 0		„ John Spencer,	30 0 0				
	24. Alexander Dewar,	150 0 0		29. Francis Deardon,	76 0 0		29. Francis Deardon,	76 0 0				
	30. Alexander Rea,	1600 0 0	July	1. Thomas A. Lewis,	35 0 0	July	1. Thomas A. Lewis,	35 0 0				
May	1. Hugh M'Kay,	32 0 0		„ Moses Marshall,	36 0 0		„ Moses Marshall,	36 0 0				
	5. A. H. Ogilvie,	16 16 0		„ John McGregor,	43 10 10		„ John McGregor,	43 10 10				
	24. John Ger,	46 14 10		10. Kobert Morin,	440 0 0		10. Kobert Morin,	440 0 0				
June	1. Peter Titus,	24 10 0		13. Peter Martinant,	48 15 0		13. Peter Martinant,	48 15 0				
	„ Rufus B. Page,	65 11 2		15. Elijah Curtis,	207 18 4		15. Elijah Curtis,	207 18 4				
	7. Archibald M'Donald,	23 15 11		22. Thomas Gavin,	32 0 0		22. Thomas Gavin,	32 0 0				
	8. James Rogers,	122 0 0		„ John Ferly,	29 10 0		„ John Ferly,	29 10 0				
	26. D. M'Donald,	800 0 0		28. J. C. Goodhue,	258 3 2		28. J. C. Goodhue,	258 3 2				
July	13. Abraham Harris,	100 0 0		„ Charles H. Jones,	84 0 0		„ Charles H. Jones,	84 0 0				
	31. Louis Moquin,	150 0 0		31. Allen Cameron,	274 0 0		31. Allen Cameron,	274 0 0				
August	6. Thomas Ledman,	94 3 0	August	2. James Porteous,	259 15 0	August	2. James Porteous,	259 15 0				
	9. ditto,	194 5 0		7. John Duncan,	25 0 0		7. John Duncan,	25 0 0				
	11. John Honey,	114 19 5		8. John Smith,	200 0 0		8. John Smith,	200 0 0				
	13. Henry Morgan,	38 14 2		11. Jos. Bean,	68 18 10		11. Jos. Bean,	68 18 10				
	18. Samuel Mix,	43 18 4		18. Jos. Reed,	444 8 10		18. Jos. Reed,	444 8 10				
	21. J. G. M'Lean,	200 0 0		19. Ls. Marguay,	600 0 0		19. Ls. Marguay,	600 0 0				
	„ William Wilson,	200 0 0	Sept.	1. Charles Rivers,	560 0 0	Sept.	1. Charles Rivers,	560 0 0				
	25. Enoch Gerrish,	400 0 0		6. Jos. Hogan,	93 1 0		6. Jos. Hogan,	93 1 0				
Sept.	9. John Burns,	105 12 10		11. Louis Chaurette,	38 0 0		11. Louis Chaurette,	38 0 0				
	10. Donald M'Donald,	1,386 10 0		14. Will. Polley,	31 0 6		14. Will. Polley,	31 0 6				
	11. Richard Mars,	156 10 0		15. Henry Curtis,	4,000 0 0		15. Henry Curtis,	4,000 0 0				
	14. Samuel M'Clure,	300 0 0		„ Elijah Curtis,	100 0 0		„ Elijah Curtis,	100 0 0				
	„ Charles Huntoon,	79 1 0		16. Moses Marshall,	23 15 9		16. Moses Marshall,	23 15 9				
	„ ditto,	58 9 2		18. Henry Williams,	700 0 0		18. Henry Williams,	700 0 0				
	17. William Smith,	40 0 0		25. Donald McAuley,	64 18 6		25. Donald McAuley,	64 18 6				
	18. William W. Mathews,	146 0 0		26. A. Stanley,	27 7 6		26. A. Stanley,	27 7 6				
	21. William Woolbridge,	43 1 0		„ Will. Cliff,	24 0 0		„ Will. Cliff,	24 0 0				
	29. Thomas Hubbard,	600 0 0		27. Will. Levick,	153 4 0		27. Will. Levick,	153 4 0				
October	2. Louis Moquin,	374 19 0		30. Walter Beckwith,	31 12 4		30. Walter Beckwith,	31 12 4				
	„ Christopher Stern,	100 0 0		„ John Cahel,	52 3 0		„ John Cahel,	52 3 0				
	7. Peter Robinson,	70 2 4	October	5. J. D. Armstrong,	50 13 4	October	5. J. D. Armstrong,	50 13 4				
	8. F. P. Gendron,	386 5 8		6. Farquhar M'Rae,	30 11 4		6. Farquhar M'Rae,	30 11 4				
	20. N. O'Clair,	2,625 16 4		„ Ditto,	60 0 0		„ Ditto,	60 0 0				
Novr.	4. John Wilson,	331 2 0		„ John P. Bartlett,	94 2 2		„ John P. Bartlett,	94 2 2				
	18. L. S. Dudley,	225 9 2		18. A. Chamberlain,	191 2 9		18. A. Chamberlain,	191 2 9				
	19. P. Morcorn,	180 0 0		30. Bernard McGale,	23 0 0		30. Bernard McGale,	23 0 0				
	20. Aug. Barthelet,	520 10 0	Novr.	3. Jos. Rochelau,	60 0 0	Novr.	3. Jos. Rochelau,	60 0 0				
	„ A. M. Hitchcock,	272 0 0		4. Peter Hilton,	41 5 0		4. Peter Hilton,	41 5 0				
	27. Augustus Barthelet,	99 6 4	Decr.	6. Pierre Gamelin,	78 17 0	Decr.	6. Pierre Gamelin,	78 17 0				
Decr.	30. Samuel G. Pierce,	114 18 0		6. Samuel McClure,	1,000 0 0		6. Samuel McClure,	1,000 0 0				
	31. Thomas Price,	100 0 0		16. Robert Main,	85 0 0		16. Robert Main,	85 0 0				
1820.				19. Jasper Vandersluys,	27 0 0		19. Jasper Vandersluys,	27 0 0				
January	8. Jacob S. Reddington,	25 0 0		„ Ditto,	400 0 0		„ Ditto,	400 0 0				
	10. J. H. Dorwin,	23 12 8		„ William Moore,	40 15 0		„ William Moore,	40 15 0				
	13. J. Spalding,	215 12 8		20. P. Gamelin,	202 0 0		20. P. Gamelin,	202 0 0				
	15. James Solomons,	91 10 0		„ Will. McMarton,	380 0 0		„ Will. McMarton,	380 0 0				
	21. Solomon Johnston,	37 0 0		21. Peter Martinant,	600 0 0		21. Peter Martinant,	600 0 0				
	22. Ashabel Stanley,	120 0 0		„ Smith Sanburn,	1,000 0 0		„ Smith Sanburn,	1,000 0 0				
	27. John Ware,	25 0 0		22. Saml. F. Gelston,	750 0 0		22. Saml. F. Gelston,	750 0 0				
	31. Richd. Garlick,	40 0 0		23. Thomas Mears,	33 16 8		23. Thomas Mears,	33 16 8				
	„ John Johnson,	43 19 9		1821.			1821.					
February	5. Daniel Brown,	23 3 2	January	15. James McIntyre,	181 5 0	January	15. James McIntyre,	181 5 0				
	11. Charles E. Monk,	44 10 0		25. Joshua Hedley,	140 0 0		25. Joshua Hedley,	140 0 0				
	26. Farquhar McRae,	750 0 0		26. John Gilchrist,	300 0 0		26. John Gilchrist,	300 0 0				
	28. Aaron Wheeler,	750 0 0		30. Daniel B. Holmes,	750 0 0		30. Daniel B. Holmes,	750 0 0				
	29. C. E. Grossman,	33 16 8	Febry.	9. Wm. Hawkins,	43 19 9	Febry.	9. Wm. Hawkins,	43 19 9				
March	7. Samuel Menard,	23 3 2		13. Lamb R. Cobb,	23 3 2		13. Lamb R. Cobb,	23 3 2				
	23. William J. Hall,	181 5 0		21. Frs. Chaumain,	44 10 0		21. Frs. Chaumain,	44 10 0				
	30. E. Bangs,	750 0 0		24. Campbell Sweeny,	140 0 0		24. Campbell Sweeny,	140 0 0				

Appendix (M.)
12th. Dec.

Appendix
(M)
12th. Dec.

1821.		£	s.	d.	1822.		£	s.	d.
March	9. David Vaughan,	100	0	0	July	22. E. A. St. Dizier,	55	2	0
	12. James Brown,	26	18	10		31. Daniel McMartin,	60	2	10
April	4. Orlin Bostwick,	50	0	0	August	„ Robert Howe,	26	0	0
	26. David Clark,	100	0	0		3. Will. Levick,	26	0	0
	28. John May,	25	0	0		„ James Currier,	520	0	0
May	1. Jason C. Pierce,	29	0	0		12. John Cumming,	500	0	0
	9. H. P. Harbeck,	31	12	8		13. Ditto,	400	0	0
	12. Wm. Halliburton,	300	0	0		22. Hiram Nichols,	240	0	0
	17. James Wildgoose,	34	15	0		28. Donald Cameron,	49	19	0
	„ David Holmes,	28	17	6	Sept.	13. John Ransom,	275	0	0
	23. John Dunlop,	918	15	8		„ Ditto,	45	2	6
	30. N. Moore,	160	0	0		18. Thomas Hagen,	120	0	0
June	9. Edw. Armstrong,	200	0	0		„ Henry McBride,	70	0	0
	15. Robert Rogers,	338	2	4		28. Will. Gillespie,	25	10	0
	„ John Try,	316	1	11		30. Richard Sexton,	31	18	6
	„ Ditto,	317	0	0	Octr.	3. John Ransom,	294	15	4
	19. John Watson,	600	0	0		19. Daniel McDougall,	591	6	6
	„ Benj. Tucker,	56	8	0		22. Norman Bethune,	2,000	0	0
	29. Will. Teasdale,	107	5	10		23. John Whitlock,	200	0	0
July	2. Paul Tesman,	72	10	0	Novr.	2. Barth. Finch,	40	11	4
	5. Herman Bangs,	419	17	0		18. N. Hall,	456	17	4
	6. William Newton,	49	2	10		28. Danial McMartin,	106	0	0
	17. C. Wheeler,	46	0	0	Decr.	6. Elihu Marvin,	27	5	7
	„ Ditto,	31	8	6		30. George Read,	818	16	9
	25. John McGraig,	72	9	0	1823.				
	„ Ditto,	76	12	0	January	9. John Brown,	860	0	0
	„ Robt. Jones,	1,700	0	0		16. Atkin Dagenais,	58	6	8
	27. Richard Allen,	31	10	0		17. Angus M'Quaig,	52	2	0
	30. John Le Breton,	122	8	0	Febry.	13. Richard Sexton,	23	3	7
	31. James Wilson,	200	0	0		21. Farquhar McRae,	26	2	6
August	4. Simon L. Henry,	50	10	10	March	7. Frederick Diganard,	100	0	0
	11. James Currier,	520	0	0		„ Henry Bouthillier,	24	0	0
	13. Nathaniel Graves,	44	6	7		11. Will. W. Sleigh,	47	2	0
Sept.	6. John Brown,	50	2	3		„ Richard Sexton,	40	0	0
	8. François Vermette,	23	9	2		18. John Ord,	42	12	6
October	1. Nathan Capron,	40	0	0		19. Will. J. Holt,	132	8	2
	2. John Clifford,	23	0	7		22. Richard Sexton,	584	9	10
	„ ditto,	50	0	0	April	14. William Hardie,	39	17	4
	15. John Clark,	69	17	10		25. William Hunter,	980	0	0
	18. Allen M'Pherson,	187	3	0	May	10. George Read,	332	15	4
	24. Richard Garlick,	108	7	8		13. Saml. Adams,	29	19	7
	25. John Stuart,	53	10	0	June	10. John Nicholson,	200	0	0
	26. Richard Emmerson,	370	7	8		17. Fred. Thayer,	1,530	0	0
	„ William Gillespie,	23	0	0	July	14. Robert Watson,	178	12	4
	31. John M'Lean,	205	17	0		16. David Mayo,	55	17	0
No yr	3. Daniel M'Inroy,	300	0	0		18. John Barnhart,	463	18	2
	5. Abraham Gent,	107	19	6		25. Joseph Godin,	38	8	4
	6. Jean S. De Misan,	200	0	0		31. John Kirkpatrick,	82	8	4
	9. Moses Morton,	73	12	0	August	11. Martin Moore,	200	0	0
	„ John Halket,	1,500	0	0		14. Henry Lawton,	25	0	0
	16. Chistopher Stern,	275	0	0		19. V. Lefebvre,	69	4	10
	„ Charles E. Hersy,	34	0	0		23. D. D. Cankling,	62	18	11
	21. Ignace Blouin,	600	0	0		30. John Pickle, junr.	1,100	0	0
	22. J. S. Redington,	825	10	0	Sept.	1. Martin Clark,	82	15	6
	26. Seth Pomroy,	140	0	0		5. Charles Clark,	44	0	0
Dec.	1. Enoch Bowers,	34	13	8		„ James Connor,	40	0	0
	6. Frs. Crane,	67	11	6		11. F. B. Pillet,	433	5	4
	„ Nathaniel Capron,	62	3	9		25. James S. Allen,	34	18	4
	21. Patrick Clark,	30	0	0		27. Samuel Huggings,	294	12	10
	22. Will. White,	24	15	0		29. Thomas S. Whittaker,	200	0	0
	„ Alex. White,				Octr.	8. Alexander Henderson,	31	17	3
1822.						9. William Chisholm,	600	0	0
Jany.	19. Jasper Vanderslys,	5,000	0	0		14. Martin Moor,	331	2	8
	24. Obediah Adams,	2,000	0	0	Novr.	13. George Buchanan,	80	0	0
Feby.	20. Henry Moss,	31	11	6		„ John Dundass,	80	0	0
	„ James Sacasse,	750	0	0		„ Bon. Trudeau,	180	0	0
	„ Isaac Gregory,	50	0	0		18. Marie Legris,	24	0	0
	28. Henry Forrest,	100	0	0		22. John Cumming,	162	8	8
March	1. Robert Lovell,	141	10	0		27. Alexander Reid,	50	0	0
	20. Martin Cameron,	23	10	0		28. Joseph Porlier,	280	0	0
	„ James Marshall,	300	0	0	Decr.	5. Thomas Fingland,	150	0	0
	29. John Teasdale,	74	15	8		18. Ls. A. Thomas,	26	0	0
May	15. S. Van Rensselear,	367	3	0		23. Edward P. Woolrich,	100	0	0
	28. Peter Knowlan,	40	0	0		26. Thomas Fingland,	200	0	0
	„ James Moleneux,				1824.				
June	7. Moses Coss,	27	17	6	Jany.	14. Daniel Jones,	50	0	0
	25. Stephen Weatherly,	95	5	0		29. George Rolland,	204	9	0
	29. John Archibald,	183	5	0	Feby.	5. Duncan M'Donald,	80	0	0
July	19. William Dawson,	100	0	0		9. Roswell Steel,	250	0	0

1824.			1826.			1827.			1828.		
		£ s. d.			£ s. d.			£ s. d.			£ s. d.
Febry.	17. Edouard Aubry,	51 7 6	May	10. Frederick Brower,	26 5 0	January	18. Robert M'Robb,	27 10 10	January	9. H. Harrington,	130 14 6
	20. Joseph Goodsell,	81 2 2		12. ditto,	33 15 0		22. Joseph Leblanc,	22 9 2	Febry.	18. Joseph Froste,	530 11 6
	28. James Murray,	26 6 2		17. James Hatch,	52 0 0		" ditto,	27 18 4	March	24. Edward Leonard,	86 17 2
March	10. William Campbell,	24 0 0	June	12. John Field,	40 0 0	March	29. François T. Marié,	50 0 0	April	1. Hypolite Dubord,	100 0 0
	" John Clapp,	438 5 8		17. William Macfarlane,	134 3 10	April	30. James Holt,	735 13 8	April	3. John S. Hutchins,	118 0 0
	15. Edward Milford,	85 5 7	July	26. Jonathan Childs,	67 4 2	June	28. James Buchanan,	42 7 0	May	1. Jean Baptiste Lefebvre,	25 0 0
May	17. John Yule,	250 0 0		" William Maitland,	7,434 0 0		8. George Proctor,	342 0 0	June	27. Pierre J. Bevendry,	60 0 0
	21. Archibald H. Ogilvie,	120 17 8	August	30. Peter Martinant,	800 0 0	July	11. Jesse B. Armstrong,	227 17 0	July	10. Daniel Tracey,	37 3 4
June	1. Joseph Kerr,	181 8 4		2. Lewis Cleveland,	22 16 8	August	15. Peter A. Sagar,	30 13 8	July	11. Joseph Tarition,	163 17 8
	4. Metcalf Haven,	80 0 0	Sept.	29. Lyman Warren,	140 0 0	Sept.	26. William Murdock,	160 9 0	August	15. Michael Burke,	150 0 0
	21. Charles Vidal,	64 12 9		5. Thomas A. Willis,	70 0 0	October	15. Benjamin Cummings,	25 0 0	Sept.	" Charles Jackson,	28 6 3
July	12. William Macfarlane,	231 0 6		15. William B. Barron,	141 11 1		1. Angus Cameron,	6,900 0 0	August	19. Germain Andrews,	300 0 0
	15. Benjamin James,	46 17 0		25. George Astor,	914 0 0		18. James Gray,	70 0 0	August	31. Samuel T. Hewson,	737 11 2
	" William Hays,	31 10 0		29. Frederick Brown,	34 0 0		1. Gedeon Lathrop,	898 0 0	August	1. Henderson Skaif,	36 0 10
	27. Adam G. Johnston,	62 7 0	October	" Chris. Reid,	60 0 0		7. David Jardine,	86 0 0	Sept.	7. David Jardine,	86 0 0
August	10. Isaac Carr,	301 0 0		4. Adam H. Meyer,	110 0 0		11. Asbel B. Henshaw,	675 19 0		11. Asbel B. Henshaw,	675 19 0
	11. John Bradley,	26 0 0		6. John Todd,	70 0 0		22. Angus M'Kenzie,	30 0 0		22. Angus M'Kenzie,	30 0 0
	12. James Magee,	88 2 2		" Frederick Brown,	141 11 11		5. Louis Marcoux,	720 0 0		5. Louis Marcoux,	720 0 0
	13. James Cuthberson,	123 19 4		" Richard Meriam,	58 0 0		22. Robert J. Kerr,	751 18 4		22. Robert J. Kerr,	751 18 4
	23. Samuel Kinsensigan,	79 2 8		7. Samuel Sawyer,	439 13 8		25. Alexander M'Pherson,	400 0 0		25. Alexander M'Pherson,	400 0 0
	" Ignace Chairornaboui,	131 4 4		11. Marvin Oviatt,	1,000 0 0		26. Samuel Gerrard,	25,240 0 0		26. Samuel Gerrard,	25,240 0 0
Sept.	8. Randal Bissel,	35 15 0		13. Nathan Pierce,	27 4 0		6. William M'Kenzie,	40 0 0		6. William M'Kenzie,	40 0 0
	17. William Cameron,	440 0 0		31. Adam Ferrie,	50 2 4		9. François Couvrette,	31 0 0		9. François Couvrette,	31 0 0
	20. David Dickie,	45 9 0	Novr.	7. James Holt,	554 9 4		11. N. Waterbury,	750 0 0		11. N. Waterbury,	750 0 0
	" Alexander Hardie,	26 12 1		8. S. Gilbert,	852 16 8						
	29. Nicholas Sparks,	80 0 0	Decr.	14. Philo Fairchild,	354 8 4						
October	16. George S. Keno, snr.	354 0 0		4. E. M'Millan,	137 8 9						
Novr.	3. William Burkett,	100 0 0		5. Walter Beckwith,	100 0 0						
	8. John Dougall,	117 1 6									
	11. William Burkett,	100 0 0									
	12. Angus Kennedy,	94 5 4									
	" ditto,	37 16 8									
	13. John Everett, junr.	70 0 0									
	20. Joseph Butterville,	70 0 0									
Decr.	10. Frenier Wyatt,	56 7 6									
	16. Samuel P. Herrick,	25 0 0									
1825.											
January	5. George J. Holt,	3,441 0 0									
	10. John B. Seaman,	246 5 8									
	11. Donald Livingston,	32 16 6									
	18. William Wilson,	35 11 8									
	28. Florence M'Carthy,	52 0 0									
February	5. Garret Fitzgerald,	34 17 6									
	8. Jonathan M'Curdy,	32 0 0									
	12. Benjamin Davis,	171 6 2									
May	8. Charles Hoogs,	24 9 8									
	26. Charles Rivers,	574 6 8									
June	3. Jesse W. Armstrong,	715 12 10									
	4. John Dunlop,	76 5 8									
	10. Frs. Keinlakigak,	245 13 4									
	13. John Le Breton,	41 5 8									
August.	8. Abel Henbert, junr.	50 0 0									
	31. George G. Monin,	30 0 0									
Sept.	16. Francis Rasco,	920 0 0									
Novr.	3. James Farrar,	62 10 0									
	9. Simeon Sinclair, }	22 16 0									
	" Hiram Sinclair, }										
	" William West,	30 0 0									
	24. Samuel Stacey,	466 0 0									
Decr.	15. Thomas M'Leish,	69 0 0									
	21. Robert Armour,	2000 0 0									
	30. James Greenfield,	30 0 0									
	" ditto,	62 0 0									
1826.											
January	19. Joshua Whitney,	82 15 2									
	25. Daniel Ross,	22 4 10									
Febry.	3. Isaac Carr,	86 0 0									
	6. George Barnes,	25 0 0									
March	6. Charles Hunter,	636 0 0									
April	20. John Ord,	22 7 10									
May	10. Frederick Brower,	18 5 0									

Total, 690.

Signed, L. GUGY, Sheriff.

N. B. The foregoing List is made only within the aforesaid periods, by reason that the late Sheriff Gray destroyed the Bonds, or gave them to the Parties as soon as the conditions were complied with, and left no Record of them in his Office

L. G. Shff.

Appendix (M.)
12th Dec.

ppendix
(M.)
12th Dec.

LIST of persons imprisoned for Debt in the Gaol of the District of Montreal, in virtue of Writs issued out of His Majesty's Court of King's Bench for the said District, between the first day of January One thousand seven hundred and ninety four, and the twentieth day of October One thousand eight hundred and twenty eight, with the Amount demanded of each and the dates of their committal and imprisonment and discharge, made in obedience to the order of His Excellency the Administrator of the Government.

LISTE des personnes emprisonnées pour Dette dans la Prison du District de Montréal, en vertu de Lettres exécutoires sorties de la Cour du Banc du Roi de Sa Majesté pour le dit District, entre le premier jour de Janvier mil sept cent quatre-vingt-quatorze, et le vingtième jour d'Octobre mil huit cent vingt-huit, avec le Montant de la Somme due par chacune d'elles et la date de leur arrestation et de leur emprisonnement et de leur élargissement, faite en obéissance aux ordres de Son Excellence l'Administrateur du Gouvernement.

Committed.	Names.	Sum dem.	Discharged.	Committed.	Names.	Sum dem.	Discharged.
1795.			1796.	1802.			1802.
June 23.	Paul Rodgers	93 15 6	March 16.	Sept. 13.	Phillip L. Ecuyer,	12 10 0	Sept. 14.
			1795.	1803.			1803.
July 13.	Chs. Bennett,	17 17 4	Oct. 20.	Jany. 17.	J. des Troismaisons,	518 18 2	Jan. 20.
			1796.	Feb. 1.	Etienne Dorion,	25 15 0	May 21.
April 26.	Louis Lanoux,	8 19 8	June 17.	9.	Elisha Banning,	23 3 9	Sept. 1.
			1800.	May 21.	Etienne Dorion,	29 0 0	May 21.
April 10.	P. C. Cushman,	24 15 0	May 2.	Feb. 25.	Ditto,	50 0 4½	"
			1797.	"	Ditto,	64 6 2	"
Aug. 5.	Jos. Mercure,	179 9 3	Dec. 17.	"	Ditto,	75 10 0	"
"	Leon Mercure,	179 9 3	" "	"	Ditto,	36 7 1	"
			1798.	"	Ditto,	39 10 0	"
March 19.	Ashbell Hull,	122 2 9	April 4.	26.	A. Maranda,	15 12 6	March 1.
April 6.	Julien Desrivieres,	21 16 7	Aug. 18.	March 18.	Jos. Masson,	61 10 10	May 7.
18.	Neil M'Kay,	30 6 2	May 1.	21.	Frs. Maturin,	244 6 4	Aug. 22.
			1800.	April 15.	J. B. Taillefer,	11 10 0	Oct. 4.
June 18.	Jos. Osborne,	57 1 0	July 24.	21.	Pierre Mineau,	35 14 10	May 12.
			1798.	"	Frs. Thouin,	14 7 6	23.
Oct. 9.	J. B. Duconde,	990 5 1	Oct. 20.	22.	Joseph Rouleau,	41 5 8	April 27.
26.	John Heffer,	22 6 2	Nov. 1.	"	J. B. Jacques,	71 7 2	May 18.
Nov. 2.	John Hoople,	274 9 9	10.	23.	Ls. Morrard,	30 1 3	April 24.
Dec. 10.	Reuben Wait,	41 8 8	Dec. 12.	May 4.	Ant. Joachim,	11 15 0	July 25.
			1799.	10.	A. L. St. Germain,	1,087 8 0	June 8.
April 12.	John Allen,	11 10 3	April 17.	13.	Will. Thorbon,	41 11 2	May 13.
May 3.	Ed. Sabourin,	17 19 2	May 5.	28.	Ls. Raymond,	41 6 9	June 1.
4.	Aug. Beauvais,	30 2 6	4.	June 18.	Thos. Proctor,	46 13 7	Sept. 17.
8.	Jean Renaud,	23 3 2	June 10.	20.	P. Meyers,	60 0 0	June 20.
"	H. Perrault,	12 0 0	May 7.				1804.
"	S. Lamar,	432 19 0	April 2.	24.	Abel Hurlbert,	163 19 3	May 7.
"	Ls. Lamagdeleine,	11 2 6	June 4.				1803.
			1800.	Aug. 27.	John P. Dimock,	15 2 0	Aug. 29.
Feb. 1.	Noah Moore,	13 0 0	Feb. 10.	Sept. 26.	Joseph Avery,	21 1 8	Sept. 30.
April 8.	Louis Peltier,	12 10 0	May 9.	30.	Michael Lapointe,	17 9 0	Oct. 19.
June 27.	J. B. Delisle,	73 11 10	July 8.	Oct. 3.	Jos. Collins,	167 12 0	6.
July 2.	S. Stoneburner,	80 0 0	23.				1804.
10.	Will. Merrick,	139 15 7	Sept. 8.	Jany. 15.	J. Lureau dit Blondin,	14 7 9½	Feby. 17.
			1801.	April 21.	Ditto,	51 9 4	June 7.
15.	Jas. Griffin,	47 0 1	Feby. 5.	30.	Ls. Bourassa,	19 5 11½	May 30.
			1800.	May. 5.	B. Geary,	64 19 0	June 2.
Aug. 30.	Daniel Smith,	40 0 0	Sept. 12.	8.	James Foster,	12 11 2	May 14.
			1801.	"	J. Basilodit Narriner,	49 1 1	Oct. 20.
Sept. 11.	John M'Auley,	22 1 11	July 1.	14.	J. P. Robillard,	14 11 11	June 16.
20.	Jno. Mathews,	361 5 10	April 8.	21.	P. Racine,	50 11 4	Nov. 3.
Oct. 9.	David Brown,	73 15 4	May 13.	June 25.	Ditto,	46 9 2	"
Nov. 3.	John M'Cauley,	28 10 3	July 1.	Aug. 20.	Frs. Menard,	29 6 5	Oct. 2.
			1800.	21.	J. Jarnno dit Carriere,	24 11 2	Aug. 22.
13.	F. L. Dumoulin.	19 2 4	Nov. 13.				1805.
			1801.	Decr. 2.	Chs. L. Heupe,	19 6 9	Jany. 3.
Feb. 25.	Alexis Bouthillier,	124 4 8	April 9.	12.	Jesse Dalton,	100 0 0	"
March 11.	David Brown,	92 6 6	May 13.				1805.
Aug. 6.	Will. Robinson,	12 1 1	Aug. 30.	Feby. 20.	Frs Trudeau,	770 10 10	May 14.
			1802.	April 22.	Louis Pion,	31 4 6	"
March 9.	Josiah Bostwick,	431 2 6	March 12.	"	Gardner Green,	82 10 0	"
April 29.	P. Chorette,	13 13 1	June 13.	July 1.	Charles White,	29 2 0	July 13.
14.	Fredk. Singer,	384 0 7	April 18.				1806.
30.	Mich. Leclair,	50 10 0	May 7.	Sept. 7.	Stephen Turner,	47 4 0	June 26.
May 21.	Frs. Bertrand,	138 8 10	Nov. 10.	24.	Gaspard Dagen,	52 2 9	"
June 2.	C. G. Gamelin,	26 15 8	"	28.	Ditto,	12 4 6	1805.
July 7.	"	33 7 10	"	Oct. 10.	Frs. Trudeau,	0 0 0	Decr. 30.
27.	Calso Gray,	64 5 0	Oct. 2.	"	John Loucks,	50 0 0	Oct. 10.
Aug. 21.	Hyp. Hertel,	24 12 9	Sept. 14.	Decr. 5.	N. Turkington,	709 13 1	Nov. 25.
"	"	31 1 10½	"				1807.
				8.	Juste Patenando,	327 18 5	Feby. 11.

Committed. 1806.			Names.			Sum dem. Discharged. 1807.			Committed. 1810.			Names.			Sum dem. Discharged. 1811.			Appendix (M.) 12th. Dec.
any.	13.	Gad. Waite,	62	3	2	Feby.	11.	Aug. 31.	David Page,	600	0	0	Feby.	8				
May	17.	J. B. Lapointe,	45	11	6	May	15.	Sept. 6.	Moses Howard,	94	1	10	"	4				
		Henry Wilson,	38	9	4	Augt.	23.											
July	1.	John Miller,	12	15	4	July	8.	21.	Gedeon Turner,	150	4	4	Oct.	29				
	6.	C. Adamson,	24	5	9	Oct.	2.	22.	William Cogswell,	550	0	0	"	30				
Aug.	11.	John Mills,	506	7	7½	18.		24.	Richard Goodall,	300	0	0	1811.					
Sept.	4.	Daniel Baker,	50	0	0	Sept.	4.	25.	Nathaniel Cogswell,	550	0	0	July	13				
						1807.												
	17.	J. Bte. Lapointe,	33	11	8	Jany.	28.	Oct.	18.	Richd. Patterson,	82	6	3	Oct.	20			
1807.								19.	J. C. Holmes,	11	7	4	Nov.	1				
Jany.	19.	Jonathan Hart,	67	3	9	July	11.											
March	17.	John Mills,	523	10	3	Dec.	31.	22.	P. Mailloux,	187	10	0	June	21				
	26.	Henry Reaves,	110	0	0	March	27.	29.	Jas. Sommerville,	120	0	0	Feby.	2				
June	2.	Will. Hamelton,	376	19	3	June	7.											
	9.	John Thompson,	15	15	0			Dec.	12.	Joseph Peters,	140	0	0	Dec.	27			
	23.	Abraham Welsh,	0	0	0	July	26.	14.	M. G. Olding,	10	4	9	"	18				
July	17.	Nahum Baker,	80	0	0	"		28.	John Gray,	11	16	5	"	29				
August	8.	Andrew Smith,	18	15	0	Sept.	16.	1811.										
Sept.	1.	J. Bte Brisebois,	16	17	1	7.		Jany.	12.	John Rennie,	14	12	9	Jany.	16			
Oct.	8.	Obed. Howe,	19	17	11	Nov.	5.	26.	Bela Farnham,	17	14	6	March	5				
	15.	Nathan. L. Wood,	0	0	0	Oct.	18.	Feby.	1.	Ichabod Olmstead,	350	10	2	June	23			
Nov.	14.	Saml. Parkins,	12	10	0	Dec.	21.	4.	Samuel Hughes,	20	6	5	July	4				
1808.								6.	John Simmons,	32	8	7	"	20				
Jany.	8.	John Goslin,	16	19	7	Jany.	23.	7.	Selby Burns,	9	19	5	"	10				
	27.	Alxr. Tanpred,	8	17	8	March	23.	9.	H. L. Woolsey,	1,165	0	0	June	17				
Feby.	1.	Saml. Huggins,	46	8	10	April	17.	25.	Elisha Adams,	3,519	13	4	Oct.	28				
	2.	John McDonell,	38	5	0	Feby.	19.	29.	Joshua Stevens,	37	10	0	March	4				
	6.	Joel Ackley,	18	15	0	10.		April	6.	Enos Wood,	1,822	0	0	April	12			
March	11.	Josiah Pease,	306	1	½	April	17.	10.	John Hamilton,	34	16	0	May	28				
April	2.	Saml. Parkins,	12	10	0	Augt.	13.	17.	Daniel Parkins,	75	0	0	June	5				
	30.	Will. H. Prigmore,	25	3	0	May	2.	29.	Thomas Cunningham,	14	1	4	"	13				
May	6.	Andrew Paterson,	108	11	10	6.		May	15.	Samuel Walker,	40	3	4	"	14			
June	9.	John McDonald,	66	7	4	June	9.	20.	Edward Day,	29	0	0	May	21				
	11.	Amos Lay,	39	5	7	Augt.	12.	July	1.	William Moore,	25	0	0	July	2			
August	2.	Ls. Baron, sr.,	71	4	9	24.		5.	Joseph Goyette,	102	17	9	"	11				
	6.	J. Bte. Normand,	11	10	9	9.		6.	Noah Cochran,	49	10	0	"	8				
	10.	Andrew Paterson,	98	0	9	"		"	John Kerr,	19	17	2	"	6				
	18.	F. L. Beach,	31	12	6	Sept.	5.	19.	Angus M'Laughlin,	739	7	1	Oct.	14				
						1809.		"	N. F. Knapp,	60	5	4	July	19				
Nov.	10.	James Clark,	22	10	9	Augt.	19.											
	10.	Martin Bethen,	35	16	1	Nov.	7.											
1809.																		
May	8.	Robt. Randal,	246	15	11	May	9.	20.	John Horre,	66	17	3	Aug.	13				
	26.	David Coffin,	2,062	10	0	June	20.	"	R. M'Donald,	90	0	0	July	20				
June	9.	Wm. Hawkins,	904	3	4	Nov.	13.	"	William S. Crowther,	29	3	5½	"	20				
July	7.	Oliver Mitchell,	42	5	0	July	7.	22.	Thomas Moses,	18	0	0	"	23				
	13.	Caleb Seaman,	37	3	4	Augt.	17.	Aug.	5.	James Saunders,	12	18	11	Nov.	23			
	21.	John Sparkman,	13	10	0	Oct.	8.	6.	George Oaker,	38	10	10	Aug.	19				
Aug.	9.	Joseph Griffin,	39	16	6	Sept.	13.											
	12.	C. Delaronde,	846	9	0	Oct.	4	10.	Samuel Learned,	2,813	5	0	April	2				
Oct.	20.	Robert Randal,	246	15	11	"	27	22.	Francis Warner,	40	0	0	Aug.	24				
Nov.	8.	Robert Martin,	29	6	11	Nov.	21	"	T. L. Beach,	12	7	6	"	23				
						1810.		24.	William Bowles,	42	14	1	Oct.	19				
Decr.	6.	John Scott,	632	6	11	Sept.	24	26.	C. H. Butterfield,	900	1	5	Aug.	26				
	19.	F. William dit Thomas,	15	12	3	Jany.	9	30.	William Jackson,	400	0	0	"	30				
	30.	John Porteous,	41	12	7	"	11	Sept.	10.	L. Wheelock,	500	0	0	Oct.	21			
		Asabel Jerome,	37	9	9	"	3	13.	M. Brown, }	100	0	0	Sept.	11				
1810.						"		17.	O. Molton, }				"	17				
Jany.	23.	J. B. Normand,	12	1	3	Jany.	21		George Taylor,	14	0	0	"	17				
May	23.	John Oakden,	350	5	4	Sept.	20											
	24.	James Lindsay,	11	3	2	Oct.	16	25.	Josiah Sanburn,	106	7	4	June	17				
June	28.	David Livingston,	161	4	10	June	29	Oct. 3.	Thia Beach,	13	8	2	March	26				
						1811.												
July	3.	Pierre Mailloux,	747	10	0	June	21											
						1810.												
		Donald M'Leonard,	30	7	9	July	14	Nov.	15.	James Sawyers,	53	0	0	Nov.	19			
	4.	Jonathan Hall,	21	2	6	"	23	"	Robert Armstrong,	53	0	0	"	23				
						1811.												
Aug.	7.	John Stibbins,	166	10	0	Aug.	17	25.	Marshal Smith,	298	13	2	July	9				
	8.	John Herion,	28	0	0	"	7											
	10.	Charles Huff,	300	0	0	"	10	29.	David Jeacock,	24	0	0	Nov.	2				
	17.	John Stibbins,	1200	0	0	July	20	5.	Richard Mears,	15	0	0	"	6				
	22.	William Ayres,	75	19	6	Jany.	30	"	William Davies,	12	10	7	"	6				
						1810.		29.	Hiram M'Laughlin,	18	3	9	"	30				
	23.	Angus M'Laughlin,	500	0	0	Aug.	23	Dec. 6.	Justus St. John,	21	1	4	Dec.	11				
	30.	Hugh M'Hoyle,	200	0	0	Nov.	9	"	David Curtis,	60	0	0	"	"				
								16.	David Chapin,	29	14	3	"	17				

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Committed.		Names.		Sums dem.		Discharged.		Committed.		Names.		Sums dem.		Discharged.	
1811.						1811.		1816.						1816.	
Dec. 24.	J. B. Branchan,	15	11	2	Dec. 30	April 3.	Saml. Heath,	17	5	3	April 3				
1812.						1813									
Jany. 18.	Albert Finkley,	17	8	6	June 10	5.	James Wells,	27	10	0	May 13				
1812						1812									
Febry. 15.	William Moore,	25	0	0	March 7	15.	Ezekiel Miller,	11	5	0	April 15				
Mar. 11.	Joseph Barlow,	1,166	6	2	„ 14	27.	Frs. Chapdelaine,	25	0	0	May 1				
	20. George Payne,	35	0	0	no date.	30.	Bazil Brousseau,	36	3	4	„ 4				
	27. R. F. Everett,	44	1	9	„	May 3.	Nath. B. Reed,	26	0	0	June 10				
May 1.	Abner Hays,	28	13	0	May 9	June 4.	Louis Delauney,	13	13	1½	Oct. 18				
	5. C. Archambault,	65	12	0	June 5	20.	Frs. Charlebois,	13	10	0	June 21				
	9. Alexis Dion,	20	12	9	May 27	„	John Brown,	300	0	0	„ 26				
June 2.	Samuel Place,	14	4	1	June 6	„	Peter Beadle,	34	0	0	„				
	11. Samuel Burton,	600	0	0	Nov. 6	„	Donald Cameron,	49	10	0	„				
	30. Daniel Cameron,	77	15	0	Oct. 3	July 5.	David Patterson,	58	1	2	July 12				
July 18.	Asaph Perry,	877	8	7	Dec. 21	23.	Richd. Bull,	607	3	6	Aug. 23				
August 7.	Silvanus Eaton,	52	13	1	Aug. 8	31.	H. Bouthillier,	13	4	6					
Sept. 7.	Alexr. Stevenson,	40	1	0	Sept. 23	Sept. 2.	Jos. St. Denis,	200	0	0	no date				
	15. Alexr. Gairn,	350	0	0	Oct. 5	3.	Nathl. B. Reed,	92	10	0	Oct. 3				
Oct. 1.	Malc. M'Donald,	500	0	0	„ 3	5.	John Sparrow,	242	13	8	Sept. 9				
	15. Walter Ware,	19	4	3	Dec. 13	17.	J. F. Gerrard,	75	0	0	no date				
					1813	Oct. 1.	P. W. Taylor,	1,306	10	0	no date				
	20. John Harris,	1,000	0	0	Febry. 11	7.	Edwd. Sherwood,	24	0	0	Oct. 16				
	23. Ls. Sarrault,	16	11	2	no date	10.	James Lloyd,	170	0	0	„ 11				
					1814	11.	David Patterson,	68	15	1	„ 30				
Dec. 26.	Wm. Griffin,	100	16	6	Aug. 16	„	John Wolfe,	3,207	12	7	„ 21				
1813.						1813									
April 30.	Bruce Robinson,	11	5	0	May 7	19.	Pre. Papineau,	23	18	9	no date				
May 9.	Jean L. Norr,	62	11	4	„ 13	„	Gerald Fitzgerald,	300	0	0	no date				
	11. Daniel Murray,	116	18	3	„ 20	Nov. 20.	Allen Cook,	1,048	0	0	no date				
	20. Jean D. Bastien,	173	8	9	„ 23	„	Will. Tebbits,	100	0	0	Dec. 14				
					1814	24.	Will. Clark,	326	4	9	Dec. 6				
	27. Mary Donnellan,	112	0	0	Nov. 11	27.	Louis Brunelle,	32	3	0	„ 2				
					1813	Dec. 11.	Ant. Rossignol,	67	2	2	no date				
June 5.	Duncan M'Intosh,	11	14	0	June 7	24.	Job L. Barker,	50	15	7	no date				
	28. Alex. M'Donald,	15	8	0	„ 29										
					1814	30.	James Lloyd,	2,500	0	0	1817				
July 9.	Richd. Storrs,	129	0	0	May 3	1817.									
					1813	Jany. 26.	Narcisse Sarrault,	0	0	0	July 25				
Oct. 11.	John Deaves,	37	12	10	Oct. 11	Febry. 17.	Donald Cameron,	0	0	0	no date				
1814.						March 15.	John Bragg,	150	0	0	no date				
March 27.	Elisha Perkins,	24	13	3	April 1	„	Nathl. Brace,	125	0	0	April 28				
	21. George Sax,	25	18	5	„ 14	31.	John Pugh,	27	8	0	July 18				
April 25.	Fredk. Chambers,	32	0	0	„ 27	April 9.	Edwd. Cooper,	0	0	0	May 7				
May 10.	Robt. Brydie,	33	0	0	Oct. 18	10.	Pre. Gobeille,	31	7	7	July 29				
	24. Richd. Bull,	621	15	6	„	„	Joseph Tilton,	0	0	0	May 10				
June 6.	Frs. Latour,	60	13	7	Aug. 19	16.	Will. Wilson,	16	19	0	April 28				
July 8.	And. Bissette,	190	0	0	„ 16	21.	John Spatz,	15	0	0	May 3				
	25. Jo. M'Intosh,	2,059	0	0	Sept. 22	May 5.	Louis Fournier,	15	0	0	„ 7				
Aug. 5.	Ls. Gibault,	21	0	0	„ 16	7.	Charles Poirier,	11	6	8	„ 9				
	23. Wm. Kinsler,	27	12	0	Aug. 25	21.	John Cameron,	12	12	4	July 5				
					1815	26.	Michael Larose,	50	1	2	Aug. 18				
Oct. 7.	Saml. Wilson,	29	12	0	April 18	June 18.	Henry Shoemaker,	100	0	0	June 20				
1815.						19.	Jesse Thayer,	11	5	11	„ 28				
March 3.	Wm. Watson,	120	0	0	March 11	28.	Pre. Petrimoulx,	19	10	0	„ 29				
	15. Frs. Richard,	60	0	0	May 26	July 7.	John Gilbert,	18	12	4	no date				
	24. Abril F. Filton,	648	11	3	June 17	8.	Wm. Metzler,	64	9	8	July 22				
	29. Wm. B. Whitney,	20	0	0	March 30	26.	Edwd. Menard,	247	17	9	no date				
April 19.	Simon Evans,	3,000	0	0	April 22	„	Etienne Menard,	247	17	9	no date				
	20. Charles Sangsler,	13	6	2	May 1	August 1.	Bazil Perrault,	99	5	0	„				
	28. Pierre Leclair,	49	1	8	„ 8										
May 1.	Frs. Martin,	81	7	6	„ 9	5.	Patk. Marlow,	12	12	0	Aug. 27				
	8. J. Bte. Larocque,	13	15	0	„ 9	9.	Caleb Knapp,	362	12	6	„ 11				
Aug. 28.	John Adams,	493	15	1	Aug. 28	14.	Edouard Thibault,	29	4	0	no date				
Sept. 22.	Jacob Smith,	450	0	0	Sept. 28	15.	A. M'Donell,	18	6	0	no date				
Oct. 16.	James Mullen,	150	0	0	Oct. 20	16.	Lawrence M'Kay,	15	12	6	Aug. 18				
Novr. 4.	Thomas Pellatt,	28	14	0	Nov. 18	„	Daniel Sullivan,	150	0	0	no date				
1816.						1816									
Jany. 3.	Daniel Sullivan,	24	15	0	May 28	Sept. 6.	Joseph Martin,	19	11	3½	Sept. 9				
	10. John Nicholson,	25	6	6	Jany. 11	October 1.	Archd. M'Donell,	22	10	0	Dec. 19				
Febry. 10.	J. Bte. Blondin,	21	15	0	Febry. 13	„	Will. Miller,	53	0	0	Oct. 8				
	17. Angus M'Donald,	25	11	4	„ 21	2.	Henry Dostie,	150	0	0	Dec. 11				
	„ James Lloyd,	576	2	11	„ 21	10.	Daniel Ayre,	171	11	7	Oct. 24				
	20. John Blackwood,	17	0	0	„ 21	23.	Peter Merchell,	80	1	0	„ 23				
March 6.	Gerald Fitzgerald,	300	0	0	April 3	„	E. O. Lewis,	25	0	0	„ 24				
	8. Wm. Warren,	26	0	0	June 5	25.	Donald Cameron,	407	8	11	„				
	„ John Dickson,	32	18	0	March 9	Novr. 5.	John J. Shaver,	250	0	0	Nov. 7				
	27. Benj. B. Honston,	30	0	0	May 27	6.	J. B. Gendron,	22	4	0	„				
	29. Danl. Spencer,	11	6	8	April 1	7.	Gales Jones,	0	0	0	„				

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Committed.		Names.	Sums dem.		Discharged.		Committed.		Names.	Sums dem.		Discharged.				
1820.			1821.		1821.		1821.			1821.						
June	2.	Edw. Wegend,	20	19	6	Jany.	23	July	28.	Alex. Cooper,	27	18	10	Sept.	8	
		„ Frs. Ducharme,	16	19	0	June	3	Aug.	7.	Nath. Groves,	25	0	0	Aug.	13	
		„ Alex. McPhea,	48	2	6	Sept.	3		10.	B. Chamberlan,	77	5	8	Decr.	26	
	3.	Chs. Fricquette,	no	sum		June	7	Sept.	2.	Ant. Bissonette,	31	13	3½	Novr.	5	
	13.	Thos. Fagnant,	26	8	2		17		6.	J. S. Reddington,	1,807	19	4½	Sept.	11	
	15.	J. B. Girard,	19	2	6	Aug.	19		11.	Ditto,	2,000	0	0	Novr.	28	
	21.	Francis Dearden,	38	0	0	June	29	Octr.	26.	Will. Hicks,	95	19	10	Octr.	25	
	23.	Saml. Hawley,	41	8	11		24		1.	H. Reuter,	11	16	10½		8	
	27.	Hubert Faille,	150	0	0	Novr.	10		12.	Jacob Seely,	37	9	9		20	
	30.	Amos Dunning,	426	0	0	no	date.		15.	J. B. Lesperance,	200	0	0		17	
July	10.	Saml. G. Pierce,	42	4	1	Octr.	27		22.	Abraham Gent,	53	19	3	Novr.	5	
	12.	John Smith,	300	0	0	Aug.	8		23.	Wm. Gillespie,	11	10	0	Octr.	26	
	15.	J. B. Papineau,	113	17	10	Decr.	23	Novr.	2.	M. Laurence,	1,500	0	0	March	20	
	16.	Wm. Howneth,	16	5	2	July	20		5.	S. H. Wilcock,	1,200	0	0	May	12	
		„ Farquhar McRae,	68	16	11	Aug.	19									
	17.	Louis Choréte,	no	sum		Sept.	11		8.	James Burray,	75	0	0	Novr.	15.	
	18.	J. Rimmington,	15	16	7	July	21									
	20.	Alex. Grant,	278	0	0	escaped.			10.	Saml. Boarden,	24	2	5	Jany.	28	
	24.	Allen Cameron,	150	0	0	July	31									
	25.	John Dunean,	12	10	0	Aug.	7		22.	Raymond Viau,	256	17	6	Decr.	13	
		„ Nath. Simpson,	42	7	7	no	date.	Decr.	5.	François Crand,	33	15	9		6	
	26.	Andrew Summers,	35	0	0	Aug.	5		15	Patrick Clark,	20	0	0	„	21	
Aug.	4.	Will. Davies,	100	0	0	Octr.	2									
	12.	Jos. Hogue,	46	10	9	Sept.	6		26	Samuel Adams,	35	14	7	Feby.	2	
	16.	E. M. Connolly,	41	1	0	Decr.	22		28	G. M. Foulc,	20	0	0	April	26	
						1821.										
	22.	J. R. Spotswood,	128	3	10	Jany.	5	1822.	Jany.	4	Joseph Wrigfield,	170	0	0	Jany.	19
						1820.		Feby.	1	William Gillespie,	11	10	0	Feby.	1	
	23.	Will. Watson,	667	13	4	Octr.	26		„	Nathaniel Groves,	25	0	0	March	6	
	25.	Aug. Bourgeon,	22	16	1½		5		„	J. C. Pierce,	1000	0	0	July	4	
Sept.	1.	Jos. Atkinson,	58	0	6	Sept.	2		„	John M'Lean,	102	18	6	„	2	
	5.	Will. Coates,	45	13	4	no	date.		4	Eliza Curtis,	2000	0	0	no	date.	
	14.	Winslow Wood,	171	3	8	Novr.	16		13	James Keating,	30	0	0	Feby.	22	
		„ J. Chamberlan,	200	0	0	Novr.	16		14	George Burrell,	35	0	0	April	26	
	22.	Wm. Morrison,	15	0	0	Sept.	26		„	Obediah Adams,	1000	0	0	Feby.	18	
	29.	John Anderson,	80	0	0	Octr.	5		20	R. Laurangé,	273	11	0	„	22	
Octr.	2.	Thomas Gaven,	23	14	9	Novr.	4		27	R. Lovell,	70	15	0	March	1	
						1821.		March	5	James Currier,	260	0	0	Aug.	3	
	7.	Will. Alexander,	60	0	0	Jany.	12		„	L. B. Sheldan,	300	0	0	July	13	
		„ Allen Cameron,	160	0	0	no	date.		7	William Teasdale,	70	12	4	Sept.	11	
						1820.			18	M. Cameron,	11	15	0	March	20	
	14.	Ls. Turcot,	55	12	4	Novr.	15		19	G. C. Hunter,	50	0	0	July	13	
	27.	John Mathew,	125	5	1	no	date.		„	John Lang,	40	15	8	April	27	
	28.	B. McGale,	95	11	4	Octr.	30		22	John Sanford,	150	0	0	June	5	
	29.	Jos. Atkinson,	36	11	6	Novr.	10	April	21	Lotis Ducharme,	393	10	5	Aug.	13	
Novr.	4.	Danl. Tuttle,	20	0	0	no	date.		30	John Gordon,	26	7	0	April	30	
	21.	Wm. Mcbarton,	200	0	0	Novr.	24	May	8	W. J. Holt,	73	9	0	May	8	
						1821.		June	7	D. M'Donald,	500	0	0	June	26	
Jany.	23.	F. Diganard,	40	2	2	March	10		„	R. Galloway,	300	0	0	„	„	
		„ J. B. Gendron,	40	0	0		10		14.	Daniel Heath,	90	0	0	no	date.	
Feby.	3.	James Clark,	26	6	9		1		24	S. Wetherley,	47	12	6	June	25	
	10.	Thos. M'Connell,	228	10	0		8		26	P. Wigham,	98	17	8	July	5	
	14.	A. J. Christie,	53	4	6	May	25	July	15	Alexander Cameron,	19	19	4	„	16	
						1822.			„	F. Toupin,	61	0	3	Aug.	7	
	26.	Eliza Curtis,	66	2	11	Sept.	6	Aug.	3	C. Hussey,	35	0	0	Octr.	19	
						1821.			9	John Thomas,	15	3	0	Aug.	12	
March	2.	Alex. McDonell,	20	0	0	March	17	Sept.	4	D. M'Crory,	15	0	0	Sept.	5	
		„ F. L. Garnaud,	88	10	7		31		9	John Ranison,	137	10	0	„	13	
	28.	Ann Blackledge,	50	0	0	April	25		10	M. Haven,	800	0	0	no	date.	
April	4.	Arlin Bostwick,	25	0	0	May	16		17	H. M'Bride,	73	15	11	Sept.	18	
May	3.	Jean B. Godard,	12	14	9	June	23		23	James Wilson,	150	0	0		28	
		„ John Neele,	11	10	0	May	12		25	P. Lattin,	11	8	11½	Octr.	5	
		„ David Wilson,	84	9	5	June	21									
						1822.		Octr.	4	William Johnston,	87	14	10	Jany.	22	
	5.	Levi Saxton,	2,653	13	0	Jany.	25									
						1821.			5	J. Laforge,	30	0	0	Nov.	1	
	10.	David Holmes,	15	0	0	May	17		10	Richard Scott,	21	5	0	Octr.	17	
		„ Frs. Lapiere,	15	0	0		19									
		„ Wm. Haliburton,	500	0	0		12	Nov.	2	M. Morton,	36	7	0	May	2	
	22.	Wm. W. Fisher,	65	10	0		26									
June	1.	Anson Blanchard,	200	0	0	June	8									
	18.	Danl. Heath,	71	17	0		19		4	S. B. Sheldon,	302	16	3	March	10	
	25.	Will. Knight,	50	0	0		26									
	28.	Nath. Allen,	49	15	10	Sept.	6		5	F. B. Atrill,	1000	0	0	Dec.	2	
	30.	John Brundage,	29	6	11	July	2		12	John Johnson,	90	0	0	no	date.	
July	11.	Allen Cameron,	66	15	5	Octr.	8									
	14.	James Wildgoose,	23	18	7	July	14		13	J. H. Derwin,	50	0	0	Nov.	25	

Appendix (M.) 12th Dec.	Committed. 1825.	Names.	Sums dem.	Discharged. 1826.	Committed. 1826.	Names.	Sums dem.	Discharged. 1826.
July	23.	James Magee,	200 0 0	Jany. 18	Novr. 14.	Thos. Singher,	50 0 0	15
		„ James Pyke,	110 0 0	July 25		25. David Dickid,	496 17 4	18
	29.	John Croker,	21 19 10	Oct. 22	Decr. 27.	Edward Pregon,	235 0 0	14
Aug.	20.	Henry Cassedy,	20 0 0	Aug. 21				
	30.	Geo. G. Morrin,	1,000 0 0	„ „	1827.			
Sept.	10.	Adam Grozier,	187 3 0	Nov. 19	Jany. 18.	Henry Cassedy,	16 10 6	1
	11.	Jos. St. Dizier,	25 0 0	Dec. 17		19. Jos. Leblanc,	25 3 9	23
	20.	J. Gamel,	30 0 0	Oct. 13		21. Frs. F. Marié,	25 0 0	29
Octr.	1.	Phillip Bazinel,	13 10 9	Dec. 28	Febry. 25.	Roger Cassedy,	13 4 1	3
	3.	James Pyke,	60 0 0	Oct. 4		„ P. Desrivieres,	52 14 11	12
				1826.		„ Edward Pregon,	235 0 0	14
	11.	Stephen Collins,	400 0 0	Jany. 12				
				1825.				
	13.	Robert Jackson,	21 14 0	Oct. 15	April	28. David Chesley,	44 13 5	30
Novr.	5.	Simon Sinclair,	30 0 0	Nov. 9	May	21. Alex. Douglass,	15 18 2	25
		„ Hiram Sinclair,	30 0 0			10. Jos. Fisher,	160 0 0	2
	9.	Lewis Chadwick,	15 8 0	18		27. Walter Bruce,	120 0 0	21
Decr.	3.	Thos. McLeish,	34 10 0	Dec. 16		29. Alex. Douglass,	15 18 2	12
1826.								
Febry.	18.	John Dunlop,	449 2 2	Died June 10 1826.	June	5. Jos. Gratton,	238 0 0	21
				1828				
March	13.	Adam G. Johnson,	200 0 0	April 14		16. Chs. S. McKenzie,	60 0 0	18
				1826		„ Jos. Fisher,	160 0 0	18
	15.	Jos. Landreville,	20 13 6	June 24	July	27. Ant. Malapar,	2,514 11 4	30
	17.	Thos. McLeish,	33 6 8	July 28	Aug.	7. Joseph Cilley,	14 19 3	27
				1827		2. Jonathan Childs,	47 1 5	3
	29.	P. Pownell,	63 0 0	Jany. 25	Sept.	4. James Gray,	35 0 0	18
				1826		27. Royal Corbin,	200 0 0	6
April	8.	Thos. Ferguson,	67 13 2	June 27	Octr.	1. Daniel Madden,	167 7 6	23
May	11.	Frs. Alexander,	20 0 0	24				
	13.	Saml. Cornwall,	16 3 8	May 15	Novr.	3. George G. Holt,	250 10 1	27
	15.	Jeremiah Adams,	22 0 5½	18				
	22.	S. S. Harrington,	200 0 0	23		27. Alex. Reeves,	32 0 0	2
	26.	John Campbell,	500 0 0	26		„ Nathan Pierce,	0 0 0	29
June	29.	G. G. Morrin,	1,000 0 0	July 27	Decr.	5. Adam Harrington,	65 7 3	9
				1827		7. Will. Classon,	1,018 5 0	4
July	1.	Pierre Desrivieres,	68 0 0	Febry. 12				
				1826		12. Stephen Lawrence,	28 4 6	25
	4.	Andrew H. Baron,	102 0 0	Oct. 6	1828.			
	8.	Robt. McNabb,	60 19 7	July 10	Febry.	4. Richd. Miriam,	55 8 10	12
	„	John Dalmedge,	24 14 6	12		10. George Miller,	198 16 10	22
	9.	Reub. Sherwood,	1,500 0 0	Oct. 12	March	11. James Gardner,	35 5 0	5
	27.	John Burrwell,	70 0 0	July 28		15. John Meade	80 0 0	in custody
	28.	Thomas Price,	70 0 0	29		17. Henry Williams,	47 0 0	19
Aug.	2.	Elizab McLeish,	20 0 0	Oct. 24	April	21. Paschal Coté,	15 0 0	25
	12.	George Astor,	500 0 0	Sept. 25	May	10. John Dickson,	16 15 6	20
	23.	Thos. A. Willis,	35 0 0	5		24. James Melville,	45 0 0	4
Sept.	8.	Robt. McGregor,	21 11 0	20	June	7. Judson Lampson,	50 0 0	19
	15.	Will. Patterson,	25 0 0	Nov. 28		10. S. C. McLaughlin,	71 6 4	26
	„	John Martin,	25 0 0			14. Lewis Chisholm,	130 0 0	23
	16.	Edw. Herbert,	25 15 0	Oct. 25	July	10. Jos. Tarition,	83 8 10	11
	23.	C. B. Pasteur,	51 3 9	Nov. 14		11. Charles Jackson,	14 3 1½	15
Octr.	2.	Thos. A. Willis,	35 0 0	24		31. Saml. T. Hudson,	600 0 0	31
	5.	John Todd,	130 0 0	Oct. 12	Aug.	1. Louis Marcoux,	700 0 0	5
	6.	Martin Riekair,	33 1 1	14		„ David Jardine,	43 0 0	7
	7.	John Baisdell,	415 11 1	16				
	9.	Martin Oviatt,	500 0 0	11		11. James Hay,	56 16 3	in custody
	16.	Charles Chisholm,	127 5 0	27		22. Chester Wilson,	65 18 0	25
Novr.	2.	Philo Fairchild,	177 4 5	Nov. 14	Sept.	27. Frs. Convaitta,	36 14 4	1
	8.	Patk. McDonald,	900 0 0	Dec. 30		5. Jos. Henault,	23 8 9	2
	„	James Quin,	900 0 0		Octr.	2. James Cameron,	73 14 11	14
	9.	Jos. Shultz,	116 13 10	Nov. 30		„ David Jardine,	43 0 0	in custody
	13.	James Murray,	150 0 0	14		„ Alex. McDonell,	49 6 3	3
						18. Hugh Logan,	40 0 0	24

(Signed)

Montreal, December, 1828.

L. GUGY, Sheriff.

LIST of Persons who have been admitted to Bail under the Act 7th Geo. 4th chap. 7th, in the District of Montreal, made in obedience to the order of His Excellency the administrator of the Government.

Appendix
(M)
12th. Dec.

TABLEAU des Personnes qui ont été admises à donner des Cautions en vertu de l'Acte de la 7me. Geo. 4, chap. 7, dans le District de Montréal, fait en obéissance à l'ordre de Son Excellence l'Administrateur du Gouvernement.

		Currency.
1827,		
October 5.	John M'Callum, - - - - -	£ 50 0 0
1828,		
February 13.	Frederick Pearl, - - - - -	4700 0 0
March 21.	Joseph Gratton, - - - - -	238 0 0
November 10.	Olivier Gariepy, - - - - -	16 17 5

Montreal, Decembre 1828.

Signed, L. GUGY, Sheriff.

N. B.—It has been impossible for the Sheriff to furnish a list of such persons as may have received the alimentary allowance in gaol during the period stated in the queries of the House of Assembly, as such allowance is granted by the Court of King's Bench on application, of which proceeding the Sheriff never receives any notification.

Signed L. GUGY, Sheriff.

N. B.—Il a été impossible au Shérif de donner un Tableau des personnes qui peuvent avoir reçu l'allouance alimentaire en prison pour la période mentionnée dans les questions de la Chambre d'Assemblée, vu que telle allouance est accordée par la Cour du Banc du Roi sur application à cet effet, et de cette procédure le Shérif ne reçoit aucune notification.

Signé, L. GUGY, Shérif.

LIST of the Persons now confined for debt in the gaol of the District of Montreal, the amount demanded of each, made in obedience to the order of His Excellency the Administrator of the Government.

TABLEAU des Personnes maintenant emprisonnées pour dettes dans la Prison du District de Montréal, avec le montant demandé pour chacun, fait en obéissance à l'ordre de Son Excellence l'Administrateur du Gouvernement.

<i>Committed.</i>	<i>Nature of Writ.</i>	<i>Amount.</i>
1828, March 18. John Meade, - - - - -	<i>cap. sat.</i>	£10 0 0
August 11. James Hay, - - - - -	<i>do. do.</i>	56 18 3
October 2. David Jardine, - - - - -	<i>cap. resp.</i>	48 0 0
November 29. Daniel S. Mason, - - - - -	<i>do. do.</i>	80 0 0
December 4. James Perkins, - - - - -	<i>do. do.</i>	20 0 0

Montreal, 5 December 1828.

Signed, L. GUGY, Sheriff.

A RETURN of Writs of Capias ad Respondendum directed to the Sheriff of the District of Three-Rivers, since the 3d May 1827, (the day the present Sheriff came into office,) to the 20th October 1828.

Appendix
(M.)
12th Dec.

RETOUR de Mandats de *Capias ad Respondendum* adressés au Shérif du District des Trois-Rivières, depuis le 3. Mai 1827, (le jour que le Shérif actuel est entré en office,) jusqu'au 20. Octobre 1828.

No.	Date.	Names of Parties.		PROCESS AND PROCEEDINGS THEREON.				REMARKS.
		At the Suit of	Against the body of	Committed to Prison.				
				No.	From	To	Amount.	
	1827.				1827	1827		
1	23 May,	Frs. N. Malhiot,	Scevola Victor,	1	25 May,	25 May,	17 11 8	{ Defendant paid debt and costs 25 May, 1827.
2	5 June,	Jean Langevin,	Leandre L. Augé,	1	6 June,	7 June,	176 0 0	{ Gave Bail 7 June, 1827.
3	10 Oct.	Timothy Fallen,	François Oakly,	—	—	—	15 10 0	{ Defendant paid debt and costs the 10th October 1827.
4	31 Dec.	Neptune Blood & Co.	William Smith,	—	—	—	69 11 4	Defendant not found.
	1828.							
5	9 Feby.	Louis Marcoux,	Edward Maclure,	—	—	—	274 15 4½	ditto ditto
6	6 Mar.	Joseph Dyke,	Peter Sharp,	—	—	—	222 19 6	ditto ditto
7	13 Sept.	Adam Ferrie & Co.	James Peoples,	1	13 Sept.	18 Sept.	331 14 6	{ Capias quashed on the 18th September, 1828.
8	18 do.	Adam Ferrie & Co.	James Peoples,	1	19 do.	15 Oct.	331 14 6	{ Defend. in prison on Capias ad Respond. till 15 Oct. 1828, on which day a Capias ad Satisfaciendum was sued out.
Total committed to Prison.....				4				

A LIST of the number who have been taken into Custody on Capias ad Respondendum for debt, and admitted to Bail or imprisoned.

(Signed,) J. G. OGDEN,
Sheriff.

No. 1 Leandre Augé admitted to Bail under the provisions of the Provincial Statute 5 Geo. 4, cap. 2.

{ 1 James Peoples imprisoned till Capias was quashed.

{ 1 James Peoples ditto ditto detained in virtue of a Capias ad Satisfaciendum.

Total..... 2 persons.

I

(Signed) J. G. OGDEN,
Sheriff.

Appendix
(M.)
12th Dec.

A RETURN of Writs of *Capias ad Satisfaciendum*, for Debts, from the third of March, one thousand eight hundred and twenty-seven, (the day the present Sheriff came into office) to the twentieth of October, one thousand eight hundred and twenty-eight; shewing the number and names of persons who have been confined under Writs of *Capias ad Satisfaciendum*, for Debt, those who have been admitted to Bail, under the provisions of the Provincial Statute, 7th Geo. IV. Cap. 7.—Shewing the number and names of persons now confined in the Gaol of the District of Three-Rivers, with the cause of their detention, and also shewing the number of those who have received Alimentary Pensions.

RETOUR de Mandats de *Capias ad Satisfaciendum* pour Dettes, depuis le 3me. Mars, 1827, (le jour auquel le Shérif actuel est entré en office) jusqu'au 20me. Octobre, 1828; montrant le nombre et les noms des personnes détenues en vertu de *Capias ad Satisfaciendum*, pour Dettes, celles qui ont été admises à Cautions, d'après les dispositions du Statut Provincial de la 7me. Geo. IV. Cap. 7.—Et faisant voir le nombre et les noms des personnes maintenant détenues dans la Prison du District des Trois-Rivières, avec la cause de leur détention, et aussi le nombre de ceux qui ont reçu la pension alimentaire.

No. Writs	Date.	Names of Parties.		No. Persons	Committed to Prison.		Proceedings thereon.		Amount for which process was sued out.	Process and Remarks.
		At the suit of	Against the Body.		From	To	Received Alimentary Pensions From	To		
1	1827 17 Feby.	C. W. Ross.	Chs. B. Felton,						£ 125 14 6	{ The Writ <i>a Parentis</i> , from Quebec, Defendant admitted to Bail, on limits of the Town of Three-Rivers, on 14th March, 1827, the day he arrived in town.
2	31 March	Ezekiel Hart.	Pelletier & Rolette, Tier saisis, et Mich. Coté, adjudicataire	1	21 April.	25 June.			31 0 0	{ Writ against adjudicataire, on 25th June 1827 he paid Plaintiff and was released.
3	8 Octr.	W. S. Wales.	Jared Willey and Abel Willey, Hy. Barnard, guardian							{ Writs of attachment against Guardian. In both these Writs, the same sums were ordered to be levied, £41 8 6, and costs.
4	8 Octr.	The same.	The same, and Wm. Combs, guardian.						41 8 6	{ The execution of these Writs was suspended by desire of Plaintiff, till the 3d Jan'y. 1828, when Plaintiff declared himself satisfied.
5	1828 10 April,	Ez. Hart & Son.	Charles Guy,	1	16 April.	17 April.			53 10 7	Defendant admitted to the limits, on 17th April, 1828.
6	3 June,	Ezekiel Hart.	Antoine Laverité,	1	3 June.	24 July.			33 4 11½	On the 24th July, Defendant arranged with Plaintiff, and was released by his order.
7	19 Sept.	Ant. Constantin.	Thomas Fortier,	1	25 Sept.	29 Sept.			47 2 9	<i>Capias ad Satisfaciendum</i> . On the 29th Sept. 1828, the Defendant settled with Plaintiff, and was discharged.
8	15 Octr.	Adam Ferrie.	James Peoples,	1	15 Octr.	20 Octr.			831 14 6	<i>Capias ad Satisfaciendum</i> . The Defendant is still in Gaol.
				5	Recd. al. Pension.					
										Admitted to Bail.
										2

James Peoples is the only one arrested on *Capias ad Satisfaciendum*, now confined in Gaol.

Dated 1st Decr. 1828, (Signed) J. G. OGDEN, Sheriff.

LIST of the number of Writs of *Capias ad Respondendum* issued out of His Majesty's Court of King's Bench, addressed to me between the 23d November 1822 and 20th October 1828, inclusive.

Appendix
(M)

12th. Dec.

TABLEAU du nombre de Writs de *Capias ad Respondendum*, émanés de la Cour du Banc du Roi de Sa Majesté, à moi adressés entre le 23 November 1822 et le 20 Octobre 1828, inclusivement.

NAMES OF THE PARTIES.	Amount demanded	REMARKS.	NAMES OF THE PARTIES.	Amount demanded	REMARKS.
Mann vs McNair,	£50	0 0	McLaughlin vs Byrne,	13	0 0
Ross vs McDonald,			Herd vs Moir,	775	0 0
Witchelow vs Hendry,	50	0 0	Leake vs Wallman,	15	0 0
Esson vs McIntyre,	60	0 0	Oliva vs Chartrain,	40	0 0
Whelan vs Shaw,			Murray vs Davy,	15	0 0
Chinic & al. vs Hendry,	14	18 6	Maloney vs Power,	19	0 0
Esson vs McIntyre,	60	0 0	Robinson vs Johnstone,	82	5 0
Dasilva vs Burt,	118	0 0	Garneau vs Dugal,	19	13 2½
Tapin vs Bart,	79	0 0	Carson vs Middleton,	25	0 0
Chamberland vs Dion,	34	9 11	Bisson and al. vs Hall,	37	0 0
Foster vs Miller,			Usborne vs Ward,	300	0 0
Quin vs Hunter,			Jolicœur vs Kennedy,	25	12 0
Stott vs Collins,	19	0 0	Nichols vs Adams,	64	0 0
Miller vs Collins,	73	0 6	Thornton vs Thomas,	31	19 5
Coff vs Hunter,	15	0 0	Miller vs Bezeau,	60	0 0
Mercier vs Vogeler,	12	18 9	Duchesnay vs Smith,	30	0 0
Campbell vs Givin,	86	0 0	Atkinson vs Boyd,	31	0 0
Tulham vs Fay,	91	0 0	Atkinson vs Brent,	29	0 0
Fields vs Cockburn,	17	14 11	Wood and al. vs Newton,	282	0 0
Clarke vs Stewart,	12	10 0	Atkinson vs Rees,	342	0 0
Fields vs Tuzo,	15	0 0	White vs Lewis,	44	0 10
Handyside vs Dawson,	130	0 0	Belair vs Borley,	162	12 3
Bureard vs Usborne,	21	9 0	Symes vs Aspinall,	95	2 11½
Dupuis vs McKenzie,	30	0 0	Hayes vs McCance,	18	13 1
Sedley vs Link,	39	0 9	Hunstein vs McKutcheon,	25	0 0
Hall vs Wilson,	32	0 0	Harvey vs Skews,	53	0 0
Holt vs Usborne,	270	0 0	Hawley vs Loucks,	99	0 0
McLaughlan vs McCauley,	19	0 0	Thornton vs Ryland,	53	0 0
McAuley vs Phillips,	15	0 0	Fraser vs Hayes,	13	0 0
Bellhouse vs Graham,	60	0 0	Ramsay vs Corneau,	15	0 0
Phillips vs Loucks,	15	0 0	Kelly vs Billings,	28	2 3
Marcoux vs Phillips,	33	0 0	Stacey vs Campbell,	580	0 0
McDonald vs Cameron,	19	0 0	Clark vs Layfield,	12	9 2
Russel and al. vs Stonewell,	75	17 8	Hunter vs Potts,	14	10 0
Jones vs Rivers,	155	0 0	Fairchild vs Hart,	126	0 0
White vs Rivers,	15	0 0	Couture vs Dugal,	31	10 0
Daracke vs Fraser,			Brown vs Cameron,	201	0 0
Fields vs Smith,	91	0 0	McDonald vs Gauvin,	50	0 0
Thornton vs Levey,	15	0 0	Cannon vs Henley,	51	0 0
Langlois vs Wyatt,	20	7 4½	Satterthwaite vs Usborne,	91	0 0
Averell vs McDonald,	80	0 0	Aylin vs Thompson,	25	0 0
Malouin vs Smith,	27	12 6	Young vs McGillis,	25	10 0
Dugal vs McDougall,	225	0 0	O'Conner vs Gauvin,	50	0 0
Wilson vs Norris,	1,250	0 0	Dubé vs Dayton,	27	0 0
Grant vs McDonald,	150	0 0	Broffee vs Thursby,	19	0 0
Desbarats vs Burrows,	550	0 0	Dayton vs Dubé,	19	0 0
Carthy vs Anderson,	15	0 0	Clifford vs Hayworth,	64	0 0
Crawford vs Cameron,	500	0 0	O'Conner vs Hayworth,	33	0 0
Roberts vs Deighton,	28	0 0	Clifford vs White,	21	0 0
Bouchard vs Addison,	70	0 0	Coté vs Bart,	15	0 0
Cameron vs Crawford,	500	0 0	Atkinson vs Dow,	600	0 0
Whitney vs Gillam,	14	17 8	Atkinson vs Dow,	1,800	0 0
Costin vs Grant,	23	10 5	McNelly vs Melderand,	26	0 0
Thompson vs Robinson,	30	0 0	Zarack vs Head,	13	0 0
Chinic vs Reader,	14	10 0	Torrance vs Grenier,	12	9 6
Oliva vs Chartrain,	40	0 0	Chesser vs Malone,		
McVey vs McDougall,	17	2 6	Griffith vs McConnell,	90	0 0
Sheppard vs Foster,	25	0 0	Hunter vs Cross,	12	0 0
Canac dit Marquis vs Leblanc,	15	0 0	Vermet vs Brokers,	11	13 6
Kelly vs Leish,	12	10 5	Drummond vs Cameron,	17	0 0
Farnsworth vs Duclos,	12	10 0	Melvin vs Bélanger,	31	0 0
McDonald vs Duclos,	32	0 7	Glass vs McMillan,	125	0 0
McCarthy vs Clarke and al.	17	0 0	Heyden vs Wills,	70	0 0
Asher vs Chitte,	50	0 0	Berry vs Toupin,	16	0 0
Lewis vs Brownlie,	35	0 0	Stacey vs McVey,	70	0 0
Krans vs Holmes,	131	13 1	Noad vs Bennett,	12	11 6
Lewis vs Hobbs,	17	4 0	Downes vs Bennett,	15	0 0
Hendry vs Okiel,	25	0 0	Berry vs Toupin,	16	0 0
Wilson vs Hewison,	60	0 0	Sutherland vs Bradford,	12	0 0
Beats vs Holmes,	18	5 0	Perry vs Adams,	21	15 0

Appendix
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NAMES OF THE PARTIES.	Amount demanded	REMARKS.
Jamieson vs Wilson	300 0 0	
Pagé vs Ferguson	40 0 0	
Hendry vs Kennedy	39 7 4	
Woodhead vs Dunn,	159 16 0	
Black vs Henley,	11 5 9	
Munn vs Smith,	2,500 0 0	
Longley vs Newton,	311 0 0	
D'Estimauville vs Briggs,	33 10 0	
Davidson vs Hoogs,	55 12 6	
Anderson vs Hackett,	130 0 0	
Dorval vs Atkinson,	17 16 0	
Dyer & al. vs Thornton,	12 0 0	
Dyer & al. vs Hicks,	22 0 0	
Chinic vs Morrison,	85 8 0	
Thornton vs Wood,	15 6 1	
Sheppard vs Morrison,	63 0 0	
Roy vs Daunais dit Frenière,	40 0 0	
Roy vs Goodchild,	16 0 0	
McDonald vs Turner,	12 13 0	
Prior vs Barton,	25 0 0	
Blanchard vs Ramage,	15 0 0	
Torrance vs Cameron,	100 0 0	
McVey vs Martin,	65 0 0	
Wyman vs West,	65 0 0	
Chamberlain vs Thompson,	11 5 0	
Cameron vs Gellatly,	25 0 0	
Labbé vs Martin,	40 16 2	
Dunlop vs Martin,	35 0 0	
Lynch vs Martin,	15 0 0	
Doyle vs Martin,	21 1 6	
Dunggard vs Alder,	100 0 0	
Masterson vs Neil,	50 0 0	
McPhie vs McDonell,	21 0 0	
Forbes vs Hindes,	45 10 0	
Marchand vs Patton,	11 10 0	
McDonell vs McPhee,	30 5 0	
Whitney vs Alder,	61 0 0	
Bilodeau vs Alder,	18 14 9	
Peabody vs West,	25 0 0	
Bouc vs Green,	35 8 5	
O'Donnell vs Stephens,	22 16 0	
Campbell vs Hendry,	13 11 6	
Wilson vs Armstrong,	51 0 0	
Beaver vs Turner,	0 0 0	
Birch vs Baily,	86 8 6	
Strickland vs Hendry,	25 0 0	
Sheppard vs Brouse,	100 0 0	
Shaw vs Hendry,	30 0 0	
Hall vs Sparks,	20 0 0	
Primrose vs Hendry,	35 0 0	
Young vs McFarlane,	29 19 3	
Garneau vs Kennedy,	18 0 0	
Clementi vs Braunies,	500 0 0	
Gugy vs Lepage,	48 0 0	
Clarke vs McDonell,	15 0 0	
Plamondon vs Laurenger,	18 16 3	
Hardie vs Maheu,	21 5 0	
McCarthy vs Bisset,	27 7 7	
Forsyth vs Maheu,	18 10 0	
Crotty vs Maheu,	12 4 0	
Mondion vs Maheu,	53 13 1	
Richards vs Cuvillier,	50 0 0	
Clearihue vs Long,	26 4 0	
Fraser vs Cuvillier,	85 0 0	
Torrance vs Cuvillier,	108 0 0	
Miller vs Long,	57 0 0	
Hall vs Levy,	26 0 0	
Watson vs Clarke,	400 0 0	
Tweedell vs Adams,	231 15 1	
Bowling vs Adams,	19 0 0	
Gauthier vs Bell,	37 19 9	
Simons vs Oliva,	21 11 11	
Ricarby vs Adams,	70 0 0	
Henderson vs Adams,	77 3 10	
Cole vs Collins,	32 4 7	
Campbell vs Forsyth,	13 0 0	
Adams vs McAlpine,	200 0 0	
Same,	1,000 0 0	
Richardson vs Adams,	1,000 0 0	

NAMES OF THE PARTIES.	Amount demanded	REMARKS.
Patton vs Adams,	105 0 0	
McLean vs Cox,	1,500 0 0	
Richardson vs Adams,	1,000 0 0	
Patton vs Adams,	105 0 0	
McLean vs Cox,	1,500 0 0	
McAvoy vs Lifeborne,	15 0 0	
Hough vs Cole,	12 5 0	
Harrison vs Bailey,	20 4 0	
Mower vs McDonald,	12 1 0	
Langevin vs Streeter,	12 5 0	
Pagé vs Davison,	39 1 0	
Cairns vs Field,	24 0 0	
McPhee vs Slater,	16 0 0	
Mulholland vs Clarke,	12 18 9	
Walsh vs Field,	67 9 6	
Brown vs Field,	30 0 0	
M'Creath vs Field,	42 12 0	
Langevin vs Streeter,	12 5 0	
Langevin vs Bailey,	15 0 0	
Harrison vs. Bailey,	21 4 0	
Jenkins vs Miller,	19 6 3	
Ogley vs Chesley,	226 17 11	
Henderson vs Cummings,	332 6 0	
Dovey vs M'Donell,	50 0 0	
Atkins vs Field,	75 0 0	
Levesque vs M'Crae,	17 0 0	
Horner vs Holbrooke,	36 0 0	
Bruce vs Cuvillier,	200 0 0	
Marcotte vs Bailey,	15 0 0	
Campbell vs Harvie,	50 0 0	
Strickland vs Murphy,	13 14 0	
Pemberton vs Streeter,	17 0 0	
Gugy vs Flint,	14 0 0	
M'Gee vs Finlay,	15 15 0	
Dewar vs M'Pherson,	100 0 0	
Coleman vs Field,	19 0 0	
M'Donald vs. Pemberton,	440 2 10	
M'Donald vs M'Donald,	15 0 0	
Graham vs Bruce,	33 0 0	
Garden vs M'Martin,	484 19 3	
La Brosse vs Mannie,	41 0 0	
Molloy vs Burke,	11 10 0	
Mannie vs Butler,	22 0 0	
Trinder vs Clancy,	23 12 0	
M'Donald vs M'Donald,	237 0 0	
Mackenzie vs Cameron,	12 0 0	
Truesdale vs Davies,	26 0 0	
Butler vs Bush,	49 0 0	
Chinic vs M'Wray,	43 0 0	
Malony vs Clarke,	11 16 5	
Longley & al. vs Martin,	34 0 0	
Brush vs Taymouth,	75 0 0	
Hunstein vs King,	19 1 8	
Kerr vs Law,	946 12 7	
O'Hara vs Wilson,	35 3 4	
Hall vs Kennedy,	18 5 0	
M'Gibbon vs Felton,	61 0 0	
Doran vs Wilson,	78 0 0	
Cushing vs Davidson,	12 11 8	
Marcotte vs Bailey,	12 10 0	
Chenelette vs Panet,	100 0 0	
Dupont vs Bolton,	35 0 0	
Reilly vs. Carley,	12 10 0	
M'Avoy vs M'Neil,	13 10 0	
Labreque vs Barallier,	11 12 0	
Lovell vs Blanchard,	31 19 2	
Roe vs Harrahham,	13 0 0	
Lawrence vs Hunter,	16 12 5	
Gibb & al. vs Balfour	20 0 0	
Eager vs Cornwall,	33 2 6	
Wilson vs M'Carthy,	12 10 0	
Dunn vs Sparks,	15 0 0	
Lafontaine vs Gale,	20 0 0	
Clifford vs Jasper,	11 5 0	
Devlin vs Wilson,	29 0 0	
Leeke vs Jenkins,	20 0 0	
McKutcheon vs Ewington,	40 0 0	
McIntyre vs Beckworth,	29 15 0	
Keough vs Cameron,	24 15 0	

NAMES OF THE PARTIES.	Amount demanded.	REMARKS.	NAMES OF THE PARTIES.	Amount demanded.	REMARKS.
Hennessy vs Carman,	20 0 0		Bradbury vs Ross,	402 9 1	
McNider vs Hanniward,	15 11 7		Jenkins vs Wade,	39 2 4	
Lynch vs Murray,	12 10 0		Jervis vs Young,	15 0 0	
McIntosh vs McDonald,	49 3 1		Mullalcy vs Grandy,	25 0 0	
Beckworth vs Atkinson,	602 0 0		Broderick vs Kelly,	12 9 11	
Jones vs Webber,	118 9 3		Willan vs Adams,	12 10 0	
Averell vs Cook,	49 0 0		Morrison vs Lannigan,	122 10 0	
Stevenson vs Labbé,	55 0 0		Anderson vs Saunders,	11 2 6	
Hood vs Garden,	18 0 0		M'Donald vs Beckwith,	66 4 4	
Smith vs Levey,	250 0 0		Primrose vs Beckwith,	22 17 1	
Hutchinson vs Hayes,	100 0 0		Seely vs Stansfield,	170 3 1	
Paquet vs Labbé,	17 0 0		Ward vs Randle,		
Labreque vs Labbé,	33 0 0		Farrell vs Haylarts,	150 0 0	
Audet vs Michell,	37 0 0		Lull vs Haylarts,	161 0 0	
Drouin vs Labbé,	24 18 0		Stansfield vs Van Ingen,	44 0 0	
McKutcheon vs Atkinson,	935 19 2½		Wells vs Holmes,	201 0 0	
McNider vs McLean,	90 8 8		Langworthey vs Holmes,	160 0 0	
Douglas vs Hayes,	11 13 6		Godin vs Hamel,	30 0 0	
Simmons vs Labbé,	25 0 0		Godin vs Gamache,	23 10 0	
Labbé vs Henley,	66 0 0		Knox vs. Kelly,	15 0 0	
Rottiers vs Fuller,	148 4 10		Wilson vs Holland,	144 0 0	
Chinic and al. vs Marcoux,	67 0 0		Duhamel vs Quin,	22 19 1	
McKenzie vs Marcoux,	60 17 4		Blood vs Campbell,	33 3 4	
Lamontagne vs Robitaille,	12 5 11		MacDonel vs Kennedy,	13 9 2	
Charland vs Stubbs,	32 0 0		Walsh vs Wilson,	18 0 0	
Fleming vs Finch,	70 0 0		Weekes vs McAvoy,	11 6 1	
Dorval vs Waterson,	13 15 0		Butler vs Deloury,	12 16 4	
Jenkins vs Phillips,	12 10 0		O'Neil vs Day,	15 0 0	
Nimmo vs McLean,	50 0 0		Codd vs Price,	13 12 10	
Leek vs Labbé,	15 0 0		Henderson vs Holmes,	19 8 9	
Henderson vs Henley,	29 8 6½		Lesieur vs Sivrais,	12 3 6	
Crête vs Robertson,	25 15 0		Ross vs Morrin,	21 5 0	
Ray vs Atkinson,	400 0 0		Sheppard vs Ferguson,	71 5 0	
Quebec Bank vs Levey,	15 0 0		Gillespie vs Brown,	160 0 0	
Patton vs Wright,	700 0 0		Rodgers vs Brown,	51 0 0	
Hinton vs Slater,	13 16 6		Moir and al. vs Ferguson,	66 0 0	
Field vs Beckwork,	70 0 0		Stott vs Hayes,	130 0 0	
Jenkins vs Davies,	12 10 0		Sheppard vs Brown,	150 0 0	
Chartier vs Levey,	13 18 0		Ferguson vs Boyle and al.	91 13 7	
Ross vs Levey,	26 0 0		Burnet vs Cuivillier,	475 0 0	
Plamondon vs Jenkins,	18 3 7		Richardson vs Atkinson,	146 4 11	
Gagné vs Hough,	133 0 0		Ross vs Brown,	180 0 0	
Campbell vs Russel,	27 0 0		Letson vs Knower,	613 14 7	
Whitney vs Adams,	75 0 0		Noyes vs Ferguson,	45 10 0	
Wiswell vs Esson,	26 4 5		Arnold vs Ferguson,	30 0 0	
Desplaces vs Denoyer,	74 0 0		Paterson & al. vs Ferguson,	25 9 10	
M'Connell vs Denoyer,	200 0 0		Haddan vs Ferguson,	57 8 0	
Walsh vs Bolton,	19 1 1		Nixon vs Saucier,	49 18 9	
Maitland vs M'Donell,	1,700 0 0		Balzaretti vs Deschènes,	15 16 5	
Chippindale vs Coates,	0 0 0		Marcoux vs Primeau,	41 14 3	
Rogers vs Lethaby,	13 0 0		Blood & al. vs Smith,	71 0 0	
Mondion vs Brunet,	11 14 5		M'Pherson vs Gray,	300 0 0	
Boyle vs Revans,	23 0 0		Crowley vs Pickford,	163 13 8	
Fraser vs Archer,	13 2 2		Rees vs Malloy,	19 0 0	
Irvine vs M'Pherson,	464 0 0		Rhodes vs Roberts,	1,100 0 0	
Blaiklock vs Cousins,	103 12 0		Ross vs Winters,	0 0 0	
M'Kenzie vs Forbes,	12 0 0		Scott vs LeRuez,	145 0 0	
M'Kenzie vs M'Bean,	20 0 0		Seymour & al. vs Herricks,	93 3 6	
Holt vs Wiswell,	34 18 2		Dufresne vs Stuart,	13 10 5½	
Lane vs Satterthwaite,	19 0 0		Aubain vs Landry,	175 0 0	
Lynch vs Rabbit,	11 2 7½		Racey vs Clifford,	0 0 0	
Blood & al. vs Kidd,	11 9 0		Kennedy vs Usmar,	12 4 8	
Sparrock Nicolas,	12 15 11		Johnston vs Crawford,	0 0 0	
Grant vs M'Donell,			Christie vs M'Gregor,	19 18 3	
Bennet vs Bennet,	20 15 9		O'Neil vs Pentland,	913 15 6	
M'Cormick vs Saunders,	24 12 0		Lefebvre vs M'Auly,	37 8 10	
Marcoux vs Pacaud,	27 16 4		Rose vs Huse & al.	34 0 0	
Marcoux vs Pacaud,	52 11 4		M'Kenzie vs Kennedy,	0 0 0	
Allison vs Drake,	44 12 9		Hardie vs Cameron,	0 0 0	
Dickson vs Alexander.	11 7 0		Stansfield vs Skae,	327 0 0	
Bouchard vs Bernier,	20 0 0		Durkee vs Pierson,	150 0 0	
Conroy vs Burke,	13 16 6		Durkee vs Pierson,	70 15 0	
Kelly vs Spence,	18 0 0		Lagueux vs Goldsworthy,	27 0 0	
Farrington vs Thomas,	212 6 9		Clifford vs Lynch,	37 10 0	
Kennedy vs M'Donell,			McAulay vs Usmar,	43 11 3	
Hall vs Irvine,			Moorhead vs M'Allister,	56 0 0	
Armstrong vs Morrison,	14 0 0		Fleming vs Howe,	26 10 0	
Atkinson vs Powell,	579 10 1		Brewer vs Belanger,	11 4 11	
Torrance vs Grier,	82 4 7		Cameron vs Pharr,	12 5 0	

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NAMES OF THE PARTIES.	Amount demanded	REMARKS.	NAMES OF THE PARTIES.	Amount demanded	REMARKS.
Burroughs vs Martinucio,	47 3 2		Hardie vs M ^c Millan,	0 0 0	
Leblond vs Martinucio,	462 3 2		Petry vs Dickinson,	0 0 0	
Sarony vs Martinucio,	462 3 2		M ^c Kenzie vs Merrick,	15 0 0	
Devlin vs M ^c Cawley,	50 15 5		O ^c Callaghan vs M ^c Donald,	0 0 0	
Eager vs Hardy,	89 0 0		Thornton vs M ^c Donald,	72 0 10	
Hillock vs Cochran,	110 0 0		Henderson vs M ^c Donald,	25 0 0	
Gauvin vs Prior,	14 12 6		Thomson vs Brophy,	30 0 0	

(Certified.)

W^m. SEWELL, Sheriff.

LIST of Persons committed to the Common Gaol of the City and District of Quebec, under the authority of Writs of *Capias ad Respondendum* and *Capias ad Satisfaciendum*, issued out of the Court of King's Bench for the District of Quebec, from thirteenth September, one thousand eight hundred and thirteen, to twenty-second November one thousand eight hundred and twenty-two, as appears by the Register of Commitments of Record in said Gaol.

TABLEAU de Personnes emprisonnées dans la Prison Commune de le Cité et District de Québec, sous l'autorité de Mandats de *Capias ad Respondendum* et *Capias ad Satisfaciendum*, émanés de la Cour du Banc du Roi pour le dit District, depuis le trezième Septembre mil huit cent treize, jusqu'au vingt-deuxième Novembre mil huit cent vingt-deux, comme il appert par le Registre des Emprisonnemens déposés dans la dite Prison.

NAMES.	Date of Arrest.	By virtue <i>Capias</i> .	By virtue <i>Capias</i> .	Amount.	When delivered.
James Reid,	6 Janry. 1814.	ad Respondm.		310 0 0	20 Sept. 1814.
Jno. Magrath,	14 Febry.	"		500 0 0	10 March.
C. Flaarthy,	24 March,	"		300 0 0	5 April.
Ditto,	28 May,	"		500 0 0	"
W. A. Armstrong,	19 July,	"		25 0 0	21 Oct.
Ditto,	20	"		19 0 0	
Jas. Walsh,	12 August,	"		25 0 0	
Jacques Seguin,	23	"		99 0 0	
Richd. Wiggins,	24	"		15 0 0	5 Sept.
Robt. Miller,	6 October,	"		19 0 0	5 Decr.
W. Bellinhurst,	11 July 1815.	"		2,000 0 0	16 August 1815.
John Black,	11 October,	"		40 0 0	13 Novr.
Jos. Marquand,	10 Febry. 1816.	"		15 0 0	
M. O'Connor,	29 Sept.	"		15 3 1	2 Novr. 1816.
Wm. Boucher,	26 July,	"		27 9 0	29 July.
Wm. Ferth,	30	"		267 0 0	30 August.
B. J. Honstein,	21 Sept.	"		11 10 0	23 Sept.
Louis Dulonpré,	26	ad Respondm.		20 0 0	15 Oct. 1817.
Ditto,	30	"		15 15 0	
Roswell Wait,	3 October,	ad Respondm.		30 0 0	4 Oct. 1816.
Michl. Holmes,	22	"		59 4 0	6 Janry. 1817.
H. Michaud,	24	"		248 2 4	25 Oct. 1816.
Jno. M ^c Lean,	15 November,	"		264 0 0	22 Novr.
Frans. Angeling,	18	"		200 0 0	15 Sept. 1817
Thomas Balkley,	6 December,	"		89 5 0	8 Febry.
Ebenezer Chine,					
Ignace L'Heureux,	10	"		25 0 0	12
Jas. Barlow,	4 Janry. 1817.	"		30 0 0	25 May
Charles Beleau,	26 Febry.	"		79 0 0	16 June.
Aaron Burns,	28	"		71 2 1	10 March.
Paschal Martin,	12 May,	"		23 11 11	30 June,
Michl. Connors,	11 April,	"		28 18 1	14 August,
Ditto,	13 May,	"	ad Satisf ^a dum.	68 4 4	
F. Duhamel,	16	"		73 1 5	27 May,
J. Bezeau,	20	"		26 6 3	4 June,
Duncan Campbell,	3 June,	ad respondm.		17 0 0	12
Alexr. Brown,	9	"		20 15 5	26 Septr.
Danl. Baker,	21	"		27 19 4	26 Febry. 1818.
John Deaves,	27	"		152 2 3	30 June, 1817.
Dan. Jonier,	28	"		19 10 0	23 Janry. 1818.
Bryan O'Donael,	26	"	ad Satisf ^a dum.	24 6 8	8 Novr. 1817.
Will. Graves,	29	"		24 18 5	9 Aug.
Ant. M ^c Donald,	"	"		19 0 0	29 July,
S. Smith,	14 August,	"		19 0 0	
C. K. Sleigh,	9 Septr.	"		30 19 6	16 Septr. 1817.
Tim. Wilder,	1 August,	"		15 0 0	7 Novr.
G. J. Chittenden,	20 Septr.	"		300 0 0	11 Fevr. 1818.
Joseph Toff,	6 Octr.	"		25 0 0	"

NAMES.	Date of Arrest.	By virtue <i>Capias.</i>	By virtue <i>Capias.</i>	Amount.	When delivered.	Appendix (M.) 12th Dec.
Mich. Mancour,	18 Octr. 1817,	ad Respondm.		16 0 0	28 Octr. 1817.	
Chs. Pinet,	6 Novr.	"		78 0 0	4 Feby. 1818.	
Wm. Garrett,	6	"		54 16 10	10 Novr. 1817.	
John Garrett,	8	"		27 10 3		
Phil. Starns,	10	"		40 0 0		12
J. W. James,	3 Decr.	"		700 0 0	4 Feby. 1818.	
W. Patterson,	15	"		13 0 0	9 April,	
Chs. Hubert,	7 Feby. 1818,	"		15 15 0	5 March,	
Jos. Languedoc,	28	"		40 0 0	2	
J. M'Gillis,	5 March,	"		14 6 10½	17	
J. M'Reichan,	6	"		20 16 11	18	
James Donnelly,	28	"		45 0 0	13 Decr. 1819.	
Fred. Pursh,	29 Septr.	"		16 0 0	30 April, 1818.	
	"	"		30 6 7	11 July,	
E. E. Tonnancour,	13 May,	"		48 2 11		
Andw. Ferguson,	26	"		98 9 3	30 May,	
James Patterson,	2 June,	"		12 10 0	4 June,	
Thomas Evans,	11	"		16 0 0	11	
John Doyle,	23	"		50 0 0		
Isaac Taylor,	6 July,	"		50 1 4	15 July, 1818.	
Henry Marret,	10	"		14 0 0	11	
John Wait,	25	"		300 0 0	7 August,	
	"	"		361 12 10	5 Octr.	
John Houston,	22 Septr.	"		51 1 11		
Daniel M'Phee,	6 Oct. 1818,	"		59 0 0	6 Oct	
Pierre Verrault,	16	"		52 19 6	11 Dec.	
Daniel Joyner,	13	"		28 15 0		
Joseph Raymond,	7 Nov.	"		200 0 0	14 Nov. 1818,	
ditto,	23 Jany. 1819.	"		25 0 0	7 May, 1819,	
		"		15 0 0		
Samuel Ireland,	13 Feby.	"		120 7 5	24 Dec.	
		"		19 11 3		
James Campbell,	17	"		46 15 0	died 6 May,	
J. F. D. Flamand,	24	"		40 2 6		
Benjamin Thornthwaite,	14 May,	"		34 0 0	15	
John Moody,	17 June,	"		400 0 0	2 July.	
James M'Lewis,	12	"		21 9 1	17 June.	
J. B. J. Conelly,	21	"		48 11 3	22	
Thomas Miller,	22	"		267 15 0	23	
Jerh. Parsons,		"				
Thomas Parsons,	"	"		35 0 0	26	
Murd. M'Cleod,	2 July,	"		42 0 0	6 July.	
Marcel Martin,	23	"		98 16 8	2 Aug.	
William Harrison,	2 Aug.	"		1,485 0 0	12	
John M'Cleod,	"	"		22 0 0	21 Sept.	
William Taylor,	10	"		13 18 9	25 Aug.	
Alexander M'Millan,	20	"		320 0 0	27	
J. Fournier,	25	"		7 13 3	28	
John Bragg,	31	"		64 15 0	3 Sept.	
Amb. Réau,	6 Sept.	"		27 0 0	2 Oct.	
J. B. Babin,	"	"		250 0 0	20 Nov.	
John Wright,	4	"		13 4 3	2 Oct.	
Henry Smith,	22	"		15 16 3½	22 Sept.	
Ira Starks,	28	"		425 0 0	11 Dec.	
Flavien Duhamel,	13 Nov.	"		16 0 9	15 Nov.	
Frs. Robichaud,	15	"		83 4 3½		
Ebenezer Winder,	20 Dec.	"		63 2 6½	7 Feby. 1820.	
Henry Winder,		"				
Thomas Elliott,	7 Jany. 1820,	"		16 7 1½	20 Jany. 1821.	
William Darbyson,	1 May,	"		140 16 8	2 Feby. 1820.	
Colin Campbell,	3	"		25 0 0	3 May	
Christ. Wetherell,	2 Aug.	"		17 0 0	10 Sept. 1821.	
William Cooksón,	7	"		12 10 0	6 Aug. 1820.	
Hugh McPhee,	26 July,	"		36 0 0	8	
Chas. M'Crae,	10 Oct.	"		92 0 0	19 Oct.	
Anson Whitney,	30 Sept.	"		108 0 0	6 Nov.	
John North,	12 Oct.	"		12 0 0	10 Oct.	
George Hicks,	17	"		19 15 0	23 Dec.	
Henry Reney,	23	"		60 0 0	21 Oct.	
Joseph Craven,	28	"		200 0 0	27	
George Boyle,	6 Nov.	"		350 0 0	29	
Felix Boyle,		"				
J. T. Hoyle,	11	"			8 Nov.	
Jas. Robinson,	13	"			15	
ditto,	"	"		5,000 0 0	23 May 1821.	
John Leumond,	20	"		400 0 0	4	
Geo. Leumond,		"				
William Hunton,	20 Dec.	"		193 8 3	9 Feby.	
	30	"		74 14 7	26 Dec.	
Fras. Babin, jr.	20 June 1821,	"	ad satisfac'dum.	1,500 0 0	13 Oct.	
"		"	"	1,335 0 0		
	"	"	"	61 17 7		

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NAMES.	Date of Arrets.	By virtue <i>Capias.</i>	By virtue <i>Capias.</i>	Amount.	When delivered.
G. Leelan,	1 Feby. 1821.	ad respondm.		193 6 3	9 Feby. 1821.
J. Leelan,	5	"		193 8 3	"
Frs. Parant,	12	"		29 11 8	
J. H. Ryan,	3 March,	"		120 0 0	7 March.
T. O'Brien,	28	"		18 10 0	20 April.
Chas. M'Crea,	29	"		200 0 0	15 Sept.
ditto,	9 July,	"		254 9 11½	"
Frs. Parent,	2 May,		ad satisfaciend.	41 19 0	12 Dec.
Seth Northon,	4		"	46 18 7	18 May.
Aug. Mercier,	25 June,	ad Respondm.		20 4 1	18 Sept. 1822.
Leonard Nelson,	26	"		25 0 0	29 June 1821.
W. S. Simson,	10 July,	"		15 0 0	
		"		21 10 5	
Daniel M'Gillis,	12		ad satisfaciend.	19 0 0	14 Nov.
			"	11 15 0	
Alexr. Ouellet,	16		"	30 15 10	30 July.
James Grey,	1 Aug.	ad Respondm.		23 8 11	8 Aug.
William Hills,	2	"		15 0 0	29
Owen Donaldson,	3	"		50 0 0	24
Rob. M'Coll,	8	"		23 1 3	16
Vincent Prevost,	6	"		50 6 7	22 Sept. 1822.
	25	"		81 2 6	
Danl. Murphy,	21 Aug 1821.	"		13 17 0	3 Oct. 1821.
Jas. Craig,	"	"		17 10 0	23 Aug.
Alexr. M'Donnel,	10 July,	"		90 0 0	
Christ. Funstall,	29 Aug.	"		12 15 0	11 Decr. 1821.
O. P. Robbin,	4 Sept.	"		29 0 0	
	5	"		19 0 0	
Dan. M'Gillis,	8	"		160 0 0	14 Novr. 1821.
James M'Phee,	10	"		20 0 0	18 Sept.
	"	"		29 0 0	
Jas. Pacquet,	7 Aug.	"		22 4 0	27
Jos. Chorette,	3 Oct.	"		25 0 0	6 Oct.
Will. Hills,	4	"		13 0 0	29 Novr.
J. Ohensbrook,	5	"		144 0 0	13 Feby. 1822.
Thos. Howard,	6	"		19 0 0	10 Oct. 1821.
Richd. Locks,	16	"		23 0 0	18
Jno. Reinhart,	2 Nov.	"		19 0 0	
Nat. Fish,	7	"		18 0 0	15 Nov.
Alexr. Walker,	13	"		320 2 0½	
Jas. Wilson,	"	"		120 0 0	
Jonas Eagar,	16	"		50 0 0	
Richd. Horsley,	21	"		39 13 9	
Ed. Gavely,	6 Dec.	"		58 18 9	11 Feby. 1822.
	"	"		25 16 0	
Thos. Aylwin,	5 Feby. 1822.	"		915 14 4½	"
Jos. Satterford,	28	"		121 0 0	16 Aug.
Jno. Reinhart,	2	"		12 3 9	
Jas. Downs,	4 June,	"		11 11 6	5 June.
Doug. M'Callum,	12	"		37 4 7	13 Aug.
Jas. Douglass,	25	"		13 7 10	
J. Hayes,	28	"		30 0 0	1 July.
Flav. Duhamel,	5 July,	"		243 0 0	18
Will. Hoogs,	6	"		574 0 0	
	6	"		168 0 0	
Thos. Watson,	5	"		15 0 0	12 July 1822.
Will. Hoogs,	10	"		25 13 9	
J. B. Catteaufort,	7 Aug.	"		16 10 0	19 Aug. 1822.
Jas. Bolton,	27	"		20 0 0	
Thos. Webb,	11 Sept.	"		37 18 4	
J. M. Ritchie,	20	"		65 9 11	
Charlotte Tremblay,	21	"		54 8 4	27 Nov.
David Jamieson,	28 Oct. 1822.	"		18 17 3½	
Jas. Wigfield,	6 Nov.	"		150 0 0	15 Feby. 1823.
Pet. Power,	11	"		12 0 0	
G. C. Ross,	"	"		132 13 7	
William Hoogs,	6 Novr.		ad Satisfaciend.	566 13 5	
				226 6 4	

I certify the above to be a true Extract from the Gaol Register.

(Signed) Wm. S. SEWELL, Sheriff.

LIST of Cases wherein the Defendants having been arrested under Writs of *Capias ad Respondendum* were admitted to Bail on their Arrest, or were imprisoned between the twenty-second November One thousand eight hundred and twenty-two, and twentieth October One thousand eight hundred and twenty-eight.

In the following Cases Defendants being arrested, were committed to the Common Gaol of Quebec, and afterwards released in various ways.

Appendix
(M.)
12th Dec.

TABLEAU des Cas où les Défendeurs ayant été arrêtés en vertu de Mandats de *Capias ad Respondendum* ont été admis à donner des Cautions lors de leur arrestation, ou ont été emprisonnés entre le vingt-deuxième Novembre mil huit cent vingt-deux, et le vingtième Octobre mil huit cent vingt-huit.

Dans les Cas suivans les Défendeurs, lors de leur arrestation, ont été emprisonnés dans la Prison Commune de Québec, et ont ensuite été mis en liberté en diverses manières.

CASE.
Petry vs Hoogs,
Ross & al vs M'Donald,
Thornton & al vs Amiot,
Miller vs Collins,
Campbell & al vs Gevin,
Lecour vs Genest,
White vs Revans,
Massue & al vs Lavers,
Mullen vs Smith & al.
Butchard vs Addison,
Thompson vs Robertson,
McVey vs McDougald,
Kelly vs McLeish,
Powers vs Hobbs,
Maloney vs Powers,
Wright & al vs McGregor & al.
Symes vs Aspinall,
Labbé vs Armstrong,
Hallé vs Louck & al.
Zarock vs Head,
Hunter vs Cross,
Patterson & al vs Blumhart,
Petry vs Martineau,
Pagé vs Ferguson,
Sutherland vs Bradford,
Davidson vs Hoogs,
Thornton vs Wood,
Roy vs Freniere,
Chinic vs Morrison,
Davidson vs Hoogs,
Kerr vs Martineau,
Forbes vs Hindes & al.
Duggan vs Alder,
McDonald vs McPhee,
Whitney vs Alder,
Weippert vs Reiley
Bond vs Grier,
Wilson vs Armstrong,
Graves vs Hoogs,
Witchelow vs Hendry,
Froste & al vs Ross,
Henshaw vs Ross & al.
Dupuis vs McKenzie,
Willan vs Thraver,
Russel & al vs Honeywell,
Langlois vs Wyatt,
Desbarats vs Burrowes,
Coslin vs Grout,
Chinic vs Reader,
Dugal vs McDougald,
Astor vs Chitty,
Daly vs Wilson,
Carson vs Nettleton,
Hunter vs Potts,
Fairchild vs Flarty,
Young vs McGillis,
Atkinson vs Dow & al.
Glass vs McMillan,
Stacey vs McVey,
Noad vs Bennett,
Downs vs Bennett,
Woodhead vs Dunn,
Noal vs Snaith,
Vallerand vs Barnes,
West vs Ramage,
Prior vs Barton,
Torrance & al vs Cameron,
Cameron vs Gellatley,

CASE.
Beaver vs Turner,
Young vs McFarlane,
Garneau vs Kennedy,
Clark vs McDonald,
Hardie vs Maheu,
McFarlane vs McIntyre,
Forsyth vs Maheu,
Cooty vs Maheu,
Mondion vs Maheu,
Richards & al vs Cuvillier,
Adams vs McAlpine,
Ditto vs Ditto,
Cole vs Collins,
Hough vs Cole,
Pagé vs Davidson,
Harrison vs Baily,
Mulholland vs Clarke,
Garden & Co. vs McMartin,
Ryan vs Mannie,
McDonald vs McDonald,
Ditto vs Fleet,
Strickland vs Murphy,
McDonald vs McDonald,
Ditto vs Ditto,
Hall vs Kennedy,
Clifford vs Jasper,
Wilson vs McCarthy,
Henesey vs Cannon,
Douglass vs Hayes,
Fleming vs Fish,
Dorval vs Waterson,
Cannon vs Adams,
Pacquet vs Labbé,
Simmins vs Labbé,
Wiswell vs Esson,
McConnell vs Denoyer,
Walsh vs Bolton,
Roger vs Lethiby,
Boyle vs Revans,
McKenzie vs Forbes,
Bennett vs Bennett,
McCormick vs Saunders,
Allison vs Drake,
Marcoux vs Pacaud,
Ditto vs Ditto,
Gauvreau vs Marcoux,
Jenkins vs Wade,
Jervis vs Young,
Atkinson vs Powell.
Anderson vs Saunders,
Price vs Brown,
Cady vs Brown,
Sheppard & al vs Brown,
Ross vs Brown,
Arnold vs Ferguson,
Noyes vs Ferguson,
Clearihue vs Long & al.
Atkins vs Field,
Dovey vs McDonald,
Brown vs Field,
McCreath vs Field,
Cayins vs Field, jun.
Walsh vs Field,
McPhee vs Slater,
Coleman vs Field,
Mannie vs Butler,
Gugy vs McCreath,
Bennett vs Taymouth,

CASE.
Honstein vs King,
Cushing vs Davidson,
Marcot vs Baily,
Dupont vs Bolton,
Lawrence vs Hunter,
Lafontaine vs Gale,
Lynch vs Murray,
Scott & al vs Cameron,
Labbé vs Henley,
Leeke vs Labbé,
McKenzie vs Marcoux,
Chinic & al vs Marcoux,
Lamontagne vs Robitaille,
Hinton vs Slater,
Crête vs Robertson,
Patton vs Wright,
Field vs Beckworth,
Plamondon vs Jenkins,
Gagné vs Hough,
Leeke vs Jenkins,
Whitney vs Adams,
Hall vs Irvine,
Holt vs Wiswell,
Lynch vs Rabbit,
Blood & al vs Kidd,
Martin vs Godin,
Conroy vs Burke.
Seeley vs Stansfield,
Farnwell & al vs Haylart,
Lett & al vs Haylart,
Stansfield vs Van Ingen,
Wilson vs Holland,
McDonald vs Kennedy,
Duhamel vs Quin,
Weeks vs McVey,
Ferguson vs Boyle,
Patterson vs Ferguson,
Hadden vs Ferguson,
Letson vs Knower,
Rhodes vs Roberts,
Hardy vs Cameron,
Clifford vs Lynch,
Racey vs Clifford,
Durkee vs Pierson,
Ditto vs Ditto,
Stansfield vs Rae,
McAuly & al vs Usmar,
Pendergast vs O'Hara,
Thornton vs McDonald,
Graves vs McDonald,
Henderson vs McDonald,
Gauvin vs Crofton,
Nixon vs Saucier,
Balzarette vs Duchesnay,
Marcoux vs Primeau,
Blood vs Smith,
Christie vs McGregor,
Bradford & al vs Herrick,
Dufresne vs Stewart,
Scott vs LeRuez,
Kenny vs Usmar,
Aubain vs Landry,
Landry vs Aubain,
Eager vs Hardy,
Hillock vs Cochran,
Petry vs Dickenson,
Vallières de St. Réal vs Crofton,
Burke vs Tulloch.

Appendix
(M.)
12th Dec.

In the following Cases the Defendants were arrested and being admitted to Bail by me, were released without having been committed to the Common Gaol.

Dans les Cas suivans les Défendeurs ont été arrêtés et ayant été admis à caution par moi, ils ont été ensuite remis en liberté sans être envoyés à la Prison Commune.

CASE.
Foster vs Miller,
Laidley vs Link,
Willan vs Shaver,
Wilson vs Harrison,
McLaughlin vs Byrne,
Atkinson vs Rivers,
Hunstein vs McKutcheon,
Langley vs Newton,
McVey vs McMartin,
Chamberland vs Thompson,
Labbé vs Martin,
Dunlop vs Martin,
Doyle vs Martin,
Marchand vs Patton,
Campbell vs Hendry,
Birch vs Bailey,
Hall vs Levey,
Simmons vs Oliva,
Ricarby vs Adams,
Langevin vs Bailey,
Graham vs Bruce,
McKutcheon vs Herrington,
Levesque vs McRae,
Mulholland vs Clarke,
Campbell vs Harvey,
Reilly vs Carley,
Labreque vs Barallier,
Cameron vs Crawford,
Whitney vs Gilland,
Farnsworth vs Duclos,
Hendry vs O'Neil,
Robinson vs Johnson,
Jolicœur vs Kennedy,
Thornton vs Thomas,
McDonald vs Given,
Dùbé vs Dayton,
Prior vs Powell,
Wyman vs West,
Lynch vs Martin,
Masterson vs Neil,

CASE.
McPhee vs McDonald,
McDonald vs Stephens,
Bowling vs Adams,
Cantin vs McAlpine,
Twcedell vs Adams,
Langevin vs Streeter,
Willis vs Hough,
Bruce vs Cavillier,
McDonald vs Pemberton,
Dewar vs McPherson,
McKenzie vs Cameron,
Butler vs Bush,
Truesdale vs Davis,
Noyes vs Sheppard,
Doran vs Wilson,
McGibbon vs Felton,
Dunn vs Sparks,
Keough vs Cameron,
McNider vs McNeil,
Smith vs Levey,
Audet dit Lapointe vs Mitchell,
Beckworth vs Atkinson,
Ross vs Levey,
Mondion vs Brunet,
Irvine & al vs McPherson,
Blaiklock vs Cousens,
Sparrock vs Nicholas,
Farrington vs Thomas,
Armstrong vs Morrison,
Willan vs Adams,
Godin vs Gamache,
Walsh vs Wilson,
Ross vs Morrin,
Smith vs Ferguson,
Stott vs Hayes,
Ferguson vs Boyle,
Richardson vs Atkinson,
Rees vs Malloy,
Rhodes vs Roberts,
McAuly vs Usmar,

CASE,
Delvin vs McAuly,
Sarony vs Martinucio,
Thomson vs Brophy,
Caulfield vs Adams,
Hart vs Henderson,
McGee vs Finlay,
Lecke vs Jenkins,
Eager vs Cornwall,
McIntyre vs Beckwith,
Averill vs Cooke,
Jones vs Webber,
Nimmo vs McLean,
Drouin vs Labbé,
Hutchinson vs Hayes,
Patton vs Wright,
McKenzie vs McBean,
Kelly vs Spence,
Allison vs Drake,
Bradbury vs Ross,
Broderick vs Kelly,
Butler vs Deloury,
Sheppard vs Ferguson,
Knox vs Kelly,
Duhamel vs Quin,
Blood vs Campbell,
Lesieur vs Sivrais,
Stansfield vs Van Ingen,
McPherson vs Gray,
Crowley vs Pickford,
O'Neil vs Pentland,
Lefebvre vs McAuly,
Stansfield vs Rae,
Prendergast vs O'Hara,
Le Blond vs Martinucio,
Miller vs McGlasken,
Handerhand vs Harlow,
Bell vs Turnbull,
Colford vs Wurtele,

(Signed) certified, W. S. SEWELL, Sheriff.

LIST of Persons Committed to the Gaol of Quebec, under Writs of *Capias ad Satisfaciendum*, since twenty-second November one thousand eight hundred and twenty-two, to this date.

TABLEAU des Personnes emprisonnées dans la Prison Commune de Québec, sous l'autorité de Mandats de *Capias ad Satisfaciendum* depuis le vingt-deuxième Novembre mil huit cent vingt-deux jusqu'à cette date.

NAMES.	Committed.	Amount of Debt.	Delivered.	At whose Suit.
Jean Amiot,	2 April, 1823.	£ 14 6 9	7 April, 1823.	Thornton & Kelly.
Patrick Collins,	7 July,	89 9 7	6 Septr.	John Miller.
George C. Ross,	6 May,	149 14 11	28 Aug.	Froste & Porter.
Arch. Givin,	21 June,	64 1 2	27 Feby. 1824.	S. & J. Campbell.
James Gibson,	25	17 7 3	21 Aug. 1823.	
P. Genest dit Labarre,	21	53 4 1½	30 July,	Michel Lecour.
Jean Bte. Boivin,	24 Septr.	13 13 11	28 Octr.	Marie M. Boissonnault.
George Wilson,	27 Octr.	44 9 5	31 Jany. 1824.	Patrick Daly.
Mathew Jurois,	29 Jany. 1824.	16 0 11½	15 May,	J. B. Chamberland & Co.
James M. Prior,	4 March,	5 5 7	6 March,	B. Wickstead.
ditto,	"	13 0 7	"	Jonathan Wurtele & Co.
Frs. Marcoux,	30	4 11 10	5 April,	Joseph Vallières.
Pierre Rochette,	14 April,	46 2 8	11 Octr.	Benj. Torrance,
Will. Turner,	2 May,	1,470 15 4	18 May,	Daniel Sutherland.
Edw. Armstrong,	6	105 15 1½	27 July,	Is. Labbé dit Labarge.
Charles Bocque,	9 July,	16 17 8½	18	J. R. Vallières de St. Real.
Joseph Grondin,	} 17	24 14 3		John Miller.
Antoine Guilliot,				
Jean B. Martin,	3 Septr.	7 9 1	18 Septr.	Chs. Leon Bte. Taché.

NAMES.	Committed.	Amount of Debt.	Delivered.	At whose Suit,
Louis Blumhart,	17	49 7 6	3 Aug. 1825.	Andrew Paterson.
Jacques Kelly,	25	14 17 6	30 Sept. 1824.	J. B. Chamberland & Co.
Ed. F. Martineau,	5 Octr.	23 14 2	5 Novr.	Frederick Petry.
Robert Snaith,	29	10 15 10	15 Novr.	Joseph Noel.
Joseph Dumas,	9 Decr.	26 15 3	31 March, 1825.	Louis Fortier.
Joseph S. Adams,	19 Jany. 1825.	426 7 5	21 Jany.	Gerrard, Gillespie & Co.
David Morrison,	7 March,	99 8 6	24 Octr.	Chinic & Quirouet.
Etienne Gauvin,	19 Feby.	25 16 6	12 June 1826.	John Miller.
Temple Taylor,	9 March,	12 13 8	11 March, 1825.	George Cather.
Charles Gingras,	6 Sepr.	16 13 9	6 Decr.	Joseph Gingras.
William Hoogs,	25 June,	70 4 4	27 June,	John Davidson.
Thomas Martineau,	ditto,	19 4 4	23 July,	Robert Kerr.
ditto,	23	19 5 4	13	William Kerr.
John Reilly,	22	30 3 11	6 Octr.	Cyriac Weippert.
François Marquis,	17 August,	9 9 0	24 Aug. 1825.	Joseph Power.
Louis Morin,	2 April, 1826.	10 10 4	13 May, 1826.	Joseph Fortier.
Antoine Maynard,	27 May,	26 10 11	7 Junc,	Thomas Samson.
Hyacinthe Gauthier,	31	7 14 11	29 March, 1828.	P. Delancy.
Louis LeBlond,	28 June,	14 6 5	26 Sepr. 1826.	Joachim Martin.
Felix Moreau,	13 Octr.	21 11 11		J. B. Chamberland & Co.
Louis A. Thomas,	14 Decr.	21 11 9	6 Aug. 1828.	Scott & Montgomery.
Pierre Gobeil, fils,	5 Jany. 1827.	5 3 3	30 March, 1827.	J. Provencal.
Nicholas Paradis,	28 Feby.	2 10 10	3	Nicholas Letartre,
John Hendry,	1 March,	13 17 0	7	Estate of Maitland & Co.
Temple Taylor,	9	11 0 2	31	John Fraser.
Ls. Tessier dit Laplante,	15	17 10 2	4 May,	Francis Robert.
Louis A. Adams,	20 April,	42 18 8	6 Aug. 1828.	Robert Cairns,
Martin Malherbe,	16	88 2 5	7 May, 1827.	A. Paterson & Co.
Thomas Ayrc,	7 May,	6 9 10	3 July,	Charles Savard.
Jean Poulette,	11 August,	133 12 8	3 April, 1828.	Joshua Whitney.
J. G. Hooper,	"	20 7 9	11 Aug. 1827.	Robert Cairns.
William Cameron,	31	9 9 9	8 Sepr.	Augustin Gauthier.
Pierre Perrault,	2 Octr.	79 8 7	22 March,	W. G. & P. Sheppard.
Edward Martineau,	5	45 19 10	20 Octr.	George Arnold.
Maximilien Bergeron,	12	46 12 7	12 Decr.	J. & J. M. Fraser.
William McMartin,	8 Novr.	499 18 11	14 Novr.	Garden & Auldjo.
John Campbell,	20	33 3 4	21	Blood & Macdonald.
Flavien Thibeau,	9 Feby. 1828.	2 18 11	18 Feby. 1828.	Senai & Gagné.
Jean Bte, Maherd,	ditto,	3 17 3	17 March,	Pierre Giroux.
Owen Doyle,	23	2 6 3	6	Elizabeth Bates.
Charles Trahan,	11 April,	5 10 6		Our Lord the King.
Martin Moffatt,	2 May,	38 5 4½	3 May,	C. F. Aylwin.
Charles Lessard,	12	21 10 3	13	J. Fraser & Co.
Pierre Saucier,	14	55 18 1	16	Thomas Nixon.
William Pickford,	31	163 13 8	14 Aug.	Thomas Crawly.
Louis LeBlond,	7 June,	6 0 8	16 June,	Pierre Langlois.
James Doran,	19	130 4 11	14 Aug.	J. & J. Thornton.
Joseph Lalancette,	12 July,	7 11 6	26 Sepr.	Michel Fiset.
Thos. White,	13 Aug.	21 17 10	13 Aug.	Joseph Prior.
Owen McFarlane,	21	3 14 2	23	B. C. A. Gogy.
Antoine Guenet,	10 Sepr. 1828.	8 10 8	15 Sepr. 1828.	J. B. Bonhomme & Co.
Martin Moffatt,	11	73 6 0	13	William Wright.
Jean B. R. Audy,	12	16 4 8	"	C. Conroy.
John Tulloch,	18 Octr.	24 7 10	18 Octr.	John Burke.
Charles Lessard,	28	277 0 10	11 Novr.	And. Paterson & Co.
Margaret McAllister,	3 Novr.	68 3 5	15	Robt. Moorhead.

Appendix (M.)
12th. Dec.

Certified,

(Signed)

Wm. S. SEWELL, Sheriff.

LIST of Persons confined in the Common Gaol of the City and District of Quebec, under the authority of Writs of *Capias ad Respondendum* and *Capias ad Satisfaciendum*, issued out of the Court of King's Bench, for the District of Quebec, at this date.

TABLEAU de Personnes emprisonnées dans la Prison Commune de la Cité de Québec, sous l'autorité de Mandats de *Capias ad Respondendum* et *Capias ad Satisfaciendum*, émanés de la Cour du Banc du Roi pour le District de Québec, jusqu'à cette date.

No.	Names.	Dates of Arrest.	Authorities.	Amount.
	L. E. Lesieur,	17 May 1828,	<i>Capias ad Satisfaciendum</i> ,	£22 17 6
	Samuel Howe,	26 August, "	" ad Respondendum,	26 10 0
	Ewen McMillan,	1 Octr. "	" "	39 0 0
	James Huse,	4 " "	" "	34 0 0
	Walter Crofton,	18 " "	" "	11 7 6
	Charles Trahan,	11 April, "	<i>Capias Satis. Contempt of Court</i> ,	5 10 2
	William Metzler,	9 August, "	" " "	70 10 3
	Charles Castonguay,	4 Sepr. "	" " "	20 8 2
	J. Denis dit Lapierre,	1 Novr. "	" " "	12 13 5
	Thomas Everell,	24 " "	" " "	13 4 2

Quebec, 29th Novr. 1828.

Signed,

Wm. S. SEWELL, Sheriff.

Appendix (N.)
13th Dec.

THE AGRICULTURAL SOCIETY of the District of THREE-RIVERS, in Account with DAVID GRANT, Treasurer.

DR. 1826.

February 16.	To Cash for amount of Premiums at the exhibition of Grain, agreeably to the Rules of the Society,	£87 10	
	Gratifications,	1 10	
			£89 0 0
	To do. paid Alexander Thompson, his Account,		1 10 0
	To do. paid Jean Baptiste Gendron, his Account,		0 10 0
	To do. paid Ludger Duvernay, for printing,		4 0 6
March 11.	To do. for Premiums at the exhibition of Cattle, agreeably to the Rules of the Society,		9 0 0
	To do. paid Alexander Thompson, his Account,		0 11 2
	To do. paid Ludger Duvernay, for printing,		0 13 6
1827.	October 1. To balance due the Society,		8 4 10
			£113 10 0
CR. 1826.	January 17. By balance per Account rendered,		63 10 0
	March 28. By Cash received agreeably to His Excellency the Governor's Warrant,		50 0 0
			£113 10 0

The above charges are supported by Vouchers in my hands,

Three-Rivers, 1st October 1827.

DAVID GRANT,
Treasurer, A. S.

LA SOCIÉTÉ D'AGRICULTURE du District des Trois-Rivières en compte avec DAVID GRANT, Trésorier.

DR. 1826.

Appendice (N.)
13 Dec.

16 Fevrier.	Argent payé pour des primes à l'exhibition de Grain, conformément aux règles de la Société,	£87 10 0	
	Gratifications,	1 10 0	
			£89 0 0
	Do. payé à Alexander Thompson, son compte,		1 10 0
	Do. payé à Jean Baptiste Gendron, son compte,		0 10 0
	Do. payé à Ludger Duvernay, pour impressions,		4 0 6
11 Mars.	Do. pour primes à l'exhibition des animaux, conformément aux règles de la Société,		9 0 0
	Do. payé à Alexander Thompson, son compte,		0 11 2
	Do. payé à Ludger Duvernay, son compte pour impressions,		0 13 6
1827.	1 Octobre. Balance due à la Société,		8 4 10
			£113 10 0
AVOIR. 1826.	17 Janvier. Balance felon compte rendu,		£63 10 0
	28 Mars. Argent reçu, selon le Warrant de son Excellence le Gouverneur en Chef,		50 0 0
			£113 10 0

Les pièces justificatives à l'appui de ces dépenses sont en ma possession.

Trois-Rivières, 1er Octobre 1828.

DAVID GRANT,
Trésorier, S. A.

Children received in the Montreal General Hospital of Grey Nuns, from the 1st. August 1826 to 31st October 1827.

Enfants reçus dans l'Hopital Général des Sœurs-Grises de Montréal, depuis le 1er. Août 1826, jusqu'au 31 Octobre 1827.

Appendix (O.)
15th Decr.

1826.	Août 1.	Jean	mort le 13 d'Août,	Novembre 26.	Charles	mort le 5 Janvier,
	3.	Françoise	morte le 10 d'Août,	27.	David	mort le 7 Février,
	5.	Marie	morte le 10 d'Août,	27.	Mathieu	morte le 21 Décembre,
	14.	Charles	mort le 26 d'Août,	Décembre 9.	Bafile	mort le 23 Décembre,
	15.	Jean	mort le 18 d'Août,	9.	Marie Louise	mort le 24 Juin,
	22.	Joseph	mort le 6 Septembre,	21.	Euphrosine	mort le 10 Juillet,
	22.	Jeanne	morte le 25 Octobre,	27.	Bonaventure	mort le 18 Janvier,
	31.	Nicolas	mort le 5 Septembre,	27.	Jean Baptiste	mort le 13 Juin,
Septembre 16.	Caroline	morte le 15 Février,		28.	Emilie	mort le 23 Janvier,
16.	Marguerite	morte le 25 Septembre,		29.	Thomas,	
26.	Catherine			1827. Janvier 3.	Edouard	mort le 23 Janvier,
26.	Marie	morte le 27 Décembre,		8.	Archange	
27.	Aglacé	morte le 18 Octobre,		9.	Marie	
29.	Julie	morte le 9 Octobre,		11.	Marie René	morte le 15 Juin,
Octobre 3.	Elizabeth			12.	Euphrasie,	
3.	Antoine			13.	Thomas,	
3.	Maure	morte le 8 Mai,		27.	Sophie,	
12.	Phébé			Février 7.	Euphrasie,	
16.	Guillaume			20.	André	mort le 16 Mai,
19.	Eléonore			20.	Angèle,	
19.	Thomas			20.	Olympe,	mort le 1 Avril,
19.	Julie	morte le 1 Novembre,		21.	Silvain,	
23.	Pierre			Mars 1.	Aurelie,	
25.	Pierre	mort le 6 Décembre,		7.	François	mort le 16 Mars,
25.	Catherine			10.	Therese	
25.	Joseph			13.	Marguerite,	
Novembre 4.	Michel			13.	Isabelle	morte le 30 Mars,
11.	Jane	morte le 5 Février,		17.	Jacques,	
13.	David	mort le 22 Novembre,		20.	Joseph	mort le 30 Mars,
15.	Jane			20.	Fébronie	morte le 26 Mai,
24.	Marie	morte le 8 Décembre,				

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Mars	21. Mathilde	morte le 15 Avril,
	21. Anne	morte le 27 Juillet,
	21. Jeanne,	
	26. Xavier,	
Avril	9. Pierre	mort le 3 Mai,
	11. Catherine,	
	18. Catherine,	
Mai	2. Hypolite	mort le 7 Juillet,
	4. Louis	mort le 5 Juillet,
	7. Robert	
	8. Césaire	mort le 19 Mai,
	10. Marie	
	10. Lazare	mort le 21 Mai,
	10. Anne	
	18. Joseph,	mort le 31 Mai,
	19. David	mort le 29 Mai,
	20. Xavier	mort le 31 Mai,
	26. Louis	
Juin	11. Marie	morte le 1 Juillet,
	12. Jean Baptiste	mort le 23 Juillet,
	12. Pierre	mort le 20 Juillet,
	12. Epiphane	mort le 19 Juin,
	18. François	
	20. Joseph	
	20. Caroline,	morte le 27 Juin,
	22. Joseph	
	25. Marguerite	morte le 5 Juillet,
	25. Anne	
Juillet	2. William	mort le 13 Juillet,
	4. André	mort le 18 Juillet,
	6. Marguerite	morte le 16 Juillet,
	7. George	mort le 11 Juillet,

Juillet	7. Marguerite		Appendice (O.) 15 Dec.
	13. Brigette		
	10. François		
	16. Sara	morte le 27 Juillet,	
	19. Emilie	morte le 30 Juillet,	
	20. Anthelme		
Août	8. Henry	mort le 20 d'Août,	
	9. Marianne	morte le 19 d'Août,	
	10. Daniel	mort le 27 d'Août,	
	22. Héléne		
	25. Marguerite	morte le 28 d'Août,	
	30. Augustin	mort le 7 Septembre,	
Septembre	6. Thérèse		
	13. Mariânné	morte le 13 Octobre,	
	14. Etienne	mort le 28 Septembre,	
	18. Jean Baptiste	mort le 14 Octobre,	
	20. Pierre,		
	22. Fébronie,		
	22. Catherine,		
	25. Charlotte	morte le 20 Octobre,	
	27. Joseph,		
Octobre	1. Eliza,		
	2. Augustin	mort le 9 Octobre,	
	10. Louise	morte le 24 Octobre,	
	12. Henry,		
	12. Pélagie	morte le 24 Octobre,	
	15. Brigitte,		
	25. Benjamin,		
	26. Thomas,		
	27. Louise,		
	31. Michel,		

We have received from the first of August 1826 to the thirty-first October 1827, 126 Children, of whom 70 have died.

The Board for 518½ months for Nurfses, at £1 per month,	£518 10 0
The Board for 53 Children in the Hospital, at the rate of £7 10 per annum,	393 5 0
2104 days Board for 6 Insane Persons in the Cells, at the rate of 2s. per day,	210 6 0
	£1122 1 0
We have received from Government an allowance of	400 0 0
Balance	£722 1 0

SR. M. MARG. LEMAIRE, Supre.
SR. TURGEON, Dépositaire.

Nous avons reçu depuis le premier d'Août 1826 jusqu'au 31 d'Octobre 1827, 126 Enfants, dont 60 sont morts.

La pension de 518½ mois pour Nourices, à £1 par mois,	£518 10 0
La pension de 53 Enfants dans l'Hopital sur le pied de £7-10 par an,	393 5 0
2104 jours de pension pour 6 Insensés dans les loges à 2s. par jours,	210 6 0
	£1122 1 0
Nous avons reçu du Government un allowance de	400 0 0
Balance	£722 1 0

SR. M. MARG. LEMAIRE, Supre.
SR. TURGEON, Dépositaire.

SCHEDULE of PAPERS furnished to the House of Assembly, in compliance with their Address of the 5th December 1828.

Copy of a despatch dated 30th September 1825 from the Earl Bathurst to the Earl of Dalhousie, recommending the payment of £700 to Mr. Ward Chipman as third Arbitrator between Upper and Lower Canada.

Copy of a despatch dated 7th January 1826, from the Earl Bathurst to the Earl of Dalhousie, directing the payment of suspended salaries, and discontinuance of certain Offices.

Copy of a despatch dated 14th March 1826, from the Earl Bathurst to the Earl of Dalhousie, sanctioning the arrangement for the Audit of Public Accounts.

Copy of temporary and final arrangement for the Audit of Public Accounts.

Copy of a despatch dated 31st August 1826, from the Earl Bathurst to the Earl of Dalhousie, sanctioning the payment of the salary of £1000 to the Roman Catholic Bishop of Quebec, and respecting the rent of the Bishop's Palace.

Copy of a despatch dated 31st August 1826, from the Earl Bathurst to the Earl of Dalhousie, directing the issue of the usual Warrant for the payment of Sir Francis Burton's salary.

Copy of a despatch dated 8th September 1826, from the Earl Bathurst to the Earl of Dalhousie, directing that Mr. Amyot's salary be defrayed out of the Revenues of the Crown.

Extract from Mr. Hill's letter to the Under Secretary of State, dated Treasury Chambers, 30th October 1826.

CEDULE des DOCUMENTS qui ont été transmis à la Chambre d'Assemblée en conformité à son Adresse du 15 Décembre 1828.

Copie d'une dépêche datée le 30 Septembre 1825, du Comte Bathurst au Comte Dalhousie, recommandant le paiement de £700 à Mr. Ward Chipman comme tiers Arbitre entre le Haut et Bas-Canada.

Copie d'une dépêche datée le 7 Janvier 1826, du Comte Bathurst au Comte Dalhousie, ordonnant le paiement des appointemens qui avoient été suspendus, et la discontinuation de certains offices.

Copie d'une dépêche datée le 14 Mars 1826, du Comte Bathurst au Comte Dalhousie, sanctionnant l'arrangement pour l'audition des comptes publics.

Copie de l'arrangement temporaire et final pour l'audition des comptes publics.

Copie d'une dépêche datée le 31 Août 1826, du Comte Bathurst au Comte Dalhousie, sanctionnant le paiement des appointemens de £1000 à l'Evêque Catholique Romain de Québec, et touchant le loyer de l'Evêché.

Copie d'une dépêche datée le 31 Août 1826, du Comte Bathurst au Comte Dalhousie, ordonnant l'émanation de l'ordonnance accoutumée pour le paiement des appointemens de Sir Francis Burton.

Copie d'une dépêche datée le 8 Septembre, du Comte Bathurst au Comte de Dalhousie, ordonnant que les appointemens de Mr. Amyot soient défrayés sur les Revenus de la Couronne.

Extrait de la lettre de Mr. Hill au Sous-Secrétaire d'Etat, datée Chambres de la Trésorerie, 30 Octobre 1826.

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Extract of a despatch dated 1st June 1828, from His Majesty's Secretary of State for the Colonies, to His Excellency the Earl of Dalhousie.

Copy of His Majesty's Warrant authorizing the payment of certain salaries out of the produce of duties imposed by the Statute 14 Geo. 3, Cap. 88, amounting to £21,891 10 0 dated 31st October 1826.

Copy of His Majesty's Warrant authorizing the payment of salaries to the amount of £4981 0 0 out of the sum of £5000 granted by an Act of the Legislature of Lower Canada; 36 Geo. 3, cap. 9, dated 31st October 1826.

Copy of His Majesty's Warrant authorizing the payment of the fixed salaries and allowances on the Civil Establishment of the Province of Lower Canada for the year 1828, dated 25th August 1827.

Copy of a despatch dated 28th December 1827, from His Majesty's Secretary of State for the Colonies, to the Earl of Dalhousie, transmitting His Majesty's Warrant last above mentioned, &c.

Copy of His Majesty's Warrant authorizing the payment of £400 sterling per annum, to Thomas Amyot, Esquire, dated 28th January 1828.

Copy of Commission appointing the Honorable John Hale, Esquire, Receiver General of the Royal Patrimony and Revenues of the Province of Lower Canada, dated 25th November 1823.

Copy of a letter from John Hale, Esquire dated 4th December 1823, to Mr. Secretary Cochran, proposing alterations in paying Pensions and Artificers, &c.

Copy of Commission appointing Thomas A. Young, Esquire, Auditor General of Public Accounts for the Province of Lower Canada, dated 31st July 1826.

Copy of Instructions to the Auditor General of Public Accounts, dated 20th December 1826.

Copy of Commission appointing Joseph Cary, Esquire, Inspector General of Public Accounts for the Province of Lower Canada, dated 3rd July 1826.

Copy of Instructions to the Inspector General of Public Accounts, dated 20th December 1826.

Copy of a Report made by a Committee of the Executive Council on the 5th December 1826, on a reference of proposed regulations for conducting the business of the Offices of the Auditor General and Inspector General of Public Accounts.

Copy of another Report made by a Committee of the Executive Council on the 16th December 1826, respecting the mode of conducting the business of the above mentioned Offices, and also copies of other papers on the same subject.

Downing Street,
30th September 1825.

(Copy,) My Lord,

I have received from Mr. Ward Chipman, the award of arbitrators under the 3d Geo. 4, Cap. 119, and I have conveyed to him my entire approbation of the principles which governed his decision, and of the able and judicious manner in which he has executed the important duty confided to him.

I beg to suggest to Your Lordship that the sum of £700 should be paid to Mr. Ward Chipman, as a remuneration for his services as third Arbitrator; and if Your Lordship should concur with me in opinion, I have to request that Your Lordship will make the necessary communication to the Lieutenant Governor of Upper-Canada, in order that one moiety of the amount may be issued by the Receiver General of that Province.

I have the honor to be,
My Lord,
Your most obedient humble servant,

(Signed,) BATHURST.

Lieutenant General the Earl of Dalhousie,
G. C. B.

A true Copy,

C. YORKE, Secretary.

Downing Street,
7th January 1826.

(Copy,) My Lord,

With reference to my despatch to Sir Francis Burton of the

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Extrait d'une dépêche datée du 1er. Juin 1828, du Secrétaire d'Etat de Sa Majesté pour les Colonies, à Son Excellence le Comte de Dalhousie.

Copie de l'ordonnance de Sa Majesté, autorisant le payement de certains appointemens sur le produit des droits imposés par le Statut de le 14e. Geo. 3, chap. 88, s'élevant à £21,891 10 0 datée du 31 Octobre 1826.

Copie de l'ordonnance de Sa Majesté autorisant le payement d'appointemens jusqu'au montant de £4,981 à même la somme de £5000 accordée par un Acte de la Législature du Bas Canada, 36e. Geo. 3, chap. 9, datée du 31 Octobre 1826.

Copie de l'ordonnance de Sa Majesté, autorisant le payement des appointemens fixes et des allocations sur l'établissement Civil de la Province du Bas Canada pour l'année 1828; datée du 25 Août 1828.

Copie d'une dépêche datée du 28 Décembre 1827, du Secrétaire d'Etat de Sa Majesté pour les Colonies au Comte Dalhousie, transmettant l'ordonnance de Sa Majesté ci-devant mentionnée en dernier lieu, &c.

Copie de l'ordonnance de Sa Majesté autorisant le payement de £400 sterling par année à Thomas Amyot, Ecuyer, datée du 28 Janvier 1828.

Copie de Commission nommant l'Honorable John Hale, Ecuyer, Receveur Général du Patrimoine Royal et des Revenus de la Province du Bas Canada, datée du 25 Novembre 1823.

Copie d'une lettre de John Hale, Ecuyer, datée du 4 Décembre 1823, à Mr. le Secrétaire Cochran, proposant des changemens dans le payement pour les pensions et pour les ouvriers, &c.

Copie de la Commission nommant Thomas A. Young, Ecuyer, Auditeur Général des comptes publics de la Province du Bas-Canada, datée du 3 Juillet 1826.

Copie des instructions au Receveur Général des comptes publics, datées le 20 Décembre 1826.

Copie de la Commission nommant Joseph Cary, Ecuyer, Inspecteur Général des comptes publics pour la Province du Bas Canada, datée du 3 Juillet 1826.

Copie d'instructions à l'Inspecteur Général des comptes public, datées du 20 Décembre 1826.

Copie d'un rapport fait par un Comité du Conseil Exécutif le 5 Décembre 1826, sur une référence à l'égard de réglemens proposées pour la conduite des affaires des offices de l'Auditeur Général et de l'Inspecteur Général des comptes publics.

Copie d'un autre rapport fait par un Comité du Conseil Exécutif le 16 Décembre 1826, relativement à la manière de conduire les affaires des offices ci-dessus mentionnées, et aussi copies d'autres papiers sur le même sujet.

Downing Street,
30 Septembre 1825.

(Copie,) Mi-lord,

J'ai reçu de Mr. Ward Chipman la décision des Arbitres sous l'autorité de la 3e. Geo. 4, chap. 119, et je lui ai fait connoître mon entière approbation sur les principes qui ont gouverné sa décision, et sur la manière habile et judicieuse avec laquelle il a rempli le devoir important qui lui avoit été confié.

Je prends la liberté de suggérer à votre seigneurie que la somme de £700 devroit être payé à Mr. Ward Chipman comme rémunération pour ses services comme Tiers-Arbitre, et si votre seigneurie concourt d'opinion avec moi, j'ai à prier votre seigneurie de faire au Lieutenant Gouverneur du Haut-Canada, la communication nécessaire afin qu'une moitié du montant soit payée par le Receveur Général de cette Proviuce.

J'ai l'honneur d'être,
Mi Lord,
Votre très-humble et obéissant serviteur,

(Signé,) BATHURST,

Lieutenant-Général le Comte de Dalhousie,
G. C. B.

Pour vraie copie,

C. YORKE, Secrétaire.

Downing Street,
7 Janvier 1826.

(Copie,) Milord,

En référant à ma dépêche à Sir Francis Burton du quatre Juin,

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4th June last, in which I informed him that I would convey to your Lordship, instructions with regard to the items rejected by the Assembly, and to your Lordships remarks as to the necessity of those charges, I have now to convey to your Lordship instructions to defray all the salaries and other expenses which have hitherto been charged upon the Revenues at the disposal of the Crown for the expenses of the Civil Government, and the Administration of Justice up to the 31st December last.

The circuit allowances to the Judges, and the salaries of the Lieutenant Governor of Gaspé, and the Agent for the Province, I am of opinion, may be permanently charged on the Crown Revenues. As the Assembly has not made any provision for the under-mentioned Offices, I am to desire that they may be discontinued.

French Translator,	£200 0 0
Clerk of the Land Board,	100 0 0
Second Clerk of the Crown in Chancery,	100 0 0
Clerk of the Market,	123 0 0
Pension to Madame Champlain,	10 0 0
Collector of Nouvelle Beauce,	30 0 0
	£563 0 0

The deductions made from the salaries of the Sheriff of Sherbrooke, the Clerk of the Court, and other minor appointments may in the present instance be paid to them, and I have also to sanction the payment of the deficiency for the service of Subpœnas and for the apprehension of Criminals, but in future the salaries and expenses of this description must be limited to the sums which may be granted by the Assembly.

I have the honor to be,
My Lord,
Your Lordship's most obed. humble servant,
(Signed,) BATHURST,

Lieutenant General the Earl of Dalhousie,
G. C. B.

A true Copy,
C. YORKE, Secretary.

Downing Street,
14th March 1826.

My Lord,

Having referred to the consideration of the Lords Commissioners of the Treasury, your Lordships despatch of the 5th November last, stating the arrangements which you considered to be necessary for the Audit of Public Accounts in Lower Canada, I have now the honor to acquaint your Lordship that their Lordships have been pleased to approve of the same, and you will consider yourself authorized to carry them into effect.

I have the honor to be,
My Lord,
Your Lordship's most obedient humble servant,
(Signed,) BATHURST,

Lieutenant General the Earl of Dalhousie,
G. C. B.

A true Copy,
C. YORKE, Secretary,

(Copy.)

The temporary arrangements,

In consequence of Mr. Coltman's illstate of health, leave of absence is granted to him for six months, and he is authorized to receive his present salary during that time; Mr. Joseph Cary is appointed to do the duties of Auditor General, reporting direct to the Committee of Council as the established Board for the final Audit of the Public Accounts. Mr. Jasper Brewer is to continue doing the duties of Inspector General of Public Accounts in the absence of Mr. Young, receiving such remuneration out of that Gentleman's salary as may have been arranged between them.

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dernier, dans la quelle je l'informe que je ferois parvenir à votre seigneurie des instructions concernant les articles de dépenses rejetés par l'Assemblée, ainsi qu'aux remarques de votre seigneurie sur la nécessité de ses dépenses, j'ai maintenant à donner pour instruction à votre seigneurie de payer tous les appointemens et autres dépenses qui ont été jusqu'ici portés à la charge du revenu à la disposition de la Couronne, pour les dépenses du Gouvernement Civil et de l'Administration de la Justice, à venir jusqu'au trente-et-un Décembre dernier.

Je suis d'opinion que les sommes allouées aux Juges pour les tournées, les appointemens du Lieutenant-Gouverneur de Gaspé, ceux de l'Avocat Général, et ceux de l'Agent de la Province, doivent être portés en permanence à la charge des revenus de la Couronne. Comme l'Assemblée n'a point pourvû aux Offices ci-dessous mentionnés, j'ai à mander à votre seigneurie qu'ils soient discontinués à l'avenir, savoir.

Traducteur François,	200 0 0
Greffier du Bureau des Terres,	100 0 0
Deuxième Greffier de la Couronne en Chancellerie,	100 0 0
Clerc de Marché,	123 0 0
Pension de Madame Champlain,	10 0 0
Collecteur de la Nouvelle Beauce,	30 0 0
	£563 0 0

Les sommes déduites sur les appointemens du Shériff de Sherbrooke, sur ceux du Greffier de la Cour, et sur d'autres Offices inférieurs, peuvent être payés dans le cas actuel; j'ai aussi à sanctionner le paiement du déficit pour signification de subpœnas, et pour l'arrestation des Criminels; mais à l'avenir il faudra que les appointemens et dépenses de ce genre soient limités aux sommes qui pourront être accordées par l'Assemblée.

J'ai l'honneur d'être, &c.

(Signé) BATHURST,

Lieutenant Général le Comte de Dalhousie.

Vraie copie.

C. YORKE, Secrétaire,

Downing Street,
14 Mars 1826.

Mi-lord,

Ayant soumis à la considération des Lords Commissaires de la Trésorerie la dépêche de votre seigneurie en date du 15 Novembre dernier, mentionnant les arrangements que vous considérez être nécessaires pour l'audition des Comptes Publics dans le Bas Canada, j'ai l'honneur de faire savoir à votre seigneurie qu'il a plu à leurs Seigneuries de les approuver, et vous pourrez vous considérer autorisé de les mettre à exécution.

J'ai l'honneur d'être,
Mi Lord,
De votre Seigneurie,
Le très humble & obéissant serviteur,
(Signé,) BATHURST,

Lieutenant Général le Comte de Dalhousie,
G. C. B.

Pour vraie copie,
C. YORKE, Secrétaire,

(Copie.)

Les arrangements temporaires.

En conséquence du mauvaise état de santé de Mr. Coltman, il lui est accordé un congé d'absence de six mois, et il est autorisé de toucher pendant ce tems ses appointemens actuels. Mr. Joseph Cary est nommé pour remplir les devoirs d'Auditeur Général, et il fera rapport directement au Comité du Conseil comme étant le Bureau établi pour l'Audition finale des Comptes Publics. Mr. Jasper Brewer continuera de remplir les devoirs d'Inspecteur Général des Comptes Publics durant l'absence de Mr. Young, et il recevra telle remunération sur les appointemens de ce Monsieur, qu'il aura été convenu entre eux.

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Final Arrangement.

3. It is proposed that certain parts of the Instructions for the Audit of Public Accounts may be so altered, that in future the Board of Audit and the Chairman of it shall be discontinued, and that in lieu thereof all accounts having been examined by the Inspector General (as is now done) shall pass to an Auditor General, whose duties will be to certify and report them to the Executive Council, in such form and at such time as his Instructions shall direct.

The Salaries of this branch of the Executive Government shall be regulated as follows, and paid out of the permanent Revenue, at the disposal of the Crown.

Auditor General,	£400
Clerk and Contingencies,	100
Inspector General,	300
Clerk and Contingencies,	100

On the return of Mr. Young, it is proposed that he shall be Auditor General, and that Mr. Cary be Inspector General of Public Accounts, whose long services of 18 years in that Office as Clerk, have rendered him a highly respectable and most valuable public Servant.

A true Copy.
C. YORKE, Sec'y.

(Copy.)

Downing Street,
31st August, 1826.

My Lord,

I have to convey to your Lordship my sanction to the payment of the Salary of One Thousand Pounds per annum, to Mr Panet, the present Roman Catholic Bishop of Quebec, and your Lordship will also recommend to the Legislature to vote the usual sum of Five Hundred Pounds per annum for the rent of his Palace.

I have the honor to be,

My Lord,
Your Lordship's most obdt.
humble servant,

Signed, BATHURST.

Lieut. General the Earl of Dalhousie,
&c. &c. &c. G. C. B.

A true Copy.
C. YORKE, Sec'y.

(Copy.)

Downing Street,
31st August, 1826.

My Lord,

I have the honor of transmitting to your Lordship the Copy of a Letter from Sir Francis Burton, on the subject of the non payment of his salary in consequence of your Lordship not having been authorized by me to charge the sum of £1809, which he had drawn as extra Salary during your Lordship's absence from the Province, to the Public.

I am to request that your Lordship will take an early opportunity of again recommending to the Legislature to make provision for the sum abovementioned, in consideration of the extra expenses to which Sir Francis Burton was exposed during his temporary administration of the Government, and that in the mean time your Lordship will direct the issue of the usual Warrant for the payment of Sir Francis Burton's Salary.

I have the honor to be,

My Lord,
Your Lordship's most obedient
Humble Servant.

Signed, BATHURST.

Lieut. General the Earl of
Dalhousie, G. C. B.

A true Copy.
C. YORKE, Sec'y.

Arrangement Final.

3. Il est proposé que certaines parties des Instructions pour l'Audition des Comptes Publics, soient changées en telle sorte, qu'à l'avenir le Bureau d'Audition et son Président seront discontinués, et qu'en son lieu et place tous comptes qui auront été examinés par l'Inspecteur General [ainsi que cela se pratique à présent] passeront entre les mains d'un Auditeur Général, dont le devoir sera de les certifier et d'en faire rapport au Conseil Exécutif, en telle manière et en tel tems qu'il lui sera prescrit par ses Instructions.

Les appointemens de cette branche du Gouvernement Exécutif, seront réglés comme suit et payés sur le Revenu permanent à la disposition de la Couronne.

Auditeur Général,	£400
Commis et Contingens,	100
Inspecteur Général,	300
Commis et Contingens,	100

Au retour de Mr. Young, il est proposé qu'il soit l'Auditeur Général, et que Mr. Cary soit l'Inspecteur Général des Comptes Publics: Ses longs services pendant dix huit ans dans ce Bureau comme Commis, lui valent le titre d'un Serviteur très respectable et d'une très grande acquisition au Public.

Pour Vraie Copie.
C: YORKE, Sec.

(Copie.)

Downing Street,
31 Août, 1826.

Milord,

J'ai l'honneur de faire connaître à votre Seigneurie, que je donne ma sanction à l'égard du paiement des appointemens de Mille Louis par année à Mr. Panet l'Evêque Catholique Romain actuel de Québec, et votre Seigneurie recommandera aussi à la Législature de voter la somme accoutumée de cinq cens Livres par année pour le loyer de son Evêché.

J'ai l'honneur d'être,

Milord,
De votre Seigneurie,
Le très humble et
obéissant serviteur.
Signé, BATHURST.

Lieut. Général le Comte de
Dalhousie, G. C. B.

Pour vraie Copie.
C. YORKE, Sec.

(Copie.)

Downing Street,
31 Août 1826.

Milord,

J'ai l'honneur de transmettre à votre Seigneurie la Copie d'une Lettre de Sir Francis Burton, au sujet de ce que ses appointemens ne lui ont pas été payés, en conséquence de ce que je n'avais pas autorisé votre Seigneurie à porter contre le Public la somme de £1809, qu'il avait tirée comme appointemens extraordinaires pendant l'absence de votre Seigneurie de la Province.

J'ai à prier votre Seigneurie de vouloir bien profiter de la première circonstance de recommander de nouveau à la Législature de faire des dispositions pour la somme ci-dessus mentionnée, en considération des dépenses extraordinaires auxquelles Sir Francis Burton a été exposé pendant son administration temporaire du Gouvernement, et en même tems que votre Seigneurie voudra bien ordonner que l'Ordonnance accoutumée soit expédiée pour le paiement des appointemens de Sir Francis Burton.

J'ai l'honneur d'être,

Milord,
De votre Seigneurie,
Le très humble et
Obéissant Serviteur.

Signé, BATHURST.

Lieut. Général le Comte de
Dalhousie, G. C. B.

Pour Vraie Copie.
C. YORKE, Secr.

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(Copy.)

Downing Street,
8th February, 1826.

My Lord,

With reference to my despatch of the 7th ultimo, I have the honour to acquaint your Lordship, that it has been represented to me, that the salary of the Secretary of the Province has only been provided on condition of his residence in Lower Canada, and I have, therefore, to convey to your Lordship, instructions to defray it from the Révenues at the disposal of the Crown.

I have the honour to be,

My Lord,

Your Lordship's most Obedient

Humble Servant,

(Signed,)

BATHURST.

Lieut. General the Earl of
Dalhousie, G. C. B.

A true Copy.

C. YORKE, Sec'y.

Extract of a Letter addressed to R. W. Horton, Esquire, Under Secretary of State for the Colonial Department, by W. Hill, Esquire, Secretary of the Treasury, dated Treasury Chambers, 30th October, 1826.

The Lords Commissioners of His Majesty's Treasury having had under consideration your letter of the 15th August last, transmitting the copy of a despatch, and of its enclosures, which were received from Lieutenant General the Earl of Dalhousie, respecting the Financial affairs of Lower Canada, and requesting to be favoured with their Lordship's opinion thereon, I am commanded to acquaint you, for the information of the Earl Bathurst, that My Lords cannot admit that the Province of Lower Canada have any legal or equitable claim upon the Government of the United Kingdom of Great Britain and Ireland, to make good the loss which has been sustained by the insolvency of Mr. Caldwell, the Receiver General of the Province.

A True Extract.

C. YORKE, Sec'y.

Extract of a Despatch dated Downing Street, 1st June, 1828, from His Majesty's Secretary of State for the Colonies, to His Excellency the Earl of Dalhousie.

On perusing the recent Despatches which have been addressed to your Lordship, it does not appear that any specific answer has been given to a request contained in your Lordship's despatch of the 10th December last, to pay out of the unappropriated Revenues, the salaries and contingencies of Offices established under Provincial Laws, with the Pensions long since granted by the Crown, amounting together to Five thousand eight hundred and forty-one pounds, eighteen shillings and eight pence, exclusive of the Officers of the House of Assembly. I therefore feel it necessary to instruct your Lordship, not to apply any monies in the Receiver General's hands, beyond the funds which are strictly at the disposal of the Crown. I sincerely regret the inconvenience to which the individuals and the public service will be exposed; but I trust, that at an early period, some measure will be adopted for placing the Financial Affairs of the Province on a more satisfactory footing.

A True Extract.

C. YORKE, Sec'y.

Whereas by an Act of Parliament made and passed in the fourteenth year of the Reign of His late Majesty, intituled "An Act to establish a fund towards further defraying the charges of the Administration of Justice, and support of the Civil Government within the Province of Quebec, in America" It is provided and enacted, "That all the monies that shall arise by the Duties, (by the said Act imposed,) except the necessary charges of raising, collecting, levying, recovering, answering, paying, and accounting for the same, shall be paid by the Collector of His Majesty's

(Copie.)

Downing Street,
8 Février, 1826.

Milord,

Ayant référence à ma dépêche du 7 du mois dernier, j'ai l'honneur d'informer votre Seigneurie, qu'il m'a été représenté qu'il n'a été pourvu aux appointemens du Secrétaire de la Province, seulement qu'à condition qu'il ferait sa résidence dans le Bas-Canada, et j'ai, en conséquence, à faire connoître à votre Seigneurie, de les faire payer sur les Revenus à la disposition de la Couronne.

J'ai l'honneur d'être,

Milord,

De votre Seigneurie;

Le très-humble et

Obéissant Serviteur,

Signé

BATHURST.

Lieut. Général le Comte de

Dalhousie, G. C. B.

Pour Vraie Copie.

C. YORKE, Sec.

Extrait d'une lettre adressée à R. W. Horton, Ecuyer, sous-Secrétaire d'Etat pour le Département des Colonies, par W. Hill, Ecuyer, Secrétaire de la Trésorerie, datée, Chambres de la Trésorerie, 30 Octobre, 1826.

Les Lords Commissaires de la Trésorerie de Sa Majesté, ayant eu sous leur considération votre lettre du 15 Août dernier, transmettant la copie d'une dépêche, et des documens qui l'accompagnent, recus du Lieutenant Général le Comte de Dalhousie, relativement aux affaires de Finances du Bas-Canada, et demandant que l'on vous fasse part de l'opinion de leurs Seigneuries sur ce sujet, il m'est ordonné de vous faire savoir pour l'information du Comte Bathurst, que leurs Seigneuries ne peuvent pas admettre que la Province du Bas-Canada ait aucune réclamation juste ou équitable envers le Gouvernement du Royaume-Uni de la Grande Bretagne et d'Irlande, à l'effet de faire bon la perte qui est résultée par l'insolvabilité de Mr. Caldwell, le Receveur Général de la Province.

Pour Vrai Extrait.

C. YORKE, Sec.

Extrait d'une Dépêche datée, Downing Street, 1er Juin, 1828, du Secrétaire d'Etat de Sa Majesté pour les Colonies, à son Excellence le Comte de Dalhousie.

En lisant les dépêches récentes qui ont été adressées à votre Seigneurie, il ne paraît pas que l'on ait donné aucune réponse spéciale à la demande contenue dans la Dépêche de votre Seigneurie, en date du 10 Décembre dernier, à l'effet de payer sur les Revenus non-appropriés, les appointemens et les dépenses casuelles des Officiers établis en vertu des Lois Provinciales, avec les Pensions qui ont été depuis long-tems accordées par la Couronne, ce qui s'élève en tout à la Somme de Cinq Mille Huit Cent Quarante-et-une Livres Dix-huit Shillings et Huit Deniers, exclusivement des Officiers de la Chambre d'Assemblée. En conséquence, je crois qu'il est nécessaire de prescrire à votre Seigneurie, de ne pas employer aucuns des deniers qui sont entre les mains du Receveur Général au delà des fonds qui sont strictement à la disposition de la Couronne. Je regrette sincèrement les inconvéniens que les individus et le service public éprouvent; mais je me flatte qu'à une époque très-prochaine il sera adopté quelques mesures afin de placer les affaires de Finances de la Province dans un état plus satisfaisant.

Pour Vrai Extrait.

C. YORKE, Sec.

Vû que par un Acte du Parlement passé dans la quatorzième année du Règne de Sa feu Majesté, intitulé, "Acte qui établit un fonds pour pouvoir subvenir aux dépenses de l'Administration de la justice et au soutien du Gouvernement Civil dans la Province de Québec, dans l'Amérique" il est pourvu et statué "Que tous les argens qui seront perçus à cause des droits, (qui sont imposés par le dit Acte,) excepté les dépenses nécessaires à faire pour les prélever, les percevoir, recouvrer, cautionner, payer et en dresser les Comptes, seront payés par le Directeur des Douanes de Sa Ma-

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Customs; into the hands of His Majesty's Receiver General in the said Province, for the time being, and shall be applied in the first instance, in making a more certain and adequate provision towards defraying the expense of the administration of justice, and of the support of the Civil Government in the said Province, and that the Lord High Treasurer, or Commissioners of His Majesty's Treasury, or any three or more of them for the time being, shall be and is or are hereby empowered from time to time, by any warrant or warrants under his or their hand or hands, to cause such money to be applied out of the said produce of the said Duties towards defraying the said expenses, and the residue of the said Duties shall remain and be reserved in the hands of the said Receiver General, for the future disposition of Parliament."

And whereas His Majesty hath been graciously pleased to grant, order and direct that the several Salaries mentioned in the Schedule hereunto annexed, shall be paid in the Province of Lower Canada, to the several Officers in the said Schedule mentioned. And whereas the said Province of Lower Canada is part and parcel of the said Province of Quebec, and the Salaries in the said Schedule mentioned, and each and every of them is and are expenses of the Administration of Justice, and of the support of Civil Government in the said Province of Lower Canada. We are therefore pleased, under and by virtue of the power and authority in us vested by the above in part recited Act of Parliament, by this our Warrant under our hands, to require, direct, authorize and empower you, and we do hereby require, direct, authorize and empower you the said George Earl of Dalhousie, and the Governor, Lieutenant Governor, and Person Administering the Government of the said Province of Lower Canada for the time being, accordingly, to cause such monies as have arisen, or shall arise by the said Duties so as aforesaid imposed by the said above in part recited Act of Parliament (the necessary charges of raising, collecting, levying, recovering, answering, paying, and accounting for the same being first deducted,) to be applied out of the said produce of the said Duties, towards defraying the said expenses of the Administration of Justice, and of the support of Civil Government in the said Province of Lower Canada, in the said Schedule hereunto annexed, mentioned and contained in the manner herein and by the said Schedule directed. And whereas it may happen that the nett amount of the produce of the said Act of the fourteenth year of His late Majesty may, in some years, exceed the amount of the sums hereby directed to be paid, we do hereby authorize and empower you, the said Earl of Dalhousie, and the Governor, Lieutenant Governor, and Person Administering the Government for the time being, by this our Warrant to cause any part of such excess or surplus to be applied to the payment of such contingent expenses of the several offices herein before mentioned, as have been, and now are allowed, transmitting to Us, or to the Commissioners of the Treasury for the time being, a special half yearly statement or account, made up to the 1st July and 1st January in each year, specifying the balance of the Revenue remaining in the hands of the Receiver General of the Province on the preceding day to which the account may have been made up, the amount of the Revenue paid into the hands of the Receiver General within the period of the account, the amount of the several payments made thereout for salaries within the period of the account, and also the several sums paid for contingent expenses, and shewing the balance of the Revenue remaining in the hands of the Receiver General of the Province at the termination of the account. And for so doing, this shall be your Warrant.

Whitehall, Treasury Chambers,
the 31st day of October, 1826.

To George Earl of Dalhousie,
G. C. B., Captain General and Governor in Chief in and over the Province of Lower Canada, &c. &c. &c. and to the Governor, Lieutenant Governor, and Person Administering the Government of the said Province of Lower Canada for the time being.

Signed {
LOWTHER,
G. C. H. SOMERSET,
MOUNT CHARLES.

Schedule of the Salaries to be paid in the Province of Lower Canada, out of the produce of Duties imposed by the Statute 14th Geo. 3, Cap. 88, to which reference is made in the foregoing Warrant.

Salary of the Governor in Chief,	Sterling.
Ditto of the Lieutenant Governor,	£ 4500 0 0
	1500 0 0
Carried over,	£ 6000 0 0

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jesté entre les mains du Receveur-Général de Sa Majesté en exercice en la dite Province, et servira en premier lieu sur une application certaine et proportionnée, à subvenir aux dépenses de l'administration de la Justice et au soutien du Gouvernement civil dans la dite Province; et que le Seigneur Grand Trésorier, ou les Commissaires du Trésor de sa Majesté, ou trois ou plus en exercice, seront et sont par ces présentes autorisés d'ordonner pour l'avenir, par ordre signé de leurs mains, que tel argent, provenant desdits impôts, sera appliqué à payer les dites dépenses, et que le résidu des dits impôts restera et sera réservé entre les mains du dit Receveur-Général de sa Majesté, à la disposition qu'en fera le Parlement à l'avenir."

Et vu qu'il a gracieusement plu à sa Majesté d'autoriser, d'ordonner et prescrire que les divers appointemens mentionnés, dans la Cédule ci-jointe, seront payés dans la Province du Bas-Canada aux divers Officiers qui sont mentionnés dans la dite Cédule; et vu que la dite Province du Bas-Canada est une partie et portion de la dite province de Québec, et que les appointemens qui sont mentionnés dans la dite cédule et tous et chacun d'iceux est et sont des dépenses de l'administration de la Justice et pour le soutien du Gouvernement civil dans la dite province du Bas-Canada: Il nous plait en conséquence par et en vertu du pouvoir et de l'autorité dont nous sommes revêtus par l'Acte du Parlement en partie ci-dessus récité, par notre présente Ordonnance, sous notre seing, de vous requérir, ordonner, autoriser et de vous donner le pouvoir, et par les présentes nous vous requérons, ordonnons, autorisons et vous donnons pouvoir, le dit George, Comte de Dalhousie, et le Gouverneur, Lieutenant-Gouverneur, et la Personne administrant le Gouvernement de la dite Province du Bas-Canada pour le tems d'alors, en conséquence, d'ordonner que les argens qui ont ou seront prélevés par les Droits qui ont été ainsi imposés par le dit Acte du Parlement, ainsi dessus récité en partie, (les dépenses nécessaires pour prélever, lever, recouvrer, rendre compte, payer iceux ayant été préalablement déduites) pour être employés à même le produit des dits Droits, à défrayer les Dépenses susdites de l'administration de la Justice et pour le soutien du Gouvernement civil dans la dite province du Bas-Canada, dans la dite cédule ci-jointe, mentionnés et contenus, en la manière et telle qu'il est ordonné par la dite cédule: Et vu qu'il peut arriver que le montant net du produit du dit Acte de la quatorzième année du Règne de sa feu Majesté, peut dans certaines années excéder le montant des sommes que ces présentes ordonnent de payer, nous autorisons et donnons pouvoir à vous le dit Comte Dalhousie, et le Gouverneur, Lieutenant-Gouverneur et la Personne administrant le Gouvernement pour le tems d'alors, par notre présente Ordonnance d'employer tel excédant ou surplus, au payement de telles Dépenses casuelles des différens Offices ci-devant mentionnés, qui ont été et sont maintenant alloués, nous transmettant et aux Commissaires de la Trésorerie pour le tems d'alors, un Etat ou Compte particulier semestral, rendu jusqu'au premier Juillet et premier Janvier dans chaque année, montrant quelle est la balance du Revenu, restante entre les mains du Receveur-Général de la Province, le jour précédent auquel le dit compte peut avoir été rendu, le montant du Revenu payé entre les mains du Receveur-Général, les divers payemens qui en ont été faits pour appointemens dans la période du compte, et aussi les différentes sommes payées pour les dépenses casuelles, et montrant la Balance du Revenu qui est entre les mains du Receveur Général de la Province à la clôture du dit Compte: Et à cet égard la présente Ordonnance vous servira d'autorité.

Chambres de la Trésorerie,
Whitehall, le 31e jour d'Octobre 1826.

A George Comte de Dalhousie, G. C. B. Capitaine Général et Gouverneur en Chef, dans et pour la Province du Bas-Canada, &c. &c. &c. et au Gouverneur, Lieutenant-Gouverneur et la Personne administrant le Gouvernement de la dite Province du Bas-Canada pour le tems d'alors.

Signé {
LOWTHER,
G. C. H. SOMERSET,
MOUNT CHARLES.

Cédule des appointemens qui doivent être payés dans la province du Bas-Canada sur le produit des Droits imposés par le Statut de la 14e George 3, ch. 88, à lequel il est référé dans l'Ordonnance de l'autre part.

Appointemens du Gouverneur en Chef,	Sterling.
Ditto du Lieutenant-Gouverneur,	£ 4500 0 0
	1500 0 0
Porté ci-contre,	£ 6000 0 0

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17th Dec.	Salary of the Inspector of Fisheries in Gaspé		300 0 0	Ditto de l'Inspecteur des Pêches à Gaspé,	300 0 0	17 Dec.
	Ditto of the Secretary, Registrar of the Province,		400 0 0	Ditto du Secrétaire de la Province,	400 0 0	
	Ditto of nine Executive Councillors, Members of the Court of Appeals, at £100 Sterling each,		900 0 0	Ditto de neuf Conseillers Exécutifs, Membres de la Cour d'Appel, à £100 Sterling chaque,	900 0 0	
	Ditto of the Registrar and Clerk of the Executive Council,		550 0 0	Ditto du Secrétaire et Greffier du Conseil Exécutif,	550 0 0	
	Ditto of the Assistant Clerk,		182 10 0	Ditto du Greffier Assistant,	182 10 0	
	Ditto of the Receiver General for Duties under 14th Geo. 3d.		500 0 0	Ditto du Receveur Général pour les Droits sous l'Acte de la 14e Geo. 3,	500 0 0	
	Ditto of the Chief Justice of the Province,		1500 0 0	Ditto du Juge en Chef de la Province,	1500 0 0	
	Ditto of the Chief Justice of Montreal,		1100 0 0	Ditto du Juge en Chef de Montréal,	1100 0 0	
	Ditto of six Puisne Judges of the Court of King's Bench, at £900 Sterling each,		5400 0 0	Ditto des six Juges Puisnés de la Cour du Banc du Roi, à £900 Sterling chaque,	5400 0 0	
	Ditto of three Provincial Judges at Three Rivers, Gaspé and St. Francis, at £600 Sterling each,		1800 0 0	Ditto de trois Juges Provinciaux, aux Trois-Rivières, Gaspé et St. François, à £600 Sterling chaque,	1800 0 0	
	Ditto of the Judge of the Vice Admiralty Court,		200 0 0	Ditto du Juge de la Cour de Vice-Amirauté,	200 0 0	
	Ditto of the Attorney General,		300 0 0	Ditto du Procureur-Général,	300 0 0	
	Ditto of the Solicitor General,		200 0 0	Ditto du Solliciteur-Général,	200 0 0	
	Ditto of the Advocate General,		200 0 0	Ditto de l'Avocat-Général,	200 0 0	
	Ditto of the Sheriff of the District of Quebec,		100 0 0	Ditto du Shérif du District de Québec,	100 0 0	
	Ditto do. of Montreal,		100 0 0	Ditto du ditto de Montréal,	100 0 0	
	Ditto do. of Three Rivers,		75 0 0	Ditto du ditto des Trois Rivières,	75 0 0	
	Ditto do. of Gaspé,		70 0 0	Ditto du ditto de Gaspé,	70 0 0	
	Ditto do. of St. Francis,		50 0 0	Ditto du ditto de St. François,	50 0 0	
	Ditto of the Coroner of the District of Quebec,		100 0 0	Ditto du Coronaire du District de Québec,	100 0 0	
	Ditto do. of Montreal,		100 0 0	Ditto du ditto de Montréal,	100 0 0	
	Ditto do. of Three Rivers,		20 0 0	Ditto du ditto des Trois-Rivières,	20 0 0	
	Ditto of the three Clerks of the Crown,		100 0 0	Ditto de trois Greffiers de la Couronne,	100 0 0	
	Ditto of the Clerk of the Court of Appeals,		120 0 0	Ditto du Greffier de la Cour d'Appel,	120 0 0	
	Ditto of the Usher of the Court of Appeals,		27 0 0	Ditto du Huissier de ditto,	27 0 0	
	Ditto of the Clerk of the Peace at Gaspé,		60 0 0	Ditto du Greffier de la Paix à Gaspé,	60 0 0	
	Ditto do. of St. Francis,		50 0 0	Ditto ditto de St. François,	50 0 0	
	Ditto of the Chairman of the Quarter Sessions at Quebec,		500 0 0	Ditto du Président des Sessions de Trimestre à Québec,	500 0 0	
	Ditto of the Chairman of the Quarter Sessions at Montreal,		500 0 0	Ditto du ditto ditto à Montréal,	500 0 0	
	Ditto do. at Three Rivers		250 0 0	Ditto du ditto ditto aux Trois-Rivières,	250 0 0	
Ditto of the Crier of the Court and Tipstaff at Quebec,		38 0 0	Ditto de l'Huissier Audiencier de la Cour et de l'Huissier à Baguette à Québec,	38 0 0		
Ditto do. at Montreal,		38 0 0	Ditto ditto à Montréal,	38 0 0		
Ditto do. at Three Rivers,		25 0 0	Ditto ditto aux Trois-Rivières,	25 0 0		
Ditto do. at Gaspé,		18 0 0	Ditto ditto à Gaspé,	18 0 0		
Ditto do. at St. Francis,		18 0 0	Ditto ditto à St. François,	11 0 0		
			£ 21,891 10 0			£21,891 10 0

Signed, { LOWTHER,
G. C. H. SOMERSRT,
MCUNT CHARLES.

A True Copy.
C. YORKE, Sec'y.

Payment of certain Judicial Salaries in Lower Canada, amounting to £21,891 10 0 of Duties imposed by the Act 14th Geo. 3d.

Signés { LOWTHER,
G. C. H. SOMERSET,
MOUNT CHARLES.

Pour vraie copie,
C. YORKE, Secre.)

Payement de certains Appointemens judiciaires dans le Bas-Canada montant à £21,891 10s. sur les Droits imposés par l'Acte de la 14e. Geo. 3.

GEORGE R.

Whereas the Commissioners of Our Treasury have recommended unto Us to authorize and require the Governor of Our Province of Lower Canada, to pay out of the casual and territorial Revenue of Our said Province, the salaries, allowances, and expenses hereafter mentioned, (that is to say):—

Salaries of the Messenger £45, Extra do. £41 1 3 for the office of the Secretary of the Governor,	£ 86 1 3
Rent of the Civil Secretary's Office,	135 0 0
Allowance for fuel for do.,	45 0 0
Stationery and Printing,	200 0 0
Postages,	1000 0 0
Salary of the Agent of the Province in London,	200 0 0
Allowance for extra fuel, Executive Council,	40 0 0
Salary to the Door-keeper and Office Servant, Executive Council,	50 0 0
Contingencies of the Attorney, Solicitor and Advocate General for Crown business,	2000 0 0
Fuel and Candles for the Court Houses at Quebec, Montreal, Three-Rivers, New Carlisle, and Sherbrooke,	550 0 0
£ 4306 1 3	

GEORGE R.

Vu que les Commissaires de notre Trésorerie nous ont recommandé d'autoriser et de requérir le Gouverneur de notre Province du Bas-Canada, de payer sur le Revenu Casuel et Territorial de notre dite Province, les appointemens, allowances et dépenses ci-après mentionnés, favoir :

Appointemens du Messager £45, Ditto additionnel £41 1 3, pour le Bureau du Secrétaire du Gouverneur,	£86 1 3
Loyer pour le Bureau du Secrétaire Civil,	135 0 0
Allowance pour bois de chauffage,	45 0 0
Papeterie et Impression,	200 0 0
Port de Lettres,	1000 0 0
Appointemens de l'Agent pour la Province à Londres,	200 0 0
Allowance pour surcroit de bois de chauffage pour le Conseil Exécutif,	40 0 0
Appointemens au Portier et Garçon du Bureau du Conseil Exécutif,	50 0 0
Contingens du Procureur, Solliciteur et de l'Avocat-Général, pour les affaires de la Couronne,	2000 0 0
Bois de chauffage et chandelle pour les Salles d'Audience à Québec, Montréal, Trois-Rivières, New-Carlisle et Sherbrooke,	550 0 0
£4306 1 3	

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To which we being graciously pleased to condescend, our will and pleasure is, and we do hereby direct, authorize, and require you to pay out of our Casual and Territorial Revenue the said Salaries, Allowances and Expenses, amounting in the whole to the Sum of Four thousand three hundred and six pounds one shilling and three pence accordingly; and our further will and pleasure is, and we do further direct and require you to transmit on the 1st day of January and 1st day of July in every year, an account of such Salaries, Allowances and Expenses, to the Commissioners of our Treasury for the time being, the first Account to be rendered on the 1st of January 1827. And for so doing this shall be your Warrant:

A quoi il nous a plu gracieusement de condescendre, notre volonté et plaisir est et nous vous ordonnons, autorisons et requérons de payer à même notre revenu casuel et territorial les dits Appointemens, Allowances et Dépenses, s'élevant en tout à la somme de quatre mille trois cent six Livres, un Sheling et trois Deniers en conséquence; et de plus notre volonté et plaisir est et nous ordonnons et requérons en outre, de transmettre le premier jour de Janvier et le premier jour de Juillet, de chaque année, un compte de ces appointemens, allowances et dépenses aux Commissaires de notre Trésorerie pour le tems d'alors; le premier compte à être rendu le premier Janvier 1827: Quoi faisant la présente Ordonnance vous tiendra lieu d'autorité

Given at our Court of Carlton House, this 31st day of Oct. 1826, in the seventh year of our Reign.

Donné a notre Cour à Carlton House, ce 31ème jour d'Octobre, 1826, et dans la septième année de notre Règne.

By His Majesty's command.

Par ordre de Sa Majesté.

To Our right trusty and right beloved Cousin, George, Earl of Dalhousie, G. C. B. Captain General and Governor in Chief in and over our Province of Lower-Canada, and to the Governor, Lieutenant Governor, and Person administering the Government of our said Province of Lower-Canada for the time being.

(Signed) { LOWTHER,
G. C. H. So.
MOUNT CHARLES.

A votre très-fidèle et très-âné Cousin }
George, Comte de Dalhousie, G.C. }
B., Capitaine Général et Gouverneur en Chef de notre Province du }
Bas-Canada, et au Gouverneur, Lieutenant Gouverneur, et à la personne }
administrant le Gouvernement de notre dite Province du Bas-Canada, }
pour le tems d'alors, }

(Signé.) { LOWTHER,
G. C. H. SOMERSÉT;
MOUNT CHARLES.

A true Copy.

C. YORKE,
Sec'y.

Pour vraie Copie,

C. YORKE,
Secre.

GEORGE R.

Whereas, by an Act of our Legislature of our Province of Lower-Canada, of the 36th Geo. III: cap. 9, intituled, "An Act for granting to His Majesty additional and new Duties on certain goods, wares, and merchandize, for appropriating the same towards further defraying the charges of the Administration of Justice and support of the Civil Government within that Province, and for other purposes therein mentioned," it is enacted that there shall be issued and paid, annually, a sum therein mentioned, equal to £5000 Sterling, towards defraying the expenses of the Administration of Justice and the support of the Civil Government within our said Province, &c. &c. &c. And it is further enacted, that the due application of all such monies shall be accounted for to Us, our Heirs and Successors, through the Commissioners of our Treasury, in such manner as We, our Heirs and Successors, shall direct. And whereas the Commissioners of our Treasury have recommended unto us to authorize the Governor of our said Province of Lower-Canada, to pay out of the said grant of five thousand pounds, the Salaries and Expenses hereinafter mentioned; That is to say:

GEORGE R.

Vu que par un Acte de notre Législature du Bas-Canada de la 36ème Geo. III, chap. 9, intitulé, "Acte qui accorde à Sa Majesté des droits nouveaux et additionnels sur certaines marchandises et effets; qui les approprient à fournir des moyens plus amples de défrayer les dépenses de l'administration de la Justice et au soutien du Gouvernement Civil de cette Province, et à d'autres effets y mentionnés," il est statué qu'il sera payé annuellement une somme y mentionnée, égale à celle de cinq mille livres sterling, afin de défrayer les dépenses civiles du Gouvernement Civil dans notre dite Province, &c. &c. Et il est de plus statué, qu'il nous sera rendu compte et à nos Héritiers et Successeurs de de l'emploi légal de tous tels Deniers par la voie des Lords Commissaires de notre Trésorerie en telle manière et forme qu'il nous plairoit et à nos Héritiers et Successeurs l'ordonner: Et vu que les Commissaires de notre Trésorerie nous ont recommandé d'autoriser le Gouverneur de notre dite Province du Bas-Canada de payer à même le dit octroi de cinq mille livres les appointemens et dépenses ci-après mentionnés, savoir:—

Salary of the Secretary to the Governor in Chief,	£500	0	0
Ditto Assistant,	200	0	0
Ditto two Assistants in the Office,	365	0	0
Ditto Office Keeper,	45	0	0
Contingencies of Provincial Secretary's Office,	60	0	0
Allowance to Judges for Circuits,	825	0	0
do. to the Sheriffs for 3 Executioners,	81	0	0
Contingencies for Coroners,	310	0	0
Ditto for 3 Clerks of the Crown,	300	0	0
Ditto for the Prothonotaries of Quebec, Montréal, Three-Rivers, Gaspé, St. François, for Registers, Stationery, &c. exclusive of the expenses of Fuel, &c.	345	0	0
Ditto of the Clerks of the Peace at those places, for Stationery, apprehension and commitment of Criminals by the Magistrates, and all other expenses incurred for Police purposes in and out of Quarter Sessions,	1050	0	0
Salary of the Interpreter of the Court at Quebec,	40	0	0
Montreal,	40	0	0
Three-Riv.	25	0	0
Salaries of the Gaolers, and allowance for Turnkeys at Quebec, Montréal, Three-Rivers and Sherbrooke,	430	0	0
Salaries of the High Constables at Quebec, Montréal and Three-Rivers,	99	0	0
Salary of the Keepers of the Court Houses at Quebec, Montréal, Three-Rivers, New-Carlisle, and Sherbrooke,	216	0	0
Salary of the Messenger and Office Keeper of the Executive Councils,	50	0	0
	£4981	0	0

Appointemens du Secrétaire au Gouverneur en Chef,	£500	0	0
Ditto Assistant,	200	0	0
Ditto deux Assistants dans le Bureau,	365	0	0
Ditto Gardien du Bureau,	45	0	0
Contingens du Bureau du Secrétaire Provincial,	60	0	0
Allowance aux Juges pour les Tournées,	825	0	0
Ditto aux Shérifs pour trois Exécuteurs,	81	0	0
Contingens pour les Coronaires,	310	0	0
Ditto pour 3 Commis de la Couronne,	300	0	0
Ditto pour les Protonotaires de Québec, Montréal, Trois-Rivières, Gaspé, St. François, pour Régistres, Papétrie, &c. exclusif des Dépenses pour le Bois de Chauffage, &c.	345	0	0
Ditto Greffiers de la Paix dans ces endroits, pour Papétrie, prises et arrestations de criminels par les Magistrats, et toutes autres dépenses encourues pour des objets publics pendant et hors des Cours de Trimestre,	1050	0	0
Appointemens de l'Interprète de la Cour à Québec,	40	0	0
Montréal,	40	0	0
Trois-Rivières,	25	0	0
Ditto des Geoliers et allowances pour deux Guichetiers à Québec Montréal, Trois-Rivières et Sherbrooke,	430	0	0
Ditto des Grands-Connétables à Québec, Montréal, et des Trois-Rivières,	99	0	0
Ditto des Gardiens des Salles d'Audience à Québec, Montréal, Trois-Rivières, New-Carlisle and Sherbrooke,	216	0	0
Ditto du Messenger et du Gardien du Bureau du Conseil Exécutif,	50	0	0
	£4981	0	0

To which We being graciously pleased to condescend, our will and pleasure is, and We do hereby direct, authorize, and require you

A quoi il nous a plu gracieusement de condescendre, notre volonté et plaisir est et par la présente nous vous ordonnons, autorisons et requé-

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to pay out of the said grant of Five thousand pounds made by the said Act of the Legislature of our Province of Lower-Canada, of the 36th Geo. III. cap. 9, as above-mentioned, the said salaries and expenses, amounting in the whole to sum of Four thousand nine hundred and eighty-one pounds accordingly: And our further will and pleasure is, and we do further direct and require you to transmit on the 1st of January and 1st of July in every year, an account of such Salaries and Expenses to the said Commissioners of our Treasury for the time being, the first Account to be rendered on the 1st of January 1827: And for so doing this shall be your Warrant.

Given at Our Court at Carlton House, this 31st day of Octr. 1826, in the seventh year of our Reign.

By His Majesty's command.

To Our Right Trusty and right well beloved Cousin, George, Earl of Dalhousie, G.C.B. Captain General and Governor in Chief in and over our Province of Lower-Canada, and to the Governor, Lieutenant Governor, and Person administering the Government of our said Province of Lower-Canada for the time being.

(Signed)
LOWTHER,
G. C. H. SOMERSET,
MOUNT CHARLES,

A true Copy.

C. YORKE,
Secy.

SCHEDULE of the Salaries and fixed allowances on the Civil Establishment of the Province of Lower-Canada, for the year 1828, referred to in the accompanying Warrant.

OFFICES.	Salaries and fixed Allowances.
Salary of the Governor in Chief,	£4500 0 0
of the Lieutenant Governor,	1500 0 0
of the Inspector of Fisheries in Gaspé,	300 0 0
of the Secretary and Registrar of the Province,	400 0 0
of Nine Executive Councillors as Members of the Court of Appeals, at £100 Stg. each,	900 0 0
of the Registrar and Clerk of the Executive Council,	550 0 0
of the Assistant ditto,	183 0 0
of the Receiver General,	1000 0 0
of ditto for a Clerk,	100 0 0
of the Chief Justice of the Province,	1500 0 0
of the Chief Justice of Montreal,	1100 0 0
of six Puisné Judges of the Court of King's Bench, at £900 Stg. each,	5400 0 0
of three Provincial Judges, at Three-Rivers, Gaspé and St. Francis, at £600 Stg. each,	1800 0 0
of the Judge of the Vice Admiralty Court,	200 0 0
of the Attorney General,	300 0 0
of the Solicitor General,	200 0 0
of the Advocate General,	200 0 0
of the Sheriff of the District of Quebec,	100 0 0
of Montreal,	100 0 0
of Three-Rivers,	75 0 0
of Gaspé,	70 0 0
of St. Francis,	50 0 0
of the Coroner of the District of Quebec,	100 0 0
of Montreal,	100 0 0
of three Clerks of the Crown,	100 0 0
of the Clerk of the Court of Appeals,	120 0 0
of the Usher of the Court of Appeals,	27 0 0
of the Clerk of the Peace at Gaspé,	60 0 0
at St. Francis,	50 0 0
of the Chairman of the Quarter Sessions at Quebec,	500 0 0
Montreal,	500 0 0
Three-Rivers,	250 0 0
of the Crier of the Court and Tipstaff at Quebec,	38 0 0
Montreal,	38 0 0
Three-Rivers,	25 0 0
Gaspé,	18 0 0
St. Francis,	18 0 0
of the Secretary to the Governor in Chief,	500 0 0
of Assistant ditto,	200 0 0
of two Assistants in the Office,	366 0 0
of the Office Keeper,	45 0 0

Carried forward, £23583 0 0

rons de payer sur le dit octroi de cinq mille livres fait par le dit acte de la Législature de notre Province du Bas-Canada, de la trente-sixième George Trois, chap. neuf, comme ci-dessous mentionné, les dits appointemens et dépenses s'élevant en tout à la somme de quatre mille neuf cent quatre vingt une livres en conséquence, et de plus notre volonté et plaisir est, et nous vous ordonnons et requérons en outre, de transmettre le premier de janvier et le premier de juillet dans chaque année, un compte des dits appointemens et dépenses aux Commissaires susdits de notre Trésorerie, ou aux Commissaires de notre Trésorerie pour le tems d'alors, le premier compte à être rendu le premier Janvier mil huit cent vingt sept: Quoi faisant ces présentes seront pour vous une autorité suffisante.

Donné à notre Cour à Carlton House, ce 31ème jour d'Octobre 1826, dans la septième année de notre Règne.

Par ordre de Sa Majesté.

A notre très-fidèle et très-amié Cousin George, Comte de Dalhousie, G.C.B., Capitaine Général et Gouverneur en Chef de notre Province du Bas-Canada, et au Gouverneur, Lieutenant Gouverneur, et à la personne administrant le Gouvernement de notre dite Province du Bas Canada, pour le tems d'alors.

(Signé) LOWTHER,
G. C. H. SOMERSET,
MOUNT CHARLES,

Pour vraie Copie.

C. YORKE,
Sec.

CECULE des Appointemens et Allowances fixes, sur l'Etablissement Civil de la Province du Bas-Canada, pour l'année mil huit cent vingt huit, auquel il est référé dans le warrant ci-joint.

OFFICES.	Appointemens et Allowances fixes.
Appointemens du Gouverneur en Chef,	£4500 0 0
du Lieutenant Gouverneur,	1500 0 0
de l'Inspecteur des Pêches à Gaspé,	300 0 0
du Secrétaire de la Province,	400 0 0
de neuf Conseillers Exécutifs, comme membres de la Cour d'Appel à £100 Sig. chaque,	900 0 0
du Secrétaire et Greffier du Conseil Exécutif,	550 0 0
de l'Assistant ditto,	183 0 0
du Receveur Général,	1000 0 0
de ditto pour un Commis,	100 0 0
du Juge en Chef de la Province,	1500 0 0
du ditto de Montreal,	1100 0 0
de Six Juges Puisnés de la Cour du Banc du Roi, à £900 Sig. chaque,	5400 0 0
de trois Juges Provinciaux aux Trois-Rivières, Gaspé, et St. François, à £600 Sig. chaque,	1800 0 0
du Juge de la Cour de Vice-Admirauté,	200 0 0
du Procureur Général,	300 0 0
du Solliciteur Général,	200 0 0
de l'Avocat Général,	200 0 0
du Shérif du District de Quebec,	100 0 0
de Montréal,	100 0 0
des Trois-Rivières,	75 0 0
de Gaspé,	70 0 0
de St. François,	50 0 0
du Coronaire du District de Quebec,	100 0 0
de Montréal,	100 0 0
des trois Greffiers de la Couronne,	100 0 0
du Greffier de la Cour d'Appel,	120 0 0
de l'Huissier Audiencier de la Cour d'Appel,	27 0 0
du Greffier de la Paix à Gaspé,	60 0 0
à St. François,	50 0 0
du Président des Sessions de Trimestre à Quebec,	500 0 0
à Montréal,	500 0 0
aux Trois-Rivières,	250 0 0
de l'Huissier Audiencier de la Cour et de l'Huissier à Baguette, à Quebec,	38 0 0
à Montréal,	38 0 0
aux Trois-Riv.	25 0 0
à Gaspé,	18 8 0
à St. François,	18 0 0
du Secrétaire au Gouverneur en Chef,	500 0 0

porté ci-contre, £22972 0 0

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	Brought forward, £29583	0	0
Allowance to ditto in lieu of apartments formerly allowed to his use,	25	0	0
to the Judges for Circuits,	825	0	0
to the Sheriff for 3 Executioners,	81	0	0
Salary of the Interpreter of the Courts of Quebec,	40	0	0
Montreal,	40	0	0
Three-Rivers,	25	0	0
of the Gaolers and allowances for Turnkeys at Quebec, Montreal, Three-Rivers & Sherbrooke,	430	0	0
of the High Constable of Quebec, Montreal and Three-Rivers,	99	0	0
of the Keeper of the Court Houses at Quebec, Montreal, Three-Rivers, New-Carlisle and Sherbrooke,	216	0	0
of the Messenger and Office Keeper of the Executive Council,	50	0	0
of the Messenger and extra Messenger for the Office of the Secretary to the Governor in Chief,	86	3	1
of the Agent of the Province in London,	200	0	0
of the Door-Keeper and Office Servant of the Executive Council,	50	0	0
of the Surveyor General,	450	0	0
Allowance to ditto for Office Servant, £40, and Stationery, £20,	60	0	0
Salaries of the first and second Clerks to ditto, of the Auditor General of Public Accounts,	393	0	0
of the Auditor General of Public Accounts,	400	0	0
Allowance to ditto for a Clerk,	100	0	0
Salary of the Inspector General of Public Accounts,	300	0	0
Allowance to ditto for a Clerk,	100	0	0
Salary of the Physician attending the Gaol at Quebec,	200	0	0
Montreal,	200	0	0
Three-Rivers,	80	0	0
Allowance to the Chairman of the Quarter Sessions at Gaspé,	90	0	0
Rent of the Building for Civil Offices,	495	0	0

£29583 1 3

(Signed,) MOUNT CHARLES,
ELIOT,
M. FITZGERALD.

GEORGE R.

Whereas by an Act of Parliament made and passed in the 14th year of the Reign of His late Majesty, entitled, "An Act to establish a fund towards defraying the charges of the Administration of Justice and support of the Civil Government within the Province of Quebec, in America," it is provided and enacted that all the monies that shall arise by the Duties of the said Act imposed, (except the necessary charges of raising, collecting, levying & recovering, answering, paying and accounting for the same,) shall be paid by the Collector of His Majesty's Customs, into the hands of His Majesty's Receiver General in the said Province for the time being, and shall be applied, in the first instance, in making a more certain and adequate provision towards defraying the expense of the Administration of Justice and support of Civil Government in the said Province, and that the residue of the said Duties shall remain and be reserved in the hands of the said Receiver General for the future disposition of Parliament. And whereas by an Act of the Legislature of our said Province of Lower Canada, of the 36th Geo. 3d, Cap. 9, entitled "An Act for granting to His Majesty additional and new Duties on certain goods, wares and merchandize, and for appropriating the same towards further defraying the charges of the Administration of Justice and support of the Civil Government within that Province, and for other purposes therein mentioned," it is enacted that there shall be issued and paid annually, a sum therein mentioned equal to £5000 Sterling, towards defraying the expenses of the Administration of Justice and the support of the Civil Government within our said Province. And it is thereby further enacted that the due application of all such monies shall be accounted for to Us, our Heirs and Successors, through the Commissioners of our Treasury, in such manner as We, our Heirs and Successors shall direct. And whereas certain other Casual and Territorial Revenues arising within our said Province, remain also at our disposal, and the Commissioners of our Treasury having recommended

	Montant d'autre part, £22972	0	0
Appointemens de l'Assistant Secrétaire au Gouverneur en Chef,	200	0	0
de deux Assistants dans le Bureau,	366	0	0
du Gardien du Bureau,	45	0	0
Allowance à ditto au lieu d'appartemens qu'il avoit ci devant à son usage,	25	0	0
aux Juges pour les Tournées,	825	0	0
au Shérif, pour trois Exécuteurs de la Haute Justice,	81	0	0
Appointemens de l'Interprète des Cours à Québec,	40	0	0
à Montréal,	40	0	9
aux Trois-Rivières,	25	0	0
des Geoliers et allowances pour deux Guichetiers, à Québec, Montréal, Trois-Rivières, et Sherbrooke,	430	0	0
du Grand Connétable de Québec, Montréal et des Trois-Rivières,	99	0	0
du Gardien des salles d'Audience à Québec, Montréal, Trois-Rivières, New-Carlisle and Sherbrooke,	216	0	0
du Messenger et Gardien du Bureau du Conseil Exécutif,	50	0	0
du Messenger et Messenger extraordinaire pour le Bureau du Secrétaire Civil du Gouverneur en Chef,	86	1	3
de l'Agent de la Province à Londres,	200	0	0
du Portier et du Gardien de Bureau du Conseil Exécutif,	50	0	0
de l'Arpenteur Général,	450	0	0
Allowance à ditto pour un Gardien de Bureau, £10, et Papèterie, £20,	60	0	0
Appointemens du premier et deuxième Commis à do. de l'Auditeur-Général des Comptes Publics,	333	0	0
400	0	0	
Allowance à ditto pour un Commis,	100	0	0
Appointemens de l'Inspecteur Général des Comptes Publics,	300	0	0
Allowance à ditto pour un Commis,	100	0	0
Appointemens du Médecin de la Prison à Québec,	200	0	0
Montréal,	200	0	0
Trois-Rivières,	80	0	0
Allowance au Président des Sessions de Trimestre à Gaspé,	90	0	0
Loyer de l'Edifice pour les Bureaux Civils.	495	0	0

£28558 1 3

(Signé,) MOUNT CHARLES,
ELIOT,
M. FITZGERALD.

GEORGE R.

Vu que par un Acte du Parlement fait et passé dans la quatorzième année du Règne de feu sa Majesté, intitulé, "Acte qui établit un Fonds pour pourvoir et subvenir aux Dépenses de l'Administration de la Justice et au soutien du Gouvernement civil dans la Province de Québec, dans l'Amérique;" Il est pourvu et statué "Que tous les argens qui seront perçus à cause des Droits qui sont imposés par le dit Acte, (excepté les Dépenses nécessaires à faire pour les prélever, les percevoir, recouvrer, cautionner, payer et en dresser les comptes,) seront payés par le Collecteur des Douanes de Sa Majesté entre les mains du Receveur-Général de Sa Majesté en exercice en la dite Province, et servira en premier lieu sur une application certaine et proportionnée, à subvenir aux Dépenses de l'Administration de la Justice et au soutien du Gouvernement civil dans la dite Province, et que le résidu des dits Droits demureront et seront réservés entre les mains du dit Receveur-Général à la disposition futur du Parlement" Et vu que par un Acte de la Législature de notre dite Province du Bas-Canada, de la trente-sixième George Trois, chapitre neuf, intitulé, "Acte qui accorde à sa Majesté des Droits nouveaux et additionnels sur certaines Marchandises et Effets, qui les approprient à fournir des moyens plus amples de défrayer les dépenses de l'administration de la Justice et au soutien du Gouvernement civil de cette Province, et d'autres effets y mentionnés," il est statué qu'il sera payé annuellement une somme y mentionnée égale à cinq milles Livres sterling, pour subvenir aux Dépenses de l'administration de la Justice et au soutien du Gouvernement civil dans notre dite Province. Et il y est en outre statué qu'il nous sera rendu compte et à nos héritiers et successeurs de l'emploi légal de tous tels Deniers, par la voie des Lords Commissaires de notre Trésorerie, en telles manières et formes que nous, nos héritiers et successeurs l'ordonneront. Et vu que certains autres Revenus casuels et territoriaux provenant de la dite Province restent aussi à notre disposition, et les

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unto us to authorize and require the Governor of our Province of Lower Canada, to pay out of the monies granted by the said Acts, and out of the produce of such other our Casual and Territorial Revenues arising within our said Province, the several salaries and fixed allowances mentioned in the Schedule hereunto annexed. Our will and pleasure is, and we do hereby direct, authorize and require you to cause such monies as have arisen, or shall arise from the Duties so as aforesaid imposed by the said above in part recited Acts, or from other Casual and Territorial Revenues to which we may be entitled, to be applied out of the produce of the said Duties and Revenues, (the necessary charges of raising, collecting, levying, recovering, answering, paying, and accounting for the same, being first deducted,) towards the payment of the salaries and fixed allowances in our said Province of Lower Canada, in the Schedule hereunto annexed, mentioned and contained in the manner herein, and in the said Schedule directed, amounting in the whole, to the sum of Twenty-eight thousand, five hundred and fifty-eight pounds, one shilling and three pence; and for so doing, this shall be to you and to all others herein concerned, a sufficient Warrant. Given at our Court at St. James's, this 25th day of August, 1827, in the eighth year of our Reign.

By His Majesty's Command.

To our right trusty and right well beloved Cousin, George, Earl of Dalhousie, G. C. B., Captain General and Governor in Chief in and over our Province of Lower Canada, and to the Governor, Lieutenant Governor, and Person Administering the Government of our said Province of Lower Canada for the time being.

Signed, { J. J. M'NAUGHTEN,
ELIOT,
M. FITZGERALD.

A True Copy.
C. YORKE, Sec'y.

Authority for the payment of the fixed Salaries and Allowances in the Civil Establishment of the Province of Lower Canada, for the year 1828.

Duplicate,
No. 13.

Downing Street,
28th December, 1827.

My Lord,

I have the honour to transmit to your Lordship the Warrant under the Royal Sign Manual, authorizing the payment of the fixed Salaries and Allowances on the Civil Establishment of the Province of Lower Canada, for the year 1828.

I also transmit to your Lordship, the Report of the Committee of the House of Commons in 1822, as well as a Copy of the Finance Accounts of the United Kingdom for the last year; and I am to desire that, in conformity with the suggestion of the Lords Commissioners of the Treasury, the Receiver General and other Officers may make up and render their accounts, upon the same principle, to the 31st December of each year.

I have the honour to be,
My Lord,
Your Lordship's obedient
Humble Servant,
(Signed,) W. HUSKISSON.

A True Copy.
C. YORKE, Sec'y.

GEORGE R.

Whereas our late Royal Father, King George the Third, by Warrant under His Royal Signet and Sign Manuel, bearing date the 24th day of March, 1807, did authorize and require Letters Patent to be passed under the Seal of the Province of Lower Ca-

les Commissaires de notre Trésorerie nous ayant recommandé d'autoriser et de requérir le Gouverneur de notre Province du Bas-Canada, de payer sur les Deniers accordés par les dits Actes et sur le produit de nos autres Revenus casuels et territoriaux susdits, provenant de notre dite Province, les divers appointemens et allowances mentionnés dans la cédule ci-jointe, notre volonté et plaisir est et par la présente nous vous ordonnons, autorisons et requérons, que vous fassiez payer tels Deniers qui proviendront ou qui proviendront des Droits qui ont été imposés comme susdits, par les dits Actes en partie ci-dessus récités, ou des autres Revenus casuels et territoriaux auxquels nous pouvons avoir droit, pour être employés sur les produits des dits Droits et Revenus (après en avoir déduit les dépenses pour prélever, percevoir, recouvrer, payer et rendre compte d'iceux) à payer les appointemens et les allowances fixes dans notre dite Province du Bas Canada, mentionnés et contenus dans la cédule ci-jointe, en la manière mentionnée et prescrite en la présente ainsi qu'en la dite cédule, et s'élevant en tout à la somme de vingt-huit mille Livres un shilling et trois deniers: Quoi faisant la présente sera pour vous et à tous autres qui peuvent y être intéressés une autorité suffisante: Donnée à notre Cour à Carlton House, ce vingt-cinquième jour d'Août mil huit cent vingt-sept, dans la huitième année de notre Règne.

Par ordre de Sa Majesté,

A notre très fidèle et très aimé Cousin George Comte de Dalhousie, G. C. B. Capitaine-Général et Gouverneur en Chef de notre Province du Bas-Canada, et au Gouverneur et Lieutenant-Gouverneur, et à la personne administrant le gouvernement de notre dite Province du Bas-Canada, pour le tems d'alors.

Signé { J. J. M'NAUGHTEN,
ELIOT,
M. FITZGERALD.

Pour vraie copie.
C. YORKE, Secre.

Autorisation pour le payement des appointemens fixes et allowances de l'Établissement civil de la Province du Bas-Canada, pour l'année mil huit cent vingt-huit.

Duplicata
No. 13.

Downing Street,
28 Décembre 1827.

Milord,

J'ai l'honneur de transmettre à votre Seigneurie l'Ordonnance sous le seing royal manuel qui autorise le payement de appointemens et traitemens fixe de l'Établissement civil de la Province du Bas-Canada, pour l'année mil huit cent vingt-huit.

Je transmets pareillement à votre Seigneurie le Rapport du Comité de la Chambre des Communes en mil huit cent vingt-deux, de même qu'une copie de Comptes de Finances du Royaume Uni pour l'année dernière, et j'ai à vous prier en conformité aux suggestions de Lords Commissaires de la Trésorerie que le Receveur Général et autres Officiers aient à préparer et rendre leurs Comptes d'après le même principe jusqu'au trente-et-unième Décembre de chaque année.

J'ai l'honneur d'être,
Mi Lord,
De votre Seigneurie,
Le très humble & obéissant Serviteur,
(Signé) W. HUSKISSON.

Vraie copie.
C. YORKE, Secrétaire.

GEORGE R.

Vu que feu notre Père Royal, le Roi George Trois, par un Ordre sous son cachet royal et seing manuel, en date du vingt-quatrième jour de Mars mil huit cent sept, ordonna qu'il fut expédié des Lettres Patentes sous le Sceau de la province du Bas-Canada

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nada, in America, constituting and appointing Thomas Amyot, Esquire, Secretary and Registrar of the Records of and in the said Province, to have, hold, exercise and enjoy the said Offices and places by himself, or his sufficient Deputy or Deputies to be by himself appointed, and such Letters Patent were forthwith, and in due form, passed under the Seal of the said Province accordingly. And whereas it has been represented unto us, that it would be expedient that the said office of Secretary and Registrar of the Records of and in our said Province, should henceforward be executed by our Officer resident in Lower Canada aforesaid, and performing the duties of such offices in person; and to the intent that effect may be given to such purpose, it has been proposed that the said Thomas Amyot should surrender the Patent under which he holds the said Office, and should relinquish all claim thereto, and to the Salaries, Fees and Emoluments thereof.

Now know you, that in consideration of such surrender and relinquishment as aforesaid, we do hereby authorize and require you to cause Letters Patent to be passed under the Seal of our said Province of Lower Canada, granting unto the said Thomas Amyot for and during the term of his natural life, a yearly pension of Four hundred Pounds, Sterling money of Great Britain, to be paid, and payable to him or his assigns, out of all or any of our Revenues arising within our said Province, and subject to our approbation to the first payment, to be completed from the day of the date of the surrender of the Patent, granting to him the said Office up to the 1st day of May, or the 1st day of November which may next happen after the surrender thereof; and the future payments to be made half yearly, on the 1st day of May, and the 1st day of November in each year. And for so doing, this shall be your Warrant. Given at our Court at St. James's, this 28th day of January, 1828, in the Eighth year of our Reign.

By His Majesty's Command.

To our right trusty and right well beloved cousin George, Earl of Dalhousie, our Captain General & Governor in Chief in and over our Provinces of Upper and Lower Canada, or to our Lieutenant Governor, or Commander in Chief of our Province of Lower Canada for the time being.

Signed, { HY. GOULBURN, MOUNT CHARLES, ELIOT.

A True Copy. C. YORKE, Sec'y.

Thomas Amyot, Esquire, £400, on surrendering his Patent Office of Secretary and Registrar of the Records in Lower Canada.

Signed, DALHOUSIE, Governor.

Province of Lower Canada. }

George the Fourth by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith.

To all to whom these presents shall come or in any wise concern.

Greeting:

Know ye, that we reposing especial trust and confidence in the ability, fidelity and prudent circumspection of our trusty and well beloved the Honourable John Hale, a Member of our Executive and Legislative Councils of our Province of Lower Canada, of our especial Grace, certain Knowledge, and mere Motion, have nominated, constituted, and appointed, and by these presents do nominate, constitute and appoint the said John Hale to be the Receiver General of all and singular the Revenues, Duties, Imposts, Penalties, Territorial and Casual Revenues, Fines, Rents or Profits, (our Revenues of Customs excepted) arisen and grown due, (and that may arise and grow due) unto us, within our said Province of Lower Canada, and all arrears thereof, and also of all and singular such Revenues, Duties, Imposts, Penalties, Territorial and Casual Revenues, Fines, Rents or Profits, (except as before excepted,) which shall or may hereafter become payable in our said Province of Lower Canada; To have, hold, exercise and enjoy the said Office of Receiver General of the Revenues and Pre-

Commission appointing the Honble. John Hale Receiver General of the Royal Patrimony and Revenues of the Province of Lower Canada.

Fiat. Recorded in the Registrars Office of the Records at Quebec the 25th day of November, 1823, in the Seventh Register of Letters Patent & Commissions folio 511. (Signed.) La. Montizambert, Act. Prov. Regr.

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Canada en Amérique, constituant et nommant Thomas Amyot, Ecuier, Secrétaire et Archiviste des Archives de notre dite Province, pour avoir, tenir, exercer et jouir des dits Offices et Places par lui-même ou par son Député ou ses Députés capables qui seroient par lui nommés, lesquelles Lettres furent ensuite en bonne et due forme expédiées sous le Sceau de la dite Province en conséquence: Et vu qu'il nous a été représenté qu'il seroit expédient que le dit Office de Secrétaire et d'Archiviste des Archives de notre dite Province fut à l'avenir exercé par notre Officier résidant dans le Bas-Canada susdit, et qu'il en devoit remplir les devoirs en personne; Afin donc que cet objet puisse être mis à effet, il a été proposé que le dit Thomas Amyot résignerait les Patentes en vertu desquelles il jouit de la dite charge, et qu'il renonceroit à toutes réclamations à icelle, et aux appointemens, honoraires et émolumens d'icelle.

Sachez donc qu'en considération de cette résignation et de cet abandon comme susdit, nous vous autorisons et requérons de faire expédier des Lettres Patentes sous le Sceau de notre Province du Bas-Canada, accordant au dit Thomas Amyot pour et pendant sa vie durant, une Pension annuelle de quatre cents Livres argent sterling de la Grande-Bretagne, laquelle sera payée et lui sera payable ou à ses ayant causes, sur tous ou aucun des Revenus provenant de notre dite Province, et sujet à notre approbation jusqu'au premier paiement qui sera complété depuis le jour de la date qu'il résignera les Patentes qui lui confèrent la dite charge, jusqu'au premier jour de Mai ou au premier jour de Novembre qui s'ensuivra après la dite résignation, et que les payemens à l'avenir lui seront faits par semestres au premier de Mai et au premier jour de Novembre de chaque année: Quoi faisant les présentes vous serviront d'autorité. Donné à notre cour à St. James, ce vingt-huitième jour de Janvier mil huit cent vingt huit, dans la huitième année de notre Règne.

Par ordre de Sa Majesté.

A notre très-fidèle et très-amié Cousin George, Comte de Dalhousie, notre Capitaine Général et Gouverneur en Chef dans nos Provinces du Haut et Bas-Canada, ou à notre Lieutenant Gouverneur ou Commandant en Chef de notre Province du Bas-Canada, pour le tems d'alors.

Signé { HY. GOULBURN, MOUNT CHARLES, ELIOT.

Pour vraie copie, C. YORKE, Secrétaire,

Thomas Amyot, Ecuier, quatre cents Louis en résignant son Office sous Lettres Patentes de Secrétaire et Archiviste des Archives dans le Bas-Canada

(Signé) DALHOUSIE, Gouverneur.

Province du Bas-Canada. }

George Quatre par la Grace de Dieu, Roi du Royaume Uni de la Grande-Bretagne et d'Irlande, Défenseur de la Foi.

A tous ceux qui les présentes verront, ou qui pourront y être en quelque manière concernés;

Salut:

Prenez connoissance que reposant une foi et une confiance spéciales dans l'habilité, la fidélité, la prudence et la circumspection de notre fidèle et bien-amié l'Honorable John Hale, Membre de nos Conseils Exécutif et Législatif de notre Province du Bas-Canada, nous avons par notre grâce spéciale, par notre connoissance certaine, et de notre simple mouvement, nommé, constitué et établi, et par les présentes nous nommons, constituons et établissons le dit John Hale, pour être Receveur-Général de tous et chacun des Revenus, Droits, Impôts, Pénalités, Revenu casuel et territorial, Amendes, Rentes ou Profits (notre Revenu des Douanes excepté), qui nous avientront et seront dus et qui peuvent nous avenir et nous être dus, dans notre dite Province du Bas-Canada, et tous les arrérages d'iceux, et aussi de tous et chacun des Revenus, Droits, Impôts, Pénalités, Revenu casuel et territorial, Amendes, Rentes ou Profits, (même exception que ci-dessus) qui seront ou pourront ci-après devenir payables dans notre dite Province du Bas-Canada; Pour avoir, tenir, exercer et

Commission nommant l'honorable John Hale Receveur Général du Patrimoine Royal et des Revenus de la Province du Bas-Canada.

Fiat. Enregistré dans le bureau du gardien des Archives à Québec, le 25e jour de Novembre 1823, dans le septième Régistre des Lettres patentes et Commissions, folio 511. (Signé) La. MONTIZAMBERT, Agissant comme Archiviste Provincial.

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misés aforesaid, unto him the said John Hale during our pleasure, together with all and singular the Salaries, Rights, Profits, Privileges and advantages to the said Office belonging, or in any wise appertaining; provided always that these our Letters Patent are upon this condition, That the said John Hale do and shall actually reside within our said Province of Lower Canada, and do and shall execute the said Office in his own person, except in case of sickness or incapacity: And we do hereby direct, require, and command the said John Hale, from time to time, to keep fair and true accounts, in writing, of all the said Revenues, Duties, Imposts, Penalties, Territorial and Casual Revenues, Fines, Rents or Profits, whereof he is hereby made Receiver General as aforesaid, and to render into our Exchequer, at Westminster, according to the course thereof, an account of, and duly to answer unto us, all monies which he shall have received by virtue of these presents: And we do hereby require and command the proper Auditor or Auditors now and for the time being, to take such accounts of and from our said Receiver General from time to time accordingly; And we do hereby declare our Royal Will and Pleasure to be, that the Receipt or Receipts of the said John Hale, shall be sufficient discharges, from time to time, for any of our Revenues, Duties, Imposts, Penalties, Territorial or Casual Revenues, Fines, Rents or Profits, or the arrears thereof, to the person paying the same. In testimony whereof, we have caused these our Letters to be made Patent, and the Great Seal of our said Province to be hereunto affixed. Witness our trusty and well beloved George Earl of Dalhousie, Knight Grand Cross of the Most Honourable Military Order of the Bath, our Captain General and Governor in Chief, in and over our said Province of Lower Canada, Vice Admiral of the same, &c. &c. &c.

At our Castle of St. Lewis, in our City of Quebec, in our said Province, the Twenty-fifth Day of November, in the Year of our Lord One thousand eight hundred and twenty-three, and in the Fourth Year of our Reign.

(Signed,) D. G.

(Signed,) Ls. MONTIZAMBERT,
Actg. Prov. Sec'y.

I do hereby certify the foregoing to be a true copy of an entry as on Record, in the Registrar's Office of the Records at Quebec, in the 7th Register of Letters Patent and Commissions, Folio 511.

Provincial Secretary's Office,
Quebec, 8th December, 1828.

D. DALY, Sec'y. & Regr.

Quebec, 4th December, 1828.

Sir,

I have the honour to enclose a copy of the Instructions approved by the Lords Commissioners of the Treasury in the year 1813, under which I acted in the Pay-Master General's Department, which I request of you to lay before the Governor in Chief; and I submit to His Excellency's consideration, that in all cases where no other Instructions exist, it will be advisable to adhere to them as nearly as circumstances permit. In the 6th and 7th pages, you will perceive some very pointed injunctions respecting the issue of public money, and the necessity of requiring separate receipts from each person; I therefore beg leave to call your attention to the practice of issuing orders for payment to sundry persons, not named in the Warrant, but in a list annexed thereto, which appears to me to be irregular; I am aware of the intention to cover such payments by subsequent Warrants made payable to the Receiver General himself; but this expedient also is liable to objection: in the first place, it is desirable to avoid obliging a public accountant to carry to account his own receipt as a voucher; but a more serious inconvenience occurs whenever it happens that even a single signature is wanting to the acquittance of a pay-list; namely, that the sum specified in the Warrant then, no longer compounds with the sum paid; and the lists must be made over again to accompany fresh Warrants. By the delays so caused, the payments cannot be carried to public account within the period during which they were made; and in this manner, it appears that a sum amounting to £2500, remains to be accounted for by Mr. Caldwell. I am therefore anxious, in the very commencement of my official

jouer du dit Office de Receveur-Général des Revenus et objets ci-dessus mentionnés, en sa personne lui le dit John Hale, durant notre bon plaisir, avec ensemble tous et chacun des Salaires, Droits, Profits, Privilèges et Avantages appartenant au dit Office de quelque manière que ce soit: Pourvu toujours que nos présentes Lettres Patentes sont sous cette condition, avoir, Que le dit John Hale fait et fera sa résidence actuelle dans notre dite Province du Bas-Canada, exécuté et exécutera le dit office en personne, excepté dans les cas de maladie ou d'incapacité; et nous ordonnons, et requérons et commandons par les présentes que le dit John Hale tienne par écrit de tems à autre des Comptes justes et fidèles de tous les dits Revenus, Droits, Impôts, Péna-lités, Revenu casuel et territorial, Amendes, Rentes et Profits, dont il est par les présentes fait Receveur-Général comme sus-dit, et rende à notre Echiquier, à Westminster, selon le cours d'iceux, un Compte, et nous donne raison de tous les deniers qu'il aura reçus en vertu des présentes; Et nous requérons et commandons l'Auditeur ou les Auditeurs propres actuels et pour le tems d'alors, de prendre tels Comptes de notre dit Receveur-Général, de tems à autre selon les circonstances; et nous déclarons par les présentes que notre volonté et plaisir royal est que la quittance ou les quittances du dit John Hale, seront une décharge suffisante, de tems à autre, pour chacun de nos Revenus, Droits, Impôts, Péna-lités, Revenu casuel et territorial, Amendes, Rentes ou Profits, ou arrérages d'iceux à la personne qui les payera: En foi de quoi nous avons ordonné de rendre Patentes nos présentes Lettres, et d'y appliquer le Grand Sceau de notre dite Province. Témoin notre fidèle et bien amé George, Comte de Dalhousie, Chevalier Grand Croix du Très-Honorable Ordre Militaire du Bain, notre Capitaine Général et Gouverneur en Chef, dans et pour notre dite Province du Bas-Canada, Vice-Amiral d'icelle, &c. &c. &c.

A notre Château St. Louis, dans notre dite Cité de Québec, dans notre dite Province, le vingt-cinquième jour de Novembre, dans l'année de Notre Seigneur mil huit cent vingt-trois, et dans la quatrième année de notre Règne.

(Signé,) D. Gr.

(Signé) Ls. MONTIZAMBERT,
Agissant comme Sec. Provl.

Je certifie par le présent, que ce qui précède est une vraie copie d'une Entrée, telle qu'en révisée dans le Bureau de l'Archivité des Archives à Québec, dans le 7e Régistre des Lettres Patentes et Commissions, folio 511.

Bureau du Secrétaire Provincial,
Québec, 8 Décembre 1828.

D. DALY, Sec. et Reg.

Québec, 4 Décembre 1828.

Monsieur,

J'ai l'honneur de vous faire tenir ci-inclus une Copie des Instructions qui ont été approuvées par les Lords Commissaires de la Trésorerie en l'année mil huit cent treize, en vertu desquels j'agissois dans le Département du Payeur Général, que je vous prie de mettre devant le Gouverneur en Chef; et je sou-mets à la considération de Son Excellence que dans tous les cas où il n'existeroit pas d'autres Instructions, il seroit à propos que l'on s'y conformât, en autant que les circonstances pourront le permettre. Dans le sixième et septième pages vous voudrez bien observer qu'il y a des ordres très précis relativement à la sortie des Deniers Publics, et sur la nécessité qu'il y a d'exiger des Quit-tances de chaque personne séparément. Je prends donc la liberté d'appeler votre attention à l'usage qui se pratique d'expédier des ordres pour faire des payemens à diverses personnes qui ne sont pas nommées dans l'Ordonnance, mais dans une liste qui est annexée, ce qui me paroît irrégulier. Je n'ignore pas que l'on doit ensuite couvrir ces payemens par des Ordonnances subséquentes en faveur du Receveur Général lui-même; mais ce moyen est aussi sujet à difficulté. En premier lieu il seroit à désirer que l'on n'obligeât pas un Comptable Public de porter en compte sa propre Quittance comme une pièce justificative; mais il en résulte encore un plus grave inconvénient lorsque même il arrive qu'une seule signature manque aux Quittances d'un Etat de payemens, c'est-à-dire que la somme spécifiée dans l'Ordonnance ne correspond plus à la somme qui a été payée, et les Etats de payemens doivent être faits de nouveau afin d'accompagner de nouvelles Ordonnances.

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business, to prevent, if possible, the accumulation, or even the existence of any such arrear in bringing up accounts. With this in view, I take the liberty to suggest that it would be more regular to issue separate Warrants for all the small pensions: and I have the less hesitation in proposing this additional trouble to His Excellency, because according to the instructions enclosed, (page 17,) it will not be necessary to issue more than one original Warrant for each payment. In paying the Lists of Artificers occasionally employed by the Civil Government, the same objections exist as in paying the small Pensions; but for these, I propose a very simple remedy; namely, that the Overseer shall receive an accountable Warrant for the whole amount of his Pay-List, and produce the small acquittances of the persons employed to the Inspector General of Public Accounts, who shall certify the same to the Board of Audit.

Par les délais ainsi causés, les payemens ne peuvent pas être portés dans les Comptes Publics dans le période auquel ils ont été faits; et de cette manière il paroît que Mr. Caldwell a à rendre compte d'une somme qui s'élève à deux mille cinq cents livres. Je désire en conséquence dès les premiers commencemens de mon emploi officiel, de prévenir s'il est possible, l'accumulation ou même l'existence de ces arriérés en rédigeant les comptes. Dans cette vue, je prends la liberté de suggérer qu'il ferait plus régulier d'expédier des Ordonnances séparées pour toutes les Pensions modiques; et j'hésite d'autant moins à proposer ce trouble additionnel à Son Excellence, parceque d'après les instructions ci-jointes (page 17,) il ne deviendra pas nécessaire d'expédier plus d'une seule ordonnance pour chaque payement. En payant les Rôles des Ouvriers qui sont employés de tems à autre par le Gouvernement Civil, la même objection se rencontre que lorsque l'on paye les petites Pensions; mais à l'égard de celles-ci, je propose un moyen bien simple, c'est que le conducteur recevra une ordonnance sujette à reddition de compte pour tout le montant de la Paye-List, et il aura à produire les petites quittances des personnes employées, à l'Inspecteur Général des Comptes Publics, qui en donnera un certificat au Bureau de l'Audition.

I have the honour to be,

J'ai l'honneur d'être,

Sir,

Monsieur,

Your most Obedt. Humble Servant,

Votre très-humble et obéissant Serviteur,

(Signed,)

J. HALE,

(Signé,)

J. HALE,

Acting Receiver General.

Faisant Fonction de Receveur Général.

P. S. The amount of Pay-Lists of Artificers now outstanding, is nearly £9000, a most serious circumstance strongly supporting the foregoing representation.

P. S. Le montant des Pay-Lists des Ouvriers maintenant Arriérés, s'élève à près de £9000, circonstance très grave qui est à l'appui de la représentation ci-dessus.

(Signed,)

J. H.

(Signé,)

J. H.

A. W. COCHRAN, Sec'y., &c.

A. W. COCHRAN, Secrétaire, &c.

A true Copy.

Vraie Copie.

C. YORKE, Sec'y.

C. YORKE, Sec.

Extracts from the 6th and 7th pages of the Instructions to the Paymaster General, alluded to in Mr. Hale's Letter of the 4th of December, 1823:

Extraits des sixième et septième pages des Instructions au Payeur Général, auxquelles il est référé dans la Lettre de Mr. Hale du 4 Décembre, 1823.

And for every payment you are to take separate receipts from the person to whom the Warrant authorizes the issue to be made.

Et pour chaque payement vous prendrez des quittances séparées de la personne à la quelle l'ordonnance autorise que le payement soit fait.

You are not, however, to make any payment without a Warrant from such Commander of the Forces, which must invariably distinguish the Christian Names and Surnames, as well as the rank or appointment of every Officer, and the amount to be issued to each respectively.

Vous ne devez, néanmoins, faire aucun payement sans une ordonnance du Commandant des Forces, laquelle dans tous les cas fera mention des noms de Baptême et de Famille, de même que le rang ou la Commission de tout Officier, et le montant qui doit être payé à chacun respectivement.

PROVINCE OF LOWER-CANADA. }

(Signed,) DALHOUSIE, Governor.

PROVINCE DU BAS-CANADA. }

(Signé,) DALHOUSIE, Gouverneur.

Commission appointing Thomas Ainslie Young, Esquire, Auditor General of Public Accounts for the Province of Lower-Canada.

GEORGE THE FOURTH, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith; To all to whom these Presents shall come, or whom the same may concern, GREETING:

Commission nommant Thomas Ainslie Young, Ecuyer, Auditeur Général des Comptes Publics pour la Province du Bas Canada.

GEORGE QUATRE, par la Grace de Dieu, Roi du Royaume Unis de la Grande Bretagne et d'Irlande, Défenseur de la Foi; A tous ceux qui verront ces Présentes ou peuvent y être concerné, SALUT:

Recorded in the Registrar's Office of the Records at Quebec, 31 day of July 1826, in the ninth Register of Letters Patent and Commissions, folio 89.

KNOW YE, That reposing confidence in the Loyalty, Integrity and Ability of our beloved and faithful Thomas Ainslie Young, of the City of Quebec, in our Province of Lower Canada; Esquire: We, of our especial Grace, certain knowledge and mere motion, have constituted and appointed and by these presents do constitute and appoint Thomas Ainslie Young, to be Auditor General of Public Accounts in and for our said Province of Lower Canada; and we do give unto him the said Thomas Ainslie Young, as such Auditor General, full power and authority within our said Province, to examine, state and audit all and every the accounts of the Rents, Revenues, Fines, Escheats, Forfeitures, Duties, Profits, and sums of money whatsoever, which have become and are and which at any time hereafter shall become or be due, payable or accruing unto Us, our Heirs and Successors, in our said Province of Lower Canada, and of and concerning all and every the expenses of the Administration of Justice, and of the Civil Government of our said Province, and all other accounts

Enregistrée dans les Records du Bureau des Régistres à Québec le 31 Jour de Juillet 1826, dans le neuvième Régistré des Lettres Patentes et Commissions, folio 89.

SACHEZ, Que repositant confiance dans la loyauté, intégrité et habileté de notre bien aimé et fidèle Thomas Ainslie Young, Ecuyer, de la Cité de Québec, dans notre Province du Bas Canada, nous avons de pleine volonté, connoissance et intention, constitué et nommé, et par ces Présentes constituons et nommons le dit Thomas Ainslie Young, pour être Auditeur Général des Comptes Publics dans et pour notre dite Province du Bas Canada: Et nous donnons au dit Thomas Ainslie Young, en sa qualité d'Auditeur Général, plein pouvoir et autorité, dans les limites de notre dite Province, d'examiner, d'établir et faire l'Audition de tous et chaque Compte pour Rentes, Revenus, Amendes, Aubaines, Confiscations, Droits, Profits et Sommes d'Argent quelconques, qui peuvent être, sont ou pourront en aucun tems ci-après être dûs, payables ou appartenir tant à nous qu'à nos Héritiers et Successeurs dans notre Province du Bas Canada, et de et concernant toutes et chacune des dépenses de l'Adminstration de la Justice et du Gouvernement Civil de no-

(Signed,) L. MONTIZANBERT, Act. Pro. Secy.

(Signé,) L. MONTIZANBERT, Agist. Sec. Prov.

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which shall from time to time be referred to you by our Governor, Lieutenant Governor, or person administering the Government of our said Province for the time being, for examination and audit previous and preparatorily to the examining and audit, of such accounts by our Executive Council of our said Province, and to report upon the said accounts to our Governor, Lieutenant Governor, or Person administering the Government of our said Province for the time being: To have, hold, exercise and enjoy the said Office of Auditor General of Public Accounts in and for our said Province, with all and every the salary, rights and advantages thereunto appertaining, or which shall or may appertain to the same, for and during our pleasure, subject nevertheless in all things to the power and authority of the Lords Commissioners of the Treasury, or High Lord Treasurer, of Us, our Heirs and Successors for the time being, and to such orders and directions, as the said Thomas Ainslie Young, from time to time receive from them or him, or from our Governor, Lieutenant Governor or Person administering the Government of our said Province for the time being, in Council, or by warrant under his hand and Seal at our Arms. In testimony whereof we have caused these our Letters to be made Patent, and the Great Seal of our said Province of Lower Canada to be hereunto affixed. Witness our trusty and well beloved George, Earl of Dalhousie, Knight Grand Cross of the Most Honorable Military Order of the Bath, Our Captain General and Governor in Chief in and over our said Province of Lower Canada, Vice Admiral of the same, &c. &c. &c. at our Castle of St. Lewis, in our City of Quebec, in our said Province, the third day of July in the year of Our Lord One thousand eight hundred and twenty six, and in the seventh year of our Reign.

tre dite Province, et de tous autres comptes, qui, de tems à autre, pourront vous être référés par notre Gouverneur, Lieutenant Gouverneur ou la Personne ayant alors l'Administration du Gouvernement de notre dite Province, pour les examiner et en faire l'audition, avant que tels comptes soient examinés et l'audition faite par notre Conseil Exécutif de notre dite Province, et faire rapport sur les dits comptes à notre Gouverneur, Lieutenant Gouverneur ou à la Personne ayant alors l'Administration du Gouvernement de notre dite Province: Pour avoir, tenir, exercer et jouir du dit emploi d'Auditeur Général des Comptes Publics dans et pour notre dite Province, ensemble tous et chacun des appointemens, droits et avantages y appartenant, ou qui pourront ou peuvent appartenir audit emploi, pour et durant notre bon plaisir, sujet néanmoins en toutes choses au pouvoir et autorité des Lords Commissaires de la Trésorerie, de nous, nos Héritiers et Successeurs pour le tems d'alors, et à tels ordres et directions que le dit Thomas Ainslie Young recevra, de tems en tems, d'eux ou de l'un d'eux, de ou notre Gouverneur, Lieutenant Gouverneur, ou de la Personne ayant alors l'Administration du Gouvernement de notre dite Province, en Conseil, ou par un Warrant sous son Seing et le Sceau de ses Armes. En foi de quoi nous avons fait émaner nos Lettres et les avons déclarées Lettres Patentes, et y avons fait apposer le Grand Sceau de notre dite Province du Bas Canada. Témoin notre fidèle et bien amé George, Comte de Dalhousie, Chevalier Grand Croix du Très Honorable Ordre Militaire du Bain, Notre Capitaine Général et Gouverneur en Chef dans et sur notre dite Province du Bas Canada, Vice Amiral d'icelle, &c. &c. &c. Donné à notre Château Saint Louis, dans notre Cité de Québec, dans notre dite Province, le troisième Jour de Juillet, en l'Année de notre Seigneur Mil huit cent vingt six, et dans la Septième Année de Notre Règne.

(Signed,)

D.
G.

(Signé,)

D.
G.

(Signed,)

Ls. MONTIZAMBERT,
Actg. Pro. Sec'y.

(Signé,)

Ls. MONTIZAMBERT,
Agist. Secr. Pro.

I do hereby certify the foregoing to be a true Copy of an Entry as on record in the Registrar's Office of the Records at Quebec, in the ninth Register of Letters Patent and Commissions, folio 89.

Je certifie par la présente que l'extrait susdit est une vraie Copie d'une Entrée telle que de record, dans le Bureau des Régîtres à Québec, dans le Régître des Commissions et Lettres Patentes, No. 9, folio 89.

Provincial Secretary's Office,
Quebec, 8th December 1828. }

D. DALY,
Sec'y. & Regr.

Bureau du Secrétaire de la Province,
Québec, 8 Décembre 1828.

D. DALY,
Sec. et Arch.

By His Excellency George Earl of Dalhousie, Baron Dalhousie of Dalhousie Castle, Knight Grand Cross of the Most Honorable Military Order of the Bath, Captain General and Governor in Chief in and over His Majesty's Provinces of Upper and Lower Canada, &c. &c. &c.

Par Son Excellence George Comte de Dalhousie, du Château Dalhousie, Chevalier Grand Croix du Très Honorable Ordre Militaire du Bain, Capitaine Général et Gouverneur en Chef dans et sur les Provinces de Sa Majesté du Haut et Bas Canada; &c. &c. &c.

To

Thomas Ainslie Young, Esquire, Auditor General of Public Provincial Accounts.

A

Thomas Ainslie Young, Ecuyer, Auditeur Général des Comptes Publics Provinciaux.

In the execution of your duties as Auditor General of Public Provincial Accounts, you are to be governed by the following Instructions:

Dans l'exécution de vos devoirs comme Auditeur Général des de la Province, vous devez vous guider d'après les instructions suivantes:

1st. When the Inspector General of Public Provincial Accounts under the instructions given this day to him, shall transmit to you Public Accounts that have been examined by him (with or without his remarks, and the explanations of the Accountants, as the case may be) you are to report on such Accounts to the Committee of the whole Executive Council, and to transmit your Report to the Office of the Clerk of the Executive Council, and when any remarks shall have been made thereon by the Inspector, you are to notice the circumstance in your Report with such observations as the case may seem to require.

1er. Lorsque l'Inspecteur Général des Comptes Publics de la Province, en vertu des instructions qui lui ont été données ce jour, vous transmettra des Comptes Publics qu'il aura examinés, (avec ou sans ses observations et les explications des Comptables, suivant le cas,) vous ferez un Rapport sur ses Comptes à tout le Conseil Exécutif, et quand il aura été fait des remarques sur les dits Comptes par l'Inspecteur, vous ferez mention de cette circonstance dans votre Rapport, avec telles autres observations que le cas pourra sembler le requérir.

2d. You are at all times to have free access for your information and guidance, to the Reports of the Committee of the whole Council on matters of Accounts when approved of by the Governor, which are to be kept by the Clerk of the Council in a separate Book from Reports on other matters.

2e. Vous devez en tout tems avoir accès à l'effet de prendre des informations et de diriger votre conduite, aux Rapports du Comité de tout le Conseil en matières de Comptes, lorsqu'ils auront été approuvés par le Gouverneur, lesquels doivent être tenus par le Greffier du Conseil dans un Régître séparément des Rapports sur d'autres matières.

3d. All Accounts, Papers and Documents after being reported on by you, shall remain in your custody for safe keeping and reference, as well of the Council as of the Inspector.

3e. Tous Comptes, Papiers et Documents sur lesquelles vous aurez fait rapport, demeureront ensuite sous votre garde, pour que vous les teniez en Dépôt, et afin que le Conseil de même que l'Inspecteur puisse y référer.

4th. Individuals whose Accounts may be suspended, or from whose Accounts any deductions shall be made, are to be furnished by you with certified extracts from such Reports as relate to their interests.

4e. Les individus dont les Comptes peuvent être suspendus, ou sur lesquels il pourra avoir été fait des déductions, auront droit de vous demander et d'exiger des extraits certifiés de tels Rapports en autant que la affecte leurs intérêts.

5th. You are to revise when called upon to do so, all statements of Public

5e. Vous devez réviser, lorsque vous en serez requis, tous les Tableaux des

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Public Accounts which shall be made out by the Inspector General, either for the Legislature or Public Departments.

6th. If you shall except to any article in an Account, you are to state the authority or grounds on which it is disallowed, and also the precise sum which is objected to.

7th. When you overrule an objection made by the Inspector General, you shall in like manner state the authority or grounds on which you formed your opinion.

Castle of St. Lewis,
Quebec, 20th December 1826.

(Signed) DALHOUSIE.

By His Excellency's command.

(Signed) A. W. COCHRAN, Sec'y.

A True Copy.
C. YORKE, Sec'y.

PROVINCE OF
LOWER-CANADA. }

Commission appointing Joseph Cary, Esquire, Inspector General of Public Provincial Accounts for the Province of Lower Canada.

Fiat.
Recorded in the Registrar's Office of the Records at Quebec, the 3d day of July 1826, in the ninth Register of Letters Patent and Commissions, folio 91.

(Signed,) Ls. MONTIZAMBERT, Actg. Pro. Sec'y.

His Excellency George Earl of Dalhousie, Knight Grand Cross of the Most Honorable Military Order of the Bath, Captain General and Governor in Chief, in and over the Province of Lower Canada, Vice Admiral of the same, &c. &c. &c.
To Joseph Cary, Esquire, GREETING :
Reposing especial trust and confidence in your knowledge, diligence and integrity : I do by these presents constitute and appoint you the said Joseph Cary, to be Inspector General of Public Provincial Accounts for the Province of Lower Canada, during pleasure ; to do and fulfil all such business as appertaineth to the said Office, subject to such orders and directions as you shall from time to time receive from the Right Honorable the Lords Commissioners of His Majesty's Treasury, or the Governor, Lieutenant Governor or Person administering the Government of this Province for the time being.

Given under my Hand and Seal at Arms, at the Castle of St. Lewis, in the City of Quebec, the third day of July, in the year of Our Lord One thousand eight hundred and twenty six, and in the seventh year of His Majesty's Reign.

(Signed,) DALHOUSIE, Governor.

By His Excellency's Command,

(Signed,) Ls. MONTIZAMBERT, Actg. Pro. Sec'y.

I do hereby certify the foregoing to be a true Copy of an Entry as on Record in the Registrar's Office of the Records at Quebec, in the ninth Register of Letters Patent and Commissions, folio 91.

Provincial Secretary's Office,
Quebec, 8th December 1826.

D. DALY, Secy. & Regr.

BY HIS EXCELLENCY

George Earl of Dalhousie, Baron Dalhousie of Dalhousie Castle, Knight Grand Cross of the Most Honorable Military Order of the Bath, Captain General and Governor in Chief in and over the Provinces of Upper and Lower Canada, &c. &c. &c.

To Joseph Cary, Esquire, Inspector General of Public Provincial Accounts.

You are to be governed in the execution of your duties as Inspector General of Public Provincial Accounts, by the following additional instructions :

des Comptes Publics qui seront préparés par l'Inspecteur Général, soit pour la Législature ou pour les Départemens Publics.

6. Si vous exceptez à quelque item dans un Compte, vous devez citer l'autorité ou les principes d'après lesquels il est retranché, et aussi la somme précise à laquelle il y a objection.

7. Lorsque vous mettez au néant quelque objection faite de la part de l'Inspecteur Général, vous citerez pareillement l'autorité ou les raisons sur lesquelles vous fondez votre opinion.

Château Saint-Louis,
Québec, 20 Décembre 1826.

(Signé) DALHOUSIE.

Par Ordre de Son Excellence.

(Signé) A. W. COCHRAN, Sec.

Pour Vraie Copie.
C. YORKE, Sec.

PROVINCE DU
BAS-CANADA. }

Commission qui nomme Joseph Cary, Ecuyer, Inspecteur Général des Comptes Publics Provinciaux de la Province du Bas Canada.

Fiat.
Enregistrée dans les Records du Bureau des Régistres à Québec, le troisième jour de Juillet 1826, dans le neuvième Régistre des Lettres Patentes et Commissions, folio 91.

(Signé,) Ls. MONTIZAMBERT, Agist. Sec. Pro.

Son Excellence George, Comte de Dalhousie, Chevalier Grande-Croix du Très-Honorable Ordre Militaire du Bain, Capitaine Général et Gouverneur en Chef dans et sur la Province du Bas-Canada, Vice-Amiral d'icelle, &c. &c. &c.
A Joseph Cary, Ecuyer, SALUT :
Reposant pleine et entière confiance dans votre foy, diligence et intégrité, Je vous constitue et nomme par ces présentes, vous, le dite Joseph Cary, pour être Inspecteur Général des Comptes Publics Provinciaux de la Province du Bas-Canada, durant bon plaisir, et en cette qualité faire et remplir toutes les affaires qui ont rapport audit emploi, sujet à tels ordres et directions que vous recevrez, de tems à autre, des Très-Honorables Lords Commissaires de la Trésorerie de Sa Majesté, ou du Gouverneur, Lieutenant Gouverneur ou de la Personne ayant alors l'Administration du Gouvernement de cette Province.

Donné sous mon Seing et le Sceau de mes Armes, au Château Saint-Louis, dans la Cité de Québec, le troisième jour de Juillet, en l'année de notre Seigneur Mil huit cent vingt six, et dans la septième année du Règne de Sa Majesté.

(Signé,) DALHOUSIE, Gouverneur.

Par Ordre de Son Excellence,

Ls. MONTIZAMBERT, Agis. Sec. Pro.

Je certifie, par le présent, que l'extrait susdit est une vraie copie d'une entrée, tel que de record dans le Régistre des Commissions et Lettres Patentes, No. 9, folio 91.

Bureau du Secrétaire de la Province,
Québec, 8 Décembre 1826.

D. DALY, Agist. Secr. Pro.

PAR SON EXCELLENCE

George Comte de Dalhousie, Baron Dalhousie, du Château Dalhousie, Chevalier Grande-Croix du Très-Honorable Ordre Militaire du Bain, Capitaine Général, et Gouverneur en-Chief des Provinces du Haut et du Bas-Canada, &c. &c. &c.

A Joseph Cary, Ecuyer, Inspecteur Général des Comptes Publics de la Province.

Les instructions additionnelles qui suivent vous guideront dans l'exécution de vos devoirs comme Inspecteur Général des Comptes Publics de la Province :—

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1st. All accounts are to be sent to you in future by the Public Accountants instead of passing as heretofore through the Office of the Civil Secretary.

2dly. You are as formerly to make such remarks as occur to you to be necessary and to transmit them to the accountant for explanation.

3dly. So soon as the explanation is received, you are to transmit the accounts (either with remarks and explanations or without them, as the case may be,) to the Auditor General of Public Accounts, adding the words "examined" and "with remarks" (if any there be,) as has been heretofore practised.

4thly. You are as heretofore to countersign all Warrants which shall be recommended by the Committee of Council to be issued previous to their being transmitted by the Clerk of the Council to the Civil Secretary for the signature of the Governor.

5thly. You are at all times to have free access for your information and guidance to all Reports on matters of accounts that have been approved of by the Governor, which are to be kept by the Clerk of the Council in a separate Book from Reports on other matters.

6thly. All accounts, papers and documents after being reported upon by the Auditor General, shall remain in his custody, but you are to have free access and reference thereto at all times.

7thly. You are to make out all statements of Public Accounts, as well as those required for the Legislature as for Public Departments, subject to the revision of the Auditor General, and the subsequent Report of the Executive Council, if specially referred.

8thly. If you shall except to any article in an account, you are to state the authority on which it is disallowed, and also the precise sum that is objected to.

Quebec, 20th December, 1826.

(Signed) DALHOUSIE.

By His Excellency's Command.

(Signed) A. W. COCHRAN, Sec'y.

A true Copy.

C. YORKE, Sec'y.

REPORT.

To His Excellency the Earl of Dalhousie, G. C. B. Captain General and Governor in Chief of the Province of Lower Canada.

Report of a Committee of the whole Council: Present, the Honorable Mr. Justice Kerr, in the Chair. Mr. Perceval, Mr. Perrault, Mr. Hale, Mr. De Léry and Mr. Stewart, on your Excellency's reference of proposed regulations for conducting the business of the Offices of the Auditor General and Inspector General of Public Accounts.

May it please your Lordship,

The attention of the Committee having been called to this important subject by Mr. Secretary Cochran's letter of the 24th November last, they have the honor of submitting the result of their deliberations.

They respectfully conceive that should the following regulations receive the sanction of your Excellency, they would tend to limit and define the extent of the duties of the Auditor General, as well as those of other Officers connected with the Audit of the Public Accounts, and greatly simplify that part of the public service.

REGULATIONS.

1st. All Accounts to be sent to the Inspector General of Public Provincial Accounts.

2d. The Inspector General to make his remarks (if any) and transmit them to the Accountant for explanation.

3d. So soon as the explanation is received, the Inspector to transmit the Accounts either with remarks and explanation or without them (as the case may be) to the Auditor General, adding the words "examined and with remarks" as has been heretofore practised.

4th. The Auditor General shall report on the Accounts to the Committee of the whole Executive Council, and transmit the Report to the Office of the Clerk of the Council, and when any remarks shall have been made thereon by the Inspector, he shall notice this circumstance in his Report.

5th. When the Committee shall have reported on the Auditor General's Report, their Report shall be transmitted by the Clerk of the Council, to be laid before the Governor.

6th. When the Report of the Committee shall have been approved by His Excellency, the Civil Secretary shall return it to the Clerk of the Council, who shall thereupon make out such Warrants as may be therein recommended to be issued, which he shall, after they are countersigned by the Inspector, transmit to the Civil Secretary, for His Excellency's signature.

7th. That all Reports on matters of Accounts when approved of by the Governor, shall be kept by the Clerk of the Council in a separate Book from Reports on State matters, to which the Auditor and Inspector shall at all times have access for their information and guidance.

8th.

1^o—Tous les Comptes vous seront envoyés, à l'avenir, par les Comptables Publics, au lieu de passer comme ci-devant par le Bureau du Secrétaire Civil.

2^o—Vous ferez comme ci-devant les remarques qui pourront vous paroître nécessaires, et vous les transmettez au Comptable Public afin d'obtenir son explication.

3^o—Aussitôt que l'explication vous aura été donnée, vous transmettez les comptes (soit avec ou sans remarques et explications selon qu'il sera nécessaire) à l'Auditeur Général des Comptes Publics, ajoutant ces mots "examinés" et "avec remarques," (s'il y en a) comme il a été pratiqué ci-devant.

4^o—Vous countersignerez toutes les ordonnances qui émaneront sur la recommandation du Comité du Conseil avant qu'elles soient transmises par le Greffier, au Secrétaire Civil pour la signature de Gouverneur.

5^o—Vous aurez accès en tous tems, pour votre information et pour vous guider, à tous les rapports sur des matières de comptes qui ont été approuvés par le Gouverneur, et qui doivent être tenus par le Greffier du Conseil dans un autre livre que celui des rapports sur d'autres matières.

6^o—Tous les comptes, papiers et documens resteront en la garde de l'Auditeur Général après qu'il aura fait son rapport sur iceux, mais vous y aurez un libre accès et vous y pourrez recourir en tous tems.

7^o—Vous ferez tous les Etats des Comptes Publics, tant ceux pour la Législature que ceux pour les Départemens Publics, sujets à la révision de l'Auditeur Général et du Rapport subséquent du Conseil Exécutif s'ils lui sont spécialement référés.

8^o—Lorsque vous objecterez à quelque article d'un compte, vous spécifierez la raison pour laquelle il n'est pas admis et la somme précise à laquelle vous objectez.

Québec, 20 décembre 1826.

(signé) DALHOUSIE

Par ordre de Son Excellence.

(signé) A. W. COCHRAN, Sec.

Vraie copie.

C. YORKE, Secr.

RAPPORT.

A Son Excellence le Comte de Dalhousie, G. C. B. Capitaine Général et Gouverneur en Chef de la Province du Bas-Canada.

Rapport d'un Comité de tout le Conseil: Présens, l'Honorable Mr. le Juge Kerr au Fauteuil. Mr. Perceval, Mr. Perrault, Mr. Hale, Mr. De Léry et Mr. Stewart; sur la référence de votre Excellence au sujet des Réglemens proposés pour la conduite des affaires des Offices de l'Auditeur Général et de l'Inspecteur Général des Comptes Publics.

Qu'il plaise à votre Seigneurie.

L'attention du Comité ayant été appelé à la considération de ce sujet important par la lettre de Mr. le Secrétaire Cochran, en date du vingt-quatrième Novembre dernier, il a l'honneur de soumettre le résultat de ses délibérations.

Il conçoit respectueusement que si les Réglemens qui suivent reçoivent l'approbation de Votre Excellence, ils tendraient à limiter et définir l'étendue des devoirs de l'Auditeur Général, de même que ceux des autres Officiers qui se trouvent liés avec l'audition des Comptes Publics, et que cela simplifierait beaucoup cette partie du service public.

REGLEMENS.

1er. Tous Comptes seront envoyés à l'Inspecteur Général des Comptes Publics de la Province.

2e. L'Inspecteur Général fera ses remarques (s'il y en a) et les transmettra au Comptable pour explication.

3e. Dès que l'explication aura été reçue, l'Inspecteur transmettra les Comptes soit avec les remarques et les explications, ou sans elles (ainsi que le cas peut être) à l'Auditeur Général, y ajoutant les mots, "examinés et avec remarques," comme il a été pratiqué ci-devant.

4e. L'Auditeur Général, sur ces Comptes, fera un Rapport au Comité de tout le Conseil Exécutif, et le transmettra au Bureau du Greffier du Conseil, et lorsque l'Inspecteur Général y aura fait des remarques, il fera mention de cette circonstance dans son Rapport.

5e. Lorsque le Comité aura fait rapport sur le Rapport de l'Auditeur Général, le Rapport du Comité sera transmis par le Greffier du Conseil pour être soumis devant le Gouverneur.

6e. Lorsque le Rapport du Comité aura été approuvé par Son Excellence, le Secrétaire Civil le remettra au Greffier du Conseil, qui, sur ce, préparera telles Ordonnances dont le Rapport recommande l'émanation, et lesquelles, après qu'elles auront été countersignées par l'Inspecteur, seront par lui transmises au Secrétaire Civil pour recevoir la signature de Son Excellence.

7e. Que tous Rapports sur des matières de Comptes, lorsqu'ils auront été approuvés par le Gouverneur, seront entrés dans un Régistre séparé des Rapports sur des affaires d'état, et auxquels l'Auditeur et l'Inspecteur auront pour leur information et pour se guider en tout tems un libre accès.

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8th. That the Clerk of the Council shall lay before the Committee, at their several meetings, a list of all matters as well of State as of Accounts which have been referred to them, and are yet unreported upon either in whole or in part, together with the several dates at which they were referred.

9th. All Accounts, Papers and Documents, after being reported upon by the Auditor, shall remain in his custody for safe keeping and reference, as well of the Council as of the Inspector.

10th. That individuals whose Accounts may be suspended, or from which any deduction shall be made, shall be furnished by the Auditor General with certified extracts of such Reports as relate to their interests.

11th. The Inspector General to make out all statements of Public Accounts, as well those required for the Legislature as for Public Departments, subject to the revision of the Auditor General, and the subsequent Report of the Executive Council.

12th. That if the Auditor or Inspector shall except to any article in an Account, he shall state the authority on which it is disallowed, and also the precise sum which is objected to.

Lastly. That when the Auditor overrules an objection made by the Inspector, he shall in like manner state the authority on which he founds his opinion.

In laying these Regulations before your Excellency for approbation, the Committee beg leave to state their reasons for presuming on some points to differ with your Excellency.

And first, as to the mode of referring the Public Accounts to the Auditor General, as proposed by your Excellency, the Committee have the honor to observe: That these in the first instance have been hitherto addressed to the Governor's Secretary, by whom they have been referred for Audit, and inasmuch as it is desirable that it should be known at the Secretary's Office, what Accounts have passed through it, and in what stage of examination they remain, the Committee cannot recommend this course to be changed, more especially as they consider the Auditor and Inspector General to be acting under different instructions.

Secondly. In so far as respects the making out of the warrants, the Committee are induced to recommend that the Clerk of the Council should prepare all warrants whether of an accountable nature or not, in preference to their being made out at different Offices, as the whole proceedings in respect of them will be seen at one place without trouble.

They are also induced to suggest that the warrants should be so prepared by the Clerk of the Council, for by such course and the countersigning of the warrant by the Inspector, the public service will not be deprived of the salutary check now established, of having the warrants pass through two hands.

The Committee have only to call your Excellency's attention to the expediency of having an analytical index prepared of the authorities under which the various charges by the Public Accountants are sanctioned for the purpose of preserving, as far as possible, uniformity in the Audit of Public Accounts.

All which is respectfully submitted to your Lordship's wisdom.

By Order,
(Signed) J. KERR, Chairman.
Council Chambers,
5th December 1826.
Examined and certified.
H. W. RYLAND,

Castle of Saint Lewis,
Quebec, 24th November, 1826.

Sir,

I am directed by His Excellency the Governor, to request that you will lay before the Committee of the Executive Council, for their consideration and report thereon, the enclosed paper signed by the Auditor General of Public Accounts, contained proposed regulations for conducting the duties of his Office; and also the other draught, herewith likewise inclosed, of regulations for that Office.

I have the honor to be,

Sir,

Your most obedient

Humble Servant.

(Signed,) A. W. COCHRAN,
Secretary.

The Honorable
Judge Kerr.
Examined and certified.
H. W. RYLAND.

Proposed Regulations for the Office of Auditor General of Public Accounts, submitted to His Excellency the Earl of Dalhousie, G. C. B., Captain General and Governor in Chief, &c. &c. &c.

1st. All accounts to be referred to the Auditor General for his report

8e. Que le Greffier du Conseil mettra devant le Comité lors de ses diverses Assemblées un état de toutes les affaires, tant de celles qui ont rapport à l'Etat qu'aux Comptes qui leur ont été référés, et sur lesquelles il n'y a pas encore été fait rapport, soit en tout ou en partie, avec les dates où elles ont été référées.

9e. Tous les Comptes, Papiers et Documents au sujet desquels l'Auditeur aura fait rapport, demeureront sous sa garde et dépôt, afin que les Comptes de même que l'Inspecteur puissent y référer.

10e. Que les individus dont les Comptes auront été suspendus, ou desquels il aura été fait des déductions, auront droit d'avoir et d'obtenir de l'Auditeur Général des extraits certifiés de tels Rapports en ce qui regarde leurs intérêts.

11e. L'Inspecteur Général préparera tous les Tableaux des Comptes Publics, tant ceux qui seront nécessaires pour la Législature que pour les Départemens Publics, sujets à la revision qu'en fera l'Auditeur Général et le Rapport subséquent du Conseil Exécutif.

12e. Si l'Auditeur ou l'Inspecteur excepte à quelque item dans un Compte, il fera mention de l'autorité en vertu de laquelle la somme n'est pas admise, et aussi la somme précise à laquelle il est fait objection.

Enfin, lorsque l'Auditeur mettra au néant une objection qui aura été faite par l'Inspecteur, il mentionnera de la même manière l'autorité sur laquelle il aura fondé son opinion.

En soumettant ces Règlements à votre Excellence pour son approbation, le Comité prend la liberté de donner les motifs qui le font présumer de différer d'opinion à votre Excellence sur quelques points.

Et premièrement, quant à la manière de référer les Comptes à l'Auditeur Général tel qu'il est proposé par votre Excellence, votre Comité a l'honneur d'observer, qu'ils ont été jusqu'ici en premier lieu adressés au Secrétaire Civil du Gouverneur, par lequel ils étaient référés à l'Audition; et comme il est à désirer qu'il fut connu au Bureau du Secrétaire Civil quels sont les Comptes qui y sont passés, et à quel étage de leur examen ils se trouvent être, le Comité ne peut pas recommander que cette méthode soit changée, d'autant plus qu'il considère l'Auditeur Général et l'Inspecteur Général comme agissant sous des instructions différentes.

Deuxièmement. En ce qui a rapport à la préparation des Ordonnances, le Comité est porté à recommander que le Greffier du Conseil devrait préparer toutes les Ordonnances, soit qu'elles soient sujettes à reddition de compte ou non, au lieu d'être préparées dans différens Bureaux, en autant que toutes les procédures qui y ont rapport pourraient se voir dans un seul endroit et sans peine.

Il est aussi porté à suggérer que les Ordonnances fussent préparées par le Greffier du Conseil, car par ce moyen et en faisant contresigner l'Ordonnance par l'Inspecteur, le service public ne sera pas privé du contrôle salutaire qui existe actuellement, qui est de faire passer les Ordonnances par deux mains différentes.

Il ne reste au Comité que d'appeler l'attention de Votre Excellence sur la nécessité qu'il y a d'avoir une table analytique, laquelle devrait être rédigée par les autorités sous lesquelles les diverses dépenses des Comptables Publics sont sanctionnées, dans la vue de conserver autant qu'il est possible l'uniformité dans l'Audition des Comptes Publics.

Le tout néanmoins respectueusement soumis à la sagesse de Votre Seigneurie.

Par Ordre,
(Signé) J. KERR, Président.
Chambre du Conseil,
5 Décembre 1826.
Examined et certifié.
H. W. RYLAND.

Château St. Louis,
Quebec, 24 novembre 1826.

Monsieur,

J'ai reçu ordre de Son Excellence de vous requérir de mettre devant le Comité du Conseil Exécutif, pour qu'il le considère et fasse rapport sur icelui, le papier ci-joint signé par l'Auditeur Général des Comptes Publics, contenant des réglemens proposés pour la conduite des devoirs de son Bureau; et aussi un autre projet, ci-joint pareillement, des réglemens pour ce Bureau.

J'ai l'honneur d'être

Monsieur,

votre très humble

et très-obéissant serviteur,

(signé) A. W. COCHRAN,
Secrétaire

L'honorable
Juge Kerr
Examined et certifié
H. W. RYLAND.

Règlements proposés pour le Bureau de l'Auditeur Général des Comptes Publics, soumis à Son Excellence le Comte de Dalhousie, G. C. B. Capitaine Général et Gouverneur-en-Chef, &c. &c. &c.

1^o. Tous les Comptes seront renvoyés, pour qu'il fasse son rapport

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port thereon, who is to be responsible for the safe keeping of the Vouchers accompanying the same.

2d. When the Auditor General shall report to the Governor, that an account is correct, and shall therein recommend that a Warrant do issue for the amount, the Warrant is to be made out and transmitted along with the Report for His Excellency's determination thereon. But in cases where it appears that there are doubts of the correctness of the charges, the Warrants are not to be made out before the Auditor General's Report shall be referred to a Committee of the whole Council, nor until the Council shall have submitted their recommendation thereon to the Governor, it being clearly understood that the Auditor General shall be held responsible, that no Warrants are issued for new charges, or for any which may be at variance with the Governor's.

3d. In every case where the Committee of Council shall consider it requisite to refer to the Accounts and Vouchers, the Auditor General shall lay them before the Committee for their information, and receive them back when the Council rises.

4th. All Warrants to be countersigned in future by the Auditor General who is to keep a Warrant Book as is now done by the Inspector, and open regular accounts of accountable Warrants, charging them to the proper head of expense. That part of the Inspector's instructions which relate to his countersigning Warrants, to be cancelled, and the Warrant Books at present in his office to be lodged in the Audit Office.

5th. The Inspector General to have access at all times to the Books of Record in the Audit Office, but not to take them away. The Inspector also to have access to the papers of the Office, upon making application to the Auditor General for the same.

6th. The Auditor General to make out all statements of accounts, as well those required by the Legislature as those for the Province of Upper Canada.

7th. That individuals interested may have due communication of the Reports affecting them, the Auditor General is to transmit to certified extracts of his Report for the purpose of being transmitted to the persons concerned.

To enable the Auditor General to carry on the duties of his Office with the regularity and uniformity of practice which must be equally desirable to all public accountants and advantageous to the King's Government, he ought to have free access to every Record in the Office of the Executive Council, which relates to the accounts, with the privilege of making such extracts therefrom as may be requisite to determine the principle upon which the different accounts have heretofore been audited, and the practice founded upon those principles which has been observed by the different Committees who from time to time have reported upon the Public Accounts,

Quebec, 18th November, 1826.

(Signed)

T. A. YOUNG,

Auditor General.

Examined and certified,
H. W. RYLAND.

(2nd Draft.)

PROPOSED REGULATIONS FOR THE OFFICE OF
AUDITOR GENERAL OF PUBLIC ACCOUNTS.

1st. All Public Accounts to be addressed to the Auditor General of Public Accounts at Quebec. The Auditor General will refer each, in the first instance, to the examination of the Inspector General, who will return them with his observations and remarks. The Auditor General will then also examine them and lay them with his objections or recommendation thereupon before a Committee of the Executive Council for final decision.

The Auditor General is to be held responsible for the safe keeping of the Vouchers of all accounts.

2nd. When the Auditor General shall report to the Governor or the Committee of Council, that an account is correct, he will affix his recommendation, by the word "recommended," when further approved by a Report of Council, and the papers returned to the Office of Auditor General, it shall then be the duty of the Auditor General to make out the Warrant, and he shall be held responsible that no Warrants are issued for new charges or for any which may be at variance with the Report of the Committee of Council.

3rd. All accounts are to accompany the Report of the Auditor General to the Committee of Council, and when the Inspector General, shall have made any observations or objection on any account, these also are to accompany the papers sent up by the Auditor General. When Vouchers are required they will be produced on demand by the Auditor General to the Committee of Council.

4th. All Warrants are in future to be countersigned by the Auditor General who is to keep the Warrant Book, and open regular accounts of accountable Warrants, charging them to the proper head of expense; that part of the instructions to the Inspector General relating to his countersigning Warrants, is hereby cancelled, and the Warrant Book now in his office to be transferred to the Auditor General. The Inspector General to have access at all times to the Books of Record in the Audit Office: in short it is to be clearly understood that the duties of these two Officers are so intimately connected that they must have at all times mutual reference as the case may require.

5th.

port sur iceux, à l'Auditeur Général qui sera responsable de la garde sûre des pièces justificatives qui les accompagneront.

2°. Lorsque l'Auditeur Général rapportera au Gouverneur qu'un compte est correct et qu'il recommandera d'émaner une ordonnance pour le montant, l'ordonnance sera dressée et transmise avec le rapport pour la détermination de Son Excellence sur icelle; mais dans les cas où il paraîtra qu'il existe des doutes sur l'exactitude des articles portés en compte, les ordonnances ne devront pas être faites avant que le Rapport de l'Auditeur Général ait été renvoyé à un Comité de tout le Conseil, ni jusqu'à ce que le Conseil ait soumis au Gouverneur sa recommandation sur icelui, étant clairement entendu que l'Auditeur Général sera tenu responsable de ce qu'il ne soit expédié aucune nouvelle ordonnance pour de nouveaux articles de dépense, ni qui diffère de celles du Gouverneur.

3°. Dans tous les cas où le Comité du Conseil, considérera nécessaire le renvoi des comptes et des pièces justificatives, il sera du devoir de l'Auditeur Général de les mettre devant le Comité pour son information; et il les reprendra lorsque le Conseil aura levé sa séance.

4°. Toutes les ordonnances devront être contre signées à l'avenir par l'Auditeur Général, qui tiendra un livre d'ordonnances de la même manière que le fait maintenant l'Inspecteur, et ouvrira les comptes réguliers des ordonnances sujettes à comptabilité, les portant sous le chapitre de dépense convenable. La partie des instructions de l'Inspecteur qui lui enjoint de countersigner les ordonnances sera rayée, et le livre des ordonnances maintenant tenu dans son bureau sera transporté dans le Bureau de l'Audition.

5°. L'Inspecteur Général aura en tout temps accès au livre des Archives dans le Bureau de l'Audition, mais ne les emportera pas. L'Inspecteur devant aussi avoir accès aux papiers du Bureau en faisant application à cette fin à l'Auditeur Général.

6°. L'Auditeur Général fera tous les Etats de Comptes, tant ceux demandés par la Législature que ceux pour la Province du Haut-Canada.

7°. Afin que les individus intéressés puisse avoir une due communication des rapports qui les concerneront, l'Auditeur Général transmettra des extraits certifiés de ses rapports pour qu'ils soient transmis aux parties intéressées.

Pour mettre l'Auditeur Général en état d'exécuter les devoirs de son office avec cette régularité et cette uniformité de pratique, qui doivent être également à désirer pour tous les Comptables Publics, et avantageuses au Gouvernement du Roi, il doit avoir libre accès à toutes les archives du Bureau du Conseil Exécutif qui ont rapport aux Comptes, avec le privilège d'en faire tels extraits qui pourront être nécessaires pour déterminer les principes sur lesquels les différents comptes ont été ci-devant ouïs, et la pratique qui d'après ces principes a été suivie par les divers comités qui de temps à autre ont fait rapport sur les Comptes Publics.

Québec, 18 novembre 1826.

(signé)

T. A. YOUNG,

Auditeur Général.

Examiné et certifié.

H. W. RYLAND.

(2me Projet.)

REGLEMENS PROPOSE'S POUR LE BUREAU DE L'AUDITEUR
GENERAL DES COMPTES PUBLICS.

1°. Tous les Comptes Publics seront adressés à l'Auditeur Général des Comptes Publics à Québec. L'Auditeur Général les renverra tous d'abord à l'examen de l'Inspecteur Général qui les rapportera avec ses observations et ses remarques. L'Auditeur Général les examinera aussi et les mettra avec ses objections ou sa recommandation devant un Comité du Conseil Exécutif pour décision finale.

L'Auditeur Général sera tenu responsable de garde sûre de toutes les pièces justificatives de tous les comptes.

2°. Lorsque l'Auditeur Général rapportera au Gouverneur, ou au Comité du Conseil, qu'un compte est incorrect, il y signifiera sa recommandation par le mot "recommended" (recommandé); lorsque ces comptes auront été ultérieurement approuvés par un rapport du Conseil, et que les papiers auront été renvoyés au Bureau de l'Auditeur Général, il sera alors du devoir de l'Auditeur Général d'expédier l'ordonnance, et il répondra de ce qu'il ne soit émané aucune ordonnance pour de nouveaux articles de dépense, ni qui soit contraire au rapport du Comité du Conseil.

3°. Tous les comptes devant accompagner le Rapport de l'Auditeur Général au Comité du Conseil, lorsque l'Inspecteur Général aura fait quelques remarques ou objections sur quelque compte; celle-ci devront aussi accompagner les papiers envoyés par l'Auditeur Général; lorsqu'il y aura besoin de pièces justificatives, l'Auditeur Général les produira au Comité du Conseil, à sa demande.

4°. Toutes les ordonnances seront à l'avenir countersignées par l'Auditeur Général qui devra tenir un livre d'ordonnances, et ouvrir des comptes réguliers des ordonnances sujettes à comptabilité, les portant sous le chapitre propre de dépense. La partie des instructions de l'Inspecteur Général qui lui enjoint de countersigner les ordonnances est par le présent rayée, et le livre des ordonnances maintenant tenu dans son bureau sera transporté dans celui de l'Auditeur Général. L'Inspecteur Général devant avoir accès en tout temps aux livres des archives dans le Bureau de l'Auditeur; en un mot il doit être clairement entendu que les devoirs de ces deux officiers sont si intimement liés qu'ils doivent avoir en tous temps une communication mutuelle, selon que le cas pourra le requérir.

5°.

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5th. The Auditor General to make out all statements of accounts for the Legislature, or other Public Departments of Government, and these are to have the signature of both Auditor and Inspector General.

6th. That accountants may have due communication of the Reports on their accounts, the Auditor General is to transmit to them certified extracts of the decision of the Committee of Council upon the account.

7th. To enable the Auditor General to carry on the duties of his office, he may have free access to all the Records in the Executive Council relating to accounts, with permission to make extracts as may be requisite to establish the principle on which a decision has in any case been made.

Examined and certified,

H. W. RYLAND.

Castle of Saint Lewis,

Quebec, 14th December, 1826.

Sir,

I am directed by His Excellency the Governor in Chief to return you herewith the Report of the Committee of the whole Council of the 5th instant, on the proposed Regulations for conducting the business of the Offices of the Auditor and Inspector General of Public Provincial Accounts, and His Excellency requests that in laying the Report again before the Committee for their reconsideration; you will state to them that His Excellency on perusing it has no objection to make to any part except the proposed regulations for accounts being sent to the Civil Secretary's Office by accountants, and afterwards by the Auditor General with his Report, (as required by the 1st, 4th and 5th Regulations on the Report,) and also to that part of the 7th Regulation which relates to a requisition being sent from the Civil Secretary's Office for Warrants that have been recommended in approved Reports of Council.

His Excellency still conceives that the course of the Public service will be much more easy, and that accountants or the other Public Departments will be better enabled to obtain all necessary information, by adopting a regulation that all accounts of a public nature shall be addressed by the accountants to the Inspector General of Public Accounts, shall from him proceed to the Auditor General, from him, with his Report, to the Clerk of the Council to be laid before the Committee of Council; and from the Committee with their Report to the Civil Secretary's Office, to be laid before the Governor; and that this course may be pursued (without a special reference at any stage from the Office of the Governor's Secretary, by establishing and recording a standing order to that effect in the different departments and on the Books of Council, which would supercede the necessity of any other official reference. And as to that part of the 7th proposed Regulation above referred to, His Excellency would consider the Governor's written approval upon the face of a Report of Council recommending Warrants to be issued, to be a sufficient authority to the proper Officer to make out the Warrant, according to the established practice hitherto upon such approved Reports.

I have the honor to be;

Sir,

Your most obedient Servant,

(Signed)

A. W. COCHRAN.

Secr.

The Honorable Mr. Justice KERR.

Examined and certified,

H. W. RYLAND.

REPORT.

To His Excellency the Earl of Dalhousie, G. C. B., Captain General and Governor in Chief of the Province of Lower Canada, &c. &c. &c.

Report of a Committee of the whole Council:—Present, The Honorable Mr. Justice Kerr in the Chair, Mr. Percival, Mr. Hale, Mr. De Léry and Mr. Stewart.

May it please your Excellency.

In reviewing their former Report, (of 5th December instant,) on the subject of proposed Regulations for the conduct of the Offices of the Auditor General and Inspector General of Provincial Accounts, agreeably to your Excellency's order of reference of the 14th instant, the Committee concur with your Excellency in the amendments proposed, and humbly

5^o. L'Auditeur Général fera tous les états des comptes pour la Législature ou autres départemens publics du gouvernement, et ces états devront porter la signature de l'Auditeur et de l'Inspecteur Généraux.

6^o. Afin que les comptables puissent faire la due communication des rapports sur leurs comptes, l'Auditeur Général leur transmettra des extraits certifiés de la décision du Comité du Conseil sur le compte.

7^o. Pour mettre l'Auditeur Général en état d'exécuter les devoirs de sa charge il pourra avoir libre accès à toutes les archives du Conseil Exécutif relatives au Comptes, avec la permission d'en faire tels extraits qui seront nécessaires pour établir le principe sur lequel il a été donné une décision dans quelque cas.

Collationné et Certifié

H. W. RYLAND.

Château St. Louis,

Québec, 14 décembre 1826.

Monsieur,

J'ai ordre de Son Excellence le Gouverneur-en-Chief de vous remettre ci-inclus le rapport du comité de tout le Conseil du cinq courant, sur les réglemens proposés pour conduire les affaires des Bureaux de l'Auditeur et de l'Inspecteur Généraux des Comptes Publics Provinciaux, et Son Excellence demande qu'en mettant de nouveau le rapport devant le Comité pour sa considération, vous lui mentionnez que Son Excellence l'ayant lu, n'a d'objection à faire aucune partie, si ce n'est aux réglemens proposés qui obligent les comptables à envoyer leurs comptes au Secrétaire Civil de même qu'à l'Auditeur Général en second lieu avec son rapport (selon qu'il est ordonné par la première, la quatrième et la cinquième règle, dans le rapport,) excepté aussi la partie de la septième règle qui a rapport à la réquisition, à être envoyée du Bureau du Secrétaire Civil pour avoir les ordonnances qui ont été recommandées dans les rapports approuvés du Conseil.

Son Excellence est encore d'avis que la meilleure marche à suivre dans le service public, et en même tems la plus facile, et celle qui mettrait les comptables et les autres départemens publics en état d'obtenir plus aisément tous les renseignemens nécessaires, serait de faire un règlement pour obliger les comptables d'adresser tous les comptes d'une nature publique à l'Inspecteur Général des Comptes Publics, qui lui les transmettrait à l'Auditeur Général, des mains de qui ils passeraient accompagnés de son rapport, au Greffier du Conseil pour être mis devant le Comité du Conseil; et du Comité du Conseil avec son rapport au Bureau du Secrétaire Civil pour être mis devant le Gouverneur; et que cette marche, peut être suivie (sans aucun renvoi spécial à aucun périod du Bureau au Secrétaire du Gouverneur), en établissant et en enregistrant un ordre permanent à cet effet dans les différens départemens et sur les livres du Conseil, ce qui préviendrait la nécessité de tout autre renvoi spécial. Et quant à la partie de la septième règle proposée ci-dessus mentionnée, son Excellence considérerait l'approbation du Gouverneur par écrit sur la face du rapport du Conseil recommandant l'émission d'ordonnances, comme une autorité suffisante à l'officier propre pour expédier les ordonnances selon la pratique établie jusqu'ici à l'égard de semblables rapports approuvés.

J'ai l'honneur d'être

Monsieur,

votre très-obéissant serviteur,

(signé)

A. W. COCHRAN;

Secr.

Collationné et certifié

H. W. RYLAND.

RAPPORT.

A Son Excellence le Comte de Dalhousie, G. C. B. Capitaine Général et Gouverneur-en-Chief de la Province du Bas-Canada, &c. &c. &c.

Rapport du Comité de tout le Conseil—Présens: les Honbles. M. le Juge Kerr, au fauteuil, M. Percival, M. Hale, M. Deléry et M. Stewart.

Qu'il plaise à votre Excellence,

En examinant de nouveau son premier rapport (du cinquième décembre courant) relatif au réglemens proposés pour la direction des Bureaux de l'Auditeur Général et de l'Inspecteur Général des Comptes Provinciaux, en conformité du renvoi ordonné par votre Excellence le quatorze courant, le Comité concourt avec votre Excellence aux amendemens

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humbly recommend that Instructions be given to those Officers, accordingly.

All which is respectfully submitted to your Excellency's wisdom.

By Order,

(Signed) J. KERR,

Chairman:

Council Chamber, December 16th 1826.

Examined and certified,
H. W. RYLAND.

Castle of Saint Lewis,
Quebec 21st February, 1827.

Sir,

I am directed by His Excellency the Governor in Chief, to transmit to you, to be kept on Record in your Office, for the information of the Executive Council, the inclosed copy of additional instructions given to the Inspector General of Provincial Accounts, for his Government in the execution of the duties of his office.

I have the honor to be,

Sir,

Your most obedient Servant,

(Signed) A. W. COCHRAN,

The Honorable H. W. RYLAND, Esq.

Sec'y.

Examined and certified,

H. W. RYLAND.

L. S.—By His Excellency George Earl of Dalhousie, Knight Grand Cross of the most Honorable Military Order of the Bath, Captain General and Governor in Chief in and over the Province of Upper and Lower Canada, &c. &c. &c.

To Joseph Cary, Esquire, Inspector General of Public Provincial Accounts.

You are to be governed in the execution of your duties as Inspector General of Public Provincial Accounts, by the following additional Instructions :

1st. All accounts are to be sent to you in future by the Public Accountants, instead of passing as heretofore through the Office of the Civil Secretary.

2nd. You are, as formerly, to make such remarks as occur to you to be necessary, and to transmit them to the accountant for explanation.

3rd. So soon as the explanation is received you are to transmit the accounts (either with remarks and explanations or without them, as the case may be,) to the Auditor General of Public Accounts, adding the words "examined," and "with remarks," (if any there be,) as has been heretofore practised.

4th. You are as heretofore to countersign all Warrants which shall be recommended by the Committee of Council to be issued previous to their being transmitted by the Clerk of the Council to the Civil Secretary for the Signature of the Governor.

5th. You are at all times to have free access for your information and guidance, to all Reports on matters of accounts that have been approved of by the Governor, which are to be kept by the Clerk of the Council in a separate book from Reports on other matters.

6th. All accounts, papers and documents after being reported upon by the Auditor General, shall remain in his custody, but you are to have free access and reference thereto at all times.

7th. You are to make out all statements of Public Accounts, as well those required for the Legislature as for Public Departments, subject to the revision of the Auditor General, and the subsequent Report of the Executive Council, if specially referred.

8th. If you shall except to any article in an account, you are to state the authority on which it is disallowed, and also the precise sum that is objected to.

Quebec, 20th December, 1826.

(Signed) DALHOUSIE.

By His Excellency's command.

(Signed) A. W. COCHRAN.

Examined and certified,

H. W. RYLAND.

demens proposés, et recommande humblement qu'il soit donné à ces officiers des instructions conformément à iceux.

Le tout humblement soumis à la sagesse de votre Excellence,

Par ordre,

(signé) J. KERR,

Président.

Chambre du Conseil, 16 décembre 1826,

Collationné et certifié
H. W. RYLAND.

Château St. Louis,

Québec, 21 Février 1827.

Monsieur,

J'ai ordre de Son Excellence le Gouverneur en Chef, de vous transmettre pour être enregistrée dans votre Bureau pour l'information du Conseil Exécutif, la copie ci-incluse des instructions additionnelles données à l'Inspecteur Général des Comptes Publics Provinciaux pour le guider dans l'exécution des devoirs de son Bureau.

J'ai l'honneur d'être,

Monsieur,

vos très-obéissant serviteur,

(signé) A. W. COCHRAN,

Sec.

Collationné et Certifié

H. W. RYLAND.

L. S.—Par Son Excellence George Comte de Dalhousie, Chevalier Grand' Croix du Très-Honorable Ordre Militaire du Bain, Capitaine Général et Gouverneur-en-Chef dans et pour les Provinces du Haut et du Bas-Canada, &c. &c.

A Joseph Cary, écuyer, Inspecteur Général des Comptes Publics Provinciaux,

Vous aurez à vous conformer dans l'exécution de vos devoirs comme Inspecteur Général des Comptes Publics Provinciaux aux Instructions additionnelles qui suivent :

1°. A l'avenir tous les Comptes Publics vous seront envoyés par les Comptables, au lieu de passer ci-devant par le Bureau du Secrétaire Civil.

2°. Vous aurez, comme précédemment, à faire telles remarques qui vous paraîtront nécessaires, et à les transmettre au Comptable pour qu'il donne des explications.

3°. Aussitôt que les explications seront reçues, vous aurez à transmettre les comptes (soit avec les remarques et les explications, ou sans elles, selon le cas) à l'Auditeur Général des Comptes Publics, en ajoutant les mots "examiné" et "avec remarques" (s'il y en a) comme la pratique a été ci-devant.

4°. Vous aurez, comme ci-devant, à contresigner toutes les ordonnances que le Comité du Conseil recommandera d'émaner, avant qu'elles soient transmises par le Greffier du Conseil au Secrétaire Civil pour recevoir la signature du Gouverneur.

5°. Vous aurez en tout temps accès libre, pour y puiser des renseignements et des règles de conduite, à tous les rapports sur des matières de comptes, qui ont été approuvés par le Gouverneur, et qui doivent être gardés par le Greffier du Conseil dans un livre séparé des rapports sur autres matières.

6°. Tous les Comptes, Papiers et documens, après que l'Auditeur Général aura fait son rapport sur iceux, resteront sous sa garde, mais vous y aurez accès et en aurez la communication libre en tout temps.

7°. Vous aurez à faire tous les Etats des Comptes Publics, tant ceux demandés par la Législature, que ceux pour les Départemens Publics, sujets à la révision de l'Auditeur Général et au Rapport subséquent du Conseil Exécutif, s'ils lui sont spécialement renvoyés.

8°. Si vous objectez à quelque article d'un compte, vous citerez l'autorité sur laquelle vous l'aurez fait, et aussi la somme précise à laquelle vous aurez objecté.

Québec, 20 décembre 1826.

(signé) DALHOUSIE.

Par ordre de Son Excellence

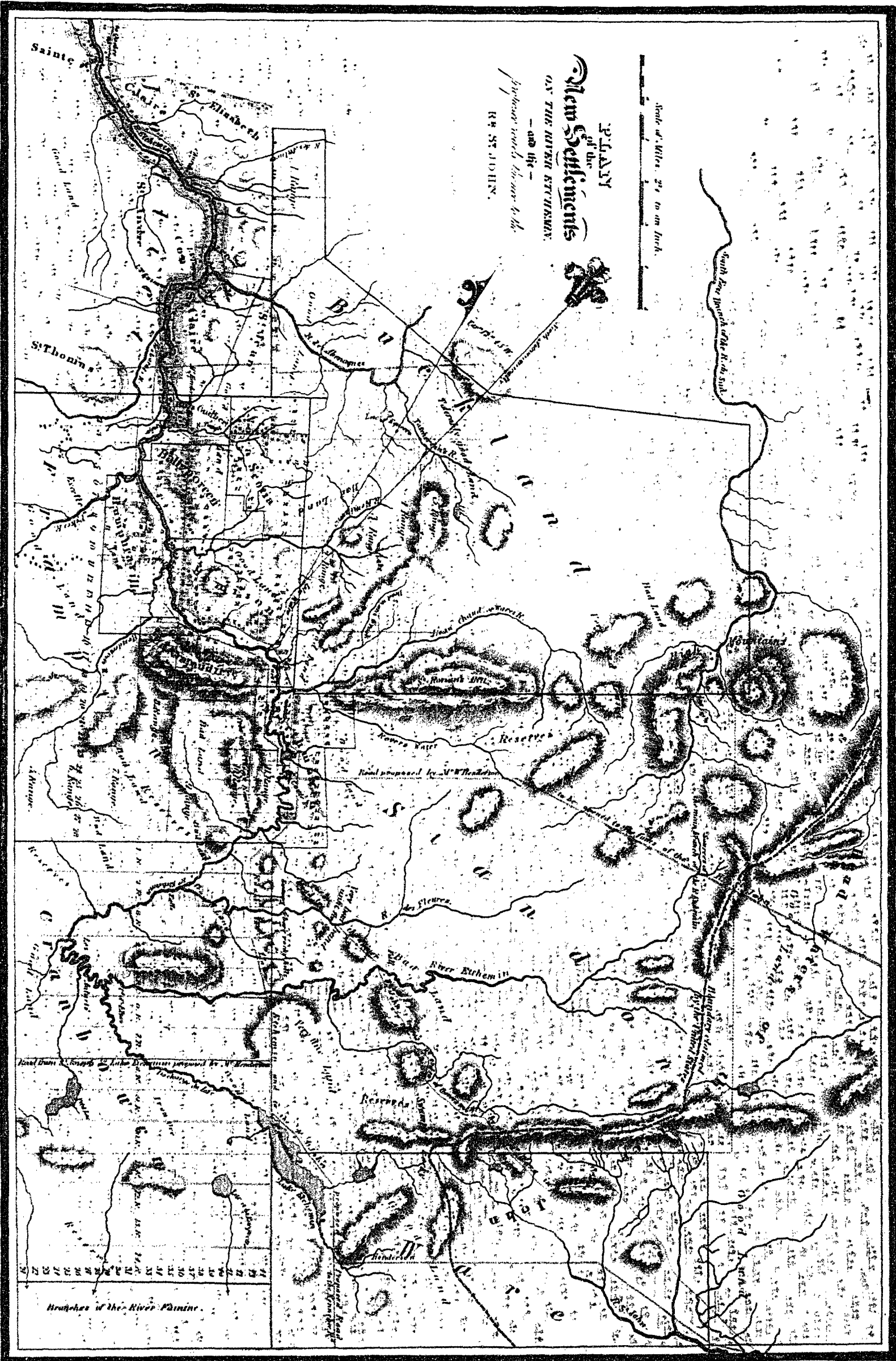
(Signé) A. W. COCHRAN.

Collationné et Certifié

H. W. RYLAND.

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PLAN
of the
New Settlements
ON THE RIVER ST. JOHN.
—and the—
Settlements made from 1764
R. ST. JOHN.

Scale of Miles. 2 1/2 in an Inch.

Sainte Claire, St. Elizabeth

St. Thomas

Headings of the River St. John.

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REPORTS

OF THE

SPECIAL COMMITTEE

To whom was referred that part of the Speech of His Excellency the Administrator of the Government at the opening of the Second Session of the Thirteenth Provincial Parliament of Lower-Canada, relating to

Roads and other Internal Communications,

AND OTHER REFERENCES,

with power to report from time to time.

FIRST REPORT.

1st Report. **Y**OUR Committee being persuaded from the information given by the persons whose Evidence will be found in the Appendix, and from the information possessed by some of the Members of your Committee, that the opening of the Road prayed for by the Petition of divers Inhabitants of the Eastern Townships, situated in the County of Buckinghamshire, referred to your Committee, would be of great advantage to Agriculture by facilitating the means of settlement to numerous families, and thereby benefit both the said families and the public, have thought it proper to make it the subject of a first Report.

Your Committee are of opinion that the present state of the settlement already formed, as well on the line of the Road prayed for, as on both banks of the River Becancour; and the private labour of the Settlers and the expenses they have already incurred in opening the necessary communication with the old Settlements of the Saint Lawrence, form a good title to the assistance

of the Legislature, and ensure the future keeping up and repairing of the Road prayed for. And further, that continuation of this Road (in a few years) from the River Becancour as far as Craig's Road, may be of still greater and more general utility.

That, lastly, moved by these considerations, your Committee are of opinion that it is expedient and desirable that the Legislature should grant a sum not exceeding Four hundred and seventy pounds currency, for opening a Road between the first and second ranges of the Townships of Blandford, from the rear line of the Seigniori of Gentilly as far as the River Becancour.

The whole nevertheless humbly submitted.

F. BLANCHET,

17th December 1828.

Chairman

SECOND REPORT.

Second Report. **Y**OUR Committee thought it right in the first instance to turn their attention to the Roads which it might be necessary to open for the purpose of facilitating new settlements, and the probable expense thereof.

On the Petition presented to your Honorable House on the 23d December last, and the proceedings had in the Committee which has already sat on the subject, and which will be found in the Appendix, your Committee are of opinion that it is expedient to grant a sum not exceeding Four hundred Pounds currency, as an aid in opening the Road described in the Petition; and that before the application of the said Sum, it would be proper that the said Road should be *verbalisé* according to Law.

Your Committee proceeded further to take into consideration the opening of a Road for the Inhabitants of the Township of Tring; and from the information they have received on the subject, are of opinion that it is expedient to grant a sum of money not exceeding one hundred and seventy pounds currency for opening a Road, as a continuation of the Road already opened in the Parish of St. Francois de la Nouvelle Beauce on the west and near to the Church of St. François to the new settlements in the said Township; provided that the said Road be also *verbalisé*, according to Law, previous to its being begun.

Proceeding further to the consideration of the utility of opening a Road from the present settlements in the Town-

ship of Frampton to the north-western line of Cranbourne, a distance of about eight miles, in which distance there are already several settlements; Your Committee after having considered the information and the plan laid before them by William Henderson, Esquire, are of opinion that it is expedient to grant a sum of money not exceeding Two hundred and forty pounds currency, for opening the said Road, which is already *verbalisé*.

Your Committee next proceeded to take into consideration the Petition of divers inhabitants of the Township of Grenville and other Townships, and of the Seigniori of La Petite Nation. The subject of this Petition appears to be of the greatest importance, and is intimately connected with the general communications of this part of the Province: and further, it will be necessary that your Committee should have before them more particular documents than are at present in their possession concerning this subject. Your Committee have adopted measures for obtaining such documents, and will have the honor of submitting them to your Honorable House with their general Report on the Internal Communications of the country.

The whole nevertheless humbly submitted.

F. BLANCHET,

Chairman.

14th January 1829.

THIRD

Appendix
(P. P.)

Third Report.

2d Feb. 1829.

THIRD REPORT.

YOUR Committee thought it their duty to turn their attention to the existing Road Laws. These laws are, in the opinion of your Committee, prejudicial to the formation of new settlements, and not adapted to the present state of the country. It costs Twenty pounds currency to have a bye-road laid out at a distance of thirty leagues from the seats of jurisdiction. Now, who among the inhabitants of a new settlement are able to pay that sum? Another defect in the Law is, that the inhabitants are under the necessity of paying the same fees to the Grand Voyer, whether the *Procès Verbal* be homologated or not; so that the Grand Voyers have no interest in the homologation of their *Procès Verbaux*. Your Committee believe then, that the management of the Roads should be left to the Inhabitants, but they do not believe this can be done until the Counties shall have been re-organized. And this is an object very much to be wished for, since the Legislature would not then be obliged to make appropriations for the opening of Roads of merely local utility in the Counties, and its attention would be directed to the great Roads alone.

Your Committee then turned their attention to the Roads and Communications which it would be expedient to open and complete, as well with a view to the formation of new settlements as for affording facility to travellers. The necessity of forming new settlements becomes more and more pressing, for there are Parishes in which fathers of families live on mere building Lots:— This is a most alarming circumstance, because it tends to the rapid introduction of poverty among the agricultural classes.

Your Committee then regard the formation of new settlements on good land as the most effectual and least expensive mode of preventing so serious an evil; but, in addition to the pressing necessity of furnishing lands for the superabundant population of the Province, (to which nothing can contribute more than the opening of Roads communicating with the tracts of uncultivated and fertile land by which we are surrounded) there are considerations which at the present time render this measure one of which the necessity is altogether peculiar. The failure of the harvest in the season which is just passed has produced in some parts of the Province such extreme misery, that, unless public assistance be given, the most dreadful consequences are to be apprehended; and such assistance can be in no way more effectually given, whether the advantage of the public or that of the sufferers themselves, in whose favour pecuniary aid is prayed for, be regarded, than by providing them with such employment as will enable them to be busied in a manner at once beneficial to themselves and advantageous to the public.

Your Committee therefore take the liberty to submit to the consideration of your Honorable House the expediency of opening the following Roads with a view to the formation of new settlements, with the expense which will probably be incurred in so doing:

For opening a Road from Metis to the Missionary Station of Ristigouche, and for making the necessary surveys, in addition to the sum already voted, Three thousand pounds.

For repairing the Road from Temiscouata, and the Bridges thereon, Eight hundred pounds.

That, as soon as, between the River Ouelle and Kamouraska, there shall have been conceded in the rear of the old Settlements not less than one hundred lots of the said land to actual settlers, it shall be lawful for the Governor, Lieutenant Governor, or Person administering the Government for the time being, to cause the proper Surveys to be made for tracing, making and opening a Road of communication to and from such new settlements, and that there be appropriated for this purpose, a Sum not exceeding Five hundred Pounds.

That, as soon as, in the rear of the old Settlements of L'Islet, there shall have been conceded not less than one hundred lots of the said land to actual settlers, it shall be lawful for the Governor, Lieutenant Governor, or Person administering the Government for the time being, to cause the proper Surveys to be made for tracing, making and opening a Road of communication to and from such new Settlements; and that there be appropriated for this purpose a sum not exceeding Five hundred Pounds.

That, as soon as, in the rear of the Bras St. Nicolas in the

County of Devon, there shall have been conceded not less than one hundred lots of the said land to actual settlers, it shall be lawful for the Governor, Lieutenant Governor, or Person administering the Government, for the time being, to cause the proper Surveys to be made for tracing and opening a Road of communication to and from such new settlements, and that there be appropriated for this purpose a sum not exceeding Five hundred Pounds.

That, as soon as, in the rear of the old Settlements of *La Rivière du Sud* there shall have been conceded not less than one hundred lots of the said land to actual settlers, it shall be lawful for the Governor, Lieutenant Governor, or Person administering the Government for the time being, to cause the proper Surveys to be made for tracing, making and opening a Road of communication to and from such new Settlements, and that there be appropriated for this purpose a Sum not exceeding Five hundred Pounds.

That, as soon as, there shall have been conceded not less than one hundred lots of the Crown Lands lying between the Township of Tring and Lake Saint Francis, to actual Settlers, it shall be lawful for the Governor, Lieutenant Governor, or Person administering the Government for the time being, to cause the proper Surveys to be made for tracing, making and opening a Road from the Township of Tring to Craig's Road, and that there be appropriated for this purpose a Sum not exceeding Three hundred Pounds.

Your Committee then proceeded to the consideration of several other Roads which it would be expedient to cause to be completed.

Your Committee recommend that in addition to the Sum already voted, for completing the Kennebec Road, there be granted a further Sum not exceeding Five hundred Pounds.

A Sum of One thousand six hundred Pounds for completing the Craig's Road, over and above the Sum of Four hundred Pounds already appropriated for this purpose.

A Sum of One thousand six hundred and sixty Pounds for completing the Road from the Township of Hatley to the Yamaska Mountain.

Another Sum of One thousand six hundred and sixty Pounds for completing the Road from Melbourne to the Yamaska Mountain.

Your Committee cannot but remark that in a military, commercial or agricultural point of view, it would be of great advantage that a Road should be opened from the Black River to the termination of the old road to the Forges, which is now abandoned, or in the rear of the Townships of Caxton, Brandon and Kildare, and thence through the Townships and the waste lands as far as Granville on the River Ottawa; and from the said Township as far as the Township of Hull, at the Falls called *La Chaudière*, on the same river.

Your Committee recommend that for these purposes there be appropriated for the present year, a Sum not exceeding Four thousand Pounds.

And a further Sum of Five hundred Pounds for the exploration of the Country between the River Saint Maurice and the River Ottawa, as well with a view to gain sufficient information for tracing the said Road in the manner most conducive to the public advantage, as for obtaining a knowledge of the natural productions, the quality of the soil, and the extent of the said tract of country.

For opening a Road from the old Settlements in the rear of Berthier to Brandon, Three hundred Pounds.

The whole nevertheless humbly submitted.

F. BLANCHET,

Chairman.

2d February 1829.

FOURTH

FOURTH REPORT.

Fourth
Report.

11 Feb. 1829.

YOUR Committee have continued their researches with respect to the other parts of the Province in which it would be expedient to form Settlements, with a view to furnish Lands in the proximity of the superabundant population of certain Parishes in the several Districts. Lake Etchemin, which lies in the more remote part of the country south of Quebec, has been explored, and the lands around it (which are the property of the Crown) have been found to be of excellent quality—the Parishes which lie near it are burdened with a surplus population. Your Committee, then, take the liberty of recommending a grant of a Sum not exceeding Three hundred Pounds Currency, for opening a Road of communication thereto, as soon as one hundred lots of Land shall have been conceded to actual Settlers, by the Governor, Lieutenant Governor, or Person administering the Government of the Province for the time being.

Your Committee also believe that it is desirable that Settlements should be formed in the Eastern Townships lying west of the River Chaudière and Lake St. Francis, where a great number of Canadians might be settled. Your Committee take the liberty to recommend a grant of the Sum of One thousand pounds for opening a Road from Dudswell, in the District of Three-Rivers, to meet a Road already opened in the district of Quebec, as far as the Township of Ireland; and of a Sum of Three hundred pounds to open a Road from the Township of Broughton to Leeds. (This last mentioned Road has been already verbalized.)

Your Committee believe also, that it would be advantageous to open a communication between the River Chateaugay and Godmanchester, and thence to St. Regis: Your Committee recommend a grant of a Sum not exceeding One thousand five hundred Pounds Currency.

Your Committee cannot too strongly recommend the opening of Roads in the neighbourhood of Quebec, with a view to form an easy communication with the River Jacques Cartier; these Settlements in the vicinity of the Town may afford the means of subsistence to a great number of poor people: Your Committee recommend a grant of the Sum of Two hundred and fifty Pounds, for establishing a communication from Val-Cartier to Lake Saint Charles, which would shorten the Road to Quebec five miles; another Sum of Five hundred Pounds for opening a communication between Stoneham and Tewksbury; and another Sum of Two hundred Pounds for opening a Road from the old Settlements to Neuville.

The whole nevertheless humbly submitted.

F. BLANCHET,

Chairman.

11th February 1829.

FIFTH REPORT.

Fifth
Report.

14 Feb. 1829.

YOUR Committee have directed their attention to the bad state, during the rainy seasons, of the Roads by which the Towns of Quebec, Montreal and Three-Rivers are approached. To put these Roads into a durable condition, would demand the expenditure of a Sum beyond the means of those who are by Law bound to do it. For it appears to your Committee that good Roads can only be effectually obtained by adopting the system of Mr. McAdam. Your Committee venture to recommend to Your Honourable House that an aid be granted to each of the said Towns for Macadamizing the Roads leading thereto.

Your Committee further believe that there ought to be a good Carriage Road from Shipton to the Saint Lawrence, and there-

fore recommend a grant for opening a Road on the east side of the River Saint Francis to St. Grégoire; also, a grant for the Road across the Longueuil Swamp to Chambly; and for the High-Road of communication between the Province and the United States, that is to say, the Road from Laprairie to Saint John.

The whole nevertheless humbly submitted.

F. BLANCHET,

Chairman,

24th February 1829

SIXTH REPORT.

Sixth
Report.

10 March 1829.

YOUR Committee having taken into their serious consideration the Instructions respecting the Sale of the Crown Lands, are of opinion that the severity of the climate, the poverty of the Settlers, and the difficulties attending the opening and clearing of new Lands, are obstacles which render the introduction of such a system inexpedient.

Your Committee have also procured a figurative Plan of the Saint Lawrence from Kingston in Upper-Canada, to the Anse Tablon on the Coast of Labrador, with the Seigniories, Town-

ships, &c. in the Province of Lower-Canada: and your Committee have the honour to submit the same to Your Honourable House as forming part of the present Report.

The whole nevertheless humbly submitted.

F. BLANCHET,

Chairman.

10th March 1829.

ORDER OF REFERENCE.

HOUSE OF ASSEMBLY,

Saturday, 13th December 1828.

Saturday, 29th November 1828.

RESOLVED, That that part of the Speech of His Excellency the Administrator of the Government at the opening of the present Session, relating to Roads and other Internal Communications, be referred to a Committee of Five Members, to report thereon with all convenient speed, with power to send for Persons, Papers and Records.

Ordered, That Mr. Blanchet, Mr. De St. Ours, Mr. Stuart, Mr. Bourdages and Mr. Proulx do compose the said Committee.

Attest.

W. B. LINDSAY,
Dy. Clk. House of Ass'y.

Monday, 1st December 1828.

Ordered, That the Petition of divers Inhabitants of the Eastern Townships, situated in the County of Buckinghamshire, be referred to the said Committee.

Attest.

W. B. LINDSAY,
Dy. Clk. House of Ass'y.

Friday, 5th December 1828.

Ordered, That Mr. Louis Lagueur be added to the said Committee.

Attest.

W. B. LINDSAY,
Dy. Clk. House of Ass'y.

Ordered, That the said Committee have leave to report from time to time.

Attest.

W. B. LINDSAY,
Dy. Clk. House of Ass'y.

Friday, 26th December 1828.

Ordered, That the Petition of divers inhabitants of the Township of Grenville and other Townships, and of the Seigniory of La Petite Nation, be referred to the said Committee.

Attest.

W. B. LINDSAY,
Dy. Clk. House of Ass'y.

Monday, 12th January 1829.

Ordered, That Mr. Laterrière be added to the said Committee.

Attest.

W. B. LINDSAY,
Dy. Clk. House of Ass'y.

MINUTES OF EVIDENCE.

THURSDAY, 11th DECEMBER, 1828.

FRANCOIS BLANCHET, Esquire, in the Chair.

Joseph Bouchette, Esquire, Surveyor General, called in, and examined:

ARE you acquainted with the Townships of Stanfold, Bulstrode, Blandford and Maddington?—I am.

Are the soil and situation of these Townships favorable for agricultural settlements?—Yes; in general.

Do the Seigniories adjoining these Townships still contain a number of unconceded Lots of Land sufficient to supply the demand therefor of the younger Farmers who wish to settle themselves on land of their own?—There are still some Lots to be conceded in the Seigniories, but I cannot say how many.

What part of these Townships do the new Settlers appear to prefer, and where, in fact, are the Settlements already begun the most numerous?—They generally prefer the Lots on the River Bécancour.

What is the state of these new Settlements; and can you inform the Committee what is the number of families or persons already settled in these places?—There are many Settlements in Blandford, Maddington and Bulstrode, but I cannot exactly say what progress they have already made.

Is the progress of these Settlements retarded by the want of a Road; and to how many families would the opening of the Road mentioned in the Petition referred to the Committee, [The Petition of divers inhabitants of the Eastern Townships, situated in the County of Buckinghamshire, was here shown to the Witness,] afford readier means of settlement; and what means of communication with the old Settlements have the families now established in these Townships?—Yes; the want of communication considerably retards the settlement in these parts.

Have the persons holding lands in these Townships themselves worked at the opening of the Road prayed for, or of any other?—Yes; and especially the inhabitants of Blandford, who have themselves opened a good winter Road between the 1st and 2d ranges, where a piece of Land, 66 feet wide, has been specially reserved in the Letters Patent of this Township; and according to the Report of my Deputy, who surveyed and laid out the Township in 1821, the place where the Road passes appears to be the most fitting, and offers easy means of settling on the road itself, to 192 inhabitants, at 100 acres each, and I am informed that many Settlements are already made on this Road.

Is it beyond the means of the Settlers in these parts to open and complete the said Road?—I believe very much beyond them.

At what distance from the Settlements on the banks of the Saint Lawrence are the new Settlements on the River Becancour; and would these last have no means of communication by any other line than that on which the Petitioners pray that a Road may be opened?—The Settlements in these parts are most numerous on the River Becancour than elsewhere, and from these Settlements to those of Genilly the distance is between five and six leagues. I know of no route by which the communication could be more easily effected than by passing between the 1st and 2d ranges of Blandford.

Do you know what reasons the Petitioners have for desiring a Road between the 1st and 2d ranges of Blandford, rather than elsewhere?—Because it would evidently be of more advantage there than elsewhere; more easily made and more certainly kept in repair: 1st. Because Settlements are already commenced there, and 2dly, Because the Lots of the 1st and 2d Ranges having their respective fronts on this Road, they are nearer to each other, and there will be houses and clearings on both sides of the Road, and lastly; Because the Crown and Clergy Reserves are at a distance from this Road, which is a point of the greatest importance.

How much would it cost to open and complete this Road; what is its length; from what point on the Saint Lawrence ought it to commence, and how far would it be necessary to carry it?—I cannot exactly tell the distance. I think it is about 5 or 6 leagues; it would require from £90 to £36 currency per mile, provided the money was economically employed.

What is about the Sum already expended on the said Road?—I cannot say.

Would any other public advantages than those already mentioned in your answers, attend the opening of this Road?—Yes; besides those of which I have just spoken, it is sufficient to refer to the map of the Province to be convinced of the utility of continuing such a Road as far as Craig's Road, the distance of which from the River Becancour does not exceed six leagues within the Township of Tingwick: from this point, the communication between the Eastern Townships and Quebec, may be estimated at 30 leagues by Craig's Road, and at about 29 leagues by the Road passing through Genilly, of which there are 12 leagues of land carriage, and the remainder by the River Saint Lawrence, which considerably facilitates the conveyance of goods by means of the River and the Steam Boats; and further, the opening of the Road prayed for, will open a communication with and facilitate the formation of numerous Settlements in this interesting portion of the Province.

Mr. Charles Turgeon, called in, and examined:

Are you acquainted with the Townships of Stanfold, Bulstrode, Blandford and Maddington?—I am but little acquainted with the Townships of Bulstrode and Stanfold, but tolerably well with those of Blandford and Maddington.

Are the soil and situation of these Townships favourable for agricultural Settlements?—The River Becancour runs through the middle of these Townships, that is to say: between Stanfold and Bulstrode on one side, and Blandford and Maddington on the other. This River waters a spacious plain, in which lie several other Townships besides those above mentioned: this Plain is rendered fertile by many small streams running into the Becancour; the soil is rich and might afford means of settlement to more than 5000 Settlers, equally advantageous for the Settlers themselves and the Province.

Do the Seigniories adjoining these Townships still contain a number of unconceded Lots of Land sufficient to supply the demand therefor of the younger farmers who wish to settle themselves on land of their own?—I know little of these Seigniories, but the anxiety shown by the young farmers to procure Lands on the River Becancour gives me reason to believe that there are few or no lands in these Seigniories yet unconceded.

What part of these Townships do the new Settlers appear to prefer; and where, in fact, are the Settlements already begun, the most numerous?—The River Becancour, which as I have before observed, serves as a central point to the said Townships appears to be preferred, among the new Settlements, and, in fact, it is there that the Settlements are the most numerous.

What is the state of these new Settlements; and can you inform the Committee what is the number of families or persons already settled in these places?—The Settlements on the River Becancour are in a sufficiently advanced state. I cannot exactly say how many families are there settled: I feel persuaded they exceed fifty.

Is the progress of these Settlements retarded by the want of a Road; and to how many families would the opening of the Road mentioned in the Petition referred to the Committee [*The Petition of divers inhabitants of the Eastern Townships, situated in the County of Buckinghamshire, was shewn to the witness*] afford readier means of settlement; and what means of communication with the old Settlements have the families now established in the Townships?—The necessity under which the Settlers find themselves of carrying on their backs, the numerous articles for which they have occasion during the summer, from the Settlements on the St. Lawrence to those on the River Becancour, is severely felt by them, and exposes them to great privations, by which means many of those already settled there become disgusted, and those who wish to settle are deterred from doing so. Now, the opening of the Road prayed for would, I think, procure and facilitate the means of settlement to more than 5000 families.

Have the persons holding lands in these Townships themselves worked at the opening of the Road prayed, or of any other?—The landholders in Blandford have already made a very convenient winter Road of the Road prayed for. Some other persons settled lower down the River have opened another leading out of it between Blandford and Maddington; and some Lumbermen, a few years ago, opened a third at a distance of about a league from that last mentioned.

Is it beyond the means of the Settlers in these parts to open and complete the said Road?—Even if they united all their labour and all their means, they would be unable at present to open a Summer Road.

At what distance from the Settlements on the Banks of the St. Lawrence are the new Settlements on the River Becancour; and would these last have no means of communication by any other line than that on which the Petitioners pray that a Road may be opened?—The Settlements on the River Becancour are about five leagues from those on the Saint Lawrence. In addition to what I said in answer to the seventh question I may add, that the River Becancour itself affords the means of water communication, but about the middle of the Township of Maddington it becomes full of rapids, and the Portages are now impassable. Altogether, this means of communication is very dangerous.

Do you know what reasons the Petitioners have for desiring a Road between the 1st and 2d ranges of Blandford rather than elsewhere?—Among other reasons for this preference are these: this Road is in a more advanced state than any other, and the great number of Lots granted and on which Settlements are made in the 1st and 2d Ranges, affords more certain means of keeping it in repair:—The land necessary and fit for the Road has been reserved in this place; and further, there is a Road in the Seigniorie of Genilly leading to the Township already *verbalisé* and on the point of being opened.

If the Legislature were to grant a pecuniary aid for the opening of the said Road, what means are you acquainted with by which the future keeping up and repairing of the Road might be provided for; suggest those means to the Committee?—I consider the means pointed out in my answer to the preceding question, that is to say, the speedy settlement of the two Ranges which are separated by the Road, as certain.

How much would it cost to open and complete this Road; what is its length; from what point on the Saint Lawrence ought it to commence, and how far would it be necessary to carry it?—The opening and completing of this Road would cost, in my opinion, about £125 currency per league. Its length is about five and one half leagues, which would require a Sum of £687, provided that such Sum was placed in the hands of persons of integrity and experience, who would conduct the work with suitable economy.

What is about the sum already expended on the said Road?—I cannot say what sum.

Would any other public advantage than those already mentioned in your answers attend the opening of this Road?—In my answer to the second question, I mentioned a spacious plain, in the centre of which flow the waters of the Becancour. This Plain

Appendix
(P.P.)

Plain offers vast tracts of land adapted for the formation of Settlements equally advantageous to those by whom they may be commenced, and to the Province in general; if, therefore, the Road prayed for, were granted, besides the great advantages which would arise to the individuals through whose lands it might pass, and to the Settlements on the River Becancour, it would form a direct communication between the old Settlements and the fine and extensive country of which I have just spoken. This Road might in a short time be continued as far as Craig's Road, and would then form a shorter and more direct communication with the Settlements on the Banks of the Saint Lawrence.

Is there any easy and safe landing place for Steam Boats and other craft, on the South side of the Saint Lawrence near Gentilly?—Yes; there is in the Parish of Saint Pierre les Becquets which joins that of Gentilly, at a place called Livrard, a very safe and convenient landing place for Steam Boats and other Vessels.

Jean Langevin, Esquire, called in and examined:

Are you acquainted with the Townships of Stanfold, Bulstrode, Blandford and Maddington?—Yes; and particularly with the Townships of Blandford and Maddington.

Are the soil and situation of these Townships favorable for agricultural Settlements?—Yes; and on this point I take the liberty of referring the Committee to the Petition of the inhabitants of these Townships which notoriously, on this point, contains the exact truth.

Do the Seigniories adjoining these Townships still contain a number of unconceded lots of Land sufficient to supply the demand therefor of the younger farmers who wish to settle themselves on land of their own?—No; for there remains but few lots in these Seigniories worth cultivation which are now unconceded.

What part of these Townships do the new Settlers appear to prefer; and where, in fact, are the Settlements already begun the most numerous?—The new Settlers who are looking for land generally prefer those lying on the banks of the River Becancour, and in fact it is there that the settlements most rapidly increase, and are at present most numerous.

What is the state of these new settlements; and can you inform the Committee what is the number of families or persons already settled in these places?—The first Settlement was made in 1825, and was made in Blandford by two families from the adjoining Parishes. In July 1827 the population on the banks of the River Becancour within the Township aforesaid, was about 100 persons, and in November last it amounted to 150 persons, all Agriculturists.

Is the progress of these Settlements retarded by the want of a Road; and how many families would the opening of the Road mentioned in the Petition referred to the Committee [*The Petition of divers inhabitants of the Eastern Townships, situated in the County of Buckinghamshire, was here shown to the witness*] afford readier means of settlement; and what means of communication with the old Settlements have the families now established in these Townships?—The opening and completing of a good Road between the Parish of Gentilly and the River Becancour would have the effect of rapidly settling the few Lots which remain unconceded along the said Road as well as those on each side the River Becancour and its tributary streams, for many leagues above and below the said Road. The land watered by these Rivers would be capable, when fully settled, of maintaining a population of more than 20,000 souls. The families now settled in these parts communicate with great difficulty with the neighbouring Parishes, particularly in summer, when, to use the vulgar expression, the whole of the carriage is effected "on men's necks."

Have the persons holding lands in these Townships themselves worked at the opening of the Road prayed for?—Yes; they made a good winter Road which is already much travelled both in summer and winter: other landholders have also begun on the line between Blandford and Maddington another Road from the River Becancour, and a place in Gentilly, which Road is also much travelled.

Is it beyond the means of the Settlers in these parts to open and complete the said Road?—Yes; very much.

At what distance from the Settlements on the banks of the Saint Lawrence are the new Settlements on the River Becancour and would these last have no means of communication by any other line than that on which the Petitioners pray that a Road may be opened?—The distance from the new Settlements on the River Becancour and those in its neighbourhood to the River St Lawrence is from 5 to 5½ or 6 leagues. Besides the Roads mentioned in my answer to the seventh question there is another in Maddington made by Lumbermen, which affords the means of communication between the Settlements on the River Becancour and those in the Parish of the same name. There is also another communication by water, by means of the River Becancour itself, but this is very long and dangerous, and frequently even impracticable.

Do you know what reason the Petitioners have for desiring a Road between the 1st and 2d Ranges of Blandford rather than elsewhere?—The reasons, in my opinion, are as follows: Sixty-six feet of land in breadth was reserved for this Road in the Letters Patent of Blandford: it would there be the most central. All the Lots in Gentilly on the continuation of this Road (which has been verbalised) are taken, as are also a great number of those in Blandford; many lots are actually settled upon in Blandford at both ends of this Road. All the lots in Blandford lying on the River Becancour, except the Clergy Reserves, are taken also, which afford certain means of keeping the Road in repair after it is opened; there is no reserved lot on this Road. Lastly, there is considerable more work done on it than on any of the others. The other two Roads are not so central. That in Maddington is not at all so; it winds much and passes in great part through unsurveyed lands. The other Road on the line between Maddington and Blandford occupies ground which was not reserved for that purpose; the principal part of the land in Maddington which lies near it is unsurveyed; that which lies in Blandford is entirely composed of reserved lots, which renders the period when they will be settled very distant and uncertain. The Settlements on this Road nearest the River Becancour are those of the 3d concession of Gentilly.

If the Legislature were to grant a pecuniary aid for the opening of the said Road, what means are you acquainted with by which the future keeping up and repairing of the Road might be provided for; suggest these means to the Committee?—These means are certain and are stated in my answer to the preceding question, for there can be no doubt that a Road settled on each side will be well kept in repair.

How much would it cost to open and complete this Road; what is its length; from what point on the Saint Lawrence ought it to commence, and how far would it be necessary to carry it?—The opening and completing of this Road, commencing at the River Becancour and carrying it as far as the entrance of the wood at Gentilly, on the lots of the 2d concession, which would make a distance of about 5 leagues, might cost about £600 currency, provided the work was conducted by persons of integrity and experience, and the money laid out with the greatest economy.

What is about the sum already expended on the said Road?—About £150.

Would any other public advantages than those already mentioned in your answers attend the opening of this Road?—Yes; because this Road will not only be useful to the Proprietors of the land over which it will run, but will open a direct communication between the old Settlements and a great extent of country fit for settlement, of which the River Becancour forms the centre, and by means of which River the several Settlements may have communication with each other by canoes in Summer, and by a fine Road on the ice in winter, and this from the Falls in the Township of Maddington in ascending the River towards the North East, because this Road may hereafter be continued as far as Craig's Road, and will then become of still more general utility.

Is there any easy and safe landing place for Steam Boats and other craft, on the south side of the Saint Lawrence near Gentilly?—Yes, at a place called Livrard in the Parish of Saint Pierre les Becquets adjoining that of Gentilly there is a very safe and convenient landing place for Steam Boats and other vessels.

Charles Langevin and Louis Abraham Lagueur, Esquires, having been called in, and the preceding evidence of Jean Langevin, Esquire, having been read to them, they confirmed the same.

Monday,

Monday, 15th December, 1828.

William Green, Esquire, called in; and being requested to communicate to Your Committee any Plans in his possession of the unexplored parts of Canada, he communicated the following:—

- 1°. A Map of the River St. Maurice from Lake Opigewan to its mouth, made by Mr. Commeau, a Trader.
- 2°. A Map of the River Montmorenci, from its source to the Falls, made upon Birch by Michel Tsioui, a Chief of the Lorette Indians.
- 3°. A Map of the Country between the Saguenay and the River Saint Maurice, made upon Birch by Nicolas Vincent, Principal Chief of the Lorette Indians.
- 4°. A Copy of the said last Map upon Paper.
- 5°. A Map upon Birch of the River Jacques Cartier, Batis-can and Sainte Anne, by André Romain, a Chief of the Lorette Indians.

Wednesday 17th December, 1828.

Alexander Joseph Wolff, Esq., a Justice of the Peace for the District of Quebec, and Captain in the Saint Ambroise Division of Militia, being called in, informed Your Committee:—That he served in the 60th Regiment from the beginning to the end of the Peninsular War, and that he served also in Egypt, and obtained half-pay as Ensign and Adjutant in the 60th Regiment, in November 1824, and immediately went to the new Settlement of Valcartier, where he has since resided with his family upon Lands purchased by him there. That he has had occasion here to turn his attention somewhat to the making of new Roads; more particularly afterwards, in 1826, when he was employed to superintend the making of the Road from the Portage at Temiscouata to the extremity of the Lake of that name, a distance of 36 miles, through the woods, of a foot-path. That he had upon an average 50 men under his command, all Canadians; their wages were 2s. a-day in cash, payable every Saturday, or earlier if they required, in hard money, which he considered that they preferred to paper money. They asked him 2s. 6d. per day, but in consequence of his promising them hard money, they consented to come at 2s. per day. That he was sensible of this before commencing the enterprize, and got his money, amounting in all to £500 currency, in Dollars, which he changed in Dollars, half Dollars, quarter Dollars, and small change. That he allowed them 1 lb. of Pork, 1½ lb. Biscuit; and 3 Gills of Pease in lieu of liquor, per day; he could have got liquor, but he was afraid they would get drunk with it, but he preferred giving them pease, of which they could make wholesome soup. They at first refused to come under 2s. 6d. per day, but he insisted on giving only 2s., and succeeded in getting 10 men at 2s., with whom he set off in the expectation that others would follow, which actually took place, and the next day he was joined by about 40 more.—When he went there he found only a foot path, and of the whole Road, only about 3 miles long a cart could pass with difficulty. In making the Road, he cut down, cut up, and rolled off the logs as he went on; he did not use fire; he made in one place more than two miles, and opened ditches on each side of about 2 feet in depth and as much in width; the causeways were made with cedar logs about one foot diameter, which he split into two and put the flat side downwards and the upper surface covered with mud and gravel taken from the ditches on the sides; about one third of the Road consists of causeways made in this manner; they had previously been made with sapin logs about 5 feet long; the Road appeared originally opened 6 or 8 feet wide, and was grown up with Cherry Trees of a considerable size, which he had to remove; in some places the Cherry Trees were so thick as to join and form an arch over the Road; he found three mountainous tracts of country, over which the Road passed, which were very rocky: in order to avoid one of the mountainous tracts he opened a new Road, and shortened the distance by three or four acres; another hill was so steep that he was obliged to cut zig zag at the bare for about 100 yards: these mountainous portions of the Road covered altogether an extent of about 4 or 5 miles in length; he had to remove a great number of large rocks of grey stone. That he had powder but did not use it, because he thought it more advantageous and less expensive of time and money to build heaps of wood over them, to which he set fire, and when the rocks were very hot they threw water over them, and broke them easily with large sledges, and applied the fragments in filling up holes in the Road; he was three months in com-

pleting the Road with about 50 men—sometimes more, sometimes less; the whole sum put at his disposal for making the Road was £550 currency; he expended in making it a sum of £500, leaving a balance to the good of £50; he made a number of small Bridges, but cannot state how many. There is a large Bridge over River du Loup which he was told cost £1200, is about 300 yards long—much decayed. That upon observing that the Bridge was much decayed, on his return he employed a Ship Builder or Mill-Wright on the spot to examine it, with a view to ascertain if the Funds remaining were sufficient to repair it. His report was that it would require a much larger sum to repair it. He employed a man for the purpose of shovelling off the snow during the winter, in order to keep the Bridge light, and thereby make it last longer, and to prevent it being carried off by the ice in the spring, for which he paid £4 10s., which he considered a sufficient remuneration for his trouble during the winter, and which he did under the sanction of His Excellency the Governor in Chief;—this money was paid out of the balance remaining in his hands, as he has above mentioned. That he was allowed, as Superintendent, 15s. currency per day. There was no particular bargain about the provisions, and he took his own.

Is the Road now passable for Carriages and Horses?—The Road was passable for Horses and Carriages when I left it, and we were followed by Carts and Horses. I used them myself for travelling the Road. I saw in the Newspapers, in the following winter, that four hundred Horses with sleighs loaded with wheat, came from New-Brunswick through this Road to Canada, which had never been done before.

Have you any reason to believe that this Road has been beneficial to the Settlers within our lines, and that they were satisfied therewith?—I have no doubt that this Road has been very beneficial. I have in my possession a Copy of a Letter from L. C. Frazer. (the original was delivered in to Major Eliot) resident at Lake Temiscouata, from which it appears he is very much satisfied with the Road. There is a man known as Captain Hebert, principal merchant in Madawaska, who brings to Canada through this Road every year between 20 and 30 carts, which return loaded with merchandize from Canada to Madawaska every year; and he told me that he was highly satisfied with my proceedings; and he told Colonel Frazer that if the former sums of money had been laid out in the same manner the Road would have been good. It is however necessary that some repairs should be made to the Road every year, as there are no settlers upon that Road to maintain it in good order. There is not an habitation for 24 miles on this Road, and it would be very desirable that some settlement should be made upon it to afford relief to travellers and to the people carrying the Halifax Mail. Col Frazer wrote to me in November last, to petition the House for an aid towards repairing the roads, particularly those parts which had not been finished before, and mentioning that the road was getting out of order, particularly the Bridge over River du Loup.

In your opinion which is the best mode of making public Roads? by contract or under the superintendance of fit and proper persons?—It will never do by contract, because the Commissioners hardly ever go themselves, and they send some persons in their place who often do not go themselves, so that the work is not properly overseen. The Commissioners generally contract with some principal Contractor, who contracts with Sub-contractors, who do the work by means of the labourers whom they employ, or other sub-contractors who employ labourers: the principal Contractor gets as high a price as he can from the Commissioners and gives as little as he can to the Sub-contractor, who do as little work for their money as they can, and are quite satisfied if their Road be received, whether good or bad. The Road also is frequently made to have a good appearance with bad materials, and even where it is passable is often not durable, by reason of the insufficiency of the work done; the profit of the principal Contractor and of the Sub-contractor must both be paid out of the sum allowed for the Road; all that the principal Contractor cares is that the Road be received, and cares not how it is made:—whereas, if a fit and proper person be appointed to superintend the Road with a fixed allowance, it would be both his duty and his interest to see the work done as creditable to himself in particular, and as a recommendation for future employment.

Will you deliver to the Committee a Copy of the Letter from Mr. Frazer to Major Eliot, referred to in the preceding examination?—I now produce a Copy thereof. [The witness delivered in the same, which was read as follows:

“Entrance of the Portage,
St. Patrick, 19th Aug. 1826.

“SIR,

“I have the honour to state for your information that Mr. Wolff has reached the Lake, and beg leave to add from the im-

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improvements I personally observed on my way the other day which are made, as well as the opinion of every one who travels through the Portage, I conceive it due to the exertions and endeavours of that Gentleman, to say he has done above expectation, considering the time he has been employed and the limited means lodged with him, together with the serious sums that have on former occasions been expended under the superintendance of others; and cannot refrain from expressing that he has far surpassed them in the performance of the duty with which he was entrusted.

I have the honor to be,

Sir,

Your most obedient Servant,

ALEX. FRASER."

Major Eliot."

Friday, 19th December, 1828.

Jean Baptiste Taché, Esquire, Notary Public, of Kamouraska, called in, and examined :

Will you be pleased to say if the want of Roads to reach the Lands fit for cultivation, and for making new Settlements, greatly retards the progress of Agriculture on the south shore and the settlement of this part of the Country; and do you know if the quality of the Lands at a distance from the River be good in general?—I have heard from several huntsmen who have been over the Lands which are situated in the rear of the Seigniories of Ste. Anne Lapocatiere, Rivière Ouelle, Fief St. Denis and Kamouraska, between these Seigniories and River St. John, that this tract of land was generally good and fit for cultivation. The Fief St. Denis, which has been lately explored by a Surveyor who has surveyed it, and which stretches farther inland than the neighbouring Seigniorie has a very fertile soil, and beyond this Fief, the Land as far as the eye can reach in every direction appears to be very fit for cultivation. The want of Roads is in my opinion one of the principal causes which retard the clearing of Land, not only of those I have just mentioned, but also of all the others on the South Shore.

Are the Laws of the Country for opening Roads prejudicial to the formation or promotion of new Settlements; and if they appear prejudicial to you or insufficient, what means of remedying thereto would you recommend?—They are not only prejudicial to the formation of new Settlements, but they manifestly prevent the progress of those which are already begun. I consider the actual Road Law as very prejudicial to the progress of the country, in as much as the cost of the *Procès-Verbaux* for the opening of new Roads is enormous compared with the scanty means of the country people. That this expense added to that for opening the Roads is oppressive to the new Settler. That even in cleared Land, a *Procès Verbal* made at the distance of about thirty leagues from Quebec (and I will mention Kamouraska for instance) does not cost less than £20 and some odd shillings, including the expenses at the Prothonotary's Office, and the allowance made to the Surveyor. That this takes place for the shortest Road which is marked out. That the power which the Law gives to the Grand-Voyer is by far too extensive. That there is no certainty in their judgment. That that which is approved of by one Grand-Voyer is disapproved of by the next; and it is within my knowledge, that a road traced, on a farm cultivated, by one Grand-Voyer in a space of less than half a league, was changed two or three years after by his successor; which drew about twenty proprietors into an expense of more than £40 to give to the Grand-Voyers for the two *Procès-Verbaux*, besides the loss of time in taking down, and making new Bridges and the Road. I think that a means of obviating these difficulties would be to give a fixed salary to the Grand-Voyer, and not permit him to receive any fees; or to convert the office of Grand-Voyer into an office of Record in each County, and that the new Roads should be traced for the future by a Committee of five Farmers in each Parish, named at an annual election, in the same manner as the Sous-Voyer is at present elected. They would fix the place of the new Roads asked, would draw a *Procès-Verbal* thereof, would deliver the same to the Keeper of the Records, who would be authorized to deliver Copies thereof when wanted.

Mr. Augustin Balantyne, Deputy Provincial Surveyor, being

called in, informed Your Committee: That he has been employed to survey Lands in the rear of the Parish of Kamouraska and River Ouelle, at the distance of about six leagues from the St. Lawrence; that the Land is good and level, and fit for making new Settlements;—communications might with facility be opened with the River Saint John at that place; that the Lands of the neighbouring Seigniories are chiefly conceded with the exception of the Fief St. Denis, where there are still some concessions to be made, but not sufficient for the demand, and the want of new Settlers; that the great obstacle to opening or forming new settlements is the want of Roads; that the present system of opening Roads is so expensive that it is impossible for new settlers to bear the expense of it, with the rents which they are obliged to pay for their lands; that he believes that an easy means of forming a new settlement would be the opening a proper Road through good Lands, which it is impossible to effect with the existing Road Laws; that he believes it would be expedient to open such Roads on the south shore through the Lands, to be settled at the distance of about ten leagues, or in such parts as land fit for cultivation is to be found; that from the information he has been able to collect, he believes that the principal branch of the River Saint John is distant about twenty leagues from the Saint Lawrence at L'Islet; that behind River Ouelle he does not believe it more than fifteen leagues.

Anthony Gilbert Douglas, Esquire, late Captain in His Majesty's Canadian Fencible Regiment, called in, and examined :

Have you had any and what means of becoming acquainted with the modes in use for the making of Roads through Forest Lands in this Country?—For the last six years I have been employed in making Roads in the woods. When the trees are cut down, the Canadians not using oxen lose a great deal of time in making heaps of the same. The oxen would also be of service in ploughing such parts of the Road as is fit for it, which would cut down the brushwood and even part of the roots.

What is the average expense of making Roads through such Lands, and what are the processes used; are any Roads required to be repaired or opened in the part of the country in which you live, the repairing or opening of which would be of general benefit to the Province?—The average price of labour cannot be easily ascertained, owing to a variety of circumstances. I think it may be stated at from £80 to £130 a league. In the woods, the Roads should not be more than 16 feet wide, the wind would then do it less damage. The clearance which is required frequently cost more than it is worth. The causeways in the swamps should never be made with large logs. Several beds of Shrubs, alternately covered with the ground taken from the ditches, would answer the purpose better. The Saint Gregoire Road would require a grant of money to defray the expense of keeping it in repair. Last Autumn and the whole of last Summer has been very rainy. The Townships through which it passes (for reasons which it would be tedious to detail) are but thinly settled. It is consequently expected that the public will assist. A Road of 40 or 50 arpens, from the extremity of the St. Esprit Road in the Parish of Nicolet to the St. Gregoire Road is here recommended. A few miles (twelve I have been told) opened in the Township of Hereford, would communicate with Portland.

State particularly the public advantage which would accrue from the opening of such Roads?—The River most commonly freezes over at Pointe aux Sables, instead of Three-Rivers. The Township people would have the choice of both Roads, that of Nicolet and La Baie. The Parishes on the north side could at all times go to trade in the Townships. The communication with Portland presents a great advantage to the whole of the Province. The twelve miles opened in Hereford would take us to the good Roads of our neighbours. The Port of Portland never freezes. The English Packets would reach it as easily as New-York, and would be much nearer to Halifax and New-Brunswick. The distance from Portland to Three-Rivers does not exceed 225 miles. The Government Despatches, the Merchants and Travellers would reach sooner; exclusive of the advantage of new branches of trade for the Townships and both Shores of the St. Lawrence.

What would be the probable expense?—Not being acquainted with the nature of the ground of Hereford, nor even with that at the end of the Parish of Nicolet, I beg to refer to my second answer.

What in your estimation is the most advantageous mode of applying public money to these purposes? Should the work be done by contract, or would it be more advantageous that the Road

Road be opened under the superintendance of some fit person employed and paid for the purpose; state fully and particularly what you consider to be the advantages and disadvantages of the two modes respectively?—The Commissioners according to law advertize for the lowest tenders; but this low tender is sometimes very high, for every Contractor ought to secure to himself a profit of forty per cent. since he runs the risk of being ruined by a suit, previous to the Road being accepted of. If the Contractor undertake a great deal he will necessarily give out some part of his undertaking to sub-contractors, who will use the same reasoning. This explains the reason why the £53,000 voted for internal communications have hardly produced a short Road in the whole Province. The second method is therefore preferable, but there is danger in that also. It would be proper to have a suitable person placed at the head of this new Department, with orders to employ Militia Officers in the Parishes, with fit country people to assist them, and they would be paid; but they would supply them fit workmen by the day or by the month, and finding themselves with provisions. In some cases they might be allowed the transport of their provisions. The Head of this Department ought not to have any money at his disposal. He might draw upon the Receiver General or upon such other person as might be appointed, as often as the case might require, but in all cases upon affidavits being produced of the performance of the work, or the attested accounts of the aids which he might have employed.

The Honorable *Louis René Chaussegros De Léry*, a Member of the Legislative Council, called in, and examined:

Is the Road from Longueuil to Chambly much frequented, and by whom?—This Road serves as a communication for more than ten Parishes and for the Townships which have their outlet across the Mountains of *Rougemont de Masku*, and consequently is one of the most frequented,

What parts of it are a front Road, and what parts of it a by-road?—This Road is about $4\frac{1}{2}$ leagues in length, and the whole of it is a front Road, with the exception of three by-roads which form together about three quarters of a league.

Could the by-road be paved with stone by the persons obliged to maintain it, or would a public aid be absolutely necessary to render it good during the whole year?—I do not believe the by-roads could be paved with stone at the expense of the inhabitants who are obliged to maintain them, without a public aid. A Turnpike could alone render these by-roads good in all seasons.

Could those parts of the road which are a front road be paved with stone by the persons obliged to maintain them, or would a public aid be absolutely necessary to render this road good during the whole year?—There are in those parts (the front road) two bogs of about 40 acres in length, which are covered with water every spring, and even in summer, by the falls of rain, which wash away the earth which the inhabitants cart for the repairing of them. A public aid or a turnpike would be, in my humble opinion, the only means of rendering all this Road good and practicable.

What extent of by-road is there on the public road from the *Côte des Neiges* to the arrival at Plouf, and what number of persons are obliged to maintain it?—Between the *Côte des Neiges* and the arrival at Plouf, this is a continuation of four or five by-roads of 30 acres each, united together by a square of about 10 acres, formed by a part of the road of the *Côte de Vertu* at St. Lawrence. I cannot at present state what number of persons interested are obliged to maintain them, not having before me the *Procès-Verbaux* which oblige them: each individual share is but small, and I believe that with a public aid one might succeed in paving them with stone.

What extent of front road is there between the same places?—Six or eight acres on the front Road of *Vertu*, and the street of St. Lawrence village, which is considered as a front road at the charge of the inhabitants of the said Village.

What would be the best mode of rendering the by-roads in general better than what they are?—The best means of rendering the by-roads in general good would, in my humble opinion, be in the first instance to widen them to 30 feet: these by-roads were only originally 20 feet, the ditching has taken away 7 or 8 feet therefrom, so that at this moment the carriage road is only 12 or 15 feet. That being done, the Law should render that obligatory to the parties interested, which was only optional; that is to say, the keeping of the by-roads in repair, and by an amend-

ment of the Road Bill which allows the parties interested to give out their respective by-roads to Contractors. The *Sous-Voyer* then only has the Contractor to oversee. I ought to remark that this amendment to the Road Act will expire on the first May next.

What extent of by-road and of front road is there on the public road in the Island of Montreal, between the City and the crossways in the Parish of Sault au Recollets?—The extent of the Road between the City of Montreal and the Cross-ways, in the Sault au Recollets, is about the same as that between the same City and L'Abord à Plouf; that is to say, about 2 leagues and a quarter, of which about thirty acres, either up or down the *Rivière des Prairies* to reach the different cross-roads, are front roads.

What number of persons interested are obliged to maintain those by-roads?—I cannot precisely say the number of persons who are interested in keeping these by-roads in repair, not having a statement of it; but with the exception of those portions of the by-road in the Parish of Montreal, called, I believe, *Route de la Visitation*, which the inhabitants of the Sault au Recollets are bound to keep in repair, the portions in the others are not very considerable.

What parts of them could be paved with stone at the expense of the persons interested, and what would probably be the amount of their cost; could some parts be only paved with a public aid, and what extent?—I have no experience in the making of Roads after McAdam's manner, therefore I cannot say what would be the expense of coating these Roads with stone, which I must say is already too stony. It would certainly be necessary to have an aid for that purpose.

What parts of the by-road between St. Martin's Church and the Ferry could be paved with stone at the expense of the persons interested, and what would probably be the amount of their costs; could some parts be only paved with a public aid, and what extent?—I do not know any part of this Road which could be coated with stone at the expense of the parties interested, and much less what the expense would be. The whole of this extent should be at the public expense, or that of the whole Parish, which the inhabitants would certainly not like.

Monday, 22d December 1828.

Alexander Joseph Wolff, Esquire, again called in, and examined:

Have you in your possession any Reports or Copies of Reports, Accounts or Copies of Accounts, by you made or rendered, concerning the Road of the Portage of Temiscouata, and if so, be pleased to communicate the same for the information of the Committee?—My Accounts I sent to Major Eliot; I have Copies of them at my house at Val-Cartier. The paper which I now produce is the Report by me made on the 25th August 1826, to His Excellency the Governor in Chief, of the works done on the Road under my superintendance. I lay before the Committee the Letters received by me from Col. Fraser respecting this Road.

[The witness delivered in the same, which were read, as follows:]

“REPORT of the Works done on the Portage to Lake Temiscouata, from the 15th June to the 19th August 1826, under the superintendance of A. J. Wolff, Lieut. Half-pay, 60th Regt. appointed by His Excellency the Governor in Chief, as Commissioner for the said Works.

Quebec, 25th August 1826.

“On the 15th June I caused a party of laborers to move from the St. Lawrence to la Rivière Verte, under the care of an assistant overseer, when I followed next day with another party, and on my arrival I found that part of the Road leading to the Bridge in want of new pavings and other repairs. I began the works there. The Bridge I had completely repaired, as it was in a very dangerous state, when I proceeded with a second squad to the Bridge over the Ruissseau Morneau, which was reported to me almost impassable, as a woman (Mrs. McDonald) narrowly escaped from breaking a leg. I found it necessary to have an entire

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entire new bridge built; after which done, I employed the whole of the party on the Road between these Bridges, in renewing and repairing all the causeways, which are numerous, removing or levelling detached pieces of rocks and other obstacles, and had the Road opened where it was requisite. On my way from Cote's House to the Green River, although that part of the Road is considered fit for wheel carriage, but from the decayed state in which I perceived the pavings to be, and consequently dangerous to the public, I therefore, when the two bridges and the road between were in a state so as to prevent accidents, employed the men in repairing the causeways on that part of the road, as it was found almost impracticable to bring up the provisions and stores for the working party. I also conceived that from the Bridge of La Rivière du Loup to Rivière Verte the road is much in need of being opened, which however I have declined doing for the following: considering the works required on the whole of the Portage, especially from La Petite Fourche to the Lake, and the limited sum granted, I proceeded with the idea of going through the whole of the road by doing the most required, and on arrival, take a view of what sum had already been expended, so as on my return equally to bestow where needed the remainder, otherwise I might have been led into the error, more partially to apply the money on a proportion of the road than on another.

I then returned to the road above Ruiffeau Morneau, which for about a mile distance is sufficiently open, but covered with detached pieces of rocks, which were either removed and the holes filled up with smaller rocks, gravel or ground, or broken up. From whence to La Savane des Roches, a distance of about two miles, the road was much choked up, and was opened to a breadth of about 24 and 30 feet; the whole of the pavings, which are here very numerous and in some places of extraordinary length, were renewed or repaired; ditches were opened, and drains made where practicable.

I endeavoured to make Les Roches practicable for wheel carriage by breaking up the largest detached pieces of rocks, levelling the road with their fragments, and covering nearly the whole of the centre with gravel and ground; and I may add, that I succeeded, as Col. Frazer reached St. Francis River two or three days after, with a cart loaded with about 4 cwt. I had the road opened to about 25 feet.

From the Savane des Roches to the Bridge over the River St. Francis, about a mile distance the road was much covered with detached pieces of rocks, some of which were removed and others broken up, and the vacancies filled with gravel and ground, the road was opened to a considerable breadth. The bridge over that river, I found dangerous from its inclining situation to the south, owing to the beam on that side being very weak; I caused the bridge to be undone, and had a new beam placed in lieu of it, and the bridge covered with new cedar.

From St. Francis to the Grande Fourche, the road at the foot of the mountain is very swampy, and the whole of the pavings were repaired or renewed, as circumstances required; ditches and drains were made to turn the water off the road; approaching at the beginning of the ascent large detached pieces of rocks were met, which were removed, although some of very considerable size, and the holes levelled with gravel and ground, the road being much choked up with bush, and I caused it to be opened to a breadth of from 24 to 30 feet.

At Ruiffeau Salop the pavings were very bad, so that new logs were required, the road being very swampy, they were made as well as a new bridge over the Ruiffeau. From thence to La Grande Fourche, about 1½ mile, the road was opened to a breadth as above, and a paving of a very considerable length was almost renewed. The bridge over the River was repaired.

From La Grande Fourche to the foot of that mountain, new pavings were made, and ditches with outlets opened to draw the water from the road, and as the whole of that part appeared to be constantly under water, gravel with ground was made use of to higher the centre of it, and caused the water to find its way into the ditches. The detached broken rocks were removed, which labour was required through the whole part of the road from thence to La Petite Fourche, as likewise opening it, as it was much choked up; a number of ditches were cleared and outlets made, at intervals of about ¼ of a mile, the causeways removed, renewed, and others repaired. The bridge over Petite Fourche was covered anew with cedar wood.

For about ½ a mile beyond La Petite Fourche, appeared to be a very swampy part of the road, consequently different ditches and outlets were necessary, and the pavings renewed and repaired as before; the road widened to about 30 feet. I found here, even at this season of the year, (far advanced in July, whole pavings floating; the same operations were made, as circumstances required, till the foot of Buard Mountain. A new bridge was made over the Marais Sangsue. I had an opportunity of observing of what utility ditches and outlets are, as the day after

completing the swampy part above referred to (as far as under the present circumstances were permitted) a very great fall of rain was experienced and the road was perfectly dry in about two hours after. It was necessary to open the Road all along from La Petite Fourche to the foot of the Mountain, to a great breadth, from its swampy nature, that the sun, in addition to the ditches and outlets, may assist in drying it, by having a free access to it as well as the winds.

From the foot of the Buard Mountain for about 2 miles, the road was much covered with detached rocks, some of such size, as rendering their removal impossible, I had recourse in instances to fire, which I caused to be made on them, and when thoroughly hot, (the party in the mean time being employed in opening the road) had cold water thrown upon them, which became much easier to be broken up, and levelled with ground; I found this method shorter than blasting, dry wood being every where at hand, and no delay or loss of time occasioned: the rocks of lesser dimensions were removed or broken up. The fragments made use of in low and swampy places, the pavements were either renewed or repaired, as the case did require, and the road opened as before. A very steep and rocky descent I have partly avoided by turning off the road a little to the south, which part was rather low, but I had it filled up with gravel and ground lodged in a bed of logs. Proceeding on, I found some pavings unnecessary (where the water had to be drawn off the Road by means of the ditches and outlets, and which were consequently taken up.) From thence to the Rocky Mountain, opening and removing detached pieces of rocks and wind-falls was continued, and some pavings renewed and others repaired.

The Rocky Mountain is considered the worst part of the Portage Road for the present mode of conveyance, it being covered for about a mile with detached pieces of rocks of all dimensions, some so large as permitting no removal; but had the road raised to a level with these rocks, and a great many were removed and broken up, as circumstances required and permitted; the fragments were used to level the lower parts. This part of the road was at some time (and appears to have constantly been) inundated by springs out of the rocks, which I have succeeded in turning off the road, by outlets, and altering their course. The product of these springs is great, as whole and large pavings were found floating in their waters, even at about ¼ a mile beyond them.

Previous to my attempting any improvements on the Rocky Mountain, I caused a road to be cut to the S. S. East of it, to try avoiding it, which at the same time would have shortened it for upwards of 4 acres; but this new passage did not meet my expectation, and will prove of advantage to foot passengers only for the present, as the end of it proves too steep; but have no doubt, that at a future period, it might, at an inconsiderable expense, be made by far superior to the original road. From the Rocky Mountain to the bridge over the little lake River, the road with few exceptions is very swampy, and covered necessarily with many pavings, which were repaired, ditches cleaned and outlets made, additional pavings required, and the road opened to a great extent. The bridge over that River covered anew with cedar, from whence to the Ha! Ha! River the same defects were found (except that this part is not so swampy,) and necessarily the same mode of improvement had recourse to, and the bridge over that River covered anew, it having been burned. The ascent, immediately on crossing that bridge, was very steep (although not long,) and reported very dangerous in winter; I had it improved as much as practicable for the present, in turning in a zig zag way, and I am of opinion it will be found a very easy ascent or descent at present.

From the Ha! Ha! River to the Lake, the Road was opened as its nature seemed to require, in several places new pavings in addition to the former were necessary, and made with ditches and outlets, and others required a great deal of repair; but I am concerned to have to state that this work was but partially and hastily done, as the hay season had approached, the labourers withdrew to their homes, and I had a few to continue with, without prejudice to the public interest, and had reason to be satisfied of having previously employed a party of labourers from the Lake to meet me, in order to accelerate the work, or otherwise this part of the road, a distance of about one league, would have been much less improved.

I consider it my duty to state, that although much has been done to the Savane des Roches, yet that part of the Road still requires great improvement to make it practicable for wheel carriage. The Bridge over the River du Loup has been reported to me by several living on the Portage to require a deal of repair, and should it not be done this fall, the Bridge is much exposed to be destroyed next spring.

From the fires which have taken place in the woods on the Portage, it must be expected that the road will be much inconvenienced by wind-falls, as the fires have got deep into the ground

ground, and consequently much injured the roots, as also some of the pavings have been destroyed.

(Signed)

A. J. WOLFF.

ADDENDA to the Report of August 1826, of work done on the Portage Road, to Lake Temiscouata :

On the 18th of September, I resumed the works at Green River with repairing the causeways which were much injured by the fires in the woods, clearing the road of numerous windfalls occasioned by the same, and making other improvements I had left until my return from the Lake, when I proceeded on in the Summer, which I was prevented to accomplish in consequence of the men leaving me on the approach of the harvest.

La Lieue des Roches being the worst part of the Road, I particularly applied my attention to it, and employed the party with carts and horses for the conveyance of sand and gravel nearly a fortnight, which was not to be had but at a considerable distance, and a great number of loads were wanted to cover the centre, (say 3 feet broad and 1 deep) for the whole of that distance, and also widened the road by removing rocks or breaking them up, to make it practicable for wheel carriage, and where circumstances permitted, had outlets made.

From thence I proceeded on with the works, removing or repairing causeways and bridges destroyed or injured by fires, which I found had done serious damages throughout the Road; I cleaned it from the numerous wind-falls, and as some rainy days offered me an opportunity to observe where ditches and outlets would prove of utility, I caused them to be opened.

On my arrival at the Ha! Ha! Bridge, from whence to the Lake, the Road had not been finished in the summer, owing to the labouring men leaving me before I expected, consequently that part was much in need of improvement, more so from the causeways being seriously injured by the fires, and the roads intercepted by a number of windfalls, which blocked up the ditches and outlets, I caused the causeways to be repaired, ditches and outlets to be opened, and the other impediments removed as far as circumstances would admit.

On my approaching, and when at the Lake, I was informed by every traveller, without exception, that the Road from the Bridge over La Rivière du Loup to La Rivière Verte was almost impracticable from windfalls occasioned by fires and a subsequent gale of wind, and from the very bad state of the causeways; which induced me, although without authority, to have it cleaned and the causeways renewed and repaired.

It gives me satisfaction to be permitted from observation, to state that wheel carriages are now preferred to the *menoir* by travellers who have passed through the portage since the road has undergone repair, and that but few *menoirs* are used, and those by people wishing to return disencumbered, having reached their destination.

Great windfalls are to be expected from the extensive fires which have ravaged the woods and consumed the ground deep below the surface, consequently the roots are much damaged. With respect to the Bridge over Rivière du Loup on the Portage Road noticed in my Report of August last, I beg to refer to the accompanying statement of Mr. Jean Michel Duchêne, mechanist.

(Signed)

A. J. WOLFF.

Present state of the Portage of Temiscouata, and method proposed for its improvement :

Quebec, 10th August 1823.

After an attentive examination of the country on the right and left of the Portage Road for eight days, and having during that period traversed a space of from 59 to 60 miles through the woods, I am of opinion from the great extent of swampy ground and high mountains passed over during that period, that it would be much better to continue the present line of the Road than to give it a new direction. I must however at the same time beg to add, that when the leaves are off the trees it may be possible to avoid many of the bad parts, which I was in all probability prevented from doing from the circumstance of my not being able to see more than a few yards in any direction.

Assuming it therefore as a point decided on, that it would be better to continue the present Road, I shall proceed to make some remarks on its present state, with such suggestions as I should think might lead to its improvement; but in the first place I consider it not unimportant to state that although the Portage is at present in so wretched a state that a person who has not been there can scarcely form any idea of it; yet the Merchants (or Storekeepers) of Madawaska do now get their supplies over it, in preference to going down the St. John's River to Fredericton, to which place they cannot go and return in less than nine days, where, as in the same time or a little less, they can travel to Quebec, and back again, with the advantage of getting their goods at a much lower rate.

The Madawaska Settlement at present consists, according to Mr. Ringuet the Curé, of 140 families, which taken at the common average of from 5 to 6 persons each, will give a population of nearly 800 souls; this estimate I do not consider to be over-rated, aving taken the opportunity of my being there on a Sunday, to go to the Church, which I found, though of a considerable size, literally as full as it could hold.

From Côté's house on the banks of the St. Lawrence to the River Verte, nine miles, the Road is practicable for carts carrying about 4 cwt; but from thence to Long's, 27 miles, the only mode of conveyance is on a *menoir* or species of sledge, formed by two shafts united by three cross beams, with four uprights to fasten the load on with; one end of each shaft is suspended to the harness of an ox or horse, and the other trails along the ground: on this machine which is generally taken the whole way across the Portage, a load of from 2 to 2½ cwt. is carried in two days, and one to return for the sum of 4 or 5 dollars. There is no difficulty in getting *habitans* to undertake the job, but they try their utmost to impose on strangers; and asked me 8 or 10 dollars each, although I only paid 5, and detained them on the road.

From the River Saint Lawrence to the River Verte, 93 miles by the Road, but not more than three French leagues in a direct line, belongs to the Seigniorship of the River du Loup, and every lot on that space except two or three being conceded, the Censitaires are obliged by Law to open and keep in repair the Road along the front of their respective Lots, and as this space is already practicable for carts carrying from 4 to 5 hundred-weight, it appears less necessary to expend money on it than on the remaining 27 miles of the Portage.

It is however proper to observe that from the end of Nouvelle Ecoffe to the commencement of the Settlement at the River Verte (5 miles) the Road has never been opened more than a few feet wide, and that at the present moment the branches overlap one another on the greatest part of this space, which indeed is the case on almost the whole of the Portage, except at the Clearing, a circumstance in itself sufficient to prevent it being a good Road.

From the River Verte to a little beyond the end of the 13th mile (3½ miles) the Road is very much covered with detached pieces of rock, some of large dimension, requiring either to be removed or broken up, neither of which would be difficult; and this space, as well as from the 14th to the 16th mile, has very little timber upon it, and even what there is, is generally small pines or cedars, which on this part of the Road might be cut down so as to open it to a sufficient width, (say 30 feet) at a trifling expense.

In many places the causeways are made with sapins or cedars mixed, and I remarked that almost without exception, when the former were completely rotten and broken in pieces, the cedars were almost as perfect as the day they were put down.

It is necessary to state that there are a great many portions of the logged parts of the whole of the Portage which are so completely out of repair, that it is quite astonishing a horse can drag a load through them, for although many of them have had new Logs only three or four years ago, yet having been made of sapins (with cedar standing close by) and frequently of very small dimensions, they could not be expected to last long, the consequence is, there are chafins in many places, of from 5 to 10 feet wide, with scarcely a single log on them, and in others great numbers of logs are lying about quite loose, and it is astonishing to see with what sagacity and care the unfortunate animals contrive from repeated practice to scramble over them. It is however a circumstance which I believe rarely occurs, that any load passes over the Portage without the horse sinking repeatedly so deep into the mud, even in the very driest season, as to render it necessary to unharness him for the purpose of enabling him to scramble out of it, which is generally done with the assistance of the driver, who then unloads the vehicle, and puts all together again in the best way he can.

With respect to the Savane des Roches, which is logged from 900 to 1000 yards, should it be deemed advisable only to put it into a state of repair for the present mode of conveyance, the remedy to be applied is clearing out the ditches and replacing the

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the worn out logs with cedars, but as Roads thus constructed are but bad at the best, the only effectual mode of making it good, is to take up the logs and sleepers and replace them with cedars laid flat on the ground, putting a second layer where necessary, and covering these up with mud taken from the ditches, then putting on a coat of gravel, of which there is an abundance of very good on almost the whole of the Portage; taking care at the same time to make wide and deep ditches with drains and an outlet sufficient to convey the water off if possible; these drains and ditches should also be constantly examined to see that they are free from obstructions, and not left as they have been until there are large trees growing out of the middle of them. By this method, and a little looking after, I have no doubt that there are very few, if one, of the swampy parts of the Portage which may not be made sound and good; it would however be necessary in a few years to put more gravel on it. This method it must be admitted would be attended with a considerable expense, but when the importance of a good line of communication between the Provinces is, taken into consideration, I cannot help thinking it would be much more advantageous than to make any temporary repairs by the plan at present adopted.

From near the 14th to near the 16th mile, or a space of about 2 miles, is almost one continued bed of solid rocks, extending such a distance to the right and left as to preclude a possibility of their being avoided; there does not appear any other method of improving the Road so as to make it practicable for wheel carriages, but that of widening the present tract by filling up the interstices or inequalities of the surface with pieces of rock of which there is an abundance lying about in every direction, and then putting on a layer of stone broken to about the size of an egg, covering this again with gravel whenever it can conveniently be procured.

From near the 16th mile to the River Saint Francis the side of the Mountain is in several places very steep and covered with rock, much of which should be moved off the road or be broken on it.

From the River Saint Francis to the Lake there are 8 or 10 ledges of rock running across the road which require blasting; these ledges are in general from 15 to 20 feet in length with an elevation of from about 30 to 45 degrees, which would make it difficult to get carts with loads over them; one of the pensioners at the River Verte being a minor and desirous of employment, it would only be necessary to provide him with tools, &c.

It might also be necessary to blast some of the largest of the detached rocks at present on the Road. From the River Saint Francis to the Lake Temiscouata the swampy parts are so numerous that it would be endless to attempt to particularize them; I must therefore beg to refer to my plan for their position and extent, merely observing that the same method is recommended with respect to them as is pointed out for the Savane des Roches.

The bridges over the different streams crossing the road being of sufficient breadth and in very good repair, with the exception of a few rails and cross planks or logs, a very trifling sum would be required on that account.

The principal mountains are the one at the commencement of the Portage, the new Caledonian Hill, that on the eastern bank of the River Verte, both sides of the Saint Francis, the Grand Fourche and Mountains Buard, the whole of which require to have their steepest parts scarped so as to make it easy for loaded carts to ascend them.

Having measured the distance in a number of places between trees standing directly opposite one another, of apparently from 20 to 30 years growth, it appears evidently that this Road has not during that period been opened wider than from 12 to 15 feet, and as its general direction is nearly E.S.E. the rays of the sun can never assist in drying it, except for a short time in the morning, when they have the least power: the consequence of which is, that places which would be dried by a few hours exposure to the sun and wind are never free from moisture.

I should therefore beg to recommend as a preliminary step to any other improvements, that the bush along the whole of the Portage should be cut down to an average width of at least 30 feet, and every effort made to drain the water off.

And as a very considerable portion of the Road lies over a tract of gravel and rock which would not require to be more than from 15 to 20 feet wide, an additional breadth may be given to such of the swampy parts as cannot be drained, so as to allow the sun to act with all its power in assisting to keep them dry. It must however be admitted that the breadth proposed would not guarantee the Road from the effect of windfalls, which cannot be guarded against, except by giving the whole Road a breadth of at least 60 feet.

The expense of opening 30 miles to 30 feet wide, allowing 7 feet for the breadth of the old road, at 12 dollars an acre, and three of them to a mile, would not amount to more than £360.

I have put the extent to be opened at 30 miles, having deducted from the whole distance 5 miles for clearings, and the remaining 24 miles for parts where the Road has been burnt.

The work proposed to be performed on the Road being of a nature totally different from any I have ever been employed on; I am unwilling to hazard an opinion as to the probable amount requisite to carry it into effect; but I should imagine it would require nearly a hundred pounds a mile on an average, or about £4000, which sum it is to be hoped would cover every expense, and make the Road a very good one.

From Long's to the Dégélé, 15 miles, there is only one stream of any consequence to be passed, which is called the Cabonot, distant one league; this stream is from 20 to 30 feet wide, with firm banks, and at this season is not a great depth, but in the spring and fall is said to be much increased by the waters from the mountains. At present this stream is passed over by means of a tree which lies across it; about three-fourths of a mile up this stream Long has a clearing of a few acres.

From Long's to Dégélé, a Road might be easily opened; principally along the top of the flat mountains which surround the Lakes passing in the rear and in the sight of Dall's House; were this portion opened, the whole line would be practicable for foot passengers to the Little Falls of the Madawaska, a new Road having been made from 12 to 14 feet wide, commencing at the Dégélé, and passing along the right bank of the Madawaska, terminates at the junction of that River with the St. John, a distance of about 30 miles.

From the commencement of the Madawaska settlement to the Church there is no road, with the exception of such detached portions as are left between neighbours for their mutual convenience, although the land is cleared on both sides of the St. John's River, with exception of the Indian reserve.

(Signed) A. ELIOT,

Br. Major, 68th Regt.

Lake Temiscouata,
19th February 1827.

My Dear Sir,

I have postponed to write to you so long; I do not know which way to offer you my apology. The Curé, Captains Hebert and Bellefleur promised, *en passant*, they would send me in writing, to be forwarded by me to you, how much they do approve the improvement on the Portage Road done under your directions. Little can be added when I can assure you 330 loaded horses, chiefly wheat from Madawaska, have travelled this way since the 8th January, with at least twice the number of people, who had but one opinion in praising and wishing you future success.

This day week I had the misfortune to learn my mill at the Rivière des Caps, was consumed either by stupidity or negligence. This is the second grist mill the fire has devoured of mine since 2d Novr. 1826. I shall be happy to hear from you and learn of your return to this wild part next summer.

With sincere regard, I duly am,

My Dear Sir,

Your most obedt. servant,

ALEXR. FRASER,

J. A. Wolff, Esq.

Lake Temiscouata,
8th November 1828.

My Dear Sir,

Complaints on the Portage Road are multiplying, the Bridges, whose repairs were not renewed by you, are at present most impracticable.

Mr. Germain Dechêne, of the River des Caps, who has the contract of the Mail to Fredericton, has applied to Mr. Stayner, D. P. M. G. on this behalf.

I trouble you, my Dear Sir, so that you may petition for the necessary aid.

A Gentleman, (H. G. Deane, Esq.) left this two days ago on his return to the United States; he went only to the River St. Francis

Francis for, I suppose, to see the run of that River and report; therefore, I presume, until our boundaries are defined, Government will be loath to disburse for this communication—however the Portage is this time wretchedly bad. The body of a poor man was found by Mr. Dall's sons, about a mile below their house on last Monday, lying stretched on the beach, supposed by the people whom I called as an inquest, to have perished by wet and cold, as he had clothing barely to screen him from the rays of a warm sun. I expect people from Malawaska, probably will learn something respecting this unfortunate creature. Our conjectures are he was an Irishman, aged near 30 years: had a little thread, 4 needles, a thimble and Tailor's measure in his pocket, about one pound bread,—a rag indicated he had been a tailor.

With due esteem, I remain,

My Dear Sir,

Your most obedient Servant,

ALEXR. FRASER,

A. J. Wolff, Esq.

William Henderson, Esquire, called in, and examined:

Have you had occasion to direct your attention to the matter of internal communication in this district?—Since the year 1822, I have been actively engaged in forming a new settlement in the north-easterly part of the Township of Frampton, and in that part of Standon adjoining it. From this circumstance my attention has been particularly turned towards the subject of facilitating internal communication and the consequent settlement of the waste lands in the Counties of Dorchester and Hertford. My local experience is too limited to enable me to form any correct view of this subject in any other portion of the District.

Have you ever had occasion to consider this matter in its relation to and connexion with the establishment of new Settlements?—I have very lately directed my whole attention to the subject of internal communication in its relation to and connexion with the establishment of new Settlements. The results of my experience and enquiries has been collected in the form of a paper with the requisite tables and proofs, which has been submitted to the Society of Arts and Sciences. The annexed table is a summary of the whole, from which it appears that in 7 years 150 poor families may be settled on the waste lands by a loan of a sum under £900, to be repaid in the course of six years, and that it is highly probable a gain of £900 or upwards would revert to the public by the transaction, exclusive of the value of the lands settled. This is to be produced by furnishing labour to the new settler on the spot, without charge to the public, and without the necessity of undertaking any public works for this end.

What are the Roads which in your estimation it would be most expedient now to cause to be opened?—Before mentioning new Roads, I beg to be permitted to say that the improvement of Craig's Road and of the Kennebec Road, are objects of much importance to this District; but I am of opinion that no outlay on these Roads can be permanently advantageous, until a sufficient number of Settlements are established upon them to keep up repairs. Unoccupied Lots upon the Road should be generally taxed to maintain their respective portions of the Road in good repair, and lands in the vicinity likely to be benefited by these grand lines of communication ought also to contribute, although in a minor proportion. A new Road from St. François on the Chaudière towards and along the southerly bank of Lake St. François, and thence following the outlet thereof to Sherbrooke, would be found advantageous in promoting the settlement of a large tract of what is generally believed to be good land; and would moreover open a direct communication between Quebec and the capital of the new district. I state this however with some little hesitation, as the *locale* of this part of the country is to a great extent unknown. To the eastward of the Chaudière, particularly in the Counties of Dorchester and Hertford, the country has been to a considerable extent accurately and even minutely surveyed as far as the heads of the waters falling into the Saint Lawrence. I can therefore state my opinion more decisively as to what new Roads ought to be opened in that quarter. The first in importance is that which has already been traced by Mr. Ware (in 1825) by order of Government, commencing at No. 14 in the 9th Range of Frampton and ending at the River

St. John, where that important stream first becomes navigable. To understand this the better I have annexed a small sketch of this proposed Road with the adjacent countries; Although roughly executed it will be found sufficiently accurate to enable the Committee to form an opinion of the importance of the proposed Road. When Mr. Ware run this Road, he was anxious to take the most direct course, although in its progress through the Township of Standon it passes through lands that cannot be cultivated. For this reason I traced a line from the easterly angle of Frampton close to the Cranbourne side of the boundary between that Township and Standon, through excellent land as far as Lake Etchemin, which offers a situation for settlement not perhaps equalled by any unsettled part of the district. I would therefore recommend deviating from Mr. Ware's line at the northerly angle of Cranbourne, and follow that which I have traced as far as the aforesaid Lake, where the Road may end for the present. The total distance I propose opening on this Road would be 14½ miles. The next Road I should recommend is from the Seigniorie of St. Joseph through Cranbourne, between the 7th and 8th ranges until it intersects the one from Frampton, 1½ mile north-west of the said Lake; this Road would be about 12 miles in length. And two other Roads of 9 or 10 miles each, one from the advanced Settlements in the River du Sud towards the source of the main branch of that River, and one between the River Ouelle and Kamouraska towards the sources of the River Ouelle, provided that these last mentioned Roads can (from the information of persons better informed than I am) be undertaken with the same absolute certainty of thereby causing immediate settlement to take place, as I can vouch for being the case with Cranbourne and Frampton.

Be pleased to state your grounds and reasons for recommending the opening of these Roads, their relative importance, the effects which they would be likely to produce upon new Settlements, and their probable expense?—My reasons for recommending Roads to be opened at the public expense at the Rivière Ouelle, Rivière du Sud, and through Cranbourne and Frampton to Lake Etchemin, are:—In the first place, the speedy and general improvement of the most valuable portion of the district of Quebec, which can only be effected by the opening of new Roads in various directions. The old Seigniories have become so very populous that very little land remains in any of them to be granted. An immediate influx of native population may confidently be expected to take place in the waste lands, in rear of the seigniories, the moment these lands are offered for settlement and Roads to them opened. It may with all safety be computed, that at least 20 families per annum will be induced to settle on each of the Roads I have proposed: as a double advantage is opened for indigent persons (as almost all new Settlers are) viz: a good road to their location, and work upon that Road to enable them to purchase provisions while their own lands are unproductive. The difficulties experienced in settling the Kennebec and Craig's Roads, viz: their extreme remote situation from old Settlements, will be avoided in these I have proposed; as all of them are in the immediate vicinity to thickly settled portions of the District. By opening these Roads and effecting settlements on the adjoining Lands, three great points will be established ten miles in rear of the actual settlements, which by spreading will become connected with each other, and in the course of a very few years effect the settlement of the whole tract immediately in rear of the Seigniories from the River Chaudière to the River du Loup, while at the same time they will form advanced positions, ready to push further Settlements into the extensive and valuable tract of country watered by the River St. John. In a political point of view the advantages to be reaped are still more important. It will be found connected with the direct interest, nay further, perhaps even the future safety not only of the Province but even of the whole of British America. The different points I have proposed carrying these Roads to, are within two or three miles of the boundary claimed by the United States. If that boundary should happen to be conceded to our grasping neighbour, it is quite obvious that the immediate occupation of the country lying between it and the Saint Lawrence by British Subjects, becomes an object of vital necessity, for from the denseness of a loyal and hardy population alone, can the slip of territory remaining to us, be retained from further encroachment, even in time of peace. On the other hand should Great Britain be successful in retaining the immensely valuable valley of the St. John; by immediate and actual possession alone, can we hope for its ultimate annexation to Canada; and to effect this we must be previously prepared by opening direct communications to the River Saint John at several parts, with all convenient speed. In either case, therefore, whether the disputed territory is retained or wrenched from us, it is obvious that our future safety and welfare depends upon settling the intervening country as soon as possible.

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possible. The probable expense of these Roads must of course depend upon the manner in which they are to be opened ; and the portions immediately joining the present Settlements will probably cost somewhat less than what is further off. I should propose that the Roads I have proposed to be opened and made passable for carts, ten feet wide, with a quarter of an acre of the wood chopped on each side, the total expense of which will not exceed 17s. 6d. per arpent, or £24 10s. per mile, to which must be added £5 10s. per mile more for bridges, and unforeseen contingencies, in all £30 per mile. The cost of the four Roads would therefore stand thus:

That from Frampton to Lake Etchemin,	14½ miles,	£435
from St. Joseph to Lake Etchemin	12 do.	360
from River du Sud,	9 do.	270
from River Ouelle,	9 do.	270
		=
	Total,	£1335

But it would not only be unnecessary, but even a disadvantage to expend the whole of this sum in one year : for if the Roads are opened faster than the Settlements progress they will be liable to get choked up again with young trees and weeds. In 1829 I would propose that the whole of the Roads should be opened as a Bridle Path or Winter Road, which would enable settlers to make the better choice of Lots ; and in addition to this about two-fifths of the Road completed in the way I have proposed ; this would require one half of the Sum appropriated. In 1830 another quarter might be expended, and in 1831 the remainder, by which time, on the Frampton Road at least, and I fully believe on the other three, sufficient lands would be occupied to maintain the Road in repair according to Law. I am particular in recommending the Road to Lake Etchemin. The Lands surrounding that beautiful sheet of water are of the most excellent quality ; and from its central situation could not fail, when occupied, to have the effect of spreading extensive settlements on all sides over a large tract of most valuable land, which cannot be so readily approached in any other direction. A village established on this Lake (which is deep and navigable) in the direct Road to United States and the Lower Provinces, would possess advantages not inferior to any other in the whole district.

What would be the effect of this outlay of the public capital upon the poorer classes of persons resident in the country Parishes ; might it be so done as to furnish a fund out of which these poorer classes would be enabled at once to supply themselves with seed wheat in the spring without any public loan for that purpose ?—The outlay of the small sums I have proposed would as far as they go, be of the most vital importance to the poor inhabitants of the adjoining Parishes. In Ste. Claire (which joins Frampton) I speak from personal observation and knowledge of the fact, the utmost distress actually exists from the partial failure of the wheat crop last year, and an entire failure this ; scarcely one in twenty have reaped the amount of seed they sowed ; and I feel quite certain that not less than 70 or 80 families in this Parish alone will be utterly destitute before the spring, and of course entirely unable to sow any crop whatever without liberal assistance. I am most decidedly of opinion, that the very best way of relieving this distress, will be that of affording such as require it labour on the spot. Want of markets in distant parts of the country for bulky articles of produce operates as discouraging extensive exertions in farming. Opening new Roads will induce accessions of new settlers, who must necessarily, at least for the first year, depend upon their next neighbours for provisions : this will sti-

multate exertion, while an unqualified donation might have a quite contrary effect. There can be no doubt but that the Sum I have proposed to be expended in 1829, on the Road from Frampton to Lake Etchemin, viz : £217 10s., could most easily be created into a fund for relieving the poorer inhabitants of the Parish of Ste. Claire, and providing them with seed wheat and other seed corn. I will not however venture to assert that this sum will be sufficient for all who may need assistance in that Parish ; but if to it is added the sum petitioned for by the Settlers in Frampton, to build a free bridge over the Etchemin in the immediate vicinity of St. Claire, there will be enough. It is particularly desirable on this head that whatever money is granted in aid of that bridge should be voted on the single condition that no toll should be exacted, and that it should be built next spring and summer, in order that the indigent inhabitants in Ste. Claire might be employed in the months of February and March in getting out the timber : this indeed ought to be a special condition in the grant. If it is stipulated as a preliminary step that the bridge be homologated in order to provide legally for its future maintenance in repair, (an object the petitioners will not fail to do without compulsion) the next season will be lost before the form can be gone through ; and a most important benefit drawn from the necessitous poor. No work of any consequence could be performed on the proposed Road previous to the sowing season ; therefore whatever portion of this sum might be allowed in order to procure seed, must be almost all in advance ; and it will not be safe to calculate at more than one third or at most one-half of the sum appropriated for the Roads, or for the bridge, as set apart to purchase seed grain, for the labourers must have provisions furnished for themselves and families while working as proposed.

Be pleased to state practically and in detail the process by which you think this might be effected ?—In answering this I shall confine myself to the money proposed to be expended in Frampton in order to assist the poorer inhabitants of Ste. Claire ; of course it will equally apply to the other Parishes. In addition to the Commissioners whom His Excellency the Governor might see fit to appoint to carry these objects into operation, it would be necessary to name some respectable person residing near the place where the Roads, &c. are to be opened, and if possible interested in their progress, to superintend the work ; and also the Curé of Ste. Claire to distribute the seed grain and recommend such as he might think the most likely to want employment as the means of paying for it. The Commissioners resident at Quebec would have to lay out one half of the money in grain for seed, reserving the remainder for the purpose of purchasing provisions and paying the transportation, with a small reservation in cash for paying the overseer to see the work properly performed, which the superintendant could not be expected to do at any considerable distance. This latter object, transportation of seed and provisions, should be exclusively given to such of the more necessitous poor in Ste. Claire as were possessed of a horse. Provisions cannot be purchased in the Parish, consequently it is an object to the poor to have it provided for them on the spot, and as such much more acceptable even with the most dissipated and thoughtless than even money itself. All the work would of course be performed at so much an acre for Roads, so much for Bridges or other work, and when finished, a note from the Superintendant would enable the labourer or workman to settle with the Curé for the advances made to him, or provisions required while performing the work.

EXHIBITING

EXHIBITING the annual and total amount of CASH expended and re-imbursed in settling 150 families of paupers.

YEARS.	PAYMENTS.			RECEIPTS.			General Results.	
	For Public Farm, Mills, and general purposes.	For Settlers.	Totals.	From produce of Public Farm and Mills.	From the Settlers.	Totals.	Lois.	Gain.
1st year suppose it to be 1829	448 19 0	292 16 3	741 15 3	33 0 0	Nothing.	33 0 0	708 15 3	
2d, period of the greatest cash advances } 1830	241 10 0	32 16 0	274 6 0	119 1 6	ditto	119 1 6	155 4 6	
3d, 1831	75 5 0	29 5 0	104 10 0	108 10 6	ditto	108 10 6	Advances for the settlement cease here.	4 0 6
4th, 1832	88 17 6	12 0 0	100 17 6	143 10 0	ditto	143 10 0		42 12 6
5th, 1833	78 0 0	3 0 0	81 0 0	192 7 0	25 6 0	218 3 0		137 3 0
6th, 1834	78 0 0	3 0 0	81 0 0	201 7 0	72 13 9	274 0 9		193 0 9
7th period of the total repayment of the advances, with interest } 1835	78 0 0	3 0 0	81 0 0	386 12 0	98 19 0	485 11 0		404 11 0
8th, 1836	118 0 0	Locations of paupers discontinued.	118 0 0	486 12 6	165 4 10½	651 17 4½		533 17 4½
9th, 1837	Establishmt. of public farm closed			Public farms & mill transferred to superintendent	130 4 8½	130 4 8½		130 4 8½
10th, 1837					89 1 7½	89 1 7½		89 1 7½
11th, 1839					89 1 7½	89 1 7½		89 1 7½
12th, 1840					46 10 4½	46 10 4½		46 10 4½
13th, 1841					46 10 4½	46 10 4½		46 10 4½
14th, 1842					46 10 4½	46 10 4½		46 10 4½
15th, 1843					46 10 4½	46 10 4½		46 10 4½
Total Gain, 1945 14s. 10d. £	1206 11 6	375 17 3	1582 8 9	1671 10 6	856 13 1	2528 3 7	863 19 9	1809 14 7
If Interest for the 14 years is calculated upon the Lois and Gain respectively, the difference is £20 3s. 10d.							730 8 6	750 12 4
Total gain if Interest is calculated, £965 18s. 8d.							1594 8 3	2560 6 11

Tuesday, 23d December, 1828.

François Doyon, of the Township of Tring, on the west of the River Chaudière, in the rear of the Parish of St. François, being called in, informed Your Committee; That he has resided in this Township since the month of March last; that there was a Road opened commencing at the second Concession of the Seignior of Saint Francis or Vaudreuil to the west branch of the River nearly opposite his residence; that this Road can be considered more as a winter road than as a road for wheel carriages; the trees have been felled to the breadth of about twenty feet through the whole length of the Road, but in the rainy seasons, the Spring and Fall, it becomes impassable, and even in Summer; that there are several inhabitants residing in the Township of Tring; that they have but lately settled there; that they have not the means of completing the Road on account of the labour; that they should have to cut through the standing wood to arrive there; that this Road in part crosses the *De Léry* Seignior, and this Seignior will do nothing because he is not obliged by Law; that the inhabitant on whose land this Road was made has stopped it up, so that they have no means of passing; that by the distance he is obliged to go round he has ruined his horses; he therefore prays in his name and in the name of the persons settled in the said Township that some remedy be applied to this evil, either legalizing the said road, or granting a pecuniary aid to have it made; that the want of a sufficient Road very much delays the settlement of this Township: several inhabitants wish to settle themselves there, but are prevented on account of the bad roads.

Augustin Bolduc, of the same place, being called in, and the testimony of *François Doyon* having been read to him, he concurred therein; and states further: That there are thirteen Settlers in the Township of Tring, three of which actually reside there; that they are two leagues and three quarters distant from the old Settlements; that the lands are three acres in front by 80 in depth—the lands on which they are settled belong to them, they have deeds of concession; they pay for the lands £50 for 90 acres; they do not pay the legal interest on this Sum; they pay 15s. for the first five years, and the interest augments 15s. every five years till it amounts to the legal interest. The rent is always redeemable by paying the capital, and they consider themselves the real proprietors of the said lands.

Jean Veilleux, Farmer of Saint François, Nouvelle-Beauce, and Proprietor of Land in the Township of Tring, being called in; and the testimony of *François Doyon* having been read to him, he concurred therein.

François Xavier Verrault, Esquire; Notary Public, residing at St. François, Nouvelle-Beauce, having been called in; and the testimony of *François Doyon* being read to him, he concurred therein, and further stated, that it would require from £300 to £350 to make the Road mentioned; that the people are willing to keep it in repair, and that they are obliged by their deeds to give one day's work for each farm on this Road for five years.

Friday.

Friday, 26th December, 1828.

William Henderson, Esquire, again called in; and examined:

After the opening of new Roads, what means do you know of keeping them in repair, and if you do not know of any what are the means you would suggest?—In the lands which are granted the Grantees are obliged to keep the Roads in repair. The Roads from Frampton and from St. Joseph to Lake Etchemin are verbalized, and of course means provided thereby for their future maintenance. On the Crown Lands measures should be taken to provide for their being sold, in order to bring the act of homologation into operation so far as regards the ungranted lands. The Road from River Ouelle and that from River du Sud, as they pass partly through the property of private individuals, and partly through Crown Lands, the grants should be conditional—that both of them should be homologated according to Law in order to provide for their being kept in repair after they are made.

Are there any parts of the country through which you recommend Roads to be made, that it would be advantageous to explore with this view before coming to any final determination upon their expediency, and also to ascertain the expense of opening such Roads. That part of the Counties of Dorchester and Hertford through which the Roads I have more particularly recommended, would pass, viz.: from Frampton on the Etchemin, and from St. Joseph on the Chaudière to Lake Etchemin, has been very accurately and even minutely surveyed within a year or two back, as may be perceived by the plan annexed to my evidence taken on the 22d instant, and the countries through which the Roads from River du Sud and River Ouelle would pass is also sufficiently known, to render any previous survey unnecessary for the short distance the Roads are intended to extend into the interior. These Rivers, viz.: the Etchemin, Du Sud, Ouelle and also the Du Loup, communicate with the waters of the River St. John by short portages, which have been known and frequented from the earliest periods of the colonization of Canada. The maps published by Bellin, Engineer in the French marine, and also Mitchell's map, prove that these Portages were commonly used nearly a century ago, and even to this day the New-Brunswick Indians visit Quebec by the same routes. But this is the only portion of the district, where new Roads are particularly required, that, as far as I am informed, is sufficiently known by any actual scientific investigation, to enable me to recommend any immediate expenditure of public money upon new Roads, without the advantage of a previous survey. It appears to me that in projecting new Settlements, or opening any extended Roads of communication between those that actually exist, the first point of departure is a competent geographical and geographical knowledge of the country intended to be improved: without this preliminary information, little worthy of legislative interference, can be effected in a general way. Money may be very judiciously appropriated towards opening new Roads for a short distance, at different points from the more distant settlements, in detached parts of the country, such as those I have recommended. But no grand highways of general communication between these isolated settlements, no back-bones of internal thoroughfare (if I may be permitted to use the expression) can be attempted with any certainty that the money expended will be applied to the best advantage. For the little geographical knowledge we actually possess of the country, it is greatly indebted to Colonel Bouchette, a gentleman, for whose professional talents and public zeal I entertain the very highest respect. His valuable map of Lower-Canada reflects great honour upon his native country, and I will venture to assert that his statistical work now in progress will do him equal credit. In common with many others, I deeply regret that his patriotic exertions have been so little beneficial to himself: I sincerely hope that the Legislature will embrace the opportunity now offered to reward him handsomely for his very splendid map, and at the same time secure the publicity of his valuable statistical work, with a new and correct addition of his Atlas, as an important desideratum to the subject in question. But the most scientific geographers, can effect little more than compile and arrange general maps from the materials and information of the practical performer in the fields—if the labours of the latter are defective, or if large spaces of territory occur where no surveys have ever been attempted, the works of the man of science must unavoidably suffer from circumstances over which he can have very little control. Colonel B.'s map of 1815 is, so far as any information is given, most correct, even to minute particulars; but it is to be regretted that great spaces in the townships, and even the greater part of the seignories, are almost blanks, from a deficiency of matter to give correct information;—and moreover, a great many of the earlier

surveys performed, or more correctly speaking, said to be performed in the Townships, are utterly unworthy of confidence.—Since this work has been given to the public, the indefatigable author has collected a vast mass of information as well from his own observations as from those of his talented family, and other sources, which would render a new edition incomparably more valuable than that compiled nearly 15 years ago. But still a great deal remains to be done—few of our numerous rivers have been accurately surveyed, and many not even explored, even as to their general course; of none do we possess any correct information respecting their magnitude in volume of water, or obstructions to navigation. A very small sum of money judiciously applied, by persons anxious to obtain the most information for the least expense, would furnish all the general information required on this interesting subject. If I might be permitted to suggest any measure not immediately within the scope of the queries proposed to me, I should recommend that a small annual grant might be placed at the disposal of the Society of Arts, for the express and sole purpose of encouraging winter surveys, and summer exploration of a few of the more important streams in the Province. It is highly probable that in the course of a very few years we should, by this measure, be put in possession of the general course of all the principal Rivers in the country, and at an expense, perhaps not exceeding one quarter of the cost of effecting it in any other way. I am confident that during the dull season of winter, many enterprising young men, every way qualified for the undertaking, and even professional Surveyors, would be found eager to get themselves noticed in this way, who would not expect any remuneration beyond their bare expenses. If aided by the unemployed Engineer or Naval Officers, (at a season when their services could not otherwise be required) in the astronomical department, much, very much would be effected, at a small cost to the public. Tolerably accurate surveys, and statistical information respecting the undermentioned Rivers in particular, are very much wanted:

- The Gatineau and three or four other large feeders of the Ottawa River, of which we have not even the slightest acquaintance beyond the fact of their existing.
- The Ottawa itself above the junction of the Madawaska as far as Lake Temiscaming.
- The Head Waters of the L'Assomption and Masquinongé.
- The St. Maurice.
- The Batiscan.
- The Ste. Anne.
- The Jacques Cartier.
- The Montmorenci,
- The Ste. Anne of Northumberland and the Gouffé on the north side, and
- The upper part of Yamaska.
- The St. Francis, particularly from Sherbrooke to Lake St. Francis, and that Lake itself almost unknown.
- The Nicolet, which is imperfectly unknown.
- The Bécancour, hardly known at all.
- The Great Branches of the Chaudière, particularly the River Beauvage and Bras du Sud, which last River traverses a tract of fertile country almost totally unknown to any but the Indians.
- The Rivière du Sud.
- The Rivière Ouelle.
- The Rivière du Loup;
- And last, but not least, the magnificent River St. John, and its many Branches and Lakes;

Similar encouragement might be given towards obtaining Geological Reports. The valuable documents in this Department, furnished by the Saguenay expedition, are splendid proofs that there are men in this country every way qualified to afford the public all the information required on that head—if facilities are offered for employing their talents, such as that above-mentioned.

Are the Lands through which these Roads will pass, free and common socage Lands or feignorial Lands?—The Road that I have recommended from Frampton to Lake Etchemin, has been, as I before mentioned, traced by order of Government, with the intention of becoming a grand communication from Quebec direct to the River St. John. About one half of the land it passes thro' is private property, held by one or two considerable landholders by very recent grants in socage tenure—the remainder is thro' ungranted Lands in Cranbourne, no portion of it goes thro' any Crown or Clergy Reserves. The Road from St. Joseph to Lake Etchemin, is intended to pass thro' 9 miles of ungranted Lands in Cranbourne, the remainder of its proposed extent is thro' lands belonging to one proprietor, half of it in the Seignior of St. Joseph. The Road from Rivière Ouelle will pass through

through a feignory one half of its length, the remainder thro' ungranted Lands. The Road from Rivière du Sud, partly through the Fiefs of Lepinay and Ste. Claire, and remainder on Crown Lands in Ashburton.

Would it be reasonable to expect that such proprietors would contribute to the expense of the Road?—To this I can only answer as far as myself am interested; that all possible exertions are making to open other Roads than those here proposed, which would absorb all the means I can devote to that object, especially when it is considered that the influx of Settlers, that will be occasioned by opening the Roads proposed, will require heavy advances in provisions and necessaries to support them the first year. Upon this head I may also be permitted to remark that since the commencement of our Settlement in 1823, we have opened or been the cause of opening, at private cost, upwards of 14 miles of good Roads in a country until then entirely unknown, and that we have not had a single penny of the public money, either from that voted for internal communications in 1816 or from any other source. I may add, neither countenance nor encouragement, in our arduous and expensive undertaking in any other way. If I might presume to answer for the other individuals, through portions of whose Lands the Roads I have proposed may pass, I should say that all of them are using their utmost endeavours towards opening Roads and settling their lands, and that any further outlay on their part would be impossible, especially when it is considered, that these Roads will be undertaken for public benefit alone, and without any consideration for private interest; but all reasonable facilities to settlers on these Roads so far as they pass over private property may be relied on, both as to the terms of letting the lands, and assistance afforded to the needy.

What would be the operation of the late order for the sale of Crown Lands upon the projected settlement upon these Roads?—If the late arrangements respecting the disposal of the Crown Lands are liberally construed, I am of opinion that the result might operate favourably towards effecting their Settlement. If lots of not less than 1200 acres are from time to time offered for sale, in such parts of the country as applications may be made from, and where appropriations of public money has been made for the conditional opening of Roads when the lands are sold, I am of opinion that respectable purchasers would be found, who would of course be interested in the immediate settlement of the lands so acquired; but in the way that arrangement has been hitherto acted upon, nothing good can be expected. I conceive so far from this, that it must eventually extinguish every attempt at any thing like extensive settlement. In the new system, as well as the one it supplanted, it appears to be a *sine qua non*, that no lands should be disposed of to any person that are able either to improve or pay for them. Lots of one and two hundred acres can suit none but the actual cultivator. Experience has proved that actual Settlers cannot be found among persons possessing the means of living out of the woods; a new Settler, so far from being able to purchase the land he improves, cannot even pay the most moderate rent for many years, and to succeed at all must moreover have assistance either in provision or labour on the spot, for the first year at least. If lands are to be sold (all which the propriety of may be doubted) it ought to be in large blocks worth the attention of monied persons. I think however the better and wiser plan would be to grant all the lands gratis, on condition of effecting certain ameliorations in a given time. It may however be observed, that no one system can be adopted, that ever will be successfully put into operation in all parts of the Province so extensive as Lower-Canada, and possessing such varieties of soil and climate. Soccage Tenure may perhaps answer the purpose of Landholders in the more fertile upper districts, but feignorial grants are alone suited to our portion of the Province. As for the present pedlar system of offering hundred acre Lots of Land, in the Townships, for sale among the *habitans*, so far as getting rid of a few of the most valuable Reserves, intermixed in the older Township Settlements, at about a quarter of what they are worth, can be deemed advantageous,—the measure may that far be successful—but in any other view it does not require the gift of prophecy to foresee its complete failure. So far as its operations have hitherto extended, I have known cases where lands worth 10s. an acre were put up and sold for 2s, while other lands in the neighbourhood not worth one quarter of what was sold for 2s. could not be had under 5s—of course all the first sold, but not an acre of the last. The places chosen for the sales were equally absurd as the valuation put on the lands. Instead of putting up the Lands at Quebec, Montreal, or even Three-Rivers, where they might expect competition among the bidders, out-of-the-way country places are chosen, at some of which not one single soul appeared at the sales, while at others the lands were adjudged to the first and only bidders. In this district not an acre

was sold to the actual Settler, although every means were taken to compel them to become the sole purchasers. So far as this part of the Province is concerned I think, that the ultimate and only result to be anticipated by this new arrangement, as it is called, will be that of depriving the native inhabitants and poorer class of emigrants of the means of obtaining any part of our extensive wastes to cultivate for their support; while the insignificant sums obtained from the few sales, that may now and then take place, will not pay the expenses of effecting them.

Jean Baptiste Fortin, Esqr. one of the Knights representing the County of Devon, called in, and examined:

Do you know the Lands in the County of Devon, their proximity to the Rivers, and whether there are sufficient young persons to settle them?—I particularly know all the Lands conceded, they generally are susceptible of being settled, and there are more than enough of young persons to settle on them. The greater part of the lands and the 4th range in particular, generally belong to persons settled near the Saint Lawrence, who cannot settle there at present because they draw their fuel and the necessary food for their lands, from there. In preserving those which are susceptible of cultivation it is always with the intention of their serving hereafter to settle their children, but as to the adjoining Lands, they are separated by a chain of mountains which run almost from one end of the county to the other; the Lands adjoining these mountains in the rear are in some places of a very good soil, and produce fine timber, but there are great parts, particularly the adjoining Lands, that are very mountainous. I have not a perfect knowledge of the Lands distant from those mountains. From such information as I have, the greater the distance from the rear of the lands, the better adapted are they for Settlements, particularly near St. John's River. As to the Rivers; the River called Bras St. Nicolas runs through all the Lands of the county, the south-west part of the Parish of St. Thomas excepted. This River is of considerable extent, but I do not believe that it could ever be improved so as to bear vessels, and the reason is that its outlet into the Saint Lawrence is a fall which is an insuperable obstacle. Following its course towards the rear of the Lands, it becomes crowded with rocks and rapids, but it may serve, as it has frequently done, to float timber, that is to say, saw logs. Timber has already been floated on the River nearly down to the mills, but I do not know its head. The same may be done on the south River, but I have no knowledge of the part which is in the interior. The same obstacles exist respecting this River as respecting the River called the Bras St. Nicolas.

Can you name any person in Town who might give information respecting the Lands of this County?—I know of no other than Mr. Bouchette, Junior, who surveyed those Lands last year. For my part I derive my information from old persons, most of whom are dead, and were in the habit of shooting there, but the game being destroyed, the place is no longer resorted to by young persons.

Might not the River du Sud and the Bras St. Nicolas be rendered navigable, and at what expense?—I believe that some parts of the Bras St. Nicolas might be improved, so as to bear canoes or boats, but I believe that there would always be some impassable parts, such as the fall at its outlet.

What parts of the ungranted Lands of the Crown in your County would, in your opinion, be most fit for Settlements for young persons, and what Road would be necessary to give them access to that place, and what would such a Road cost?—I believe that the part most deserving of attention is that near St. John's River. It would be expedient that the Settlements be along the River, where there is a tract sufficiently extensive to justify the expense of making a Road thither. I have always heard old people say, that the distance from the River to l'Islet, was from 20 to 25 leagues, but at present it is said that there is not more than from 12 to 15 leagues, but these old people will not believe it. The most proper place that I know of is in the valley between the mountains opposite the Church of l'Islet. It is very easy to cross these mountains, for in the inter-sections of the mountains there is a space sufficient for a commodious road, by making a circuit of about six arpens, and that circuit once made, no similar impediment afterwards occurs in a considerable distance. I know of no impediments in the interior, but I have heard from hunters that there was no insuperable obstacle to attain Saint John's River; I think that such a Road would cost about £100 a mile.

E.

Saturday,

Saturday, 27th December 1828

Monday, 29th December 1828.

Jean Baptiste Bournival, of the Parish of Rivière du Loup, called in; and examined:

Have you had any and what means of becoming acquainted with the new Settlements in the Township of Caxton in the rear of Point du Lac and Machiche, in the District of Three-Rivers? I have had opportunities of becoming acquainted with the Township of Caxton, by having done work at different places in the said Township. I have also been all over the said Township.

When was this Township first surveyed? when were the Settlements first commenced? what is the number of actual Settlers at present?—The Township was surveyed 3 or 4 years ago. It is now 3 years since the first Settlement was commenced. There are seven or eight persons residing in the said Township.

What was the state of the communications to that Township when this Settlement was first commenced? Had the new Settlers any obstacles to encounter in this respect? Have they been in whole or in part surmounted, and by what means and to what extent?—It was necessary to pass through the woods, with great difficulty, for the distance of one league in St. Joseph, and as much as one league in the said Township. There was no other way of carrying provisions and other articles for the whole of this distance than on men's backs. There were high hills to ascend and difficult swamps to cross: these obstacles have in some measure disappeared: First—Because the Lots in St. Joseph have been conceded since that time as far as the line of the said Township, and, Secondly—Causeways have been made across the hollows as far as the said Township. Part of the Road has been made and other parts cut through by the inhabitants of St. Joseph and those of the Township, and thence continued about a league and a quarter by the Landholders in the said Township:—a bridge of some length having been built across the River Machiche by Sueton Grant, Esquire.

Are there any and what water communications between this Township and the River Saint Lawrence or the Saint Maurice; and what is the distance of this Township from these Rivers respectively?—There is no communication with the River Saint Lawrence or the River Saint Maurice. The length of the Road which would be required to reach the Rivière du Loup is about a league and a half, and from that place the water communication with the River Saint Lawrence is very easy. The distance to the River Saint Maurice is about the same; but it is in the distant parts of the Township towards the 19th or 20th Range, where it is to be presumed that settlements will not be very soon made.

Could the inhabitants of this Township communicate more shortly with Three-Rivers by a Road striking the Forges' Road, and if so, describe the same, particularly the nature of the country through which such Road would pass, and the probable expense thereof?—Yes; the communication would be shorter for the inhabitants in the 7th and 8th Ranges, and the length of new road to be made to meet the Road to the Forges would not be more than one league, and the whole distance to Three-Rivers not more than seven leagues and one half. The land is swampy as far as the Road to the Forges; this would cost about One hundred pounds: but to carry the Road as far as the Settlements actually commenced would cost more, without giving the inhabitants the means of communication with the neighbouring Parishes, or with the navigation of the Rivière du Loup.

What is the amount of clearings in the said Township, the number of Houses, &c.? Be pleased to give the Committee any statistical information you may have concerning the said Township?—Thirteen Lots opened are partly cleared; Six or seven houses, and several barns.

By what description of Settlers was the said Township first settled? What is its present population? What is the state of their pecuniary means? and by what circumstances have these means been advantageously or disadvantageously affected?—Principally by Canadians; there are but few persons now resident there; the year being bad, even the inhabitants of the upper settlements of St. Joseph adjoining the said Township, as well the greater part of those of the Township itself, have been forced to leave the place for the present.

In what quantities are the lands of this Township distributed?—The Lots are 6 arpents or thereabouts by 20 arpents.

Mr. *David Grant*, of Three-Rivers, called in; and examined:

Have you had any and what means of becoming acquainted with the new Settlements in the Township of Caxton in the rear of Point du Lac and Machiche, in the District of Three-Rivers?—I have been in the Township of Caxton several times, but cannot say that I have any particular acquaintance with the Settlements or the Townships.

When was this Township first surveyed? when were the Settlements first commenced? what is the number of actual Settlers at present?—It was surveyed in 1824, and the Settlement first commenced in 1825, but I have no knowledge of the number of actual Settlers at present.

What was the state of the communications to that Township when this settlement was first commenced? Had the new settlers any obstacles to encounter in this respect? Have they been in whole or in part surmounted, and by what means and to what extent?—The communication for about 8 or 9 miles to the Township was by the upper part of Machiche through the woods, the obstacles were a great number of deep gullies which crossed the path, these obstacles have in part been surmounted by making bridges at the bottom of the ravines, and clearing a Road a considerable way into the Township.

Are there any and what water communications between this Township and the River Saint Lawrence or the Saint Maurice; and what is the distance of this Township from these Rivers respectively?—This question I cannot answer from my own knowledge. The distance to the Saint Lawrence may be about 18 miles.

Could the inhabitants of this Township communicate more shortly with Three-Rivers by a Road striking the Forges' Road, and if so, describe the same, particularly the nature of the country through which such Road would pass, and the probable expense thereof?—I am equally incapable of answering this question, but it is supposed the communication would be shorter (not with the actual Settlement) but with some of the back ranges.

What is the amount of clearings in the said Township, the number of Houses, &c.? Be pleased to give the Committee any statistical information you may have concerning the said Township?—I cannot say, I am not sufficiently acquainted with the Townships to afford the Committee any particular account of it.

By what description of Settlers was the said Township at first settled? What is its present population? What is the state of their pecuniary means? and by what circumstances have these means been advantageously or disadvantageously affected?—Principally by Officers and Privates of the Militia.

In what quantities are the lands of this Township distributed?—In quantities not less than 100 acres to Settlers, and not more than 1200 to Officers: Captains have 800; Lieutenants and Ensigns 500 each.

Andrew Paterson, Esquire, called in; and examined:

Have you had any and what means of becoming acquainted with the new Settlements in the Township of Caxton in the rear of Point du Lac and Machiche, in the District of Three-Rivers?—I was up at the Township of Caxton in September last, to visit my land and improvements.

When was this Township first surveyed? When were the settlement first commenced? What is the number of actual settlers at present?—I believe it is four or five years since this Township was surveyed, soon after the Survey was finished, the Settlement commenced: of resident Settlers, there are I believe about 12 families, consisting of upwards of 30 persons.

What was the state of the communications to that Township when this Settlement was first commenced? Had the new settlers any obstacles to encounter in this respect? Have they been in whole or in part surmounted, and by what means and to what extent?—When the Settlements were first commenced the only way

way of reaching the Township was through the woods, which greatly retarded the Settlement of the Township. Sueton Grant, Esquire, the Agent, and some others, have got a Road cut thro' the woods, but as the stumps are still standing, it is a very bad route, and it is with difficulty that a cart can reach the Settlement; this Road, I think, goes to the first, and probably up to the second Concession.

Are there any and what water communications between this Township and the River Saint Lawrence or the Saint Maurice; and what is the distance of this Township from these Rivers respectively?—A Road might be cut through to the Rivière du Loup or the Saint Maurice, which would enable the Settlers to reach the Saint Lawrence with rafts or boats from either of these Rivers; the River Machiche runs through the Township, but it is not navigable even for small boats. From the best of my knowledge I think this Township is about equal distances from the Rivière du Loup and Saint Maurice River, say about six or seven miles, but the Settlements are nearest the former of these Rivers.

Could the inhabitants of this Township communicate more shortly with Three-Rivers by a Road striking the Forges' Road, and if so, describe the same, particularly the nature of the country through which such Road would pass, and the probable expense thereof?—The most direct road from Three-Rivers to the Township is by way of the Forges of Saint Maurice, and I have been assured by a person who passed that way that the distance does not exceed sixteen or seventeen miles. I should think that a Road might be run all along the front of the Township, back to the fourth or fifth range, and down to the Forge Road, which is good to Three-Rivers, for about eight hundred pounds. Some years ago a sum of money was voted for the internal improvements in the County of Saint Maurice, only a small portion of which has been expended, the remainder, if applied, would be sufficient to cover the expenses of making the proposed Road in the Township.

What is the amount of clearings in the said Township, the number of Houses, &c? Be pleased to give the Committee any statistical information you may have concerning the said Township?—I think about 200 acres are already cleared, or under clearance, in the Township, and about 14 houses built, the failure of the crops this year and the want of Roads has prevented many Settlers from occupying their Lands, and in many places they have not the means of getting their crops out from the clearances, the lands are very good in many places, and would soon be settled, if roads were opened, the Seigniorial Lands in Machiche which joins the Township being all conceded.

By what description of Settlers was the said Township first settled? What is its present population? What is the state of their pecuniary means? and by what circumstances have these means been advantageously or disadvantageously affected?—This Township is granted, I believe, principally to persons that served in the Militia during the late war. I cannot state exactly the population of this Township as many of those who hold Location Tickets remain on their Lands but for a short time in the year, most of the Settlers are very poor and have not the means of paying for their Patents; while I was up in the Township several of the Settlers applied to me to know if I thought Government would grant them delay, for if this was not done it would be better for them at once to abandon their lands than improve them, and lose their labour; indeed, some of them were in hopes that as they had served in the Militia, Government would give them a title to their lands without payment of fees.

In what quantities are the lands of this Township distributed?—The Lands located, I believe, are as follows; to the Honorable Matthew Bell, 1200 acres; Sueton Grant, as Agent for the Township, 1200 acres; Lieutenants Dame and Paterfon, 500 acres each; Ensign Grant, 500 acres, and about 60 Lots of 100 acres each granted to different individuals.

Tuesday, 30th December 1828.

The Honorable Matthew Bell, called in; and examined:

Have you had any and what means of becoming acquainted with the new Settlements in the Township of Caxton in the rear of Point du Lac and Machiche, in the District of Three-Rivers?—I have never been in the Township myself, but having

taken the Lands due to me for services as a Militia Officer, I have enquired into the state of the Settlements. I have performed my Settlement duty, but at great expense for want of roads, and intend to have the same settled so soon as roads are made to enable me to place people on the same.

When was this Township first surveyed? When were the settlements first commenced? What is the number of actual Settlers at present?—This Township was surveyed in 1824, and I have understood for the purpose of granting lands to Militiamen who had served during the late war. Mr. Sueton Grant was appointed Agent, and to him I would beg leave to refer the Committee for further information in this place.

Are there any and what water communications between this Township and the River Saint Lawrence or the Saint Maurice; and what is the distance of this Township from these Rivers respectively?—There is no communication between this Township and the River St. Maurice, and if there were, such would fall in a good way above high Falls and difficult Rapids—a communication with the stream of the Rivière du Loup, I have understood, could be easily obtained.

Could the inhabitants of this Township communicate more shortly with Three-Rivers by a Road striking the Forges' Road, and if so, describe the same, particularly the nature of the country through which such Road would pass, and the probable expense thereof?—I am of opinion that the first Settlements must necessarily communicate with Three-Rivers by the Machiche Road which is made up to the Township or nearly so. It is probable that the east end will be nearer Three-Rivers by a Road through the lands reserved for the Iron-works of St. Maurice, but as the roads from those works in that direction have been abandoned for many years, they would have to be made anew—the ground, at least a part of it, I know to be very hilly, with great ravines; and two very extensive swamps which were once bridged over with logs (pontons) and now are in a very bad state.

By what description of Settlers was the Township at first settled? What is its present population? What is the state of their pecuniary means? and by what circumstances have these means been advantageously or disadvantageously affected?—I believe that the Township was reserved exclusively for the benefit of Militiamen, and to be settled on by them; and it was expected they would have been aided in the settlement by their relations and friends in the neighbourhood; and I doubt not that the want of Roads to communicate is the sole cause of this Township not having already been peopled by Canadian Farmers—many of whom entitled to Lands have not taken out their Location Ticket from knowing of the impossibility of getting to the spot.

Sueton Grant, Esquire, called in; and examined:

Have you had any and what means of becoming acquainted with the new Settlements in the Township of Caxton in the rear of Point du Lac and Machiche, in the District of Three-Rivers?—Having been appointed Agent for superintending the Settlement, I have had an opportunity of becoming acquainted with the Township of Caxton.

When was this Township first surveyed? When were the Settlements first commenced? What is the number of actual Settlers at present?—The Survey was begun in 1823 and completed in 1824. The number of Resident Settlers at present is very small, not more, I believe, than two families.

What was the state of the communications to that Township when this Settlement was first commenced? Had the new Settlers any obstacles to encounter in this respect? Have they been in whole or in part surmounted, and by what means and to what extent?—When the Settlement was first commenced in 1825, the communication was (and still continues to be) by the concession of St Joseph in the Parish of Machiche. The Settlers had then to encounter the difficulty of opening a Road, thro' the woods, of more than a league in this concession, over a very rough country, cut up by ravines of great depth. These difficulties have been partly surmounted since, by the new Settlers (who had taken concessions of all the Land along the Road up to the Township) aided by the Caxton Settlers; but this communication will never, or very remotely, be of much use for loaded carriages, on account of the immense and almost inaccessible hills on the sides of the ravines which cross the Road, of which there

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there are no less than six within this distance, and which by this route, cannot be avoided.

Are there any and what water communications between this Township and the River Saint Lawrence or the Saint Maurice; and what is the distance of this Township from these Rivers respectively?—There are no immediate communications by water between this Township and the St. Lawrence or the St. Maurice. The horizontal distance to the St. Lawrence may be about six leagues. The St. Maurice is much nearer to the remote ranges on the Crown Reserves, but I have no idea of the distance.

Could the inhabitants of this Township communicate more shortly with Three-Rivers by a Road striking the Forges' Road, and if so, describe the same, particularly the nature of the country through which such Road would pass, and the probable expense thereof?—I can give no information to the Committee on this question from my own knowledge, but I have been informed by persons well acquainted with the country, that the distance of Road required from the 8th or 9th Range (Clergy Reserves) would not be more than one league, mostly through swamp, to the Forges' Road. In this way the communication would certainly be shorter to Three-Rivers, but not shorter to the St. Lawrence by Machiche or by Rivière du Loup. The expense of making the Road cannot be great, and no doubt, in time, it would be very convenient for the Settlers; but I humbly think, it cannot be of much immediate use; the new Settlers will naturally have recourse to the neighbouring Settlements for succour, where they can obtain provisions, &c. for their labour. The Road to Three-Rivers by the Forge Road, a distance of seven or eight leagues, without any house or establishment of any kind intervening, except the Forge Establishment, can only be useful when the Settlement is advanced, and have provisions to spare for the market.

What is the amount of clearings in the said Township, the number of Houses, &c.? Be pleased to give the Committee any statistical information you may have concerning the said Township?—The amount of Land located, on which the Settlement duties have been made, is 4800 Acres, and these are distributed through the first seven ranges; the amount of clearing on all these, 112 acres; the distance of Road opened through the Township about one and a half leagues, and the number of houses, ten, but some of them very indifferent. Owing to the failure of last year's crop, the inhabitants of the upper part of St. Joseph, adjoining Caxton, as well as some from the Township, have removed to the old Settlements for the winter. When the Settlement was begun in 1825 and 1826, one hundred and sixty-seven Privates of the late incorporated Militia made application to me, as Agent, for Land in this Township, but very few came forward for their Location Tickets, for finding that some Officers (who are entitled to large tracts, and are not obliged to more settlement duties than private-) had taken their land in the front of the Township, which necessarily threw the Militiamen further back in the woods, so that they were discouraged for want of communication to their Lots, which, at that time, were distant from three to five leagues from any road. A Road crossing the first five or six ranges to the Clergy Reserves would have obviated this difficulty. Nearly all the Land in these Ranges, except the upper part of the first and second are fit for cultivation. The country abounds in timber of every kind, amongst which are pine, spruce and oak (red oak.) It is irrigated by a number of small rivers, amongst which a branch of the River Machiche, on which are a great number of mill seats, besides many beautiful Lakes. On the last mentioned River a saw-mill has lately been erected at the distance of only ten acres from the front line of the Township; but at present it is only useful to the adjacent settlement, there being no possibility of bringing its produce to market. To explain more fully the situation of this Township with respect to the neighbouring parishes, I beg leave to state to the Committee, that the concessions of St. Joseph Belle-Chasse and Pique-dure, in the Parish of Machiche, run parallel to each other at No. 45^o W.—a new Road to commence on the St. Joseph Road, about two miles below the front line of Caxton, and running at right angles with the St. Joseph's, would cut the Road of Belle-Chasse to the southward at the distance of 40 acres, and continuing in the same direction, would intersect that of Pique-dure at the distance of 20 acres; producing it still 15 or 16 acres further, would strike the Rivière du Loup below the Châte de l'Eturgeon, from whence the River is navigable for boats and rafts to the St. Lawrence. This would afford an excellent communication from the Township (by the Road of Pique-dure, thro' a thick settled and rich country without lengthening the distance) to the St. Lawrence at Machiche; but what is of greater importance, a water communication to the Three-Rivers and Quebec Markets for Lumber and Pot-ashes, &c. But what would be more immediately conducive to the ease of the Settlers,

and the settling of the Township, would be the opening of a Road prayed for through the first five or six ranges, to the tract set apart for a village. The aid prayed for, if the work were given out in very small contracts, or by daily labour, would be fully adequate (in the opinion of all the Settlers) to the completion of all these improvements, and would besides relieve the distresses of the inhabitants of the back concessions occasioned by the failure of the crops of last year.

By what description of Settlers was the said Township first settled? What is its present population? What is the state of their pecuniary means? and by what circumstances have these means been advantageously or disadvantageously affected?—The Settlers are principally Canadians. The probability is, that it would be almost exclusively settled by the surplus population of the Parishes of Machiche, Rivière du Loup and Maskinongé, where the Seignories are nearly all conceded.

In what quantities are the Lands of this Township distributed?—The Land is laid out in Lots of 100 acres each, and they are distributed for the most part from 100 acres to 500 acres.

Wednesday, 31st December 1828.

Mr. Louis Bernard, of the Parish of Pointe aux Trembles, having been called in, informed Your Committee; That the powers given by the Law to the Grand-Voyers were far too great, inasmuch as it was impossible to adduce evidence against them; that in consequence of this, a Grand-Voyer might lay out a Road while sitting in his own room, without its being possible for the parties to prove the contrary. That the power of laying out or altering the Roads ought to be given to a majority of the inhabitants of the Parishes or Districts, a meeting of whom should be called for that purpose; or that the parties should have the right of naming disinterested persons as jurors, for the purpose of visiting and inspecting the places in question, and giving a decision: That the costs to which the inhabitants of the country are subjected in causing Roads to be laid out are very burthenfome, and to the inhabitants of new Settlements insupportable. That in cases wherein there is some want of formality, the expenses are the same, so that Grand Voyers are not interested in avoiding such errors, from which they rather derive advantage:—this is the opinion of the inhabitants with whom I am acquainted.

Friday, 2d January 1829.

The Reverend Messire Michel Dufresne, called in; and examined:

Have you had occasion to direct your attention to the matters of Internal Communications in any part of this District, and particularly to and in the Seignior of St. Giles and the Townships beyond it?—I have scarcely applied my attention to these subjects as there is a Road which runs through Saint Giles, in a direction nearly North-North-West, about twenty-one miles long; which Road is a communication for the inhabitants of Saint Giles, south-west of the River, for those of Saint Sylvestre or the upper part of Saint Giles, for the Townships of Leeds, Inverness, New-Ireland, Halifax, &c. Although Saint Giles has been settled about sixty years, the Settlements are confined to the Banks of the River Beauvillage, and are scarcely extending, either on account of the swamps, which are extensive, or of the frequent frosts or the inundations of the said River which are occasionally the cause of considerable losses to the inhabitants. There are a few settlers on the other side of the River (to the North-East) who have not as yet any highway, the Grand-Voyer having very recently made a *Procès Verbal* respecting one; hitherto the inhabitants on the North-East of the River, about eight in number, have made use of Craig's Road, crossing the River nearly opposite their Settlements, except when the waters are high.

What means have you had of becoming acquainted with the same?—Having been very often at Saint Giles and at Saint Sylvestre, I have had an opportunity of becoming personally acquainted with the subject. I have never visited the Townships of Leeds or Broughton which are adjacent to the Parishes in which I officiate.

officiate. The only information I possess respecting those places is from hearsay.

What are the Roads and Bridges, and their state, in the country comprising the Seigniorship of Saint Giles and the Township of Leeds?—In Saint Giles and Leeds there is only one Road, that which I have just mentioned, and in Saint Sylvestre, (a new Parish lately erected as well as Saint Giles, by a canonical authority) there is moreover Sainte Marie Road which joins Craig's Road at the seigniorial line which separates Saint Giles or Beaurivage from Leeds, and forms an acute angle with that Road. Craig's Road as far as Leeds is generally good, with the exception of the four or five last miles which are bad; this country being extremely mountainous and strewed with large stones, and in the low grounds abounding in swampy places. From the account of travellers, I have reason to believe that Road is worse; Sainte Marie Road is also bad, but the inhabitants settled along it being very active, are very ready in repairing it. It is well to observe that Saint Sylvestre is quite a new settlement, not having been in existence more than nine years, and more than 400 Lands are already conceded, and about 200 settled by as many Canadian and Irish families, for the most part Catholic. There are six bridges, of which five are in Beaurivage and one in Leeds, one on the *Rivière au Pins*, another on the *Rivière à la Fourchette*, a third on a small stream, the name of which I do not know, a fourth on the *Rivière du Four*, a fifth on the same River—Sainte Marie Road, and the sixth in Leeds on the River Bécancour. These Bridges are in good repair with the exception of the third and fourth, which I sometimes found impassable, having been carried away by the rise of the waters, and it was necessary to cross these Streams at the risk of being upset by the stones at the bottom.

What in your opinion would be the best course of the Roads, the fittest places for locating the Bridges—the inconveniences to which the inhabitants of those countries are now subject? what would be the probable expense of the Bridges, and making and repairing the necessary Roads?—It is very difficult to direct where the Roads ought to be opened and the Bridges built, on account of the swamps and unfavourable ground which might be met with in the given direction. There are already in Saint Sylvestre three or four roads cut through, which will soon be rendered practicable by the activity and labour of the inhabitants who have no idea of requesting aid from the Legislature. Two bridges on the River Beaurivage, one towards the old Mill, and the other some leagues above, would be useful. I have certified to Monsieur Panet, a very accurate plan of the Seigniorship of Beaurivage, and I do not doubt that His Lordship would lend it with great pleasure for the information of the Committee. It is also very difficult to state the probable expense of the several objects mentioned in this question. I believe however, that with £4000 or £5000 well employed, much work might be done. My Parishioners at present find no other inconveniences than those I have already mentioned, such as the rise of the waters, the frosts, and the swamps on their lands, and these are too much.

Be pleased to state your grounds and reasons for recommending these Roads, their relative importance, and the effects which they would be likely to produce upon new establishments?—Saint Giles being inhabited by poor persons, and the Lands being generally undervalued, I do not see that for the present it would be necessary to apply much money there, these poor people, far from being able to send their grain and provisions to market, would much need their importation. I have officiated six years for them, and I can say with truth, that I have not received from them 50 bushels of Tythe Corn a year. What trade could such people make? and I believe that many years will pass before they have a superabundance. The Settlement of Saint Sylvestre is advancing with astonishing rapidity: I have already said that not more than nine years have elapsed since that part of Beaurivage began to be settled, and I am not afraid to say that as much labour is performed there as at Saint Giles. A small grant of money for Saint Sylvestre might redouble the exertions of its inhabitants. Care in the selection of the persons to be intrusted with such monies (should any be granted) would be necessary, and the opinions of the persons interested ought to be taken as a guide for the better application of the monies for their benefit. Before finishing, I venture to suggest an idea to the Committee for bettering the condition of the inhabitants of Saint Giles, which is considered by some as impracticable. These unfortunate persons see every year, or almost every year, the fruit of their hard labour carried away, feed committed to the ground and every kind of grain and vegetables just risen, fences, every thing in fact disappears and is carried away by this River which overflows by the falls of rain, and the waters which are conducted into it to drain the Lands; great number of cattle have perished in those sudden

inundations, houses have been carried away, and a numerous family almost entirely perished. To remedy such evils, which will always prevent Saint Giles from prospering, (and observe that the more the lands are cleared the greater the danger will be) would it not be possible to deepen the channel of this River, a very extensive undertaking I admit, but absolutely necessary? The House, or, to speak more correctly, the Legislature might oblige every landholder to work a couple of weeks each year in the front of his land, at the same time granting a certain sum to help these poor people.

Tuesday, 13th January 1829.

Mr. Josiah King, of Saint Giles, Farmer, called in; and examined:

Have you had occasion to direct your attention to the matter of Internal Communications in any part of this District, and particularly to and in the Seigniorship of Saint Giles and the Townships beyond it?—I own property in the Seigniorship of Saint Giles, and I have frequently travelled it. I should recommend the present Road to be straightened in some parts.

What are the Roads and Bridges, and their state, in the country comprising the Seigniorship of Saint Giles and the Township of Leeds?—Craig's Road is the name of that in the Seigniorship of Saint Giles and Township of Leeds; That part of the Road in St. Giles is pretty good, but that in Leeds is very bad. There are some Bridges which are good.

What in your opinion would be the best course of the Roads; the fittest places for locating the Bridges—the inconveniences to which the Inhabitants of those countries are now subject? what would be the probable expense of the Bridges, and making and repairing the necessary Roads?—The present Road is in the most suitable direction, but, as I have before stated, would require to be somewhat straightened in some places, and a small expense would turn the Road where there are some hills that should be avoided. I should recommend a Road to be opened from Ireland to Shipton and from Shipton to Dudswell. The cheapest mode of opening the Roads, one rod or 16 feet wide, would be to give it out as for clearing of land by the acre, that once performed, I should suppose that the bridges and causeways required might be given out by contract to the lowest tender. There would be required two Bridges over the two Nicolet Ponds, one on each Road: on the Shipton Road there would be four small Bridges to be made. The Bridges over the Nicolet Ponds would cost, I should suppose about £200 each; and the four on the Shipton Road—one pretty large on Wolfe's River, would cost probably about 150 dollars, and the other three would not cost more than 100 dollars altogether. I cannot say what would be the expense of the causeways, as some of the land might be drained.

Be pleased to state your grounds and reasons for recommending these Roads, their relative importance and the effects which they would be likely to produce upon new establishments?—There are large Settlements labouring under the disadvantage of these Roads not being opened, namely: those of Stanstead, Eaton and Dudswell, and others on the Dudswell Road. The consequence would be that a number of the inhabitants of these places who have a great deal of produce, such as Potash, Butter, Cheese, Pork, Flour, Flax, Hay-seed, Timothy, Clover, &c. are obliged to take it to Portland, at a greater distance than they would have to come if the Roads I now recommend were opened. I should suppose that if the Dudswell Road were opened it would accommodate ten people to one on the Shipton Road. The Dudswell Road is 40 or 50 miles nearer for their people than the Shipton Road. I have travelled these Roads about four times a piece, on horseback, in waggons and sleighs, and on foot.

Mr. D. H. Andrews, of Saint Nicholas, having been called in, informed Your Committee that:—He has been acquainted with Craig's Road leading to the Eastern Townships for the space of five years, as his business often obliged him to travel it; that from Saint Nicholas to the Township of Leeds is twenty-eight miles, a very good Road; that from thence to Ireland, twenty miles, the Road is very rough, the inhabitants being very poor, they are not able to make the Road good enough to travel with carts:

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carts: the Rivers are all bridged from St. Nicholas to Ireland. I think it would require about £300 to repair the Roads from Leeds to Ireland. From thence to Shipton is a distance of 30 miles, 28 of it is a very bad Road: there are two considerable Rivers—the first is called Wolfe River, 7 miles from Ireland. I think £75 would build a good bridge over it; then 7 miles further is Nicolet, which would cost £200 to build a good bridge over it, and in addition to this, I think, £1000 would make the Road passable, so that the inhabitants could bring their produce to Quebec Market. If what I have mentioned should be granted, it surely would make the Road passable, which would bring about 40,000 inhabitants to this market which now are all cut off, only what they can drive through alive. In the years 1827 and 1828, there were 3000 head of horned cattle drove through this Road, and about 2000 sheep; and if the Road should be made, it would settle the country. This 28 miles from Ireland to Shipton is as good a tract of Land as there is in Lower-Canada, and it would be a noble chance for emigrants; there are some fine farms on this Road, but the people were obliged to leave them on account of the road being so bad. Now, if there is money granted to make this Road, there ought to be some plan devised to lay it out better than there were before when there were money granted for the same Road; the Contractors, at least, saved one half of the money, for instance, the bridge that was built over the Nicolet River, it was given out by the job for the sum of £250, and the bridge was built for £125, so the contractors saved one half of the money; but, as I said before, it would cost £200 to build a proper bridge over the Nicolet River. Now, if there should be proper men appointed by authority to engage workmen, and to oversee them, then the country would have all the benefit of the money.

Mr. George Arnold, called in; and examined:

Have you had occasion to direct your attention to the matter of Internal Communications in any part of this District, and particularly to and in the Seigniory of Saint Giles and the Townships beyond it?—The business that directs my attention to the Seigniory of Saint Giles, is my having a property there.

What means have you had of becoming acquainted with the same?—By frequently travelling the Road.

What are the Roads and Bridges, and their state, in the part of the country comprising the Seigniory of Saint Giles and the Township of Leeds?—The Road is a good carriage Road, to my knowledge, for upwards of 40 miles above Point Levy, excepting the want of a bridge across the *Sault*. I have been as far as Leeds.

What in your opinion would be the best course of the roads: the fittest places for locating the Bridges—the inconveniences to which the inhabitants of those countries are now subject to? what would be the probable expense of the Bridges, and making and repairing the necessary Roads?—The Honorable John Caldwell and Mr. Joseph Bell are, in my humble opinion, the best qualified for pointing out the most convenient and proper place for building a bridge across the *Sault*, as their business calls them more so than any other persons to that particular place. The inconveniences for the want of a bridge across the *Sault* is felt by the inhabitants for some hundreds of miles, and more particularly when bringing down any kind of cattle which they have to cross the River Saint Lawrence to Carouge, at the risk of their lives, and that of their cattle, besides paying a high price for persons to cross them, and not unfrequently at certain seasons of the year, owing to the weather, are detained from a week to a fortnight.

Be pleased to state your grounds for recommending these Roads, their relative importance, and the effects which they would be likely to produce upon new Settlements?—The reason I should recommend the roads through the Townships and more particularly Craig's Road,—the road has been already made; and by the best information I can obtain, a small sum would make the necessary repairs, which would save the inhabitants from coming some hundreds of miles out of their way,—would enable them to sell their produce, say from 10 to 15 per cent lower.

Tuesday, 20th January 1829.

Robert Christie, Esq., Member for the County of Gaspé, having been called in, informed Your Committee: That it is the

wish of his constituents that a Road should be opened from the Indian Village at the head of the tide water in the River Ristigouche to Metis on the Saint Lawrence, by which the inhabitants of that County would have a direct communication over land with this Capital. That this would also serve as a Road of communication between this Province and New-Brunswick. The whole distance through may be about 90 miles. The sum of £1000 or £1200 would suffice to open a Road of 18 feet wide (with the necessary bridges) to Lake Matapedia, from whence to the said village travellers might descend in the summer by water, and on the ice in the winter. It would however be better if the Legislature determine upon an appropriation for the purpose to make an opening of from 12 to 18 feet wide the whole distance, adopting a line that may pass the head of the Lake. He has never been over this tract of country, but understands, from what he considers good authority, that the land is for the most part good and fit for agriculture. The sum of £1000 was voted and appropriated by an Act of the Legislature in 1817 (57th Geo. III. Cap. 13) for the purpose of opening a Road from the Bay of Chaleur to Rimouski via Metis, but this vote has not been carried into effect. He understands that Settlers would immediately locate themselves on the margin of Lake Matapedia, and on the Metis Portage, if a Road were opened thro' it. There is at the present moment, a Petition before a Committee of the Assembly (of which Committee he is Chairman) from the inhabitants of the Bay Chaleur, praying among other matters that this Road may be opened, and that the Revenue collected in the County be formed into a Fund for this purpose. The Committee have reported against the formation of the proposed Fund, and it is probable that they will not deem it necessary to report upon the expedience of the said Road, judging it more proper that this measure being one rather of general interest to the Province than of a local nature, should be discussed in this Committee, to which is referred that part of His Excellency's Speech which relates to Internal Communications. The expedience of the opening of the Road in question having been recognized by the Legislature, as per the Act referred to, he respectfully suggests the repeal of the appropriation made by it for the purpose, and that a larger amount be appropriated.

Wednesday, 21st January 1829.

Mr. Charles Kirouac, of the Rivière du Sud, having been called in, informed your Committee; That he has visited the lands in the rear of the present Settlement, and behind the Parish of St. Pierre du Sud; that in the rear of the said Settlements there was excellent land on which new settlements might be formed: That there were in the Parish of St. Pierre du Sud about 160 heads of families; that out of this number there were at least 49 who had only building lots: that this arose from the circumstance of there being no roads leading to the good lands. That if the Legislature were pleased to grant the sum of £400 for opening a Road through the rear of the settlements, (which might be easily done) the consequence would be, that a new Settlement would be formed, and that lands would be furnished for the superabundant population of the said Parish. That the length of the Road to be opened would be four leagues.

Friday, 23d January 1829.

Mr. Francis Armstrong Evans, having been called, delivered to Your Committee the following Paper:

The undersigned, F. A. Evans, Agent for some of the principle inhabitants and other residents in the Eastern Townships, humbly submits to the Committee for Internal Communications, the following information relative to the chief Roads which, it is believed, require public appropriations of money, and which the undersigned hath been charged to submit to the Honorable House of Assembly:

The leading Roads that are wanting in the Eastern Townships to lead to the chief markets of the Province, namely, Quebec, Montreal and Three-Rivers, whereby the inhabitants might have a route or outlet to bring their produce to market, and to receive their supplies from the several cities, as under existing circumstances none of the kind may be said to exist, as the present roads are

are nearly impassable a great portion of the year, and in some places from the small number of the inhabitants that at present reside on said Roads, they are not able to make the same or keep them in repair, particularly as the Road Laws are so defective that it is impossible to compel non-resident land owners to help to make or keep said Roads in repair, or do any thing to help the settlement of the country. The great leading roads for the accommodation of the Townships to market are these: a road from Stanstead through Hatley, Bolton, Stukely, and Granby, to Yamaska Mountain, about 50 miles, being the road to Montreal: a road from Sherbrooke to the outlet of Lake Magog to meet the above road to Montreal, 20 miles: the Craig's Road, from Shipton to Saint Giles, 51 miles: a road from the Township of Ireland to Eaton, 45 miles, and on to Hertford at the head of Connecticut River, 30 miles: a road from Melbourne to Yamaska Mountain to meet the road to Montreal, 30 miles. Also, some improvement of the road from Shipton through Kingsley, Simpson and Wendover, 35 miles, making in the whole about 300 miles of road, about 60 miles of which would be new road; allowing therefore an average of £60 per mile for the 60 miles of new road to be made, it would require the sum of £3,600, and £40 per mile for the 240 miles of road to be repaired, it would make £9,600, in the whole £13,200. This sum would open effectual leading roads through the Townships, and all settlements which would not join on said roads might easily have roads to lead on to these main roads; but these main roads having no particular or sectional views to the prejudice of other parts, all the Townships have an equal interest in their completion. To raise this sum, or refund it, if advanced from the Provincial Treasury, I believe an equal Land Tax on all lands would be the most equitable manner of refunding the same; say for this loan, one farthing an acre yearly: the tax for the loan to cease so soon as the amount advanced was repaid. However, I believe a permanent Land Tax desirable to keep the roads in repair, and to make such other roads afterwards as the inhabitants might need. I also believe were the roads above-mentioned opened, that real property would advance 200 per cent in three years. However, as it is possible this sum could not now be conveniently granted, the following roads are absolutely requisite to enable the people of the Townships to come to market, which are petitioned for:—

First.—The Craig's Road from the River Saint Francis to Saint Giles. Of this Road through the Township of Shipton and two miles into the Township of Tingwick, is partially made; but would, at the least, require £10 per mile to repair, which for 16 miles would amount to £160. From thence through Tingwick, Chester, Wolfstown and Ireland, the Road is about 10 feet wide, with many fallen trees, and is similar to the bottom of a stony brook or with deep mud, completely impassable for any carriage, and exceedingly dangerous to foot or horse passengers; this distance within the district of Three-Rivers is about 34 miles, at £60 per mile, which I believe is the lowest it can be made for, with power to the Commissioners to move the Road from side to side where necessary to avoid hills, &c. This would amount to the sum of £2040. There are on this Road one bridge over the S. E. Nicolet, over 150 feet long, and 17 bridges over brooks of more than 18 feet, (see Procès-Verbal of the G. Voyer) but the land through which the road runs is generally of an excellent quality. From the Three-Rivers district line in the Township of Ireland to Saint Giles, or to the River Bécancour, at the place known as the Palmer House, in the district of Quebec, is about 22 miles, and is partially made, but would require about £30 per mile to repair the same, which would amount to the sum of £660. These sums I think within bounds of reason, and what would be necessary to make and repair the said Craig's Road, being the general outlet of the Townships to Quebec.

Secondly.—The next road I would submit to the consideration of the Committee is the road from the Township of Stanstead to Montreal. The bad and almost impassable road begins at the head of Lake Massihippi in the Township of Hatley, from thence to the outlet of Lake Magog is about eleven miles, being mountainous, would require, according to the best estimation, from £80 to £100 per mile. From the outlet of Lake Magog round Bolton Mountain to the Township of Stukely is a bad and dangerous road, about 7 miles, and would require about £100 a mile, being their only route to Montreal. The whole distance from the head of Lake Massihippi to Stukely being about 18 miles, at, say, £90 per mile, amounts to £1620. The Road on through Stukely, Shefford and Granby, a distance of 30 miles, would require about £15 a mile to repair, and would amount to £450. This would open the road to Montreal from the Townships near the lines, together with the Townships through which the Road passes, and would be of immense value to the people.

Thirdly. The next Road of the greatest importance to the Townships along the Saint Francis River is the continuation of the Craig's Road as originally intended, from the River St. Francis through Melbourn, Bronipton-Gore, Ely, Roxton and Milton, to Yamaska Mountain, to intersect the Road to Montreal: this passes through a fine tract of country with scarcely any swamp, and extremely well adapted for settlement, and where many settlers are now settling or about to settle, and have built saw and grist mills in Ely and Milton. This Road, if made, would shorten the distance to Montreal from the St. Francis River and central Townships, say about Shipton; one half from what is at present necessary to be travelled. The distance of Road to be made is about twenty-eight or thirty miles from the St. Francis at Richmond to Yamaska Mountain, at about £60 per mile to make, would take (having several bridges over the head waters of the Yamaska River) £1800 at least, but it has been estimated at £2000.

The above three roads have been included in the petition for which the undersigned was agent, and therefore humbly and earnestly recommends them to the favourable consideration of the Committee. The Sums required would stand as follows:

For the Craig's Road within the District of Three-Rivers through Shipton and 2 miles into Tingwick,	£160
For the same through Tingwick, Chester, Wolfstown and to the Quebec District line in the Township of Ireland,	2040
For the same within the District of Quebec to the Palmer House,	660
Total for Craig's Road to the Saint Francis	£2860
For the Road from the head of Massihippi Lake to the Township of Stukely,	1620
For repairing the continuation of said Road through Stukely, Shefford and Granby,	450
For the Road from the St. Francis to Yamaska Mountain through Melbourn, &c.	2000
Included and petitioned for—Total	£6930

The above Roads would open effectual roads to the Cities of Montreal and Quebec, and pass through the centre of the Townships.

But some appropriation is still wanted to complete the Road to Three-Rivers down the Saint Francis through Kingsley, Simpson and Wendover, and to extend a branch of the St. Grégoire Road from the part it passes over the south-west branch of the Nicolet through the ninth and tenth ranges of Kingsley to intersect the Craig's Road at Danville School-House in Shipton, a distance of thirteen miles, which has been estimated at the sum of £450. This sum has been petitioned for, but was too late to be presented; the road is greatly wanted, the inhabitants having now to get to that point of the St. Grégoire road, 35 miles of a bad road to travel, which the making of this Road would cut short to 13 miles, from the centre of the Settlements in Shipton, Kingsley and Tingwick.

The repairing of the road down the Saint Francis through Kingsley, Simpson and Wendover, would, as above-mentioned, require an appropriation from the small number of inhabitants on said Road, and it being nearly impassable a great part of the year in many places, the distance is 35 miles, and would require about £15 per mile to repair, amounting to £525. This Road is almost the only Road that the inhabitants have to arrive at the Saint Lawrence down the Saint Francis, and which is chiefly travelled in going to Quebec, Montreal or Three-Rivers, and is much wanted by the people. There is however another miserable Road on the west side of the Saint Francis to Drummondville, but scarcely passable in the summer season. These several roads are greatly wanted by the Townships in order to go to market to Three-Rivers, Montreal and Quebec, and are also humbly recommended to the favourable consideration of the Committee for Internal Communications, and the undersigned will be happy to give any farther information that may be required.

Quebec, 23d Jany. 1829.

F. A. EVANS,

Agent for the Townships of Shipton, Melbourn, Kingsley, Stanstead, Ascot, Hatley, Brompton, Windfor, Durham, Tingwick, &c. &c. usually called the Eastern Townships.

Tuesday,

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Tuesday, 27th January 1828.

Jacques D'Eligny, Esquire, one of the Knights representing the County of Warwick, called in; and examined:

Are you acquainted with the Township of Brandon, and the Roads leading to it, and what opportunities have you had of becoming acquainted with this part of the country?—I do not know the Township of Brandon from my own observations: I have never been there. I have resided at Berthier for many years, and the Township of Brandon is about six leagues from the Village of Berthier. I am acquainted with many persons who have lands there.

What are the means of communication between the old Settlements on the Saint Lawrence and the Township of Brandon?—The Road generally chosen in going to Brandon from Berthier, is by the *Côte du Saint Esprit*: those who have land there tell me that this is at present the most eligible road to the Township.

Is the communication sufficiently easy to enable the proprietors of lands in the Township of Brandon to go there and clear their lands?—There is now the Road by the *Côte du Saint Esprit* which is very difficult. If some improvement were made in it, the clearing of the land would be much more advanced. I have known several persons who had lands there and wished to go and settle on them, fell them on account of the want of roads to get to them.

What is the number of persons actually settled in the Township of Brandon, to the best of your knowledge?—I do not exactly recollect: There are not less than thirty families, and I believe there are more.

Are there any persons resident in Berthier who have lands in Brandon, and who would settle on them if the roads thither were better?—There are some who have already sold their lands in the old Settlements of Berthier, in order to go and settle in Brandon; and I know others who would settle there if the roads were better.

Has the land in Brandon the character of being good land?—According to my informants the good land lies in tracts, that is to say, there are good and bad lots; but there are some persons who have land there who consider them very good: The proof of their goodness is, that those who have sown on them have had an abundant harvest every year.

Have the persons settled in the Township the means of making the Roads they ask for?—Part of them have not the means.

What sum would it be necessary to grant them as an aid to enable them to make the said Road; and in what part of the Township ought the sum so granted to be expended?—The parties interested believe that the sum of £300 would be sufficient to establish a proper road. The most convenient place according to the wish of the Petitioners would be the *Concession du Saint Esprit*.

What would be the general advantages of this Road, supposing it should be established?—One advantage would be that the road to Montreal would be shortened by about six leagues.

Do the inhabitants settled at Brandon wish for the adoption of a measure of this nature?—The proof of this is, that I have in my hands a Petition which I was commissioned to present to the Legislature on their behalf. I was prevented from doing so, because it was sent too late for me to present it to the House, according to the Rules.

François Bélanger, Esquire, called in; and examined:

Are you acquainted with the Township of Brandon and the Roads leading to it, and what opportunities have you had of becoming acquainted with this part of the country?—I know the Township of Brandon, having visited it last year.

What are the means of communication between the old Settlements on the Saint Lawrence and the Township of Brandon?—The only Road which I know leading to the Township of Brandon is that by the *Concession du Saint Esprit*, behind the Village of Berthier.

Is the communication sufficiently easy to enable the proprietors of lands in the Township of Brandon to go there and clear their lands?—The present communication is a winter road, by which persons may pass on horseback in summer, but it is not sufficiently good to be passed by summer carriages.

What is the number of persons actually settled in the Township of Brandon, to the best of your knowledge?—I merely passed through Brandon; but I estimate the number of families settled there at about fifty.

Has the land in Brandon the character of being good land?—The land in Brandon is, generally speaking, very good: this was the account I received from several of its inhabitants.

Have the persons settled in the Townships the means of making the roads they ask for?—I know that they earnestly wish to have a road; but they complain that they are unable to make it without the assistance of the Legislature.

What sum would it be necessary to grant them as an aid to enable them to make the said Road; and in what part of the Township ought the sum so granted to be expended?—I cannot hazard an answer to this question.

What would be the general advantages of this Road, supposing it should be established?—They would facilitate the establishment on excellent land of a population already too numerous in the old settlements which lie in the neighbourhood of this Township, and this, comparatively speaking, at very little expense.

Do the inhabitants settled at Brandon wish for the adoption of a measure of this nature?—I know that the inhabitants of Brandon complain bitterly of the want of proper roads; and they told me that they were preparing to apply to the Legislature on the subject.

Wednesday, 28th January 1829.

Antoine Charles Taschereau, Esq. of Sainte Marie, Nouvelle Beauce, in the County of Dorchester, having been called in, informed your Committee:—That the Kennebec Road is laid out and very well opened and cleared of windfalls: That persons on horseback may pass through it very well, but it is impassable for summer carriages: That there are five bridges on it crossing all the considerable rivers, and that there has been expended on this road between £425 and £450—the road has been verbalized: That there are Settlements on it at intervals, and a great part of the Lots are granted on condition that the grantees shall keep the road in front of them in repair: That on some of these Lots large clearances have been made: That he thinks to make a carriage road of it, it would require about £800: that the Road is nine leagues in length from *St. Charles de la Belle Alliance* to the Lines: That out of the sum of £800 which was voted for this road, about £450 have been expended; the rest of the money still remains to be laid out: That there are steep hills on this road which might be avoided by winding round them: That the settlements on this Road are greatly kept back by the impossibility of travelling on it with wheel carriages, so that it is impossible to convey materials to it:—nearly one half the lands are granted.

Joseph Bouchette, Esquire, again called in, and examined:

What relation would a Road open from the old Settlements at Berthier to the Township of Brandon bear to the general Internal Communications of that section of country which lies between the Ottawa and Saint Maurice; and would a like road opened from the old Settlements to the Township of Caxton bear any and what relation to these Internal Communications?—Roads opened from the old settlements at Berthier to Brandon, and from the old settlements at Pointe du Lac and Gatineau into Caxton, may each average from 8 to 10 miles, and the distance from the Saint Maurice to Grenville by a new line of road which might be judiciously opened passing in the rear of seigniories and traversing the Townships of Kildare, Rawdon, Abercrombie, also a Gore of the Crown Lands in the rear of Argenteuil, and the Townships of Chatham and Grenville to the Basin, may be est-

estimated at about 124 miles through which a new line of communication might be opened presenting numerous advantages towards promoting the settlement of that section of country, and establishing thereby a new front and line of settlement which would shorten the communication from the Saint Maurice or Three-Rivers to the heart of the settlement on the Ottawa at Grenville by about 70 miles. Having thus given the distance of this great line of road, the proportion that the former two roads bear to it is about one sixteenth; which two roads will intersect the great main communication above mentioned, and would essentially facilitate the communications from the old Settlements and the uncultivated lands in the rear of them with the projected main road. With respect to that part of the road alluded to from Kildare to Grenville, I beg leave to refer to my printed Report on that section of country in 1824, minutely describing that line of road and its advantages.

Would you lay before the Committee either Copy of this Report which you may have in your possession, or an extract of that part to which you have referred above?—I have only one copy, which forms part of my new Work, and I am ready to give any extract thereof.

Thursday, 29th January 1829.

Joseph Levasseur Borgiu, Esquire, one of the Knights representing the County of Cornwallis, having been called in, informed Your Committee:—That he believes that the building of a bridge across the River of *Trois-Pistoles* would be of general utility, not to say that the bridge would be necessary: that he cannot exactly say how much the said bridge would cost, but he believes that an aid of £2000 or £1500 currency would be sufficient, if the inhabitants contributed part of their labour and furnished the timber. The length of the bridge, if erected at the present crossing place, would be about five arpents. That he is further of opinion that it is expedient to grant the sum of £400 or £500 currency to the inhabitants of *l'Isle Verte*, to aid them in constructing a bridge across the *Rivière Verte*. That this grant would meet the views of the inhabitants on this subject, and enable them to accomplish the object of the Petition forwarded by them at the commencement of the present Session, but too late to be presented to Your Honorable House. That he is also of opinion, it would be necessary to grant an aid of £1000 currency for repairing and ameliorating the road and the bridge on the road leading to Lake *Témiscouta*.

Saturday, 31st January 1829.

Mr. Alexis Poulin, of Saint François Nouvelle-Beauce, having been called in, informed Your Committee: That for nine years he had been in the habit of hunting in the fall on the Lands lying between Lake Megantic, Lake St. Francis, and the *Bras du Ouest*, and has run over it in various directions and places. That this part of the Country is generally level and the soil good, being composed for the greater part of loam (*terre grise*.) That the whole is well adapted for agriculture; and settlements might be formed there much more advantageously than on the banks of the River Chaudière: That the climate is mild; and but little snow falls on the whole of this tract. That the timber is lofty, and is generally composed of a mixture of Maple, Elm, Butternut, and other timber. That he believes if a Road was opened from the *Bras du Ouest* to the Saint Giles or (as it is otherwise called) the Craig's Road, these lands would be immediately taken. That the lands on the River Chaudière are difficult to clear, and the inhabitants only take them when they cannot do otherwise. That there are a great many heads of families in the Parish who have several sons to provide for, but these young men remain at home with their fathers because they are unable to procure good lands. That, to conclude, all the good land lies on the west side of the Chaudière, and behind the chain of mountains which borders it. That the road which it would be expedient to open merely as a winter road, from the west side of the *Bras* as far as Craig's Road, passing by the Head of Lake St. Francis, would be from eight or nine leagues in length, and he believes that a sum of £300 or £400 would be sufficient. The road would in this case pass through better land than if it were made to pass by the lower end of the Lake: the road would be two leagues shorter if it passed by the lower end of the Lake, but the land is not so good there.

Mr. Michel Boucher, of the Township of Tring, was called in; and the preceding information of *Mr. Alexis Poulin* having been read to him, he confirmed the same.

Wednesday, 4th February 1829.

François Xavier Larue, Esquire, one of the Knights representing the County of Hampshire, having been called in, informed Your Committee: That there are ninety-one lots conceded in the back concessions of the Seigniorie of Neuville, running North East and South West, and bounded on the North by the Seigniorie of *Bourg Louis*, the property of *Mr. Bernard Panet*. That these lots are already partly occupied by strangers, to whom they have been conceded; but, in November last, the Deputy Grand Voyer having, at the request of *Mr. Panet*, verbalized a road from the new free bridge over the River Jacques Cartier, which road crosses the said lands and runs as far as the said Seigniorie of *Bourg Louis* where it terminates, the said persons being poor; and finding themselves unable to perform the work imposed on them by the said Procès-Verbal, will be obliged to abandon these said lots and lose the labour they have already performed thereon. That for the encouragement of these new Concessions he thinks it would be right to grant an aid for making the road now verbalized, and another road commencing at the end of the Commissioners' Road, passing along the line between the Concessions of Sainte Marie and Saint Jean mentioned in the descriptive plan, and terminating at the said Seigniorie of *Bourg Louis*: That if these two Roads were once opened, many settlements would soon be formed in the Seigniorie of *Bourg Louis*. That he believes the sum of £200 would be sufficient for opening the said two roads:—the length of each, if carried as far as the Seigniorie of *Bourg Louis*, would be about 130 arpents.

William Hall, Esquire, of the Township of Broughton, in the County of Buckinghamshire, having been called in, informed Your Committee: That there is a road under a Procès-Verbal, from the River Chaudière through Broughton to Craig's Road in Leeds—the distance is 23 miles, and would considerably shorten this distance from that part of the country to Quebec; that road has been opened last summer in Broughton, but was not continued in Leeds. The lands upon that road are of an excellent quality. There are no settlers in Leeds to open this road: The sum required to make that road would be £300 at least, the distance being 14 miles; and £100 more to open a communication between Broughton and Tring, where there are some waste land of the Crown of good quality. The Commissioners for Internal Communications of the County of Dorchester opened a road in 1819 or 1820, from Craig's Road in Ireland to the district line of Three-Rivers, to meet the Township of Dudswell where there are 280 settlers; this road was not continued by the Commissioners for the District of Three-Rivers. Should this Road be opened it would be, in my opinion, the grand route of communication between the Townships east of the Lake Memphramog and Quebec, and would open a continued communication from Quebec to the States of New Hampshire and Vermont, and would pass through the Townships of Hereford, Clifton, New Port, Eaton, Westbury and Dudswell, all of which are settled, and there are settlers on each side of the road. The distance of that road which is not opened is about 36 miles, and the tract of country is very favourable for making a road, and there are several clearances on the road; and should the road be opened it would induce settlers to come thereon. The sum of money required to open the road would be about £1000.

Mr. Francis Armstrong Evans, of the Township of Shipton, and *Mr. Silus Horton Dickerson*, of Stanstead, having been called in, and that part of the preceding evidence of *Mr. Hall* relating to the Dudswell Road, having been read to them, they confirmed the same.

Thursday, 5th February 1829.

Mr. Andrew McCambridge, of the Parish of Charlesbourg, having been called in, informed Your Committee; That the Township of Stoneham has a population of about 93 souls: That the first of the present Settlers has now been about nine years

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a constant resident; that it is not nearly so far advanced in cultivation as the other new Settlements about this City:—the retardment is entirely owing to the want of roads. That many settlers have been desirous of taking lots in it, but did not in consequence of the badness of the roads; indeed, the roads are so extremely bad that in summer it is impossible for a horse either to travel with the smallest load, or to walk through it without a load, otherwise than at the risk of his limbs. That in wet weather a man can scarcely walk in it, but at the risk of his life. That he lived with the Revd. P. Toosey, who about 33 years ago endeavoured to establish the said Township:—the richness of the soil encouraged Mr. Toosey to expend perhaps not less than £2000 or £3000 for its successful cultivation, but the want of roads ultimately ruined his project, nevertheless he believes that a good cart road can be made from Quebec to it for about £500. That the length of that Road from the old establishments to the Townships is about eight miles. That for making the Bridges on the Road would require about £100. That a good road to Stoneham would facilitate a communication on the South East and North West, and also with the sixth and last ranges of the Seignior of Beauport, known by the name of the Waterloo Settlement; and that such a road would facilitate the settlement of the country, and would also shorten the communication to Val-Cartier about five miles, and afford a means of living to a number of destitute persons which are now a burthen to the country, and the City will reap great advantages from this in consequence of the Fuel and Lumber which will come therefrom.

Monday, 16th February, 1829.

Alexander Carlisle Buchanan, Esquire, His Majesty's Resident Agent for Superintendance of Settlers and Emigrants in the Canadas, called in; and examined:

In what part of this Province would it be most advantageous to form new Settlements, was the Legislature to grant money for opening Roads to it?—There are many parts of this Province well adapted to the introduction of industrious Settlers, either Emigrants from the United Kingdom or Canadians, and I shall class them under four different heads or settlements:—First; I consider that extensive and convenient District laying between the Chaudière River and beginning at the Township of Tring, and embracing the Townships of Oulney, Adstock, Winslow, Stratford, Coleraine, Weedon, Wotten, Hampden, &c. comprising altogether, of cultivable land well timbered and watered by numerous lakes (St Francis) and streams, about half a million of acres, should first occupy the attention of the public for immediate settlement. My principal motive in favour of these lands is their proximity to the never failing market of Quebec as a vent for the redundant products of the farmer, and near access already by that excellent road along the Chaudière River. Combined to these advantages is another very powerful inducement, namely, the certainty of affording the Settlers a good title, from the lands being principally in the possession of the Crown; and here I will generally state to the Committee that I would not feel myself warranted in recommending the strange settler to invest his few pounds of hard earnings in locating in the majority of the conceded Townships, as from every information I can obtain, a good *bona fide* title is scarcely to be procured, and this evil demands some early remedy. As a farther and powerful inducement to immediately locate the before-mentioned tract of country, is that of establishing some barriers against the monopolizing grasp of the Americans who have already overrun the Eastern Townships, and who, I fear, are introducing an influence into that part of the Province much opposed to the settlement of British Emigrants, and which may endanger the security of our frontiers and the consequent loss to the Mother Country, at no distant period, of the most fertile portion of Lower-Canada. To the foregoing settlement I would add, under the same direction, the Townships of Cranbourne, Buckland, Watford, and the Crown Reserves in Frampton. Secondly; I would advise a small settlement to be formed on the unconceded portion of the Townships of Acton and Roxton with the Crown Reserves in some adjoining Townships, comprising, altogether, equal to eighty or one hundred thousand acres. I would also beg to recommend, under the same direction, the Township of Ely: the soil in this Township is of excellent quality, is well watered, and lays in the direct route from Sherbrooke to St. Hyacinthe and Yamaska Mountain; it has been long granted to non-residents (I understand Americans) and no improvement made, consequently its reversion to the Crown cannot admit of any difficulty. Thirdly; The importance of facilitating the intercourse by a new route

to Hull, on the Ottawa, seems to be very generally admitted, and as I had the honour some time ago of suggesting the same consideration to His Majesty's Government in London, and more recently to His Excellency the Governor in Chief, subsequent enquiries confirm my former impression, and I shall therefore beg to recommend public attention to settling that portion of country laying in the rear of the Seigniories and commencing at Maskinongé, including the Townships of Kilkenny, Rawdon, Wentworth, Abercrombie, &c. towards the Ottawa. I regret that the greater portion of these Townships are granted, and consequently expose the Settlers to the risk of doubtful title; but the unconceded portions, with the Crown Reserves, may be computed at one hundred and fifty thousand acres, and this I would recommend under one direction, together with the Townships of Harrington, Wentworth, Derry, Rippon, Portland, three fourths Wakefield, Marsham, all of which are surveyed and unconceded, and the soil considered superior to the lands next the Ottawa: these latter Townships range about twelve to fifteen miles from the Ottawa, and have generally good Shanty Roads leading to them, which with some trifling improvement might, for a few years to come, answer the ends of settlement until population thickens. The Township of Templeton was allotted by the late Governor in Chief for industrious families that worked on the Rideau Canal, but it is found too distant and the soil not congenial, and many of the families that took out locations have thrown them up and gone to the States; these circumstances arise principally from the impossibility of the emigrant finding out his intended lot until he had wasted much time and perhaps all his provisions. Fourthly; On the Ristigouche River and towards Lake Matepédic and towards the Madawaska, it would be most wise to form a good Settlement, combining as this tract does so many considerations,—the fisheries, the proposed Road from Nova-Scotia to Metis, the facility of access by the Bay of Chaleur, &c. and climate good. Under this direction I would also class Gaspé, where there is much excellent land unconceded and of easy access. The foregoing four situations or Settlements I consider the principal portions of this Province at present to take into consideration. No doubt the forming an establishment up the great River Saguenay country, either at Lake Saint John or on the Chicoutimi River, will ere long be considered an object of national importance, and would be productive of great advantage to the Province in general. I could enumerate many desirable situations for settlers in the Seigniories along the Saint Lawrence and some of its tributary streams, particularly the Nicolet and Saint Francis River, Yamaska and Richelieu, Chaudière, Batiscan, Saint Anne, &c., but as these Lands are all private property the owners will of course adopt what may best suit his plans. In relation to them I shall feel it my duty to render all the aid in my power to such proprietors either of Seigniories or Township Lands that may require it, in procuring them settlers, and which I have already noticed by advertizement in the Official Gazette of this City.

Do you know whether settlers are disposed to remain in this Province were some encouragement made by the Legislature, and what encouragement?—The majority of settlers that arrive at Quebec from the United Kingdom have no predetermined place to which they intended to direct their steps previous to arrival. A great portion of these from Ireland are from the Province of Ulster, and their feelings strongly attach them to prefer a British Colony, where they could still enjoy the blessings of our Constitution. The idea of Upper and Lower-Canada is measured by the name, many thinking that the term Lower implies a swampy, low, unhealthy situation, and *vice versa*, that Upper-Canada is high, mountainous and elevated situation; however, the fact is just the contrary; so much for the poor credulous Irishman's notion of Upper and Lower-Canada. The Irish and Scotch Emigrants are best adapted for this Province, and my wish is to see the Emigrants generally from every part of the United Kingdom amalgamated as much as possible with the native Canadians: I am not aware that they possess the least disposition to the contrary. The numerous instances of success attending Emigrants that have gone to the States being generally talked of in the United Kingdom, has naturally a tendency to bias their feelings towards that country, and the same reasons are now felt towards Upper-Canada, from the conclusive facts of rapid success that even pauper Emigrants have experienced there; a more striking proof of which is not to be found than the success that has attended about three thousand poor Irish that were removed to the Township of Cavan in 1816 and 1817 by His Majesty's Consul at New-York, and who received no aid whatever beyond their grant of Land. Emigration to Lower-Canada has never yet had a fair chance, or that support and protection that naturally leads to favourable results. The French language is certainly a drawback to the stranger on first arrival in this Province; hitherto few of the new and desirable part of the Emigrants find their way into the interior of the Province, and those that do

do are generally men that have loitered a year or two about Quebec as servants or labourers, and persons connected with rafting timber or shantys, and who are by no means a healthy class to form new settlements. In point of fact, the strange settlers on arrival at Quebec were perfectly adrift without a pilot to guide their steps or render any authorized disinterested advice, and in many cases they never had the opportunity afforded of putting their foot on shore. The ship runs to the ballast ground (distant on the south side of the river about two miles from the Cul-de-Sac) and the anchor is hardly let go when a number of steam-boat agents and sailor crimps flock on board: their object it is unnecessary to illustrate—*Lower Canada is represented a mere desert, sure starvation, &c.; the credulous stranger believes every word, and while the dialogue is going on, the hatches are opened, baggage hoisted out, and in a few hours the poor emigrant finds himself crammed on the deck of a steam-boat on his route to Montreal, expecting that on his arrival there, *all will be well*; when arrived a similar scene takes place with boatmen from Ogdensburgh, waggons from St. Johns, &c. &c., and without time to reflect, and bewildered with the novelty around, the poor fellow is hurried on step by step as long as his money lasts; when not unfrequently sickness ends his troubles, and if not after reaching perhaps Ogdensburgh or Kingston in a miserable batteau or Durham boat, and finding his resources nearly exhausted in trying to find verified *the disinterested advice received on the route, he struggles into the States truly disgusted and disappointed with his Canadian reception.* This is a true picture, it has occurred every year, and so long as it is permitted to exist, and aided by the *indifference*, and I may almost say the impossibility for the strangers finding even the way to obtain a location in Lower-Canada, without first expending more *time and money* than double the value, may we chiefly attribute to a great degree the trifling settlement of Emigrants from the United Kingdom hitherto in this Province, and not from any objection or predetermination to the contrary on their part.† The voluntary emigration to Quebec is *by no means that of paupers*; the original destination of a portion of them are generally for the back part of Pennsylvania, Ohio, &c., being the cheapest route, the greater number are industrious, loyal farming families, possessed of means which would, if properly directed, establish them in the country, but from the causes already alluded to, their hard earned gatherings are flitted away without their being permitted to render any lasting advantage to the Province or they themselves becoming good subjects; thus by a want of arrangements, and I fear, occasionally, *over zealous prejudices*, are thousands of valuable settlers forced over the Lines to enrich and augment the rapidly increasing power of our ambitious neighbours. It is worthy of note that 29,000 settlers arrived at Quebec in the years of 1827 and 1828, and I do not believe out of the whole number, *one hundred families have taken up lands in the Province.* This I should consider is of itself a sufficient proof that something is wrong, that some measure is wanted. As to encouragement to voluntary settlers with means, I know of none better than the opening of Roads, and to have the lands as may be allotted for settlement correctly surveyed in lots abutting each other, and to be recorded for the *free inspection* of Settlers and Emigrants on arrival at the office of His Majesty's Resident Agent for the Superintendance of Settlers in the Canadas, with the terms and conditions at which the Commissioner of the Crown Lands may fix for disposal, where also should be recorded all and every necessary information for the guidance of the stranger; also, an alphabetical list to be kept of the names of the Settlers, where from, and probable destination, which would be a most desirable clue to their friends and followers, for the purpose of ascertaining where they may be found, and the Resident Agent at Quebec to be authorized to put the Settlers in possession of their lots of land by the *most immediate, simple, cheap and easy method possible.* It would be necessary to have a few trusty men who knew the country to act as guides, and under the controul of the Resident Agent's Department, to conduct the Settlers on the arrival of a ship with Emigrants, to such Settlements as they may be destined, and at such Settlement it will be necessary to have a responsible location Agent acting in concert and

under the order of the Resident Agent's Office, and residing on the spot, and whose sole business shall be the care of the District allotted to his management, and who *should not be permitted to engage in land speculations or dealings of any sort, but confine himself to the receiving of Settlers and placing them on their lands*, seeing that such lands are regularly laid out, keep records of the whole, and transmit, monthly, a return thereof to the Resident's Office; the Location Agent to be provided with a dwelling-house and other suitable buildings, with twenty-five or thirty acres cleared and cropped in the first instance, and also provided with farming stock and implements; this farm to form a kind of Nursery, from which the Settlers afterwards may be supplied with various assistance, such as stock, seed, grain, &c. &c. A large barrack log-house to be attached to each settling agent's farm, as a place of shelter, in the first instance, to families arriving, and until they could fix up a shanty or log-hut. The satisfaction and benefit Emigrants would feel in finding a disinterested rallying point to resort to for advice and sympathy, is so obvious that I am forced to urge the consideration of the subject on the attention of Your Honorable Committee by every sense of public duty. As the foregoing arrangements will be attended with expense, it may be proper to illustrate this part of my answer by a little estimate. As the arrangement would naturally require more aid than the Resident Superintendent's Office at present could possibly render with advantage to the public, he would submit with all deference to the liberality of His Majesty's Government and the Provincial Parliament, for such consideration as they in their wisdom might think necessary on this head, without presuming any opinion, but merely as a guide to form some conclusion as to expense:

Say:—For Resident Agent's Department annually,	£500
A	
Settling Agent's Salary,	150
Allowance for Guides conducting Settlers,	100
Incidents for Stationery, Postage, &c.	50
	£800
B	
Outfit at the Settlement:	
500 Acres to be appropriated as a Farm—	
chopping and clearing 25 acres,	£100
House for Settlers' Agent, Barn, &c. &c. &c.	400
Farming Implements, Stock, &c.	150
A Barrack Log-house, competent to shelter 20	
or 30 Families, with two Stoves and an apart-	
ment for a School-room,	200
Grist Mill, and power to drive one saw,*	350
	£1200
Interest on that Sum at 5 per cent.	£60
Annual Expenses as per Statement, marked A.	800
	£860

Say Eight hundred and Sixty Pounds annually for a system competent to afford facilities to settle one thousand or more families of voluntary Settlers possessed of means, or four shillings each person, computing a family to consist of a man and his wife and three children on an average. Should a plurality of Settlements be set on foot, nearly a similar expense would be necessary to each. The Public Farm, with the consequent improvements which ought to take place, would be ample security for the outfit, and the surplus produce would more than pay the wear and tear of implements, &c. besides producing after the first year or two, something very considerable to cover many contingencies; and I propose that each voluntary settler should give gratuitously the first year, five days' labour, and the second year three days labour, to be applied to the general advantage of the Settlement, and in preparing lots for new Settlers, &c. &c. A Depot of Indian or oaten meal, fish, and potatoes, might be provided the first year or two; also feed grain, garden feeds, &c., and sold at prime cost. The foregoing suggestions refer to voluntary Emigrants and Settlers *possessing means to enable them with such facilities to take root, some difference would be required in the details of expense in locating pauper settlers, either Emigrants or of the Province; but the foundation of the present suggestion for voluntary settlers would prove a powerful collateral aid, and acting under the same administration much saving*

* This last season I have heard of steam boats meeting the ship off Orleans, and in fact enticing the passengers before their arrival at Quebec; a little collusion with the Captain easily gets the main topsail laid aback to deaden the ship's progress until the Emigrants and their baggage are secured; hence arisen, in addition to other strong reasons, the absolute necessity of some Legislative protection against such abuses as I had the honour to submit on a former occasion when given evidence in relation to the proposed Emigrant Hospital.

† The repeated delays and disappointments which emigrants have experienced, soon become the subject of remark among themselves, and no doubt is often communicated to their friends in the United Kingdom, to the great prejudice of settlement in the country.

* The expense connected with the mill would be paid by itself, or it could be let to a respectable settler at a fair rent.

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saving of expense would naturally be the result, besides other important advantages.

Have the Emigrants any aversion to settle in Lower-Canada?—The answer to this question maybe inferred from that to the second question, and in addition, I am satisfied with all my intercourse with Emigrants for the past fifteen years, and which I am warranted in saying has been greater than any other person in North America, I know of no aversion, real or imaginary, that is entertained by Emigrants to settle in Lower-Canada.

What would be, in your opinion, the best means to assist Paupers, both Emigrants and of this Province?—On this subject I have already had the honour of offering my opinion to the Imperial Parliament, as also His Majesty's Government, but a more clear intimacy with what might be the details of the measures and acquiring a knowledge of many facts since my arrival latterly in the Province to undertake the important duties to which His Majesty's Government have been graciously pleased to select me to conduct. I may vary in application, but not much in principle from my former suggestions. Assuring that if facilities such as I have the honour to suggest in my third answer for the encouragement of voluntary Settlers is adopted, a very important foundation would be laid in aiding the settlement of paupers, and consequently a considerable saving of expense. I would advise those pauper establishments to be in the immediate vicinity of the others, or perhaps even better if scattered amongst them: the one would materially assist the other, and without going further into explanation, I shall proceed to the financial part of the subject:—

The original expense of affording facilities in Lower-Canada for the settlement annually of one thousand families and upwards, is computed at, according to my answer to the second question, yearly, £860. And the additional expense to establish at each Settlement 100 pauper families, would be thus:

Outfit for Pauper Establishment to settle annually 100 families:

C	2 Barrack Log-Houses, with 2 Stoves, &c.	£250
	A Public Farm of 500 acres—	
	Clearing, fencing, and cropping 10 acres of Land attached to Barrack, chiefly to raise vegetables for the use of the Settlers,	50
	Clearing and cropping one acre to each Pauper Family's lot, the produce of which ought to support them, in addition to the four month's provision, as per Statement D,	400
	Building a House for Location Steward, &c.	100
	Incidents,	100
		<hr/>
		£900

Annual Expense of Pauper Establishment :

Interest on £900 at 5 per cent,	£45
Conductors,	50
Transport from Quebec to Location,	100
Four days provisions,	6
One Location Steward and Issuer of Provisions, &c. &c.	100
100 Axes, 100 Spades, and 100 Tin Pans,	70
Doctor and Medicines,	100
Schoolmaster,	30
Four Months Provisions of Indian and Oat-meal, Fish, Potatoes, and Molasses. 1s. per day to each family,	600
Contingencies,	150
	<hr/>
	£1251

I have omitted allowing the Pauper Emigrants a stove, under the idea that materials for making a fire-place is to be procured in every part of the Province, and added to which the great abundance of fire-wood at the elbow of the Settler. But in the sum of £150 allowed for contingencies, the expense of a few common stoves might be borne.

With reference to the settlement of English paupers in this Province, many leading County Members of Parliament in England, and among them those who feel a lively interest for Canada, frequently spoke to me respecting their able-bodied labouring paupers coming out to the Canadas, and their disposition to place at the disposal of the proper authorities a reasonable sum to establish them if they were satisfied of proper arrangements for their

reception on arrival at Quebec. It never was contemplated to send out able-bodied labouring paupers unless with the concurrence of the authorities here, and satisfied that reasonable funds were provided for their location, and I am strongly of opinion if Your Honourable Committee should consider the principles which I have advanced in the suggestions I have now the honour to lay before you, as founded upon a rational prospect of success sufficient to warrant the expediency of at least going into a trial, but that every cooperation may be expected from His Majesty's Government and the Imperial Parliament, and it will prove highly satisfactory to the inhabitants of the United Kingdom who look towards these fine Provinces with feelings of affection and common interest, to find by a declaration of Your Honourable Committee that no objection or opposition is for a moment entertained on your part to the introduction of industrious settlers from the United Kingdom, and their amalgamation with the loyal Canadian population of this Province. The sum that it costs the English Parish now in sending a pauper family to the United States, (and which has been a good deal acted on for the last few years, perhaps to the extent of three hundred families annually) is about Thirty-five Pounds, each family consisting of man, wife and three children, inland transport in England not included.

Transport from a British Port to New-York or Philadelphia,	£20 0 0
Hospital money and other local charges on persons arriving at New-York or Philadelphia,*	3 18 9
Each family generally receive on arrival in the United States about	10 0 0
	<hr/>
	Sterling, £33 18 9

I am of opinion that the English Parishes would pay a higher rate to get their paupers settled in a British Province, as they would be sure of the protection of Government. English paupers in general make it out very poorly in the United States, they are badly received, and the little ready money they obtain on landing is very soon exhausted, and I am warranted in stating that the majority of these very paupers in the end find their way into Upper-Canada penniless; hence the policy and advantage that would accrue by their coming direct to Quebec, as I shall shew that a similar sum, judiciously expended, would insure their success in the Canadas, independent of the actual capital brought into the country. It may be here remarked, that the shipping interest is materially benefited by the passenger trade of this port. In 1827, I suppose the freight on Emigrants to Quebec, amounted at least to Thirty thousand Pounds, a sum much beyond that paid for freight of merchandize imported from the United Kingdoms, consequently every Emigrant that is sent to the United States is an actual loss to the British ship-owner of Two Pounds, besides materially affecting the Provinces, as I have already stated, from the Americans receiving the whole of such capital as he may bring or obtain on landing in the United States. It may not be unnecessary to explain what is generally implied by the term English pauper, (which bye-the-bye I shall ere long try and find some other name less humiliating, whereby we can designate that class of settler in future) from custom, and perhaps a laudable sympathy on the part of the authorities who direct the distribution of the poor rates. In England, nearly all the labouring population of the country are occasionally brought under the denomination of Parish Pauper: it is a general rule there, that an able-bodied labouring man requires a certain sum for the support of himself and family, and when his labour cannot yield him that support, he receives the difference from the Parish, consequently these Parish Paupers are the strong agricultural labourers of England, and the introduction of a portion of whom, from their superior method of agricultural labour, could not fail of proving of great benefit to the Provinces. I am of opinion that the funds for the settlement of able-bodied labouring paupers should be provided in general by the Parishes or other incorporated communities that would be benefited by their removal. For instance, if it was found expedient to remove, voluntarily, from Quebec twenty poor families, for whose labour there is no demand, and have them settled as already suggested, it would be found much more advantageous for the citizens to do so than support them, as is now the case by casual

* In the United States one dollar is payable by every person, hospital money, arriving in that country from foreign parts, in addition to which in many ports, particularly New-York and Philadelphia, other considerations are required by the State Authorities at New-York: Bonds must be given to free the State from being burthened by such persons as may arrive, or it may be commuted at 2½ dollars each. In Philadelphia, in addition to one dollar hospital money, 2½ is charged for the poor-house fund—in all, 3½ dollars.

sual and voluntary contribution, independent of the many collateral benefits to be expected. In Holland, the State have taken up the suppression of mendicity, and from a country a few years ago overrun with pauperism, the most beneficial change has taken place; and the system adopted, is that of locating the labouring poor on lands, and therefore, if in an old country where land is difficult to be got and dear, how much easier can a system for a similar purpose be adopted in Canada, and if once began and got into organization, how many important advantages might we not expect in return. The outlay compared to the important benefit to the province is truly trifling; every part of the community would in turn be benefited by the measure, as the new settlers would be found after the first year or two, contributing largely to the trade and revenue of the country. Thus, in recapitulation, it will appear that by an annual expenditure of £860 can satisfactory arrangements be made to facilitate the settlement of at least one thousand families with means annually, and for the additional outlay of £1251, can be accomplished with every prospect of success, the additional settlement of one hundred pauper families. It must be borne in mind, that if a general system of settling English parish paupers in addition to that of free emigrants with means should be adopted, that a more extensive machinery will naturally be required for Upper and Lower-Canada, and which must be left to the discretion of Government when the details are about being arranged. Whatever plans it may please the Legislature to adopt in aid of the important measures here referred to, Your Honourable Committee may rely on a faithful application of my humble exertions, considering myself as I do in the capacity of joint trustee for the settlers and the public, and being satisfied that in no way will my services be more acceptable to my King and Country than by using every exertion in my power to forward the interest of the poor industrious emigrant and settler, connected as it is with the general prosperity of the mother country and these fine provinces.

What are the terms upon which Settlers receive their grants of Land?—I understand since the appointment of a Commissioner to manage the Crown Lands, none have been granted unless by special authority from the Government: The lands are sold by auction at a periodical sale, the price is fixed by the Commissioner and approved of by the Governor. Persons not over six months in the country may purchase *any lot that they can find out vacant*, provided such land has been appraised by the Commissioner, and the price per acre approved of by the Governor.

Wednesday, 18th February 1829.

William Sax, Esquire, called in; and examined:

Are you acquainted with the Eastern Townships, and have you made surveys of them?—I am acquainted with them, and I have made surveys in the said Townships.

Is the Land in these Townships of good quality and fit for cultivation; and might settlements be easy formed on them?—Yes, the land is generally good, there are some mountainous spots in them, and some swampy ones, but the great part is good land; the soil is rich and fertile and the climate sufficiently favourable.

Could you give a Plan of the said Surveys?—Yes; I produce one which contains all the Eastern Townships on a moderate scale.

What is the extent of the Eastern Townships?—The Townships in the interior are in general each ten miles square; those which lie on the banks of the rivers or lakes are in general nine miles in front and twelve miles in depth. The whole of these Townships together contain about 5,500,000 acres.

Can you point out the roads which it would be expedient to make, in order to afford the means of access to Quebec or Montreal to the people of these Townships; and also to provide settlements for the superabundant population?—In my opinion, the first Road which it would be expedient to open, is that from Shipton to Quebec, nineteen miles and three quarters of which, that is to say, the distance from the River Saint Francis to a little beyond the rear line of Shipton, in Tingwick, are already well opened;—from this point there are about 28 miles of the old Craig's Road which are in a very bad state, as far as the line of separation between the districts of Quebec and Three Rivers.

From the point last mentioned to the Seignior of St. Giles, the road has already been opened by the Commissioners, but some improvements still remain to be made in order to render it passable for wheel-carriages from Shipton to St. Nicholas. Another road, which it would appear to me necessary to open in the direction of Montreal, would be from the River St. Francis in the Township of Melbourne to the Yamaska Mountain, a distance of about 42 miles. Another road beginning at the northern end of Lake Memphramagog at the outlet of the said Lake, and meeting the road last mentioned to the south of the Yamaska Mountain, a distance also of about 42 miles. Another commencing in the Township of Hatley near the outlet of Lake Tomafobi, and terminating at the outlet of Lake Memphramagog, at the point where the road last mentioned should commence: the distance about 11 or 12 miles. Another road commencing in the Townships of Eaton and Clifton, running to the northward and crossing the Townships of Westbury, Dudswell, Weedon, and Wolfestown, as far as the point of intersection of the old Craig's Road and the line of division between the districts of Quebec and Three-Rivers; a distance of about 50 or 60 miles: this road is commonly called the Dudswell Road. Another commencing at the lower end of Lake Megantic and running across the Townships of Gayhurst, Shenley and part of Tring, and there terminating, a distance of about 40 miles. This last Road would, as it appears to me, afford great facilities for opening new Settlements: this Road might be continued across the Townships of Broughton and Leeds, until it met the old Craig's Road, a distance of about 20 miles. Another Road which it appears to me would be necessary to open, would be one commencing at the mouth of the *Rivière du Loup*, where it falls into the *Rivière Chaudière*, to the rear of the lands which separate this Province from the State of the Maine; a distance of about 26 to 27 miles: This is commonly called the Kennebec Road. And (in order to form new settlements to the north-east of the River Chaudière) a road commencing at the said River in the Seignior of Saint Joseph and terminating at Lake Etchemin, a distance of about 17 or 18 miles. Another commencing at the River Etchemin, running towards the south-east, and terminating at the said Lake Etchemin, a distance of about 15 miles. It would be advisable to open another Road (in order to form new Settlements) commencing in the Township of Tring at the Roads already mentioned, and running towards the south-west until it met the Dudswell Road before mentioned, about Lake Nicolet, a distance of about 30 miles more or less, across part of the Township of Tring, and those of Coleraine and Garthby, and a small part of Weedon.

Saturday, 21st February 1829.

The Honorable William Bowman Felton, having been called in, gave the following information to Your Committee:—

In respect to the Roads leading from the Townships to the River Saint Lawrence, I shall shortly observe that in the present state of the Townships there are no other Roads that can be compared to the direct Road to the St. Lawrence in importance. It may be useful at some future time to open roads across the country, but at present the public cannot spare money enough to make the direct communications practicable.

The direct Road from Hatley to Montreal, passing across the outlet from Lake Memphramagog, is useful to Stanstead, Hatley, Barnston, and in some measure to a few other Townships lying to the south and east of Hatley; and that part of the Road which commences at the outlet may be considered useful to all the Townships above Shipton and the River Saint Francis; but the Road from Montreal ought to lead to Sherbrooke, otherwise there is no means of communication from the District of Saint Francis to Montreal, without making a circuit to the south through Stanstead, or following the River down to Sorel.

The Province should not be called upon to make any other Roads than those which are necessary to open the communication between the great body of the Townships and the River Saint Lawrence; and only so much of those as it is found impossible to make and keep up by the inhabitants. This limitation should be rigidly attended to, and it will be found that even under this qualification, the expense of making one practicable Road from the Saint Lawrence to any point in the Townships, will be much greater than any of the parties applying for roads choose to confess. A considerable part of the country which lies in the rear of the Seigniories, and which must be passed through to get to the Townships, is of a character to preclude the hope of any assistance in making Roads being derived from the inhabitants,

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because the soil is so wet and inferior in quality, as not to afford the means of existence to Settlers without the previous expenditure of a large capital, or of a great deal of labour in draining and opening to the sun and wind.

If it is considered desirable to open the Townships to the Canadian population, the public must undertake to make a road through the swampy land that intervenes between the Seigniories and the Townships; if this is neglected or delayed, the Townships will fill up with people who come in from the opposite side of the Province, where the Roads are very practicable and numerous.

The most important communication with the Townships is that which runs along the Banks of the River Saint Francis—it is a matter of perfect indifference to the inhabitants of the district of St. Francis on which side of the River the road is made, provided there is *one good road*, that is to say, a road practicable for wheel-carriages. It is the universal opinion of all disinterested people that the west bank of the St. Francis affords the best ground and the shortest route from the centre of the Townships to the Saint Lawrence, and it is the route which is most convenient for the Canadian population who reside in the thick peopled Seigniories of La Baie, St. François, &c. The road on the west bank ought to be completed from the south line of Brompton through Melbourne and Durham down to Drummondville; from this latter place a Road should be perfected to Sorel and another to Three-Rivers. Any money expended on these routes will produce immediate benefit, both to the Townships and the Province at large; and whatever is laid out on them will be the means of bringing into utility the grants of public money that have been previously applied on these Roads. It is in vain to promise that these communications will be completed for a small sum of money—it will require at least Thirty-five pounds per mile for the whole distance from La Baie to Drummondville, and from DeGuir to Brompton to make a good and useful high road; but it will neither be necessary nor expedient to expend the whole of this money in one season; it will be more useful to apply a portion of it, say one half or one-third annually, until the Road is completed.

Another branch of the St. Francis Road which ought to be completed in order to derive any benefit for the outlay already made upon it at the public expense, is that which runs from St. Grégoire to Shipton. This Road equally requires a large sum of money to make it practicable for carriages.

The details of distances on both these routes can be obtained from witnesses who are before the Road Committee; but it may suffice for data to calculate the expense upon, to state that from DeGuir through Drummondville to the south line of Brompton the distance may be fifty-nine miles; from La Baie to Drummondville, fifteen miles; from St. Grégoire to Shipton, thirty-nine miles, of road which requires an outlay: the absolute distance between these points being something greater.

The Estimate will stand thus:

Road along the West Bank of the River St. Francis from DeGuir to Brompton south line—59 miles, at £35 per mile,	£2065	0	0
East Branch of the above Road leading to Three-Rivers, viz: from La Baie to Drummondville, 15 miles, at £35 per mile,	525	0	0
Road from St. Grégoire to Shipton, leading to Three-Rivers, 39 miles, at £35 per mile,	1365	0	0
	£3955	0	0

In conclusion, it must be repeated that until one good passable safe road be opened and completed, so as to connect the Townships with the rest of the Province, it is a waste of the public resources to expend any thing on remote cross roads which can only benefit individuals or partial settlements; and it is also equal necessary to notice that any expectation that may be entertained of making a good road through an impracticable country for a small outlay, will be illusory, and will end in disappointment.

Monday, 23d February, 1829.

Joseph Rémy Vallières de St. Real, Esquire, a Member of Your Honorable House, having been called in, informed Your Committee:—That he knows the Road leading from the Parish of St. Grégoire to the Township of Kingsey; that this Road is

open from the Parish of St. Grégoire as far as Long Point in the Township of Kingsey, but is badly kept up, and the rains which fell last summer have very much damaged it: that the lots on this Road being almost entirely in standing wood, trees are daily falling across the road, which obstruct it and make it difficult to pass. That to make this Road as useful as it might be made, it would be necessary to open it as far as the Township of Shipton, and to adopt means of causing it to be kept in repair: that £1000 would certainly be sufficient to put it in a good state from St. Grégoire to Shipton; and that the most sure way of providing for its being kept up, would be to grant the lands through which it passes on condition that the persons to whom they were granted should keep the road in repair. That this Road is extremely important; it would become the outlet from many populous and fertile Townships, and from an extensive tract of country at present uninhabited, but possessing a soil which invites cultivation, and which will without doubt shortly become a very interesting section of the Province. That the length of road to be opened, in order to carry this Road to the Township of Shipton, is four leagues or thereabouts, crossing the Township of Kingsey diagonally from the south-west branch of the Nicolet River to within two miles of the south-west angle of the said Township and the north-west of that of Shipton, on the River Saint Francis.

Thursday, 5th March 1829.

Mr. John Murray, of Cap Rouge, called in; and examined:

Are you a native of Scotland?—I am: I was born in Aberdeenshire, but I spent the greater part of my life in Ayrshire.

When did you arrive in this country?—I arrived in this country on the 3d October 1820.

What are the inconveniences to which Agricultural Emigrants are subject here? what are the advantages and disadvantages of the situation of the Emigrant, when compared with his previous situation in Europe? what from your experience is the best mode of surmounting the disadvantages to which he is exposed?—I conceive from my own experience the greatest inconvenience to which Emigrants wishing to settle here, on new lands, is the general want of roads of communication towards the new settlement, which they mean to settle. From my own experience, besides the disadvantages before mentioned, the Emigrant has others to contend with, principally arising from the state of his finances, but the situation of the Emigrant in this country, when compared with that in which he is in Europe, is certainly better; and especially with those of a superior class, who having surmounted those obstacles generally thrive better. The best mode of surmounting those obstacles in the Emigrant, is a persevering industry, with a due admixture of the practice of his own country with that of the country he has adopted. I consider that mode preferable to pursuing either the European or Canadian system by themselves.

What are the points wherein the Ayrshire system of culture differs from that which, according to your experience, is most successful in Canada?—The difference that I find arises principally from the different state of the climate and of the seasons. A farmer arriving in Canada and working altogether according to the custom of the country in which he was brought up, would almost surely fail. Owing to the shortness of the season here, his crop must be put under ground in a more expeditious manner than in Great Britain, whatever the expenses may be. And in harvest he must also alter his system, for he must not let his corn get so ripe before cutting it, as he would do there; otherwise, owing to the alternate rains and strong sun succeeding them, his grain is apt to fall from the stock, and of course occasion him great loss. Also, the farmer in Great Britain is accustomed to tie up his corn, immediately after cutting, into sheaves, but that does not answer in this country, as the principal drying in this country proceeds from the sun, whilst in Britain the winds are of more service in that way: I am therefore of opinion that the custom adopted in this country is preferable. As to Potatoes, I find no difference, excepting as to the difference of climate which I have before mentioned; they must be put in and taken out more expeditiously. As to Turnips the system varies considerably: In Britain we can sow with safety many times in June, whereas

whereas in this country we are not safe in sowing at any time, except between the 1st and 15th of July. I am speaking generally as far as my experience goes. The system applicable to Hay is nearly the same here as in Great Britain, with this exception, that I generally find it better to make the Hay in a more close manner; as by spreading it too much in the sun, the Hay is apt to bleach and get burnt.

What means has the Emigrant to raise the requisite capital to enable him to work on his own land, if he has one?—The general plan that I have known pursued by those, within 30 or 40 miles of Quebec, in order to raise the requisite capital, has been, in the summer time to engage in whatever work they could find in Quebec and its vicinity, and with the savings of the summer, go on their lands towards the fall of the year,—erect a temporary habitation, and there remain for the winter, cutting down the wood during winter to the extent of a few acres, burn it off in spring, plant a quantity of Potatoes, a few Oats and Peas, return again to Quebec, and work until the harvest time; when they return as before and work there for the winter; and live on the produce they have raised from their farm during the summer: This they may repeat for three or four years as they may be obliged to do. And in this way I know of many families who now are in ease and comfort, and who began with perhaps less than twenty shillings of their own: this applies to those within 30 or 40 miles of Quebec; I cannot speak with certainty of those at a regular distance, these are things which have fallen within my own personal observation. The Settlement to which I allude, is Fossambault, in which place I resided two years and a half, at the beginning of that Settlement. There was no road at that time, and the nearest distance they had to carry their provisions was about three miles.

Might not the effecting of Settlements by Emigrants with small means, be greatly facilitated by their underbrushing and girdling, or by underbrushing, felling and cutting up, and burning without logging the lands?—As to the first, it might be done by those who had no other means, and where the trees are large and thinly scattered; but still I think to clear it off is the best method, where it can be done. I would say the same of the second part.

How do you manage with stumps?—I have never seen any other method of extracting the stumps, than at first cutting off the small roots and leaving the stumps to decay. It has been suggested to me by one George Tomlinson, a miner, at Cap Rouge, that he would guarantee to show an apparatus, by means of which stumps might be eradicated with great facility, the whole apparatus consisting chiefly of a chain and levers; but that he had not sufficient means to purchase the chain, otherwise he would have it tried on my farm.

Do you think that an Emigrant to whom lands would be granted could effect a Settlement without public aid?—I conceive that an Emigrant could not effect it in any other way than I have already stated. The great want here is that of capital, and when a man is well at home, he never thinks of coming out here; of course the general mass of Emigrants coming here with the views of settling, are without capital, and are obliged to encounter all the difficulties above narrated, and many more; and whenever he gets an open farm, he is crossed in his endeavours to improve his farm.

What is the expense of the passage for Emigrants coming out to this country?—I would estimate the cost of the passage from Scotland to this country at about Six pounds per head, reckoning two persons under fourteen years of age as a passenger.

What would be your provisions for the passage?—I am not prepared to answer this question. As to the quantity, if I was crossing the Atlantic myself, I think I would take the following provisions:—two stone of Oatmeal, two bushels of Potatoes, six pounds of Butter, a stone of Beef, a pound of Tea, ten pounds of Sugar, half a gallon of Molasses, and a gallon of Spirits, and some other trifles that I do not think of. When I arrived at Quebec, I had with me my wife, and five children from the age of two to fourteen years. I was engaged in agricultural proceedings to the age of twenty-three, I then entered business as a Cotton Weaver and Manufacturer; in which business I continued till I left Scotland for this country. Upon my arrival here I was desirous of getting employment as an assistant in a commercial house, but having failed in this, I directed my attention to agriculture, and went to settle at Fossambault about six leagues from Quebec. I had one lot from Mr. D'Estimauville, upon these terms: I was to clear four acres in the common way, for which I was to receive ten dollars per acre, and to crop the land so cleared for

three successive years, the produce of which I was to have for my own use. I built a small dwelling-house, and for which I received at my departure forty dollars.

When you began in the forest; had you the means of working out for your neighbours at your spare time; and what wages did you get, and how were they paid?—I worked a great deal for others in clearing land, and I received for this ten dollars per acre. This clearing was made for Gentlemen in town having lands there. I may have been concerned in clearing twenty acres. When the clearing was partial I received six dollars per acre. These monies with the produce of the land subsisted my family and myself during that time. I met with some misfortunes, my house was burnt. I was more accustomed to society and wanted an open farm;—seeing an advertisement here that Mr. White was in want of a farmer, I agreed with him at the rate of Thirty Pounds per annum, he maintaining my family. Mr. White died during the first year of my employ, and I continued a second year with the trustees, receiving a better salary, amounting to fifty pounds, and my family partially maintained. The third year I took the farm with the stock upon it, at a lease of One hundred and twenty pounds per annum. On Mr. White's farm there are about eighty acres perfectly cleared, and about thirty or forty are partially cleared. I have taken the Jesuit's farm at Beauport, for twenty-one years, at the rate of One hundred and twenty-five pounds per annum, without stock, and to maintain all the buildings at my own expense. I have had this latter farm since the first of May last.

When you commenced your operations in the forest, had you any assistance in labour, and if so, what did you pay per day, exclusive of board?—I had no assistants.

How many days labour do you find that it requires to cut down and clear off one acre of land?—I cannot say how many days it takes to prepare an acre of land for the harrow.

Are you acquainted with any poor settler near you who went on wild land without possessing any capital; and state his proceedings as far as you are acquainted with them?—I know several, such as I have before related.

If any poor settler were to obtain land within two miles of your house, would you be able to employ him on the spare days, between the time of getting his seed into the ground and the harvest season; and what wages could you afford him besides his board?—I have employed men, and generally pay them two shillings with their victuals, or two shillings and ninepence without them, per day, in the harvest time: they were steady and able men, but I do not employ these generally having my hands by the season. I pay for a good ploughman Twenty-two pounds a year, and furnish him bed, board, lodging and washing. I pay to a man of general purposes of husbandry, six dollars the month for the year round: for a good servant girl, three dollars per month.

Saturday, 7th March 1829.

Mr. Ferdinand Murphy, of Val Cartier, having been called in; said:—I belong to the Province in the South of Ireland. I came to this country in October 1821, with my sister. The badness of the times, high rent of land, and low price of produce which I found were ruining me, and the excitement in the minds of different parts of the country, and the favourable reports I heard of Canada, induced my sister and myself to try our fortunes in this distant part of the hemisphere. We had, when we arrived here, twenty-one shillings. I staid in town about a fortnight without earning a shilling: I then went to Val-Cartier, quite in the bush, about three miles from the first settlement. I had taken a job for cutting down and chopping up five acres of land, at the rate of three pounds per arpent. I got an advance of provisions, clothing and other things I wanted, amounting to about half the whole sum for my undertaking. I completed my job previous to the spring, and cleared off the land after the snow was from the ground, and received the whole sum of Fifteen Pounds. I supported myself entirely with that during winter, and had a balance due me in the spring. On my arrival in the bush I built a Log Hut about 12 or 14 feet square, high enough for a man to stand in, with a hole for the smoke, and a floor of split logs smoothed, and left a place without any floor for the fire. There being no road for the said distance of three miles, I had to carry my provisions on

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on my back, sometimes over head in snow. My provisions consisted principally in buiscuit, potatoes and pork, and sometimes I had tea and sugar. In the spring, as soon as the land was cleared, I planted about 22 bushels of potatoes, which gave me in the fall, twenty-three bushels for every one sown; it was one of the luckiest crops I had. Having no family to support when my crop was in the ground, and having fenced in the ground which I had planted, I went to different parts of the country amongst my friends for about two months: I was at no expense among them. In the fall I returned to gather my crop, and in that winter I took a job of £100 at St. Giles, which I accomplished with three men. I did not make much by that: I had not over £8 left to myself. In the spring I came to Quebec, and obtained from the Nuns of the Hôtel-Dieu, a lot of 262 acres of land in the Fief St. Ignace on the River Jacques Cartier: I went upon it at the end of next winter, chopped down about five acres upon it, which I cleared in the spring, and planted 80 bushels of potatoes, which gave me upwards of 600 bushels. I had also sown about one bushel of oats, which being eaten up by the squirrels, left me very little. I took another land from the Jesuit's Estates two years ago, consisting of about 90 acres. I have now about 56 acres of land cleared by myself and labourers which I employed when I had money to pay them. My crop this year is the worst I ever had, owing to the wetness of the spring which spoiled my barn. I planted 52 bushels of Potatoes, and had only 552: I sowed 11 bushels of oats, and expect to have 100 bushels. I also expect to have about 1000 bundles hay. My crop in 1827 was 946 bushels of Potatoes, the produce of 47 bushels: 100 bundles Oats, the produce of about 10 bushels; and 600 or 700 bundles Hay. Since I have begun, I had the following hired men: Two men for one month at six dollars, and fed during last year. In the preceding year I had a man and his wife for one month, the man at four dollars, and his wife at two dollars. Previously, I had not the means of paying labour. I am quite satisfied of this country. I love Ireland, but I will never go and live there, because the people are not unanimous. Out of the earnings from my farm I have bought furniture, and stock consisting of 7 head of cattle, and 1 horse, and expect to be able to buy two head of cattle in the spring, and to add to the little comforts of my house. The great difficulty for a new settler is the provisions for the first winter, suitable clothing, a good axe, and a grindstone among a few, to keep the axe in order, and Roads when they have any thing to bring to market: as to provisions for one's self, a man can carry them on his back, but when they have any thing to export, the want of a Road is a great grievance.

What would be the effect of a loan made by Government to new poor settlers to enable them to get over the difficulties of the first year?—If there was a settlement of not less than 8 or 10 families settled upon good lands, and they were determined to pay the loan, and of an industrious disposition, and maintain their health, a loan might be useful to them if it was not great, and they might refund it. Men who are not very wise, borrow money in hopes punctually to repay it, but find when the time comes that they cannot repay it.

What do you consider the most economical and most advantageous mode of feeding a new settler in this Province?—Provided Potatoes are not at too great a distance, for they are a very heavy article, and can be got at a cheap rate, they are very good. Many people speak of Potatoes and salt Fish as a cheap mode of feeding a working man: I can say confidently from my own experience, that the cheapest food for a working man are Potatoes, Pork and Peas Soup: the Pork is used principally for the purpose of giving a meat flavour to the vegetable; besides this food is much stronger than Potatoes and Fish. But I do not think that a man can live upon this alone for any stretch: he must have tea or gruel: it is cheaper, and is a change: milk would be better, but he is not yet able to buy or feed a Cow.

How long does it take an ordinary able-bodied Irishman to learn the use of the Axe?—From three to six months. It is with us as it is with trades; one man learns much sooner than another. I chopped as well at the end of three months as I do now, and I would not now turn my back in chopping to any American born with an Axe in his hand.

Jean Baptiste Noreau, of Val-Cartier, having been called in; said:—I have been settled at Val-Cartier five years this Autumn. I am settled in the fifth concession. I have forty arpents of land cleared, a house and barn, two horses, a cow and thirty fowls. I had no money nor household furniture when I first settled on my

land. I got my living by felling wood for wheels, and shingles; and by exchanging horses and other kinds of barter. If I had the means of sowing my land next spring, I should be well off for the remainder of my life. I have always put in seed from the first year I took my land. A good man can earn two shillings per day in summer, and one shilling and three-pence in winter. I have had labourers working for me for their food.

Charles Savard, of Val-Cartier, having been called in; said:—I have been three years at Val-Cartier. I am settled on a lot on the river. I have seven or eight arpents of cleared land, a small house and a barn. I had no money nor household furniture when I settled with my wife on the lot. I gained my livelihood as I could, very miserably. I worked for any one that would employ me: and sowed my land. The wages for a labourer at Val-Cartier, are from two shillings to two shillings and six pence per day.

William Brown, of Val-Cartier, Farmer, called in, and examined:

What are the inconveniences to which Agricultural Emigrants are subject here? what are the advantages and disadvantages of the situation of the Emigrant when compared with his previous situation in Europe? what from your experience is the best mode of surmounting the disadvantages to which he is exposed?—The greatest inconveniency to which the Emigrant is subject to, is the general want of Roads: With good Roads the Emigrant would be better off. For my own part I think I am as well off as I would be at home. Perseverance is the main object, and by that alone can the Emigrant thrive.

What course of agriculture have you found from your own experience, best adapted to this country?—As far as my experience goes, I find that green cropping is the most advantageous.

When you first arrived in this country did you obtain any land, and with what means did you begin upon it?—I got a farm on halves, from Mr. Wilson: it was partly cleared; I remained a year upon it. I then took a lot of ground from Mr. Neilson, at a rent of £5 per annum:—there were about 20 acres of land cleared upon it. I brought with me about £300 from Scotland, which I laid out in purchasing land. I have about 500 acres of land of my own at this time, of which about 130 are cleared. The expense of clearing the land fit to put in a crop, was from 10 to 12 dollars.

How many days labour do you find that it requires to cut down and clear off one acre of land?—I think that it takes, for one man to cut and cross cut an acre of land, about a week, and another week for piling, burning and clearing it off ready for seed.

Are you acquainted with any poor settler near you who went on wild land without possessing any capital; and state his proceedings as far as you are acquainted with them?—I know of many industrious men who began without means, and who, by working upon hire, during their spare days in the summer, and during winter, felling down, and in spring cropping it as fast as possible, and then returning to town till harvest time; and by these means procure a cow, and so on gradually, are now tolerably well off.

If any poor settler were to obtain land within two miles of your house, would you be able to employ him on the spare days, between the time of getting his feed into the ground and the harvest season; and what wages could you afford him besides his board?—During summer I could give employment to many hands, and especially during harvest; I could employ perhaps twenty hands. During the harvest and generally in summer, I give these men one shilling and three pence per day, besides their victuals, and for women, one shilling per day. I keep one servant man to whom I pay, besides his board, Nine pounds a year. I have a large family, consisting of myself and seven children, the oldest a man of 24 years of age, and the youngest 9 years old: of these, 4 are boys and 3 girls. With the aid of my family, and this servant, the whole business of the farm is carried on till the approach of the harvest, when I require extra hands.

What is the smallest sum with which an Emigrant can venture

ture upon a farm?—Many go upon farms without any means but their own industry.

How do they manage to live?—Just by working for other persons for a day or two, now and then, to procure a loaf of bread or a few bushels of potatoes. With the exception of two families I do not know of any who are not tolerably comfortable in our Settlement.

Thomas McMullan, of Val-Cartier, having been called in; said:—I was born in the North of Ireland, and came to Canada in 1821. I came to this country induced by reports that this country was a fine one for a labouring man, where he could easily earn his bread. I heard that Emigrants would do well, but I have not, however, found it so favourable as I expected. I had a wife and four children when I came to this country, it was in the fall; the oldest of my children is now 14 years of age, and the youngest three years:—they are now five in number. I had not a shilling when I came here. I sold a few Carpenters' Tools I had, to get food during my first week's stay here. I then occupied myself in sawing wood, in Town, at the rate of two shillings per cord, for about three weeks: I could only earn about two shillings a day at this work. I then engaged myself to clear land at Valcartier for Mr. Stuart: I was allowed £30 for clearing ten acres: I arrived in Valcartier in or about November: I have always staid there since. I cut down about four acres during that winter, and was paid for it at the above rate: I had nothing else to support my family with during that winter, except 10 or 12 days work which I procured from individuals at Valcartier, at the rate of one shilling and six pence per day. I went quite to the bush in the sixth Concession of Valcartier, where, immediately on my arrival, I cut logs, and made a small house, 12 feet by 14 feet, 5 feet high, which I covered with shingles, with a hole in the shingles at one end to let the smoke out: I floored it with logs, excepting at the end where we made the fire. I was about two miles and a half from the nearest settler: there was for this distance nothing but an Indian path. I carried my provisions on my back for this distance, sometimes up to the middle in snow: my provisions were potatoes and flour. I paid two shillings and six pence per minot, for potatoes, and about from ten to twelve shillings and six pence per quintal of flour. I bought potatoes for two years, except a few which I received in the summer following my arrival. I bought about one bushel and a half a week during that time: I had some pork, but no fish: We consumed about 5 lb. pork a week; it was sent out by the Gentlemen with whom I had contracted; and delivered as wanted: we consumed about two quintals of flour during the winter, some of it we made into cakes and some in loaves; we used the potatoes boiled with salt, and sometimes with pork; we made very little use of grog, except even by chance when we came in town: we had a little tea and sugar, sometimes once a week, on the Sabbath. In the spring I cleared off nearly all I had cut down, about 3 or 4 acres, and put in about five bushels of potatoes, but they were too late: I hewed them, and picked them up in the fall; I put in nothing else. During that spring I worked a good deal for my neighbours at one shilling and sixpence per day, which I received in provisions and goods brought from Town for me: I was then middling only. I supported my family entirely by this means. I did not get more than 16 or 18 bushels of potatoes from what I had put in the ground, which, although watery and otherwise not good, we consumed during the ensuing season. During the second winter I cut down about six acres of land, for which I was paid at the same rate: I got a good deal of employment this winter, I suppose 30 or 40 days labour at one shilling and sixpence: my wife could afford me no assistance: I had not a shilling of cash. In the spring I cleared off three more acres, and sowed about 10 bushels of potatoes and 2 bushels green oats in good time: I got a good deal of day labour at the same rate, and paid in the same way. In the fall I gathered 150 bushels potatoes; cut my oats with a scythe and put them into small stacks: I had no cattle to consume them and no road to carry them to market, so they rotted on the ground. During the third winter I cut down and branched about three acres of land for one McCartney, a settler at Val Cartier, at three dollars an acre; and worked for others. I found myself a little better off this third winter, but not a great deal. I had by this time finished the job I had undertaken. The second winter I applied to Mr. Bélanger, the Agent of the Nuns, who have a Seigniorie at Valcartier, and obtained a grant of 126 arpents: it is at the distance of about 30 arpents from my first clearing. The third spring I commenced clearing on my own land; cut down about 5 acres and cleared about three, alone. I planted about 10 or 12 bushels of Potatoes and got a return of 200. I was cutting and branching on my

own land during the whole winter. I got a pretty good barn about the 15th or 16th May: I removed on my own farm that same spring, and built a log hut larger than the first. My family and I were better found, but I had no money. I completed the clearing of four acres that summer, and next winter I employed myself cutting down and up, and occasionally got day labour. I have now about 16 acres of cleared land and five or six more cut down. I suppose I can clear about 4 acres a year. I got a Cow in the fifth year, it was given to me in part payment of work. My crop last year consisted of about 250 bushels of Potatoes, 30 bushels of Oats and 900 bundles of Hay. I am now getting a good deal better than I was. I never would have got a farm of my own in Ireland. I think I am better than I could expect to be in Ireland. I am not the least sorry that I came out, but was so at first. In the year before last I bought a second cow with the produce of my oats, which amounted to about ten dollars. I allowed her to run fallow in the bush, where she fattened: I have killed her. I suppose that in the beginning of April I shall have her eat, we began in November: I use the tallow for candles: I had the hide sold on the market for seven shillings and sixpence:

Owen Sullivan, of Valcartier, Farmer, having been called in; said:—I have 160 arpents of land in Valcartier, in the Seigniorie of St. Gabriel. My Father went to Newfoundland in 1802, and kept a dry good store there, and in the year 1811 came out to this country with his family. He brought some goods from Newfoundland, and kept a dry good store in Quebec. The year after his arrival, he took a lease of Mr. Desbarats' farm at the Little River St. Charles, which he kept for 10 years: the rent was £140 a year: nine years out of ten on halves. At the end of this lease he went to Valcartier on the River Jacques Cartier, in the Seigniorie of Fossambault, and there purchased about 500 acres of land. I went upon this farm with, upon an average, 4 or 5 men, and sometimes 5 or 16 men. The second year we had about 50 acres under culture, and obtained sixteen pounds ten shillings from the Agricultural Society, as a reward for our exertions in clearing new land. My father afterwards purchased another farm in Valcartier where I now reside. My father has now about 100 acres cleared upon his farm; and I have about the same. I keep two horses, a yoke of oxen, and three cows. I formerly kept six cows. My father has two horses, eight cows, and some other young stock.

What are the inconveniences to which Agricultural Emigrants are subject here? what are the advantages and disadvantages of the situation of the Emigrant when compared with his previous situation in Europe? what from your experience is the best mode of surmounting the disadvantages to which he is exposed?—The greatest inconveniency to which the Emigrant is subject is the want of good roads. The want of these prevents his bringing the produce of his farm to market.

What means have the poor Emigrants of cultivating their lands?—It is customary to collect their friends and neighbours in what is called a Bee, and chop down, and pile ready for burning, five or six acres; which they put under crop immediately after. This is customary in the new Settlements, and is done alternately with all the Settlers.

How many days labour do you find that it requires to cut down and clear off one acre of land?—It takes, for one man to cut down an acre of land, about eight days. It is difficult for one man to perfect the clearing; but by means of the Bees, which I have before mentioned, the settler is enabled to finish the clearing and put in his crop.

Are you acquainted with any poor settler near you who went on wild land without possessing any capital; and state his proceedings as far as you are acquainted with them?—I know of some men in our Settlement who began without any means, and who are now tolerably well off. They began by working upon hire for others for some months; and in the spring by means of what they had earned, they contrived to live, and chop down part of their lands, and cleared it after the fire had run over the chopping, by means of Bees.

If any poor settler were to obtain land within two miles of your house, would you be able to employ him on the spare days, between the time of getting his feed into the ground and the harvest season; and what wages could you afford him besides his board?—I pay to an able-bodied man for the year round, besides

Appendix

(P. P.)

besides his board, Thirteen pounds ten shillings a year; and during summer, when I employ men by the day, I give them one shilling and three pence a day, besides their diet. These are to men who understand the business of the place, such as chopping, and whatever is necessary for a new farm.

What do you think is the reasonable cost of clearing an acre of land?—I think that about 9 or 10 dollars is a fair price.

Would loans from the public to actual Settlers, at interest, to be paid in produce delivered to the Company's Agent, exported by the Company and sold on commission, be advantageous to them?—I think that it would answer well: my reason is, that the shortness of the season and the badness of the Roads, the uncertainty of the Quebec market, and the distance which settlers have to come from the new Settlements to this market, by means of such a loan, it would enable them to keep their produce and wait for a favorable opportunity to bring it to market and get a good price for the same: for example, I have known, last fall, that persons bringing their produce to market, owing to the bad state of the roads and weather, exposed their cattle and carriages to considerable difficulty and danger; besides their produce has sold then at a much lower rate than what they could get for it at this present time. And it may be well understood that the winter season in this country is not fit for any other purpose than bringing the produce to market, and it is the best time for that purpose. And as I think that from the middle of March to the end of April is the best time for cutting down timber, such a loan would give the settler leisure to remain on his farm, and enable him to chop down part of his land. I know several persons who have raised more hay or straw than what was necessary for the consumption of their cattle, whereas if they had means to purchase stock to consume the same, it would both improve their farms, and be of greater advantage to them, and also to their morals, for it is generally seen that those who frequently resort to market, contract habits of drunkenness, by causing them to stop at taverns on the way. And also carrying hay or straw for any distance above five leagues is only time lost by the farmer, whereas bringing a cow or a fat ox, pigs, or other cattle to market, is more beneficial to him, as he spends less time in selling it, and consequently exposed to less expense; besides there are other kinds of produce on a farm, such as turnips and small potatoes, &c. and which are of no use to the farmer unless he has a stock. And such a loan would enable him to surmount all those difficulties, especially so as strangers are generally short of credit. In the month of October a person having plenty of fodder, and having a little money, can come to the Quebec Market, and can purchase a good cow for from 10 to 12 dollars, and in the spring sell the same cow for from £8 to £10, which leaves the farmer the dung to improve his land, and a clear profit for his pains; whereas without these means the greater part of this produce would rot or be lost to him. The same applies to oxen: a yoke of oxen may be bought in the fall, at from £6 to £8, and if well fattened, may sell in the spring for from £20 to £25.

Elijah Henry, of Valcartier, Farmer, having been called in; said:—I come from Connecticut, and have been in the country above 30 years. I settled in Val Cartier 12 years ago, and was the first who went to that Settlement. I borrowed £100, and with that settled. I had two lots granted me, and money advanced by Mr. Stuart and Mr. Neilson to their value, which lots I afterwards sold to reimburse the money lent.

How many new farms have you opened?—If I had a few minutes to think I could tell. I have opened five new farms at Valcartier. On the River St. Francis I opened four new farms. In the United States, I opened one in Utica, Wethersfield, and one in Windsor. I am now 60 years of age; and I think it is time to shut up books and stop.

What made you change your farms so often?—When I was 24 years of age, my master who brought me up having made me a present of 100 dollars, with which I bought 50 acres of land I went upon, with my wife, and cleared 40 acres, lived 2½ years, and sold for 1000 dollars. I went to Utica and bought 366 acres of land for 1000 dollars and 40 crowns, but I bought it from a man who had no right to it, and they held a freehold court and turned me out, so that I lost my money, land and all. I then came to Canada. I bought 200 acres from Dr. Longmore for 600 dollars, payable in 6 years without interest. I paid for that farm 13 years ago: I cleared 60 acres upon it and

built a house and barn: I left it 12 years ago and came to Valcartier. I have since given this farm to my three boys. I gained by the sale of my first farm at Valcartier, 300 dollars. I then obtained a lot of land from the Commissioners of the Jesuits' Estates. On this last farm I chopped 20 acres, and cleared 16, and afterwards sold it to one Beattie for £45. Five years ago I bought a farm from Mr. Stuart, upon which I built a house and barn: I have cleared 56 acres now under culture.

Could not poor settlers obtain a crop much more easily by underbrushing and girdling or by chopping and cutting up without logging?—Chopping and clearing is the best way for a man to get his profit, the imperfect kind of clearing mentioned in the question does better in a hot country than in a cold one like this, you cannot expect a crop unless you let the sun in full. If a man girdles he must clear every year, and his land is never cleared, from the trees always falling. Half an acre well cleared off is better than two acres run over.

Do you make any Potash at Valcartier?—They could not make Potash except near the River, because the land is too light.

So it's true, as it is sometimes said, that the first crop clears the clearing?—It is generally thought so, and I myself have been more than paid by the first crop. Last year I cleared off 15½ acres of land: from this I had 128 bushels of potatoes, 200 bushels of turnips, and I had green oats on the rest of it. I have 11 head of cattle, and I have wintered them upon those oats, and they are in as good condition as any in the settlement.

How can a poor man manage to open a new farm?—He must work one half of the time for his meat, and the rest of the time for himself. When I began at Wethersfield I worked at framing and hewing, and got one dollar a day, when I got a little money together, I worked for myself. Since I have been at Valcartier the work I got was principally job work.

Are you acquainted with any poor settler near you who went on wild land without possessing any capital; and state his proceedings as far as you are acquainted with them?—I know people there who had nothing to bless themselves about four years ago, and now have cows, potatoes and butter which they bring to market at Quebec. They have also paid for their lands, but they bought them low, one paid £15, the other £12.

If any poor settler were to obtain land within two miles of your house, would you be able to employ him on the spare days, between the time of getting his seed into the ground, and the harvest season, and what wages could you afford him besides his board?—I would rather employ them the year round at £13 a year, for a good hand.

What is the smallest sum you think necessary for an emigrant to settle himself upon a waste lot?—An able bodied man ought to be able to clothe and meat himself with one half year's labour, for the whole year;—if a man could not do this a new country could never be settled.

Would it be of advantage, do you think, if the public advanced money to new settlers?—If the purse was open it would give too much indulgence to the settler: they would pick up their living for themselves, but if they had this to depend upon they would not work. I have practised being in debt sometimes, and do not find it particularly advantageous, time runs too fast when one has got interest to pay, it is like the canker-worm that eats up the principal.

What would you think of a plan whereby a company should advance to the actual Settlers monies at interest, to be paid in produce delivered to the Company's Agent, exported by the Company and sold by commission?—I have considered upon it properly to enable me to give a correct answer: to some it would be good, to others it would not; because some would take the advantage of this, and take the money without paying interest or principal: to good men, it would do good to the country, but there are so many counterfeiters it might leave the Company a loser.

Richard Ward, of Valcartier, Farmer, having been called in, said:—I come from the County of Wexford, in Ireland, and I arrived here in 1816. I brought with me my wife and two children: my passage cost me £15; I brought out a little money with me, and worked at Quebec for a year before I went to Valcartier on a farm belonging to Mr. Fletcher. Mr. Fletcher promised me one half of the farm on condition of going on with the

the settlement duties and clearing. I have cleared 30 acres. I took a farm at Valcartier from Mr. Campbell having seventy-five acres cleared, at Twelve pounds a year. I lived by my work when I first went to Valcartier : there were many little jobs then in the settlement. When I was in the forest I had an opportunity of working out for my neighbours at my spare time : I got three shillings and nine pence a day for my work. I could employ a poor settler on his spare days, paying him one shilling and three pence a day, besides his board. I could employ him during the first winter at his arrival, at about ten shillings a month. I know several who went upon wild land without possessing any capital, who worked for other people as well as for themselves, and in this way sustained themselves.

Patrick Scully, of Lake Beauport, Farmer, having been called in ; said :—I am from King's County, in Ireland, and have resided in this country for the last ten years. I have a wife and seven children ; three of them living with me ; my passage cost £3 10s. a head. Our allowance of provisions on our passage, for each person, was as follows : 1 cwt. of oatmeal, $\frac{1}{2}$ cwt. of flour, about 10 stone of potatoes and 25 lbs. of bacon. I arrived at Quebec upon the 17th May, and turned to work on the Cape at two shillings and sixpence per day. I worked there for nearly three years. I had with me about £25 or £26 ; one of my boys worked with me at the Cape, the others went to service. During this time I saved about £25 or £26 more, making in all about £50. Before leaving the Cape I took a lot of wild land belonging to Mr. Duchesnay, at Beauport, and began to improve upon it about 7th May, between which time and the 17th June, I cleared and cropped four acres.

How, by whom, and at what expense was your clearing effected ?—My own and my son's labour effected the clearing of it : I cannot say what the work was worth. I have now thirty five acres cleared. I have since cleared twenty-five acres on another farm.

How can a poor man effect a Settlement upon new lands ?—By industry, sticking to it late and early, and working late and early. He cannot work without provisions, and these he must get before he goes upon a farm.

How is he to get them ?—If he cannot borrow money from a friend, he must earn it ; and he cannot earn it and work upon his farm at the same time.

How long a time will he be in earning this money ; where and how can he earn it ?—He must either go to service of else go to labour every day until he gets sufficient. The smallest sum that a Settler can go upon a new farm with is £18 or £20.

If you were going upon a farm having these £18 or £20 in your pocket, in what articles would you invest it ?—In potatoes, flour, pork, and some peas.

Is not pork an expensive article of food, and why is it you have left out salt fish ?—I think peas soup better than salt fish, which makes you drink too much water. In a family of 4 or 5 a pound or a pound and a half is sufficient for the soup. I have one son, 25 years of age, one of 18, and my youngest is 14 ; I have three daughters, all married and settled.

What time did you go upon your farm ; and what time is best to go upon a farm ?—I went upon my farm on the 1st or 2d March, about 8 years ago : from the 1st March to the last day of June is the best time to go upon a bush farm.

Do you know many and what number of persons who came to this country with nothing at all, and are now doing well upon a bush farm ?—I do know many, and five upon our own settlement.

How did they manage it ?—They managed to get a few bushels of potatoes and a bag of flour from one of their neighbours, and are now, by their own hard industry, well off.

Do any of your Settlers sell their farms after they have made improvements and settled upon new ones ? Do they gain by this and how ?—Yes, there are I think they gain by this, for they sell their first farm and with it buy another, and are able to stock it better.

Are any in the habit of working in town and passing their winter at Lake Beauport ?—If there is nothing doing, they come in and work, but not until their crops are in ; they thus save house rent and feed for a great part of the year.

RAPPORTS DU COMITE SPECIAL

AUQUEL a été référée cette partie de la Harangue de Son Excellence l'Administrateur du Gouvernement, à l'ouverture de la Deuxième Session du Treizième Parlement Provincial du Bas-Canada, relativement aux Chemins et autres Communications Intérieures, et autres Références, avec pouvoir de faire Rapport de tems à autre.

PREMIER RAPPORT.

Premier
Rapport.
17 Déc. 1828.

VOTRE Comité étant persuadé, d'après les informations données par les personnes dont le témoignage se trouvera dans l'Appendice, et d'après les informations de quelqu'un des Membres du Comité, que l'ouverture du Chemin demandé par les Pétitionnaires de certains Townships de l'Est dans le Comté de Buckinghamshire, référée à ce Comité, est très-avantageuse à l'Agriculture en facilitant à de nombreuses familles un moyen d'établissements utiles pour elles et pour le public, a jugé à propos d'en faire le sujet d'un premier Rapport,

Votre Comité est d'opinion que l'état actuel des établissements déjà formés, tant sur le Chemin demandé que sur les deux rives de la Rivière Bécancour, les travaux privés de ces Cultivateurs, et leurs dépenses déjà faites et encourues pour ouvrir une communication nécessaire avec les anciens établissements du Fleuve St. Laurent, leur font un titre à l'assistance pécuniaire de la Législature, et assure à l'avenir l'entretien du Chemin désiré. Que de plus, la prolongation de ce Chemin, dans peu d'Années, depuis la Rivière Bécancour jusqu'au Chemin Craig, pourra être d'une utilité plus grande et plus générale encore.

Qu'enfin, mû par ces considérations, votre Comité est d'opinion qu'il est expédient et désirable que la Législature accorde une somme n'excédant pas quatre cent soixante-et-dix livres courant, pour ouvrir un Chemin entre le premier et le second rang du Township de Blandford, depuis la ligne de profondeur de la Seigneurie de Gentilly, à aller jusqu'à la Rivière Bécancour.

Le tout, néanmoins, humblement soumis.

F. BLANCHET,

Président.

17 Décembre, 1828.

SECOND RAPPORT.

Second
Rapport.
14 Janv. 1829.

VOTRE Comité a cru devoir s'occuper en premier lieu des Chemins qu'il serait nécessaire d'ouvrir en vue de faciliter de nouveaux établissements et des dépenses probables d'iceux.

Sur la Pétition présentée à votre Honorable Chambre le 23 Décembre dernier, et les procédés qui ont eu lieu par le Comité qui a déjà siégé sur cet objet, et qui se trouveront dans l'Appendice, votre Comité est d'opinion qu'il est expédient d'octroyer une somme n'excédant pas quatre cents livres courant, pour aider à ouvrir le Chemin décrit dans la dite Pétition; et que préalablement à l'application du dit argent, il sera convenable que le dit Chemin soit verbalisé suivant la Loi.

Votre Comité procédant de plus à prendre en considération l'ouverture d'un Chemin pour les Habitans du Township de Tring, et sur les informations reçues à ce sujet, est d'opinion qu'il est expédient d'octroyer une somme d'argent n'excédant pas cent soixante-dix livres courant, pour l'ouverture d'un Chemin comme continuation du Chemin déjà ouvert dans la Paroisse de Saint François de

la Nouvelle Beauce à l'ouest, et près de l'Eglise de Saint François à aller aux nouveaux établissements dans le dit Township; pourvu aussi que le dit Chemin soit verbalisé suivant la Loi avant d'être commencé.

Procédant de plus sur l'utilité de l'ouverture d'un Chemin depuis les établissements actuels dans le Township de Frampton, à aller à la ligne nord-ouest de Cranbourne, formant environ huit milles, sur lesquels se trouvent déjà plusieurs établissements, et après avoir examiné les informations et plans donnés au Comité par William Henderson, Ecuyer, votre Comité est d'opinion qu'il est expédient d'octroyer une somme d'argent n'excédant pas deux cent quarante livres courant pour l'ouverture du dit Chemin qui se trouve déjà verbalisé.

Votre Comité a ensuite procédé à prendre en considération la Pétition des Habitans du Township de Grenville et de la Petite Nation. Le sujet de cette Pétition paraît être de la plus grande importance et est intimement lié avec les communications générales de cette partie du Pays, et de plus il sera nécessaire que votre Comité obtienne des renseignements plus particuliers qu'ils n'ont actuellement dans leur possession concernant cet objet. Votre Comité prend des mesures pour obtenir ces renseignements, et aura l'honneur de les soumettre à la Chambre avec leur Rapport général sur les communications intérieures du Pays.

Le tout, néanmoins, humblement soumis.

F. BLANCHET,
Président.

14e. Janvier, 1829.

TROISIEME RAPPORT.

VOTRE Comité a cru devoir diriger son attention sur les Lois existantes des Chemins. Ces lois, dans l'opinion de votre Comité, son très-préjudiciables à la formation de nouveaux établissements, et ne sont point en harmonie avec la situation actuelle du Pays. Pour faire tracer une route à la distance de trente lieues, des sièges de juridiction, il en coûte vingt livres courant. Or, quels sont les Habitans d'un nouvel établissement capable de payer cette somme? Un autre défaut dans la loi, c'est que les Habitans sont obligés de payer les mêmes frais aux Grands Voyers, soit que les Procès Verbaux soient homologués ou non; de sorte que les Grands Voyers n'ont aucun intérêt dans l'homologation de leurs Procès Verbaux. Votre Comité croit donc, que la direction des Chemins devrait être laissée aux Habitans; mais ne croit pas que cela puisse se faire avant qu'il soit fait une nouvelle organisation des Comtés. C'est un objet extrêmement désirable, parceque la Législature ne serait plus obligée de faire des affectations pour l'ouverture de Chemins particuliers dans les Comtés, et que son attention se trouverait seulement dirigée sur les grandes routes.

Votre Comité a ensuite porté son attention sur les Chemins et Communications qu'il conviendrait d'ouvrir et de faire achever tant dans la vue de former de nouveaux établissements que pour faciliter les voyageurs. La nécessité de former de nouveaux établissements devient de plus en plus urgente, car il y a des paroisses, ou le tiers des chefs de familles ne vivent que sur des emplacements. Cette circonstance

Troisième
Rapport.
2 Fevr. 1829.

Appendice
(P.P.)Troisième
Rapport.
2 Févr. 1829.

circonstance est des plus alarmante parce qu'elle tend à introduire rapidement la pauvreté parmi la classe agricole.

Votre Comité regarde donc la formation de nouveaux Etablissements, sur de bonnes terres, comme le moyen le plus efficace et le moins dispendieux pour prévenir un mal aussi grave, mais outre la nécessité pressante qu'il y a de fournir des terres à la population surabondante de cette Province, (ce à quoi rien ne contribuerait plus que l'ouverture de Communication aux étendues immenses de terres incultes et fertiles dont nous sommes environné) il y a des considérations qui rendent en ce moment cette mesure d'une nécessité toute particulière ; le manque des moissons, dans la saison qui vient de s'écouler, a produit dans quelques parties de la Province une misère si extrême, qu'à moins d'une assistance publique on aurait à craindre les conséquences les plus funestes ; et l'on n'en peut faire une application plus avantageuse tant pour le Public en général que pour les malheureux, en faveur de qui l'on demande une aide pécuniaire, qu'en leur fournissant de l'emploi, de manière à ce qu'ils puissent s'occuper utilement pour eux-mêmes et pour l'avantage public en même tems.

Votre Comité prend donc la liberté de soumettre à la considération de votre Honorable Chambre la convenance d'ouvrir les Chemins suivans, dans la vue de former de nouveaux Etablissements, et les Dépenses probables qui pourroient en résulter :

Pour l'ouverture d'un Chemin de Métis à la Mission de Ristigouche, et faire les explorations nécessaires, outre la somme déjà votée, trois mille Louis.

Pour réparer le chemin de Témiscouata, et les ponts d'icelui, huit cents Louis.

Aussitôt qu'entre la Rivière Ouelle et Kamouraska, en arrière des anciens Etablissements, il aura été concédé pas moins de cent lots des dites terres à des Colons résidens, il sera loisible au Gouverneur, Lieutenant Gouverneur ou la Personne administrant le Gouvernement pour le tems d'alors, de faire faire un arpentage propre et convenable, pour tracer et faire ouvrir un chemin pour aller et venir de ces nouveaux Etablissements, et qu'il soit affecté à cet objet une somme n'excédant pas cinq cents Louis.

Aussitôt qu'en arrière des anciens Etablissements de l'Ilet, il aura été concédé pas moins de cent lots des dites terres à des Colons résidens, il sera loisible au Gouverneur, Lieutenant Gouverneur ou la Personne administrant le Gouvernement pour le tems d'alors, de faire faire un arpentage propre et convenable pour tracer et faire ouvrir un Chemin pour aller et venir de ces nouveaux Etablissements, et qu'il soit affecté à cet objet une somme n'excédant pas cinq cents Louis.

Aussitôt qu'en arrière du Bras de St. Nicolas, Comté de Devon, il aura été concédé pas moins de cent lots des dites terres à des Colons résidens, il sera loisible au Gouverneur, Lieutenant Gouverneur ou la Personne administrant le Gouvernement pour le tems d'alors, de faire faire un arpentage propre et convenable pour tracer et ouvrir un chemin pour aller et venir de ces nouveaux établissemens, et qu'il soit affecté à cet objet une somme n'excédant pas cinq cents Louis.

Aussitôt qu'en arrière des anciens Etablissements de la Rivière du Sud, il aura été concédé pas moins de cent lots des dites terres à des Colons résidens, il sera loisible au Gouverneur, Lieutenant Gouverneur ou la Personne administrant le Gouvernement pour le tems d'alors, de faire faire un arpentage propre et convenable pour tracer et faire ouvrir un Chemin pour aller et venir de ces nouveaux Etablissements, et qu'il soit affecté à cet objet une somme n'excédant pas cinq cents Louis.

Aussitôt qu'il aura été concédé pas moins de cent lots des terres de la Couronne situées entre le Township de Tring et le Lac St François, à des Colons résidens, il sera loisible au Gouverneur, Lieutenant Gouverneur ou la personne administrant le Gouvernement pour le tems d'alors, de faire faire un arpentage propre et convenable pour tracer et faire ouvrir un chemin pour aller et venir du Township de Tring au Chemin de Craig, et qu'il soit affecté à cet objet une somme n'excédant pas trois cents Louis.

Votre Comité a ensuite passé à l'examen d'autres Chemins qu'il conviendrait de faire finir.

Votre Comité recommande en sus de la somme déjà votée pour faire finir le Chemin de Kennebec, une somme n'excédant pas cinq cents Louis.

Une somme de seize cents Louis pour faire finir le Chemin de Craig, en sus de la somme de quatre cents Louis déjà affectée pour cet objet.

Une somme de seize cents Louis pour achever un chemin du Township de Hatley à la Montagne de Maska.

Une autre somme de seize cent soixante Louis pour achever le chemin de Melbourne à la Montagne de Maska.

Votre Comité n'a pu s'empêcher d'observer que sous les points de vue militaire, commerciale et agricole, il seroit très avantageux qu'il y eut un chemin d'ouvert depuis la Rivière Noire au point où aboutit l'ancien chemin des Forges, aujourd'hui abandonné ou en arrière des Townships de Caxton, de Brandon, Kildare et des Townships et Terres incultes qui suivent jusqu'à Granville, sur la Rivière des Outaouais, et depuis le dit Township jusqu'au Township de Hull au Sault de la Chaudière dans la même rivière.

Votre Comité recommande que pour ces objets, il soit affecté pour la présente année une somme n'excédant pas quatre mille Louis.

Et une autre somme de cinq cents Louis pour explorer le pays situé entre la Rivière St. Maurice et celle des Outaouais, tant dans la vue d'obtenir des renseignemens suffisans, pour tracer le dit chemin de la manière la plus avantageuse pour le Public, que pour connoître les productions naturelles et la qualité du sol et l'étendue du pays.

Pour l'ouverture d'un chemin des anciens Etablissements derrière Berthier à Brandon, trois cents Louis.

Le tout néanmoins humblement soumis.

F. BLANCHET,

Président.

2 Février 1829.

QUATRIEME RAPPOPT.

VOTRE Comité a continué ses recherches sur d'autres parties de la Province, qu'il conviendrait d'établir dans la vue de fournir des terres à proximité de la population surabondante de certaines paroisses dans les différens Districts. Le Lac Etchemin situé à la hauteur des terres au sud de Québec a été exploré et les terres qui entourent ce Lac sont d'une excellente qualité et appartiennent à la Couronne, les paroisses qui sont près de là sont surchargées de population. Votre Comité prend donc la liberté de recommander un Octroi d'une somme n'excédant pas trois cents Livres courant pour ouvrir un chemin pour y communiquer aussitôt qu'il y aura eu cent lots de terre concédés à des Colons résidens, par le Gouverneur, Lieutenant Gouverneur ou la Personne ayant l'Administration du Gouvernement de la Province pour le tems d'alors.

Votre Comité croit aussi qu'il seroit désirable de former des Etablissements dans les Townships de l'Est situés à l'Ouest de la Rivière Chaudière et le Lac St. François, ou un grand nombre de Canadiens pourroient s'établir. Votre Comité prend la liberté de recommander une somme de mille Louis pour ouvrir un chemin de Dudswell situé dans le District des Trois-Rivières, pour rencontrer un chemin déjà ouvert dans le District de Québec jusqu'au Township d'Ireland, et une somme de trois cents Louis pour faire un chemin de Broughton à Leeds, (ce chemin est déjà sous Procès Verbal.)

Votre Comité croit aussi qu'il seroit avantageux d'ouvrir une Communication entre la Rivière Chateaugay et Godmanchester, et de là à St Régis : votre Comité recommande une somme n'excédant pas quinze cents Livres courant.

Votre Comité ne saurait trop recommander l'ouverture de Chemins près de Québec dans la vue d'établir une communication facile avec la Rivière Jacques Cartier ; ces Etablissements près de la ville peuvent procurer un moyen de subsister à beaucoup de pauvres gens : votre Comité recommande une somme de deux cent cinquante Louis pour établir une communication de Val Cartier aux Lac St. Charles, ce qui raccourcirait le Chemin de cinq milles pour venir à Québec ; une autre somme de cinq cents Louis pour

Appendice
(P.P.)Troisième
Rapport.

2 Févr. 1829.

Quatrième
Rapport.

11 Févr. 1829.

pour ouvrir une communication entre Stoneham et Tewkesbury et une autre somme de deux cens Louis pour ouvrir un chemin des anciens Etablissements à Neuville.

Le tout néanmoins humblement soumis.

F. BLANCHET,

Président.

11 Février 1829.

CINQUIEME RAPPORT.

Cinquième
Rapport.
5 Février.

Votre Comité a dirigé son attention sur le mauvais état des Chemins de sortie des Villes de Québec, Montréal et des Trois-Rivières, durant les faisons pluvieuses. Pour mettre ces Chemins dans un état durable il en coûteroit une trop forte somme pour les moyens de ceux qui, par la Loi, sont obligés de les faire. Car votre Comité ne voit que l'adoption du système de McAdam qui pourrait efficacement faire de bons chemins. Votre Comité ose recommander à votre honorable Chambre qu'il soit accordé une aide à chacune de ces villes pour faire enpierrés les chemins de sortie de ces villes.

Votre Comité croit aussi qu'il devrait y avoir un bon chemin de voiture depuis Shipton jusqu'au Fleuve, et recommande en conséquence une aide pour ouvrir un chemin du côté Est de la Rivière St. François jusqu'à St. Grégoire; aussi une aide pour le chemin de la Savanne de Longueuil à Chambly, et la grande route de communication entre la Province et les États-Unis, savoir, celle de La Prairie à St. Jean.

Le tout néanmoins humblement soumis.

F. BLANCHET.

Président.

24. Février 1829.

SIXIEME RAPPORT.

Sixième
Rapport.
10 Mars.

VOTRE Comité ayant pris en sa sérieuse considération les Instructions concernant la vente des Terres de la Couronne, est d'opinion qu'un semblable système ne devrait pas être adopté, eu égard à l'apreté du climat, la pauvreté des Colons et les difficultés qui accompagnent l'ouverture et le défrichement des Terres nouvelles.

Votre Comité s'est de plus procuré un Plan figuratif du Fleuve St. Laurent depuis Kingston, dans le Haut-Canada, jusqu'à l'Ance Sablon sur la Côte de Labrador, avec les Seigneuries, Townships, &c. dans la Province du Bas-Canada, et votre Comité a l'honneur de la présenter à votre Honorable Chambre comme faisant partie du présent Rapport.

Le tout néanmoins humblement soumis.

F. BLANCHET,

Président.

10e. Mars 1829.

ORDRE DE REFERENCE.

CHAMBRE D'ASSEMBLEE.

Samedi, 20e. Novembre 1828.

RESOLU, Que cette partie de la Harangue de Son Excellence l'Administrateur du Gouvernement à l'ouverture de la présente Session, qui a rapport aux Chemins et autres Communications Intérieures, soit référée à un Comité de cinq Membres, pour en faire rapport avec toute la diligence convenable, avec pouvoir d'envoyer querir personnes, papiers et records.

Ordonné, Que Mr. Blanchet, Mr. De St. Ours, Mr. Stuart, Mr. Bourdages et Mr. Proulx composent le dit Comité.

Attesté.

J. ANT. BOUTHILLIER,

Greff. Asst.

Lundi, 1er. Décembre 1828.

Ordonné, Que la Pétition de divers Habitans des Townships de l'Est, situés dans le Comté Buckinghamshire, soit référée au dit Comité.

Attesté.

J. ANT. BOUTHILLIER,

Greff. Asst.

Vendredi, 5 Décembre 1828.

Ordonné, Que Mr. Louis Lagucux soit ajouté au dit Comité.

Attesté.

J. ANT. BOUTHILLIER,

Greff. Asst.

Samedi, 13 Décembre 1828.

Ordonné, Que le dit Comité ait pouvoir de faire rapport de tems à autre.

Attesté.

J. ANT. BOUTHILLIER,

Greff. Asst.

Vendredi, 26 Décembre 1828.

Ordonné, Que la Pétition de divers Habitans du Township de Grenville et autres Townships, et de la Seigneurie de la Petite Nation, soit référée au dit Comité.

Attesté.

J. ANT. BOUTHILLIER,

Greff. Asst.

Lundi, 12 Janvier 1829.

Ordonné, Que Mr. Laterrière soit ajouté au dit Comité.

Attesté.

J. ANT. BOUTHILLIER,

Greff. Asst.

Mercredi, 4 Février 1829.

Ordonné, Que les Instructions à l'Honorable William Bowman Felton, relativement à la Vente et Octroi des Terres incultes de la Couronne, dont copie a été communiquée à cette Chambre (sur une Adresse) par Son Excellence l'Administrateur du Gouvernement, soient référées au dit Comité.

J. ANT. BOUTHILLIER,

Greff. Asst.

Appendice
(P.P.)

MINUTES DES TÊMOIGNAGES.

Jeudi, 11 Décembre, 1828.

FRANCOIS BLANCHET, Ecuier, au Fauteuil.

Jos. Bouchette
Ecuier.
11 Décembre.

Joseph Bouchette, Ecuier, Arpenteur Général a comparu et a été entendu :

CONNOISSEZ-vous les Townships de Stanfold, Bulstrode, Blandford et Maddington? Oui.

Le sol et la situation de ces Townships sont-ils favorables pour y faire des établissemens agricoles? Oui, en général.

Les Seigneuries qui aboutissent à ces Townships, contiennent-elles encore un nombre suffisant de Terres non concédées, pour subvenir aux demandes des jeunes Cultivateurs qui désirent s'établir sur des Terres dont-ils peuvent se dire propriétaires? Il y a encore quelques Terres à concéder dans les Seigneuries, mais je ne puis pas en dire le nombre.

Quelles sont les parties de ces Townships que les nouveaux Cultivateurs préfèrent, et dans quels endroits trouvent-on en plus grand nombre les établissemens qui ont déjà commencés? Ils préfèrent généralement les Lots qui se trouvent sur la Rivière Bécancour.

Quel est l'état de ces nouveaux établissemens; et pouvez-vous informer le Comité quel est le nombre de familles ou de personnes que l'on trouve déjà établis dans ces endroits? Il y a plusieurs établissemens dans Blandford, Maddington et Bulstrode, mais je ne puis dire, d'une manière précise, quel progrès ils y ont fait.

Les progrès de ces établissemens sont-ils retardés par le besoin d'un Chemin; et à combien de familles l'ouverture du Chemin mentionné dans la Pétition qui est référée à ce Comité, [La Pétition de divers Habitans des Townships de l'Est, situés dans le Comté de Buckinghamshire a été alors montrée au Témoin.] procureroit-il un accès plus facile de s'établir; et quels moyens de communication les familles établies dans ces Townships ont-elles avec les anciens établissemens? Le manque de Communication retard considérablement les établissemens de ces endroits.

Les personnes qui ont des Terres dans ces Townships, ont-elles travaillées à l'ouverture du Chemin quelles demandent, ou à quelque autre Chemin? Oui; et particulièrement les Habitans de Blandford; ils ont ouvert un bon Chemin d'hiver entre le premier et le deuxième rangs, où se trouve une étendue de terrain de soixante-six pieds de largeur, qui est spécialement réservée dans les Lettres Patentes de ce Township; d'après le Rapport de mon Député, qui a mesuré et divisé ce Township en 1821, l'endroit où passe le Chemin est très convenable, et offre des moyens faciles à 132 Habitans de s'établir sur ce Chemin, en donnant 100 Acres à chaque; je suis de plus informé, que l'on a déjà fait plusieurs établissemens sur ce Chemin.

Les Cultivateurs dans ces endroits ont-ils les moyens d'ouvrir et de parachever le dit Chemin? Je crois que cela est bien au delà de leurs moyens.

A quelle distance des établissemens des bords du Fleuve Saint Laurent, trouve-t-on les nouveaux établissemens sur la Rivière Bécancour; et ces établissemens n'ont-ils aucun moyen de communication que par la seule ligne où les Pétitionnaires demandent l'ouverture d'un Chemin? Dans ces endroits les établissemens sont plus nombreux sur la Rivière Bécancour qu'ailleurs, et de ces établissemens à ceux de Gentilly, la distance est depuis cinq à six lieues. Je ne connois aucun moyen par lequel on pourrait plus facilement effectuer un Communication, qu'en passant entre les premier et deuxième rangs de Blandford.

Savez-vous quelles sont les raisons qui portent les Pétitionnaires à désirer un Chemin entre les premier et deuxième rangs de Blandford, plutôt qu'ailleurs? C'est parce-qu'il serait plus avantageux dans cet endroit qu'ailleurs; et l'on pourrait le faire et l'entretenir plus facilement: 1o. Parceque l'on y a déjà commencé des établissemens, et 2o. Parceque les Lots des 1er et 2me rangs ont leurs fronts sur ce Chemin; ils sont aussi plus près l'un de l'autre, et qu'il s'y trouvera des maisons et du découvert de chaque côté du

Chemin; enfin, parceque les réserves de la Couronne et du Clergé sont éloignées de ce Chemin; ce qui est une circonstance de la plus grande importance.

Pouvez-vous dire combien il en coûteroit pour ouvrir et parachever ce Chemin; qu'elle est son étendue; à quel point du Fleuve Saint Laurent on devoit le commencer, et jusque où il devoit s'étendre? Je ne puis dire précisément jusqu'à quelle distance; je crois que c'est à environ cinq à six lieues. Cela coûteroit depuis £30 à £36 courant par mille; pourvu que les Deniers fussent employés avec économie.

Quelle somme, à peu près, a-t-on déjà employée sur le chemin en question? Je ne puis pas dire.

A part des avantages publics dont vous avez fait mention dans vos réponses, en résulteroit-il d'autres, par suite de l'ouverture de ce Chemin? Oui; à part de ceux dont je viens de faire mention, on n'a qu'à référer à la Carte de la Province pour se convaincre de l'utilité que procureroit la continuation d'un tel chemin jusqu'au chemin Craig, dont la distance, dans les limites du Township de Tingwick, n'excède pas six lieues. A partir de cet endroit, la communication entre les Townships de l'Est et Québec, peut être estimée à trente lieues par le Chemin Craig, et à environ vingt-neuf lieues par le chemin qui traverse Gentilly, dans lequel on comprend douze lieues de transport par terre, et le reste par le Fleuve Saint Laurent; ce qui faciliteroit considérablement le transport des Effets au moyen du fleuve et par les Barques à Vapeur; de plus, le Chemin demandé ouvrirait une communication et faciliteroit la formation de nombreux établissemens dans cette portion intéressante de la Province.

Mr. Charles Turgeon, a comparu et a été entendu;—

Connoissez-vous les Townships de Stanfold, Bulstrode, Blandford et de Maddington? Je connois peu les Townships de Bulstrode et de Stanfold; mais je connois assez bien ceux de Blandford et de Maddington.

M. Ch. Turgeon.

Le sol et la situation de ces Townships sont-ils favorables, pour y faire des établissemens agricoles? La Rivière Bécancour coule à travers ces Townships, c'est-à-dire: entre Stanfold et Bulstrode d'un côté, et entre Blandford et Maddington de l'autre. Cette rivière arrose une plaine spacieuse, dans laquelle se trouvent plusieurs autres Townships, à part de ceux dont je viens de faire mention; cette plaine est rendue fertile par plusieurs ruisseaux qui se déchargent dans la Rivière Bécancour; le sol en est riche, et pourroit fournir des établissemens à plus de 5000 habitans; il est également avantageux aux habitans, ainsi qu'à la Province.

Les Seigneuries qui aboutissent à ces Townships contiennent-elles encore un nombre suffisant de terres non-concédées, pour subvenir aux demandes des jeunes Cultivateurs qui désirent s'établir sur des terres dont-ils peuvent se dire Propriétaires? Je connois peu ces Seigneuries; mais à en juger par l'empressement que ces jeunes Cultivateurs témoignent, d'avoir des terres sur la Rivière Bécancour, cela me fait croire qu'il y a peu, ou presque point de terres non concédées dans ces Seigneuries.

Quelles sont les parties de ces Townships que les nouveaux Cultivateurs préfèrent, et dans quels endroits trouvent-on en plus grand nombre les établissemens que l'on a déjà commencés? La Rivière Bécancour qui, comme je viens de l'observer, sert de point central à ces Townships, paroît être choisie de préférence; et dans le fait, c'est là où l'on trouve que les établissemens sont les plus nombreux.

Quel est l'état de ces nouveaux établissemens; et pouvez-vous informer le Comité du nombre de familles ou de personnes, qui se trouvent déjà établies dans ces endroits? Les établissemens sur la Rivière Bécancour, sont dans un état assez avancé—Je ne puis dire précisément quel est le nombre de familles qui s'y trouvent établies: Je suis néanmoins persuadé que le nombre en est plus de cinquante.

Les progrès de ces établissemens sont-ils retardés par le manque d'un Chemin: et à combien de familles, l'ouverture du Chemin mentionné dans la Pétition qui est référée à ce Comité, (La Pétition de divers habitans des Townships de l'Est, situés dans le Comté de Buckinghamshire, a été alors montrée au Témoin) procureroit-il un accès plus facile de s'établir, et quels moyens de Communication les familles établies dans ces Townships ont-elles avec les anciens établissemens? La nécessité ou se trouvent les nouveaux habitans, de transporter sur leurs épaules tous les nombreux effets

effets dont-ils ont besoin pendant l'Été, à partir des Etablissements sur le Fleuve St. Laurent à aller à la Rivière Bécancour, est vivement sentis parmi eux, et les expose à de grandes privations ; ce qui est cause que plusieurs de ceux qui s'y sont établis, s'en trouvent dégoutés, et que cela en empêche plusieurs qui désireroient s'y établir. Mais si l'on ouvrait le Chemin demandé, je crois que cela faciliteroit, et procureroit les moyens d'y établir plus de cinq mille familles.

Les personnes qui ont des terres dans ces Townships ont-elles travaillées à l'ouverture du Chemin qu'elles demandent, ou à quelque autre Chemin ? Les Propriétaires dans Blandford ont déjà fait un très-bon Chemin d'Hyver dans la partie du Chemin demandé. D'autres personnes établies, plus bas vers la Rivière, en ont ouvert un autre qui y conduit entre Blandford et Maddington ; et il y a quelques années, des Marchands de Bois en ont ouvert un troisième, à la distance d'environ une lieue de celui dernièrement mentionné.

Les Cultivateurs dans ces endroits ont-ils les moyens d'ouvrir et parachever le dit Chemin ? Quand ils y mettroient tout leur travail et tous leurs moyens, ils sont incapables pour le moment, d'y ouvrir un Chemin d'Été.

A quelle distance des Etablissements des rives du Fleuve Saint-Laurent, trouve-t-on les nouveaux Etablissements sur la Rivière Bécancour ; et ces Etablissements n'ont-ils aucun moyen de communication, que par la seule ligne où les Pétitionnaires demandent l'ouverture d'un Chemin ? Les Etablissements sur la Rivière Bécancour sont à environ cinq lieues de ceux sur le Fleuve Saint-Laurent. J'ajouterai, à ce que j'ai dit dans ma réponse à la septième Question, que la Rivière Bécancour possède par elle-même, des moyens de communication par eau ; si ce n'est vers le milieu du Township de Maddington où elle se trouve pleine de rapides, et où les Portages sont maintenant impraticables. Mais à tout considérer, ce mode de communication est bien dangereux.

Savez-vous quelles sont les raisons qui portent les Pétitionnaires à demander un chemin entre les premier et deuxième rang de Townships de Blandford plutôt qu'ailleurs ? Entre autres raisons de préférence se trouvent celles-ci : Ce Chemin est plus avancé que ne l'est aucun autre, et le grand nombre de Lots concédés, et sur lesquelles il a été formé des Etablissements dans les premier et second rangs, donnent une assurance plus certaine que l'on pourvoira à son entretien. Le terrain qui étoit nécessaire et convenable, pour y faire le Chemin, a été réservé en cet endroit ; de plus ; il y a un chemin dans la Seigneurie de Gentilly, conduisant à ce Township déjà verbalisé, et que l'on est sur le point d'ouvrir.

Dans le cas on la Législature accorderoit une Aide pécuniaire pour ouvrir le Chemin en question, savez-vous quels moyens on pourroit à l'avenir pourvoir à son entretien, indiquez les moyens au Comité ? Je crois que les moyens en font indiqués dans ma réponse à la demande précédente ; c'est-à-dire : que l'on peut considérer comme assuré, le prompt Etablissement des deux rangs qui se trouvent séparés par le Chemin.

Pouvez-vous dire combien il en couteroit, pour ouvrir et parachever ce Chemin, quelle est son étendue, à quel point du fleuve Saint Laurent on devoit le commencer, et jusque où il devoit s'étendre ? Pour ouvrir et parachever ce Chemin, cela couteroit, à mon avis, environ £125 courant par lieue. Sa longueur est d'environ cinq lieues et demie, ce qui demanderoit une somme de £687 ; pourvu, toutefois, que cette somme fut placée entre les mains de personnes intègres et de capacité, et qui dirigeroient l'ouvrage avec l'économie convenable.

Quelle somme à peu-près, a-t-on déjà employée sur le Chemin en question ? Je ne puis pas en dire le montant.

A part des avantages publics dont vous avez parlé dans vos réponses précédentes, en résulteroit-il d'autres par suite de l'ouverture de ce Chemin ? Dans ma réponse à la deuxième question, j'ai parlé d'une plaine spacieuse, au centre de laquelle coulent les eaux de la Rivière Bécancour. Cette plaine offre de grandes étendues de terre propres pour y former des Etablissements qui seront avantageux, tant à ceux qui les commenceront, qu'à la Province en général ; si donc, on accordoit le Chemin demandé, à part des avantages qui en résulteroient aux individus à travers les terres desquels le Chemin doit passer, et aux Etablissements qui se trouvent sur la Rivière Bécancour, cela ouvrirait une communication directe avec les anciens Etablissements et cette belle et vaste étendue du pays dont je viens de parler. On pourroit dans peu continuer ce chemin aussi loin que le Chemin Craig,

ce qui formeroit alors une communication plus raccourcie et plus directe avec les Etablissements sur les rives du Fleuve Saint Laurent.

Y a-t-il des Places de Débarquement commodes et assurées pour les Barques à Vapeur et les autres Vaisseaux de la Rivière, sur le côté Sud du Fleuve Saint Laurent, proches de Gentilly ? Oui ; il y a dans la Paroisse de Saint Pierre les Becquets, voisine de celle de Gentilly, dans un endroit appelé Livard, une Place de Débarquement facile et assurée pour les Barques à Vapeur et les autres Vaisseaux de la Rivière.

Jean Langevin, Ecuyer, a comparu et a été entendu.

Connaissez-vous les Townships de Stanfeld, Bulstrode, Blandford et Maddington ?—Oui ; et particulièrement les Townships de Blandford et de Maddington.

Le sol et la situation de ces Townships sont-ils favorables pour y faire des établissements agricoles ?—Oui ; et sur ce sujet je prends la liberté de référer le Comité à la Pétition des Habitans de ces Townships, qui, no- toirement à cet égard, contient l'exacte vérité.

Les Seigneuries qui aboutissent à ces Townships, contiennent-elles encore un nombre suffisant de terres non-concédées, pour subvenir aux demandes des jeunes Cultivateurs qui désirent s'établir sur des terres dont ils peuvent se dire propriétaires ?—Non ; car il ne reste que peu de lots dans ces Seigneuries valant la peine d'être cultivées qui ne sont pas encore concédées.

Quelles sont les parties de ces Townships que les nouveaux Cultivateurs préfèrent, et dans quels endroits trouve-t-on en plus grand nombre les établissements que l'on a déjà commencés ?—Les nouveaux habitans qui cherchent des terres donnent la préférence en général à celles qui se trouvent sur les bords de la rivière Bécancour ; et dans le fait, c'est là où les nouveaux établissements augmentent le plus rapidement, et où ils se trouvent en plus grand nombre.

Quel est l'état de ces nouveaux établissements ; et pouvez-vous informer le Comité du nombre de familles ou de personnes qui se trouvent déjà établies dans ces endroits ?—Le premier établissement eut lieu en 1825, et se fit dans Blandford par deux familles des Paroisses voisines. En Juillet 1827 la population sur les bords de la Rivière Bécancour dans le Township en question, s'élevait à 100 personnes, et en Novembre dernier on y comptait 150 personnes, tous Agriculteurs.

Les progrès de ces établissements sont-ils retardés faute d'un Chemin ; et à combien de familles l'ouverture du Chemin mentionné dans la Pétition qui est référé à ce Comité, (*La Pétition de divers Habitans des Townships de l'Est situés dans le Comté de Buckinghamshire, a été alors montré au Témoin,*) procure-ait-il un accès plus facile de s'établir ; et quels moyens de communication les familles établies dans ces Townships ont-elles avec les anciens établissements ?—Si l'on ouvrait et parachevait un bon Chemin entre la Paroisse de Gentilly et la Rivière Bécancour, cela aurait l'effet d'établir rapidement le peu de lots qui restent encore non-concédées le long de ce Chemin, de même que ceux qui se trouvent de chaque côté de la rivière Bécancour, ainsi que de ses ruisseaux tributaires ; plusieurs lieues au-dessus et au-dessous du Chemin en question. Les terres arrosées par ces rivières, lorsqu'elles seraient complètement établies, pour- raient suffire à une population de plus de 20,000 âmes. Les familles qui sont maintenant établies dans ces endroits ne peuvent communiquer avec les Paroisses voisines qu'avec beaucoup de difficulté, et cela, principalement dans la saison de l'été ; à cette époque, pour se servir d'une expression vulgaire, tout le transport s'effectue "sur les épaules des gens."

Les personnes qui ont des terres dans ces Townships, ont-elles travaillées à l'ouverture du Chemin qu'elles demandent, ou à quelque autre Chemin ?—Oui ; elles ont fait un bon Chemin d'hiver qui est déjà bien fréquenté tant en hiver qu'en été ; d'autres propriétaires ont aussi commencé dans la ligne entre Blandford et Maddington un autre Chemin depuis la rivière Bécancour jusqu'à Gentilly ; ce Chemin est pareillement bien fréquenté.

Les Cultivateurs dans ces endroits ont-ils les moyens d'ouvrir et de parachever le dit Chemin ?—Cela est bien au-delà de leurs moyens.

A quelle distance des établissements des rives du fleuve Saint-Laurent trouve-t-on des nouveaux établissements sur la Rivière Bécancour, et ces établissements n'ont-ils aucun moyen de communication que par la seule ligne où les Pétitionnaires demandent l'ouverture d'un Chemin ?—La distance des nouveaux établissements sur la rivière Bécancour, et ceux qui sont dans le voisinage, à aller au fleuve Saint Laurent, est de cinq à cinq et demi ou six lieues. A part des Chemins dont j'ai parlé dans ma réponse à la septième question, il s'en trouve un autre dans Maddington, qui y a été pratiqué par les commerçans de bois ; ce qui procure une communication entre les établissements sur la rivière Bécancour et ceux qui sont dans la Paroisse du même nom. Il y a aussi une autre communication par eau au moyen de la Rivière Bécancour elle-même ; mais elle est très longue et dangereuse, et elle est fréquemment impraticable.

Savez-vous

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Savez-vous quelles sont les raisons qui portent les Pétitionnaires à demander un Chemin entre le premier et le deuxième rang des Townships de Blandford, plutôt qu'ailleurs?—Ces raisons, à mon avis, sont comme suit : Il y a une réserve de soixante six pieds de terre de front pour ce Chemin dans les Lettres Patentes de Blandford : il se trouverait placé là dans le lieu le plus central. Tous les lots dans Gentilly sur la continuation de ce Chemin (qui a été verbalisé) sont pris, de même qu'un grand nombre dans Blandford. Il y a maintenant plusieurs lots aux deux extrémités de ce Chemin dans Blandford qui sont établis. Tous les lots dans Blandford qui se trouvent sur le rivière Bécancour, à l'exception des réserves pour le Clergé, sont pris de même ; de sorte que cela donne l'assurance que ce Chemin sera entretenu après qu'il aura été ouvert ; il n'y a point de lots de réserve sur ce Chemin. En dernier lieu, on y a fait plus de travaux que sur aucun des autres. Les deux autres Chemins ne se trouvent pas dans un lieu aussi central. Celui dans Maddington ne l'est pas du tout ; il fait beaucoup de détours, et passe à travers des terres qui n'ont pas été mesurées. L'autre Chemin dans la ligne entre Maddington et Blandford occupe un terrain qui n'a pas été réservée à cette fin ; la plus grande partie du terrain dans Maddington qui l'avoiisine n'est pas mesuré ; celui qui se trouve dans Blandford est entièrement composé de lots de réserves, ce qui fait que l'époque de leur établissement est très éloignée et très incertaine. Les établissements sur ce Chemin les plus voisins de la rivière Bécancour sont ceux de la troisième concession de Gentilly.

Dans le cas où la Législature accorderait une aide pécuniaire pour ouvrir le Chemin en question, savez-vous par quels moyens on pourrait à l'avenir pourvoir à son entretien ; indiquez ces moyens au Comité?—Les moyens sont certains, et sont indiqués dans ma réponse à la question précédente, car il ne peut y avoir aucun doute qu'un Chemin avec des établissements de chaque côté, sera bien entretenu.

Pouvez-vous dire combien il en coûterait pour ouvrir et parachever ce Chemin ; quelle est son étendue, à quel point du fleuve Saint-Laurent on devrait le commencer, et jusque où il devrait s'étendre?—Pour ouvrir et parachever ce Chemin, en le faisant partir de la rivière Bécancour pour arriver à l'entrée du bois de Gentilly, sur les lots de la deuxième concession, ce qui comprend une distance d'environ cinq lieues, cela coûterait environ £600 courant ; pourvu que l'ouvrage fut dirigée par des personnes intègres et de capacité, et que les deniers fussent employés avec la plus grande économie.

Quelle somme à peu près a-t-on déjà employée sur le chemin en question?—Environ £150.

A part des avantages publics dont vous avez parlé dans vos réponses précédentes, en résulterait-il d'autres par suite de l'ouverture de ce chemin?—Oui ; parceque ce Chemin sera utile non-seulement aux propriétaires des terres à travers desquelles il passera, mais il aura encore l'effet d'ouvrir une communication directe entre les anciens établissements et une grande étendue de pays propre à la culture, dont la rivière Bécancour forme le centre ; par cette rivière les divers établissements pourront communiquer entr'eux au moyen de canots en été, et par un beau chemin sur la glace en hiver, et cela depuis les chûtes dans le Township de Maddington en remontant la rivière vers le nord-est ; parceque l'on pourra à l'avenir continuer ce Chemin jusqu'au Chemin Craig, et il deviendra alors d'une utilité plus générale.

Trouve-t-on des places de débarquement commodes et assurées pour les Barques à Vapeur et autres vaisseaux de la rivière, au sud du fleuve Saint-Laurent, proche de Gentilly?—Oui ; dans un endroit appelé Liward, dans la Paroisse de Saint Pierre les Becquets, voisine de celle de Gentilly, il y a un lieu de débarquement sûr et commode pour les Barques à Vapeur et autres vaisseaux de la rivière.

C. Langevin et L. A. Langevin, Charles Langevin et Louis Abraham Lagueux, Ecuers, ayant été appelés, le témoignage précédent de Jean Langevin, Ecuier, leur ont été lu, et ils l'ont confirmé.

Lundi, 15 Décembre 1828.

W. Green, Ecuier. William Green, Ecuier, a comparu ; et lui ayant été demandé s'il voulait bien communiquer au Comité, les plans qu'il pouvait avoir en sa possession, et qui ont rapport aux parties du Canada qui n'ont pas été explorés, il a communiqué ceux qui suivent :—

15 Décembre.

1°. Une Carte de la Rivière St. Maurice, depuis le Lac Opigewan jusqu'à son embouchure, par Mr. Commeau, un Commerçant.

2°. Une Carte de la Rivière Montmorenci, depuis sa source jusqu'à la chute, tracée sur l'écorce de Bouleau, par Michel Tsioui, un des Chefs des Sauvages de Lorette.

3°. Une Carte du pays entre le Sagenay et la rivière St. Maurice, tracée sur l'écorce de bouleau, par Nicolas Vincent, premier Chef des Sauvages de Lorette.

4°. Une copie de cette dernière Carte sur papier.

5°. Une Carte tracée sur l'écorce de Bouleau des Rivières Jacques Cartier, Batiscan et Sainte Anne, par André Romain, un des Chefs des Sauvages de Lorette.

Mercredi, 17 Décembre, 1828.

Alexander Joseph Wolfe, écuyer, un des juges de paix du District de Québec, et capitaine dans la division de milice de St. Ambroise, a comparu et a informé votre Comité : Qu'il a servi dans le 60ième régiment, depuis le commencement jusqu'à la fin de la guerre dans la péninsule ; qu'il a aussi servi en Egypte et a été placé à la demie-soldé comme Enseign et Adjudant dans la 60e. régiment, en novembre 1824 ; et qu'il s'est aussitôt rendu au nouvel-établissement de Valcartier, où il a continué à faire sa résidence avec sa famille, sur des terres qu'il a achetées en cette endroit.—Qu'il a eu occasion de diriger son attention à la confection de nouveaux chemins ; et particulièrement en l'année 1826, lorsqu'il fut employé à surveiller l'ouverture du chemin depuis le Portage de Témiscouata, jusqu'à l'extrémité du lac du même nom ; ce qui comprend une étendue de 36 milles à travers les bois ; qu'il avait proportion moyenne, cinquante hommes sous ses ordres, tous canadiens ; leurs gages étaient de 2s par jour, qu'on leur payait comptant tous les samedis, ou plutôt s'ils le désiraient, en espèces ; ce qu'ils préféraient à l'argent de papier. Ils lui demandèrent 2s 6d par jour, mais leur ayant promis qu'ils seraient payés en espèces, ils consentirent de venir à 2s par jour.—Persuadé que cela serait le cas avant de commencer l'entreprise et lorsqu'il toucha les deniers au montant de £500 courant, il fit changer cette somme en piastres, demi-piastres, quart de piastres et en petite-monnaie. Il leur allouait 1 lb. de lard, 1 1/2 de biscuit, et 3 roquilles de pois par jour ; il aurait pu se procurer de la boisson, mais il craignait de les voir s'ennivrer, il préféra donc de leur donner des pois, dont il pouvaient faire une soupe nourrissante.—Au premier abord, ils refusèrent de venir à moins de 2s 6d par jour, mais il tint bon à 2s. et il réussit à avoir 10 hommes à 2s, avec lesquels il partit, dans l'espérance que d'autres le joindraient ; ce qui eut lieu, effectivement, car le lendemain, environ 40 les rejoignirent ; lorsqu'il se rendit sur les lieux il n'y trouva qu'un sentier, et dans toute la longueur du chemin, il n'y avait qu'un espace de 3 milles où l'on pouvait y passer que difficilement avec une charrette. En procédant à la confection du chemin, on abattait les arbres, on les coupait en longueurs, et on rangeait les billots à mesure que l'on avançait.—Il n'a pas employé le feu, dans une étendue d'environ deux milles, il a ouvert des fossés d'environ deux pieds de profondeur et autant de large ; on y a fait les pontages avec des pièces de cèdre, d'environ un pied en diamètre, que l'on a fendues en deux, les côté plat posé en dessous, et le revers a été couvert de terre et de gravois que l'on avait pris des fossés de chaque côté ; il y a environ un tiers du chemin que l'on a construit en pontages de cette manière ; on avait ci-devant fait ce chemin avec des pièces de sapin d'environ cinq pieds de long.—Il paraît que l'on avait anciennement ouvert ce chemin de la largeur de 6 ou 8 pieds, mais il avait repoussé des cérisiers d'une grande hauteur, qu'il fut obligé de couper ; dans quelques endroits ces cérisiers étaient si touffus qu'ils bouchaient et formaient une arche, sur le chemin.—Il trouva trois étendues de pays fort montagneuses où passait le chemin, et qui étaient remplies de rochers, afin d'éviter une de ces passes rocheuses, il ouvrit un nouveau chemin, ce qui a raccourci la distance de trois ou quatre acres ; il y avait une côte tellement à pic, qu'il fut obligé de la couper dans sa base en zig zag dans l'étendue d'environ 100 verges.—Ces portions montagneuses couvrent environ une étendue de 4 ou 5 milles ; et il fut dans la nécessité d'en enlever plusieurs gros rochers de pierre grise. Il était muni de poudre à canon, mais il ne s'en servait pas, parcequ'il crût qu'il serait plus avantageux et moins dispendieux, en fait de tems et d'argent, d'y entasser des morceaux de bois et d'y mettre le feu ; et lorsque les rochers étaient rouges il y faisait jeter de l'eau ; alors, avec de grosse masses on les cassait facilement, et on employaient les morceaux à remplir les cavités du chemin. Il employa trois mois à parachever ce chemin avec environ 50 hommes, quelques fois plus, quelques fois moins.—La somme entière placée à sa disposition pour faire ce chemin était de £550 courant ; il dépensa dans sa confection une somme de £500, laissant une balance de £50. Il fit plusieurs petits ponts ; mais il ne peut en dire le nombre. Il y a un pont d'une grande dimension sur la Rivière du Loup qui a coûté, à ce qu'on lui a rapporté, £1200, il a environ 300 verges de long, et il est bien détérioré. En voyant l'état délabré de ce pont à son retour, il employa un charpentier, ou un constructeur de moulins qui se trouvait sur les lieux, afin d'en faire la visite, dans la vue de s'assurer si les fonds qui lui restaient, étaient suffisants pour le réparer. Le rapport fut, qu'il fallait une somme beaucoup plus considérable à cette effet. Il employa un homme pour en ôter la neige durant l'hiver, et rendre le pont plus léger, afin de le faire durer plus longtemps, et l'empêcher d'être emporté par les glaces du printemps ;—Il paya pour cela, £4, 10, ce qu'il considère être une rémunération suffisante pour ces peines pendant l'hiver ; qu'il en a agi ainsi sous la sanction de Son Excellence le Gouverneur-en-chef—Ces deniers ont été payés à même les fonds restant entre ses mains, ainsi qu'il a déjà été fait mention. Qu'il lui fut alloué comme surveillant, 15s. courant par jour. Il n'y a eu aucun marché particulier à l'égard des provisions, il se procurait lui-même sa nourriture.

Le chemin est-il maintenant praticable pour y passer les voitures et les chevaux ? Le chemin était passable pour les voitures lorsque je laissai l'endroit, et nous fûmes suivis par des voitures et des chevaux : Je m'en servais pour répandre des gravois sur le chemin.—Dans l'hiver suivant, j'ai lu dans les papiers-nouvelles que quatre cens chevaux avec des sleighs, chargé de bled étaient venus par ce chemin, du Nouveau-Brunswick en Canada ; ce qui n'est jamais arrivé auparavant.

Avez-vous quelques raison de croire que ce chemin a été avantageux aux nouveaux cultivateurs en dedans de nos limites ; et qu'ils en ont été satisfaits ?

satisfaits ? Je n'ai aucun doute que ce chemin leur a été avantageux. J'ai en ma possession la copie d'une lettre du Lieutenant Colonel Fraser, (l'original en a été remis au Major Elliot) résident au Lac Temiscouata, par laquelle il paraît qu'il est très satisfait du chemin. Il y a un individu connu sous le nom du Capitaine Hébert, un des premiers marchands à Madawaska, qui transporte en Canada par ce chemin vingt ou trente voitures, qui s'en retournent chargées de marchandises du Canada à Madawaska, tous les ans ; et il m'a témoigné qu'il était très satisfait de mon entreprise ; il a aussi dit au Colonel Fraser que si les deniers en premier lieu avaient été aussi bien employés, on aurait pu faire un bon chemin.—Il est néanmoins nécessaire que l'on fasse des réparations à ce chemin chaque année vu qu'il n'y a pas d'habitans établi sur ce chemin pour l'entretenir en bon état. Dans l'espace de 24 milles il n'y a pas une seule habitation établie sur ce chemin ; et il est très à désirer qu'il y eut quelques établissemens, afin d'y secourir les voyageurs ; ainsi qu'à ceux qui transportent la malle d'Halifax.—Le Colonel Fraser m'écrivait en novembre dernier, de présenter une requête à la Chambre, pour un aide, afin de reparer les chemins, notamment à l'égard de ceux qui n'avaient pas encore été travaillés, et mentionnant que le chemin se détériorait, particulièrement le pont sur la Rivière du Loup.

A votre avis, quel est le meilleur moyen de confectionner les Chemins publics ? est-ce par contrat, ou par la surveillance de personnes convenables et expertes ?—On ne réussira jamais par le moyen des Contrats ; parce que les Commissaires s'y rendent eux mêmes que très-rarement, et il y envoient à leur place, des personnes qui n'y vont pas souvent ; de manière que les ouvrages sont mal-surveillés. En général les Commissaires font des marchés avec un Entrepreneur principal, lequel fait un marché avec de sous-entrepreneurs ; ceux-ci font l'ouvrage par le moyen de journaliers qu'ils emploient, ou d'autres sous-entrepreneurs qui, eux mêmes emploient des journaliers ; l'Entrepreneur principal obtient des Commissaires le prix le plus haut possible, et il paye le moins qu'il peut au sous-entrepreneur, qui, de son côté, fait le moins d'ouvrage qu'il peut ;—pourvu que le Chemin soit reçu, soit que l'ouvrage se trouve bon ou mauvais.—Il arrive souvent que l'on fait un Chemin de bonne apparence même avec les plus mauvais matériaux ; et même lorsqu'il se trouve passable, il n'est pas de durée, par l'insuffisance des travaux que l'on y a fait.—Il faut que l'Entrepreneur principal et les sous-Entrepreneurs tirent leurs profits de la somme qui a été allouée pour le Chemin ; le but principal de l'Entrepreneur en Chef, est que son Chemin soit reçu, et il ne se soucie guère de quelle manière il est fait.—Au lieu, que si l'on nommait une personne convenable, avec un traitement fixe, il serait de son devoir et de son intérêt, de veiller à ce que les travaux fussent faits d'une manière qui lui feroit honneur, et qui lui donneraient un titre à être employé à l'avenir.

Voulez-vous donner au Comité une copie de la lettre de Mr. Fraser au Major Elliot, à laquelle il est référé dans l'examen précédent. (Le témoin en a donné copie, laquelle a été lue comme suit :)

“ Entrée du Portage,

St. Patrice, 19^e. août 1826.

Monsieur,

J'ai l'honneur de vous faire savoir que M. Wolfe est arrivé au lac ; et je prends la liberté d'ajouter, que d'après les améliorations que j'ai remarquées personnellement en voyageant l'autre jour, ainsi que d'après l'opinion de tous ceux qui voyagent par le Portage, je conçois que, vu l'activité et les efforts de ce Monsieur, il n'est que juste de dire, qu'il a fait au delà de ce que l'on pouvait espérer en considérant surtout le peu de tems qu'il a employé, et le peu de moyens dont on l'avait pourvu ; ce qui, avec les sommes considérables qui ont ci-devant été employées sous la surveillance d'autres individus, ne peuvent pas m'empêcher d'exprimer qu'il les a grandement surpassés dans l'exécution du devoir dont il était chargé.

J'ai l'honneur d'être,

Monsieur,

Votre très-obéissant serviteur,

ALEX. FRASER.

Major Elliot.

Vendredi, 19 décembre 1828.

Bte. Taché. Jean Baptiste Taché, Ecuyer, Notaire Public, de Kamouraska, a été appelé et examiné :

ka, entre ces seigneuries et la rivière St. Jean, que ect e était généralement bon et très propre à l'agriculture. I qui a été exploité dernièrement par un arpenteur, qui l s'étend beaucoup plus en profondeur dans les terres qu voisines, est d'un sol très fertile, et au delà de ce fief le t vue, tant vers le sud que vers l'est et l'ouest, paraît être l giculture. Le manque de chemins est, dans mon opini cipales causes qui retardent le défrichement, non seul dont je viens de parler, mais encore de toutes les autres bout de la côte du sud.

Les lois du pays pour faire ouvrir les chemins sont-elle à l'avancement ou à la formation de nouveaux établis vous paraissent préjudiciables ou insuffisantes, quels ser d'y remédier ? Oui, assurément ; elles sont non seuleme à la formation de nouveaux établissemens, mais elles au nière sensible les progrès des établissemens déjà faits. Je considère les lois des chemins actuellement existantes judiciables à l'avancement du pays, en zutant que le coût baux pour l'ouverture des nouveaux chemins est énorm moyens des habitans, que cette dépense jointe aux trav l'ouverture des chemins, est un fardeau qui écrase les que même dans les terres défrichées, un procès-verbal fait trente lieues de Québec, (je prends Kamouraska pour ex pas moins de vingt livres et quelques shelings, y compris l et l'allouance faite à l'Inspecteur. Que cela a lieu pour min qu'on veut faire tracer ; que le pouvoir donné par la Voyers est beaucoup trop étendue ; qu'il n'y a point d leurs jugemens ; que ce qu'un Grand-Voyer fait aujourd' seur le défaut demain, et il est à ma connaissance qu'un cl une terre cultivée, par un Grand-Voyer, dans un espace demie-lieue, a été changé deux à trois ans après par son ; entraînait une vingtaine de propriétaires dans une dépense rante louis à donner aux Grands-Voyers pour les deux outre la perte du tems employé à défaire et refaire les p Je pense que le moyen de parer à tous ces inconvéniens s ner un salaire fixe au Grand-Voyer, et ne lui permettre honoraire des habitans, ou de convertir l'office de Grand office de record pour chaque comté ; et que les chemins r tracés à l'avenir par un comité de cinq habitans de chaq mé par une élection annuelle dans la manière dont on él Sous-Voyers, lesquels fixeraient les chemins demandés, procès-verbal, et le ferait passer au gardien du record qui en délivrer copie à qui en demanderait.

Mr. Augustin Balantyne, Député Arpenteur Provincia a informé votre comité : Qu'il a été employé pour faire dans les derrières des paroisses de Kamouraska et de la jusqu'à la profondeur d'environ six lieues du fleuve ; que planche, d'une bonne qualité, et pourrait faire de bons éta pourrait facilement ouvrir des communications pour aller vière St. Jean dans cet endroit ; que les terres des seigneu en grande partie concédées, excepté celles du fief St. De core des concessions à faire, mais pas en quantité suffisan mande et le besoin des habitans. La grande difficulté fournir de nouveaux établissemens, c'est le manque de che tème actuel de faire ouvrir des chemins est si dispendieux, sible à de nouveaux habitans d'en supporter les frais avec sont obligés de payer pour leurs terres ; qu'il croit qu'un former un nouvel établissement serait d'ouvrir une grand de bonnes terres, ce qui est impossible d'effectuer avec le mins existantes ; qu'il croit qu'il conviendrait d'ouvrir c sud des grandes routes à travers les terres à établir, à la c lieues, ou dans tous les endroits où il se trouvent des ten pour faire des établissemens. D'après les renseignemen croit que la branche principale de la rivière St. Jean se tro fleuve à l'Islet d'environ vingt lieues ; que derrière la Rivi croit pas qu'il y ait plus de quinze lieues.

Anthony Gilbert Douglas, écuyer, ci-devant capitaine da Fencible Canadien de Sa Majesté, a été appelé et e

Avez-vous eu occasion, et en quelles circonstances, de fait des moyens pratiques que l'on emploie pour ouvrir des vers les bois dans ce pays ? Je travaille depuis six ans à fi dans les bois. Quand les arbres sont débités, les Canadie plus de bœufs perdent du tems à tasser. Les bœufs servit bourer les parties du chemin qui en sont susceptibles ; ce les fardoques, et même des racines assez considérables.

Quel est le prix moyen de la dépense pour ouvrir des vers les terres ; et quel est le système que l'on y adopte ques chemins dans les environs de votre résidence qui a

satisfait? Je n'ai aucun doute que ce chemin leur a été avantageux. J'ai en ma possession la copie d'une lettre du Lieutenant Colonel Fraser, (l'original en a été remis au Major Elliot) résident au Lac Temiscouata, par laquelle il paraît qu'il est très satisfait du chemin. Il y a un individu connu sous le nom du Capitaine Hébert, un des premiers marchands à Madawaska, qui transporte en Canada par ce chemin vingt ou trente voitures, qui s'en retournent chargées de marchandises du Canada à Madawaska, tous les ans; et il m'a témoigné qu'il était très satisfait de mon entreprise; il a aussi dit au Colonel Fraser que si les deniers en premier lieu avaient été aussi bien employés, on aurait pu faire un bon chemin.—Il est néanmoins nécessaire que l'on fasse des réparations à ce chemin chaque année vu qu'il n'y a pas d'habitans établis sur ce chemin pour l'entretenir en bon état. Dans l'espace de 24 milles il n'y a pas une seule habitation établie sur ce chemin; et il est très à désirer qu'il y eût quelques établissemens, afin d'y secourir les voyageurs, ainsi qu'à ceux qui transportent la malle d'Halifax.—Le Colonel Fraser m'écrivait en novembre dernier, de présenter une requête à la Chambre, pour un aide, afin de réparer les chemins, notamment à l'égard de ceux qui n'avaient pas encore été travaillés, et mentionnant que le chemin se détériorait, particulièrement le pont sur la Rivière du Loup.

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ALEX. FRASER.

Major Elliot.

Vendredi, 19 décembre 1828.

J. Bte. Taché, Jean Baptiste Taché, Ecuyer, Notaire Public, de Kamouraska, a été appelé et examiné:

19 Décembre

Voulez-vous nous dire si le manque de chemin pour parvenir aux terres propres à la cultures et faire de nouveaux établissemens, retarde beaucoup dans toute la côte du sud les progrès de l'agriculture et l'établissement de cette partie du pays, et savez-vous si la qualité des terres dans les profondeurs y est bonne en général? J'ai entendu dire à plusieurs chasseurs qui ont parcouru les terres qui se trouvent derrière les seigneuries de Ste. Anne Lapocatière, Rivière Ouëlle, Fief St. Denis et Kamouras-

ka, entre ces seigneuries et la rivière St. Jean, que cet espace de terrain était généralement bon et très propre à l'agriculture. Le fief St. Denis qui a été exploité dernièrement par un arpenteur, qui l'a mesuré et qui s'étend beaucoup plus en profondeur dans les terres que les seigneuries voisines, est d'un sol très fertile, et au delà de ce fief le terrain à perte de vue, tant vers le sud que vers l'est et l'ouest, paraît être très propre à l'agriculture. Le manque de chemins est, dans mon opinion, une des principales causes qui retardent le défrichement, non seulement des terres dont je viens de parler, mais encore de toutes les autres terres en bois de bout de la côte du sud.

Les lois du pays pour faire ouvrir les chemins sont-elles préjudiciables à l'avancement ou à la formation de nouveaux établissemens, et si elles vous paraissent préjudiciables ou insuffisantes, quels seraient les moyens d'y remédier? Oui, assurément; elles sont non seulement préjudiciables à la formation de nouveaux établissemens, mais elles arrêtent d'une manière sensible les progrès des établissemens déjà faits. Je m'explique. Je considère les lois des chemins actuellement existantes comme très préjudiciables à l'avancement du pays, en tant que le coût des procès-verbaux pour l'ouverture des nouveaux chemins est énorme, en raison des moyens des habitans, que cette dépense jointe aux travaux à faire pour l'ouverture des chemins, est un fardeau qui écrase les jeunes habitans; que même dans les terres défrichées, un procès-verbal fait à la distance de trente lieues de Québec, (je prends Kamouraska pour exemple) ne coûte pas moins de vingt livres et quelques shélings, y compris les frais de greffe et l'allouance faite à l'Inspecteur. Que cela a lieu pour le moindre chemin qu'on veut faire tracer; que le pouvoir donné par la loi aux Grands-Voyers est beaucoup trop étendue; qu'il n'y a point de stabilité dans leurs jugemens; que ce qu'un Grand-Voyer fait aujourd'hui, son successeur le défait demain, et il est à ma connaissance qu'un chemin tracé dans une terre cultivée, par un Grand-Voyer, dans un espace de moins d'une demie-lieue, a été changé deux à trois ans après par son successeur; ce qui entraînait une vingtaine de propriétaires dans une dépense de plus de quarante louis à donner aux Grands-Voyers pour les deux procès-verbaux, outre la perte du tems employé à défaire et refaire les ponts et chemins. Je pense que le moyen de parer à tous ces inconvéniens serait ou de donner un salaire fixe au Grand-Voyer, et ne lui permettre de retirer aucun honoraire des habitans, ou de convertir l'office de Grand Voyer dans une office de record pour chaque comté; et que les chemins nouveaux fussent tracés à l'avenir par un comité de cinq habitans de chaque paroisse, nommé par une élection annuelle dans la manière dont on élit maintenant les Sous-Voyers, lesquels fixeraient les chemins demandés, en dresseraient procès-verbal, et le ferait passer au gardien du record qui serait autorisé à en délivrer copie à qui en demanderait.

Mr. Augustin Béalantyne, Député Arpenteur Provincial, étant appelé, a informé votre comité: Qu'il a été employé pour faire des arpentages dans les derrières des paroisses de Kamouraska et de la Rivière Ouëlle, jusqu'à la profondeur d'environ six lieues du fleuve; que le terrain y est planche, d'une bonne qualité, et pourrait faire de bons établissemens: on pourrait facilement ouvrir des communications pour aller rejoindre la rivière St. Jean dans cet endroit; que les terres des seigneuries voisines sont en grande partie concédées, excepté celles du fief St. Denis, où il y a encore des concessions à faire, mais pas en quantité suffisante pour la demande et le besoin des habitans. La grande difficulté pour ouvrir ou fournir de nouveaux établissemens, c'est le manque de chemins. Le système actuel de faire ouvrir des chemins est si dispendieux, qu'il est impossible à de nouveaux habitans d'en supporter les frais avec les rentes qu'ils sont obligés de payer pour leurs terres; qu'il croit qu'un moyen facile de former un nouvel établissement serait d'ouvrir une grande route à travers de bonnes terres, ce qui est impossible d'effectuer avec les lois des chemins existantes; qu'il croit qu'il conviendrait d'ouvrir dans la côte du sud des grandes routes à travers les terres à établir, à la distance de dix lieues, ou dans tous les endroits où il se trouvent des terres convenables pour faire des établissemens. D'après les renseignemens qu'il a eus, il croit que la branche principale de la rivière St. Jean se trouve distante du fleuve à l'Islet d'environ vingt lieues; que derrière la Rivière Ouëlle il ne croit pas qu'il y ait plus de quinze lieues.

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Mr. A. Béalantyne.

Anthony Gilbert Douglas, écuyer, ci-devant capitaine dans le régiment Fencible Canadien de Sa Majesté, a été appelé et examiné:

A. G. Douglas, Ecr.

Avez-vous eu occasion, et en quelles circonstances, de vous mettre au fait des moyens pratiques que l'on employe pour ouvrir des chemins à travers les bois dans ce pays? Je travaille depuis six ans à faire des chemins dans les bois. Quand les arbres sont débités, les Canadiens ne se servant plus de bœufs perdent du tems à tasser. Les bœufs serviraient aussi à labourer les parties du chemin qui en sont susceptibles, ce qui détruirait les fardoches, et même des racines assez considérables.

Quel est le prix moyen de la dépense pour ouvrir des chemins à travers les terres; et quel est le système que l'on y adopte; y a-t-il quelques chemins dans les environs de votre résidence qui exigent des travaux ou qui devraient être ouverts, ou dont les réparations et l'ouverture seraient avantageux à la province?

Le prix moyen des travaux est difficile à fixer, vu la variété des circonstances. Je crois qu'on peut le porter de 80 à £130 la lieue. Dans les bois les chemins ne devraient avoir que 16 pieds de large, le vent y ferait moins de dégât; le découvert qu'on exige, souvent coûte plus qu'il n'est utile. Les savannes ne devraient jamais être pontées de grosses

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pièces. Plusieurs lits de petits arbustes, alternativement couverts de lits de terres tirées des fossés, rempliraient mieux le but qu'on se propose. Le chemin de Saint-Grégoire a besoin d'une aide pour être entretenu. L'automne dernier, cette année entière ont été extrêmement pluvieux; les townships qu'il traverse (pour des causes qu'il serait trop long de détailler) ne sont que faiblement établis. On espère donc que le public viendra au secours du public. Une communication de 40 à cinquante arpens depuis l'extrémité de la route du Saint-Esprit dans la paroisse de Nicolet au chemin de Saint-Grégoire est ici recommandée. Quelques milles (douze m'at-on dit) ouverts dans le township d'Hertford, donneraient une communication avec Portland.

Détaillez particulièrement les avantages publics qui résulteraient par suite de l'ouverture des chemins en question ?

La rivière prend généralement plutôt à la Pointe aux Sables que devant les Trois-Rivières. Les habitans des townships auraient le choix des deux routes, Nicolet et la Baie. D'autres paroisses du côté du nord pourraient en tous temps aller trafiquer dans les townships. La communication avec Portland offre un grand avantage à toute la province. Les douze milles ouverts dans Hertford nous mettraient dans les beaux chemins de nos voisins. Le port de Portland ne gèle jamais. Les paquebots d'Angleterre y arriveraient aussitôt qu'à New-York, et se trouveraient plus près d'Halifax et du Nouveau-Brunswick. La distance de Portland aux Trois-Rivières n'excède pas 225 milles. Les dépêches du gouvernement, les marchands et les voyageurs arriveraient plutôt partout; sans compter l'avantage de nouvelles branches de commerce pour les townships, et les deux bords du Saint-Laurent.

Quelle serait la dépense probable ?

Ne connaissant ni le terrain d'Hertford ni même celui du bout de la paroisse de Nicolet, je demande de référer à ma seconde réponse.

A votre avis, quel est le mode le plus avantageux que l'on devrait suivre dans l'emploi des deniers à ces fins ? L'ouvrage devrait-il être donné par contrat, ou serait-il plus avantageux que le chemin fût ouvert sous la surveillance de quelques personnes de capacité que l'on emploierait et payerait à cette fin; détaillez amplement vos raisons quand aux avantages ou désavantages que présentent ces deux méthodes respectivement ?

Les commissaires, suivant la loi, offrent les contrats au rabais, mais ce rabais coûte souvent fort cher, car tout contracteur doit s'assurer de quarante par cent de profit, puisqu'il risque d'être ruiné par un procès lors de la réception de son chemin. Si le contracteur prend un long bout de chemin, il lui faudra des sous-contracteurs qui raisonneront comme lui. Voilà ce qui explique pourquoi les £58,000 votés pour les communications intérieures ont à peine produit un petit chemin dans toute la province. Le second moyen est donc préférable; mais il y a aussi un danger en cela. Il faudrait placer un homme convenable à la tête de ce nouveau département, avec injonction d'employer les officiers de milice dans les paroisses, et de bons habitans pour les aider et ils seraient payés, mais il lui fourniraient de bons et respectables travailleurs à la journée ou au mois en se nourrissant eux-mêmes, dans certains cas on pourrait leur allouer le transport de leurs provisions. Le chef de ce département ne devrait avoir aucun argent en main. Il tirerait sur le receveur-général, ou tout autre individu, aussi souvent que les travaux le requerraient, mais toujours sur les affidavits ou comptes assermentés des aides qu'il aurait employés.

L'honorable Louis René Chaussegros De Léry, membre du conseil législatif, a été appelé et examiné.

L'honorable
L. R. C. De
Léry.

Le chemin de Longueil à Chambly est-il une route très fréquentée et par qui?—Ce chemin est le débouché de plus de dix paroisses et des townships qui ont leur sortie par les montagnes de Rougemont de Maska et par conséquent est un des plus fréquentés.

Quelles portions en sont chemins de front, et quelles portions en sont chemins de route?—Ce chemin a quatre lieues $\frac{1}{2}$ de long et presque partout chemin de front; à l'exception de trois routes qui forment ensemble environ trois quarts de lieue.

Celles-ci pourraient-elles être empierrées par les personnes obligées à leur entretien, ou une aide publique est-elle absolument nécessaire pour rendre cette route bonne en tous temps de l'année?—Je ne pense pas que ces routes puissent être empierrées aux frais des habitans qui y sont assujettis sans une aide publique. Un chemin de barrière pourrait seul rendre ces routes bonnes dans tous les temps de l'année.

Les parties du chemin qui sont chemin de front pourraient-elles être empierrées par les personnes obligées à leur entretien ou une aide publique est elle absolument nécessaire pour rendre cette route bonne en tous temps de l'année?—Il y a dans cette partie (le chemin de front) deux savannes d'environ 40 arpens de longueur, qui, tous les printemps, sont lavées par les eaux et souvent dans l'été par celles des orages qui enlèvent la terre que l'on y met tous les fois qu'on en répare le chemin. Une aide publique, ou un chemin de barrière serait dans mon opinion le seul moyen de rendre tout ce chemin bon roulant.

Quelle étendue de chemin de route y a-t-il sur le chemin public entre la Côte des Neiges et l'Abord à Plouf, et combien d'intéressés sont chargés de son entretien.—Entre la Côte des Neiges et l'Abord à Plouf,

ce chemin est une continuation de quatre à cinq routes de 30 arpens chacune, réunies ensemble par une équerre d'environ 10 arpens formée par une partie du chemin de la Côte de Vertu dans Saint-Laurent. Je ne puis dire dans le moment combien d'intéressés y sont assujettis n'ayant pas par devant moi les procès verbaux qui les établissent; la part de chacun est cependant assez courte et je pense qu'avec une aide publique, l'on pourrait parvenir à les empierrer.

Quelle est l'étendue de chemin de front dans le même espace.—Six à huit arpens sur le chemin de front de Vertu, et la rue du village de Saint-Laurent qui est regardé comme chemin de front à la charge des habitans du dit village.

Quel serait le meilleur moyen de rendre les chemins de route en général meilleurs qu'ils ne le sont.—Le meilleur moyen de rendre les routes en général bonnes serait dans mon humble opinion d'abord de les élargir jusqu'à 30 pieds; ces routes n'étaient originaires que de vingt pieds, les fossés en ont mangé de 7 à 8 pieds, de sorte que dans ce moment il ne reste pour le roulage que 12 à 15 pieds. Après cet élargissement, il faudrait que la loi rendit obligatoire ce qui n'est maintenant qu'un choix des intéressés, c'est-à-dire, l'entretien des routes, et ce par un amendement au bill des chemins, qui permet aux intéressés de donner l'entretien de leurs routes respectives au rabais, à des entrepreneurs. Le sous-voyer alors n'a que l'entrepreneur à surveiller. Je dois observer que cet amendement à l'acte des chemins doit expirer le premier mai prochain.

Quelle est l'étendue de chemin de route et de chemin de front sur la voie publique dans l'Île de Montréal entre la cité et les traverses dans la paroisse du Sault aux Recollets? L'étendue du chemin entre la cité de Montréal et les traverses dans le Sault aux Recollets est à peu près la même que celle entre la même cité et l'Abord à Plouf, savoir, d'environ deux lieues et un quart, dont environ trente arpens soit en montant soit en descendant la Rivière des Prairies pour gagner les différentes traverses, sont chemins de front.

Quel nombre d'intéressés sont chargés de ces routes? Je ne puis donner avec précision le nombre d'intéressés obligés à ces routes, n'ayant pas les répartitions devant moi; mais à l'exception des parts de la route dans la paroisse de Montréal, appelées, je crois, Route de la Visitation, à laquelle les habitans du Sault aux Recollets sont assujettis, les parts dans les autres ne sont pas très fortes.

Quelles parties pourraient être empierrées aux frais des intéressés, et quel serait à peu près pour eux le montant de la dépense? Quelques parties ne peuvent-elles l'être que par une aide publique, et dans quelle étendue? Je n'ai aucune expérience dans la construction des chemins à a McAdam; ainsi je ne puis dire combien pourrait coûter l'empierrement de ce chemin qui est déjà trop pierreux. Il faudrait certainement une aide publique pour tout ce chemin.

Quelles parties de la route entre l'église de St. Martin et la Traverse pourraient être empierrées aux frais des intéressés, et quel serait à peu près pour eux le montant de la dépense.—Quelques parties ne peuvent-elles l'être que par une aide publique et dans quel étendue.—Je ne connais dans cette route aucune partie qui pourrait être empierrée aux frais des intéressés, encore moins combien cela pourrait coûter. Toute cette étendue devrait l'être par une aide publique ou par répartition d'argent sur toute la paroisse, ce qui ne plairait certainement pas à ses habitans.

Lundi, 22 Décembre, 1828.

Alexandre Joseph Wolff, Ecuyer, a comparu de nouveau, et a été entendu :

A. J. Wolff,
Ecuyer.

22 décembre.

Avez-vous en votre possession des Rapports ou Copies de Rapports des Comptes ou Copies de Comptes, que vous avez relativement au Chemin du Portage de Temiscouata, et s'il en est ainsi, voulez-vous bien en donner communication au Comité? J'ai envoyé mes Comptes au Major Elliot; J'en ai des Copies à ma résidence à Val-Cartier. Le document que je produis maintenant est le Rapport que je fis le 25 Août, 1826, à Son Excellence le Gouverneur en Chef, au sujet des travaux qui ont été faits au Chemin que j'avais à surveiller. Je produis au Comité les Lettres qui me furent adressées par le Colonel Frazer au sujet du Chemin en question.

(Le Témoin a produit ces documens, et ils ont été lus comme suit:)—

Rapport des Travaux qui ont été faits au Portage du Lac Temiscouata, depuis le 15 Juin jusqu'au 19 Août, 1826, sous la surveillance de A. J. Wolff, Lieutenant à demi-Solde au 60e Régiment, nommé par Son Excellence le Gouverneur en Chef, comme Commissaire pour les Travaux susdits:

Québec, 25 Aout, 1826.

Le 15e Juin.—Je fis partir un parti de Travailleurs du Fleuve Saint-Laurent pour se rendre à la Rivière Verte, sous les ordres d'un

d'un Assistant Inspecteur ; je le suivis le lendemain avec un autre parti, et à mon arrivée, je trouvai que la partie du Chemin conduisant au Pont avait besoin de nouveaux pontages et d'autres réparations. Je commençai les travaux dans cet endroit. Je fis mettre le Pont dans un état parfait, parcequ'il était très dangereux ; je me rendis alors avec une deuxième escouade au Pont sur le Ruisseau Morneau ; que l'on me dit être presque impraticable, vu qu'une femme (Madame Macdonald) avait failli s'y casser une jambe. Je trouvai qu'il était nécessaire d'y rebâtir le pont tout à fait à neuf ; après quoi, j'employai tout les travailleurs sur le Chemin entre ces deux Ponts, renouvelant et raccommodant tous les Pontages qui sont nombreux, ôtant et aplanissant des morceaux de rochers et les autres embarras, et je fis ouvrir le Chemin partout où cela était nécessaire. En me rendant de la maison de côté à la Rivière Verte, quoique ce Chemin soit considéré praticable pour des voitures à roues ; mais en y voyant le mauvais état des pontages qui sont par conséquent dangereux au public, et après y avoir employé les hommes à remettre les deux Ponts et le Chemin qui se trouve entr'eux, de manière à prévenir les accidens, j'employai les travailleurs à réparer les pontages sur cette partie du Chemin, vu qu'il avait été trouvé impraticable de transporter les provisions et les outils pour le parti des travailleurs. Je jugeai aussi qu'à partir du Pont de la Rivière du Loup, jusqu'à la Rivière Verte, le Chemin avait grand besoin d'être élargi, ce que je ne fis pas, néanmoins, pour les raisons suivantes :—Considérant les travaux qu'il y avait à faire sur tout le Portage, particulièrement depuis la Petite Fourche jusqu'au Lac, et la somme limitée qui avait été accordée, je continuai dans l'intention de parcourir le Chemin dans toute son étendue, et d'y faire faire les travaux les plus pressés ; et alors, à mon arrivée de constater la somme qui avait été dépensée, de manière qu'à mon retour je pus également répartir la balance ; autrement j'aurais pu être induit en erreur en dépensant une plus forte proportion des deniers sur une partie du Chemin plutôt que sur une autre.

Je retournai alors au Chemin qui est au-dessus du Ruisseau Morneau ; pendant une étendue d'environ un mille, il est de largeur suffisante, mais couvert de morceaux de rochers ; je les fis ôter ou briser, et j'en fis remplir les trous avec des pierres plus petites, du gravois du sable ou de la terre. De là à la Savanne des Roches, distance d'environ deux milles, le Chemin était bien embarrasé, et on l'ouvrit de la largeur de 24 à 30 pieds ; tous les pontages qui sont nombreux et qui se trouvent ici d'une étendue considérable, furent renouvelés ou raccommodés ; on y ouvrit des fossés et des saignées où cela était praticable.

Je fis tous mes efforts pour rendre le Chemin de la Savanne des Roches praticable pour des voitures à roues, en brisant les plus grosses pierres, nivelant la surface avec les fragmens, et couvrant presque tout le centre avec des gravois et du sable, et je puis dire que je réussis, car le Colonel Fraser arriva à la Rivière Saint-François deux ou trois jours après, avec une charette qui avait une charge de quatre quintaux. Je fis ouvrir le Chemin de la largeur d'environ vingt-cinq pieds.

De la Savanne des Roches au pont sur la Rivière Saint-François, distance d'environ un mille, le Chemin était rempli de grosses pierres, on en ôta plusieurs et on cassa les autres. Les cavités furent remplies avec des gravois et du sable, et le Chemin fut ouvert d'une largeur considérable. Je trouvai le Pont qui est sur cette Rivière très-dangereux ; il inclinait au sud par la foiblesse de la lambourde de ce côté ; je fis défaire le Pont, et y fis mettre une nouvelle lambourde et je fis couvrir le Pont en cèdre neuf.

De la Rivière St. François à la Grande Fourche, le Chemin au pied de la Montagne est très-marécageux, et tous les Pontages en furent renouvelés ou raccommodés, ainsi que les circonstances l'exigeoient ; on y fit des fossés et des saignées pour égoutter le Chemin ; en arrivant vers le commencement de la montée, on rencontra de gros morceaux de rochers, qui furent ôtés, malgré qu'il y eut quelques uns de grosseur considérable ; les cavités qu'ils occupaient furent remplies avec des gravois et des terres. Le Chemin qui se trouvait bouché par les broussailles fut ouvert jusqu'à la largeur de 24 à 30 pieds.

Au Ruisseau Salop les Pontages étaient si mauvais, qu'il fallut y placer des nouvelles lambourdes, le Chemin étant bien marécageux, on les renouvela, de même qu'un Pont en neuf sur le Ruisseau. De là à la Grande Fourche, environ 1½ milles, on ouvrit le Chemin de la même largeur que ci-devant, et on refit à neuf un Pontage d'une étendue considérable. Le Pont sur la Rivière fut aussi réparé. A partir de la Grande Fourche jusqu'au pied de cette Montagne, on fit des Pontages à neuf, on ouvrit des fossés et des saignées pour faire écouler les eaux de dessus le Chemin ; et comme toute partie paraissait être constamment couverte d'eau, on se servit de gravois et de terre pour en élever le centre, et par ce moyen faire refluer les eaux dans les fossés. Les morceaux de rochers furent enlevés, et cela pendant tout l'espace du

Chemin jusqu'à la Petite Fourche, on travailla aussi à l'élargir, vu qu'il était rempli d'embarras ;—on nettoya un grand nombre de fossés, et l'on fit des saignées par intervalles d'environ un quart de lieue. Les Pontages y furent renouvelés, et d'autres raccommodés. On couvrit à neuf le Pont de la Petite Fourche, en bois de cèdre.

Au delà de la Petite Fourche, le Chemin dans l'étendue d'une demie lieue est en Savanne ; conséquemment il fallut y faire divers fossés et saignées ; les Pontages furent aussi renouvelés et raccommodés. Comme ci-devant, le Chemin fut élargi jusqu'à environ 30 pieds. Je trouvai ici, même dans cette saison de l'année (très-avancée du mois de Juillet) tous les Pontages à flot ; on fit les mêmes opérations, ainsi que les circonstances l'exigeaient, jusqu'au pied de la Montagne Buard. On construisit un Pont neuf sur le Marais Sangue. J'eus occasion de remarquer l'utilité des fossés et des saignées, car le lendemain du jour que nous avions fini les travaux au Marais dont je viens de parler (en autant que les circonstances pouvaient le permettre) nous essayâmes une forte orage et deux heures après le Chemin était parfaitement asséché. Il devint nécessaire d'élargir considérablement le Chemin tout le long depuis la Petite Fourche jusqu'au pied de la Montagne, pour que le Soleil, vu que le terrain est en Savanne, ainsi que les fossés et les saignées pussent l'assécher ; aussi en y donnant un libre accès aux vents.

Depuis le bas de la Montagne Buard, pendant l'espace d'environ deux milles, le Chemin était rempli de morceaux de rochers ; il y en avait d'une telle grosseur, qu'il fut impossible de les enlever. Dans quelques occasions je me servi du feu, que je fis allumer sur les rochers, et lorsqu'ils étoient rouges, (les travailleurs en attendant élargissaient le Chemin) j'y faisais jeter de l'eau ; alors ils se cassoient plus facilement, et on aplaniissait ainsi le Chemin. Je trouvais que cette méthode était plus expéditive que d'y faire jouer les mines ; vu que l'on trouve du bois sec partout, et qu'il n'en résulte aucun délai ni perte de tems. Les morceaux servirent à remplir les lieux bas et marécageux, les Pontages furent renouvelés ou raccommodés, ainsi que les circonstances l'exigeaient, et le Chemin fut élargi comme ci-devant. J'évitai en parti, une descente très-à-pic et rocheuse en faisant dévier le Chemin tant soit peu au Sud ; cette partie était un peu basse, mais je la fis remplir avec du gravois et des terres encaissées par des pièces. En continuant je rencontrais quelques Pontages qui étoient inutiles, parcequ'il fallait égoutter le Chemin par des fossés et des saignées je les fis enlever. De là jusqu'à la Montagne des Roches on continua à élargir le Chemin, à enlever les grosses pierres, et les arbres abattus par le vent ; on renouvela quelques Pontages, et on en raccommoda d'autres.

La Montagne des Roches est regardée comme étant le plus mauvais endroit du Chemin du Portage, quant au mode de transport actuel ; car dans l'espace d'un mille il est rempli de morceaux de rochers de toutes les dimensions, et il s'en trouve d'une telle grosseur que l'on ne peut pas penser à les enlever ; mais je fis élever le Chemin au niveau de ces rochers, et j'en fis enlever et casser d'autres, autant que les circonstances le permirent ; les morceaux servirent à niveler les lieux bas. Cette partie du Chemin a été auparavant (et paraît avoir été constamment) inondée par les sources sortant des rochers ; je réussis à les détourner du Chemin par le moyen de saignées, et j'en changeai le cours. Les eaux de ces sources sont considérables, car je trouvai des Pontages d'une grande étendue entièrement à flot dans leurs eaux, quoiqu'ils en fussent éloignés d'environ une demie lieue.

Avant de tenter quelques améliorations à la Montagne des Roches, je fis couper un Chemin vers le S. S. Est de cette Montagne, afin de l'éviter, ce qui aurait en même temps raccourci le trajet d'environ 4 arpens ; mais cette nouvelle route n'a pas répondu à mon attente, et ne pourra être passable qu'aux gens de pied pour le présent, car l'extrémité en est trop à-pic ; mais je n'ai aucun doute qu'à une époque future, on pourra avec peu de frais en faire un Chemin bien préférable à l'ancien Chemin. Depuis la Montagne des roches à aller au Pont de la Rivière du Petite Lac le Chemin, à quelques exceptions près, est en savanne, et est naturellement couvert de pontages, qui furent réparés et les fossés nettoyés. On y fit aussi des Pontages additionnels, et on ouvrit le Chemin d'une largeur considérable. Le Pont sur cette Rivière fut couvert de cèdre neuf ; delà jusqu'à la Rivière Ha! Ha! je remarquai les mêmes incon vénients, (à l'exception que le Chemin n'a pas tant de savannes,) et on eut naturellement recours aux mêmes améliorations ; le Pont sur cette Rivière fut couvert à neuf, vu qu'il avait été incendié. La montée, aussitôt après que l'on a traversé le Pont, était très-à-pic (quoique courte) et l'on me dit très-dangereuse en hyver, je la fis améliorer autant qu'il est praticable pour le présent, en déviant en zig zag, et je suis d'opinion qu'on trouvera que c'est maintenant une montée et une descente très-faciles.

Depuis

Appendice
(P. P.)

Depuis la Rivière Hâ-Hâ jusqu'au Lac, ce Chemin fut ouvert selon que la nature du terrain le demandoit ; en plusieurs endroits il fallut ajouter de nouveaux pavés, faire de nouveaux fossés et décharges, et d'autres endroits demandèrent une réparation complète ; mais j'ai le chagrin d'avoir à dire que cet ouvrage ne fut fait qu'à la hâte et en partie, car la fenaison approchant, les travailleurs se rendirent chez eux, et je n'en pus garder que quelques-uns pour continuer l'ouvrage, sans préjudice pour l'intérêt public, et j'eus raison de me féliciter d'avoir antérieurement engagé une partie de travailleurs du Lac pour venir me trouver, afin d'accélérer l'ouvrage ; sans cela cette partie du chemin, distance d'environ une lieue, auroit été beaucoup moins améliorée.

Je crois devoir dire que, quoiqu'il ait été beaucoup fait à la Savanne des Roches, cette partie du Chemin demande encore de grandes améliorations pour la rendre praticable pour des voitures à roues. Quelques-uns des habitans du Portage m'ont rapporté que le Pont de la Rivière du Loup demandoit beaucoup de réparations, et que si elles n'étoient pas faites cet Automne, le Pont étoit exposé à être brisé le Printemps prochain.

D'après les feux qu'ont couru dans les bois du Portage, on doit s'attendre à ce que le Chemin sera bien embarrassé par la chute des arbres abattus par le vent ; le feu ayant pénétré avant dans la terre et conséquemment bien endommagé les racines ; et l'on doit aussi s'attendre à ce qu'il ait eu beaucoup de pavage de détruit.

(Signé A. J. WOLFF.

Supplément au Rapport (d'Août 1826), des travaux faits sur le Chemin du Portage, au Lac Temiscouata.

Le 18 Septembre, je repris les travaux à la Rivière Verte, et commençai par réparer les jetées qui avoient été beaucoup endommagées par les feux des bois, par nettoyer le Chemin des arbres que le vent y avoit renversés, et je fis d'autres améliorations que j'avois remis jusqu'après mon retour du lac, lorsque j'y allai dans l'Été, ce que je ne pus faire, parce que les gens m'avoient laissé à l'approche des Moissons.

La Lieue des Roches étant la plus mauvaise partie du Chemin, j'y appliquai particulièrement mon attention, et j'employai mes gens avec leurs voitures et leurs chevaux à transporter, pendant près de quinze jours, du sable et du gravier, qu'on ne pouvoit se procurer qu'à une distance considérable, et il en falloit un grand nombre de voyages pour couvrir le milieu du Chemin (disons trois pieds de large et un d'épais) dans toute la distance. J'élargis aussi le chemin, en ôtant et minant les roches, pour le rendre praticable aux voitures à roues, et je fis faire des canaux où les circonstances le permettoient.

De là je continuai les ouvrages, ôtant les embarras ou réparant les jetées et les ponts détruits ou endommagés par le feu, qui avoit causé de grands dommages dans toute la longueur du chemin. Je le débarrassai de tous les bois qu'y avoit jetés le vent, et quelques jours de pluie m'ayant donné occasion de remarquer les endroits où l'on pouvoit faire avec avantage des fossés et des canaux, j'en fis creuser.

A mon arrivée au Pont Ha ! Ha ! auquel endroit à aller jusqu'au Lac, le chemin n'avoit pas été fini dans l'Été, les gens m'ayant laissé avant que je m'y attendais, je fis réparer les fossés et les canaux et ôter d'autres embarras, autant que les circonstances me le permirent, car cette partie avoit besoin de beaucoup de réparations, et d'autant plus que les chauffées avoient été considérablement endommagées par le feu, et le chemin obstrué par un grand nombre d'arbres qui bouchoient les fossés et les canaux.

En approchant, et lorsque je fus arrivé au lac, je fus informé par tous les Voyageurs sans exception, que le chemin depuis le Pont de la Rivière du Loup jusqu'à la Rivière Verte étoit presque impraticable par la chute des arbres causée par le feu et les gros vents qui étoient venus ensuite, et par le mauvais état des Chauffées ; ce qui me porta, quoique sans autorité, à le faire nettoyer et à renouveler et réparer les Chauffées.

J'ai le plaisir de dire, d'après ma propre observation, que depuis que le Chemin est réparé, tous les Voyageurs qui ont passé par le Portage, préfèrent maintenant les voitures à roues aux menoirs, et qu'on se sert bien rarement de ces dernières, et cela par des gens qui étant rendus à leur destination, désirent s'en retourner sans charge :

On doit s'attendre à ce que les feux qui ont ravagé les bois et consumé le sol bien avant au dessous de sa surface, et qui ont conséquemment bien attaqué les racines, feront suivis de la chute de beaucoup d'arbres.

(Signé) A. J. WOLFF.

Etat actuel du Portage de Temiscouata, et méthode proposée pour l'améliorer,

QUEBEC, 10 Août 1828.

Après un examen attentif du pays de chaque côté du Chemin du Portage, pendant huit jours, et avoir traversé pendant ce temps un espace de cinquante à soixante milles à travers les bois, je suis d'opinion, vu la grande étendue de terrain marécageux et les hautes montagnes que nous avons passées pendant ce temps, qu'il serait bien mieux de continuer le chemin sur la ligne actuelle, que de lui donner une autre direction. Mais il faut me permettre d'ajouter en même temps, qu'après l'effeuillage on pourroit éviter nombre de mauvais pas, que je ne pus éviter probablement, que parce que je ne pouvois voir de tous côtés qu'à quelques verges de distance.

Prenant donc comme un point décidé, qu'il feroit mieux de continuer le Chemin actuel, je vais entreprendre de faire quelques remarques sur son état actuel, en y joignant les suggestions qui, je crois, pourroient rendre à son amélioration ; mais je considère qu'il n'est pas peu important de remarquer que, quoique le Portage soit maintenant dans un état dont on ne peut se former une idée, sans y avoir été, les Marchands de Madawaska y font passer leurs Marchandises, plutôt que de descendre par la Rivière St. Jean à Fredericton, dont ils ne peuvent faire le voyage en moins de dix jours, aller et venir, tandis qu'ils peuvent aller à Québec, dans le même ou en moindre temps, avec l'avantage d'avoir leurs Effets à bien meilleur marché.

L'Etablissement de Madawaska se compose maintenant, selon Mr. Ringuet, Curé du lieu, de cent quarante Familles, qui prises à un calcul moyen de cinq ou six personnes chacune, donneront une population de près de huit cents âmes ; je ne crois pas que cette estimation soit portée trop haut ; car ayant profité d'un Dimanche que j'étois là pour aller à l'Eglise, je la trouvai, quoiqu'elle soit d'une grandeur considérable, aussi remplie qu'elle pouvoit l'être.

A partir de la maison de Coté, sur le bord du St. Laurent à aller à la Rivière Verte, distance de neuf milles, le Chemin est passable pour des voitures portant environ quatre quintaux ; mais de là jusqu'à celle de Long, vingt sept milles, le seul mode de transport est de traîner sur des menoirs ou espèce de train, formé de deux pièces de bois allongées unies par trois traverses, avec quatre batons pour retenir la charge ; une extrémité de chacune des pièces est suspendue au harnais d'un Bœuf ou d'un Cheval, et les deux autres extrémités traînent sur la terre : sur cette machine avec laquelle on passe généralement tout le Portage, on transporte en deux jours, et un pour revenir, une charge de 2 à 2½ quintaux, pour la somme de 4 à 5 piastres. On se procure aisément des habitans pour entreprendre le voyage, mais ils font tout ce qu'ils peuvent pour en imposer aux Etrangers ; et ils me demandèrent 8 à 10 piastres chacun, quoique je n'en paya que 5, et que je les eue retenus sur la route.

La distance entre le Fleuve St. Laurent et la Rivière Verte, 9½ milles par le Chemin, mais pas plus de trois lieues françaises en ligne directe, appartient à la Seigneurie de la Rivière du Loup, et tous les Lots dans cet espace étant concédés, à l'exception de deux ou trois, les Censitaires sont obligés par la Loi d'ouvrir et de réparer le Chemin, chacun sur le front de son Lot, et le Chemin dans cette distance étant déjà praticable pour les voitures portant entre quatre et cinq quintaux, il paroît moins nécessaire de dépenser de l'argent en cet endroit, que sur les vingt-sept milles du Portage.

Il est bon cependant de remarquer, que depuis la Nouvelle-Ecossé jusqu'aux premières habitations de la Rivière Verte (cinq milles) le Chemin n'a jamais été ouvert plus que quelques pieds de large, et que maintenant les branches se croisent dans la plus grande partie de cet espace, ce qui à la vérité est le cas dans presque toute la longueur du Portage, excepté lorsqu'on arrive aux défrichemens, circonstance suffisante par elle seule pour l'empêcher d'être un bon Chemin.

Depuis la Rivière Verte à aller jusqu'à un peu au de là du 13e milles (3½) le chemin est couvert de fragmens de rocher, quelques

ques-uns d'une grosseur considérable, qui demanderoient à être emportés ou minés, et l'un et l'autre est facile; cet espace, aussi bien qu'entre le 14e et le 16e mille, porte bien peu de bois, et le peu qu'il y a est généralement du Pin et du Cèdre nain, qu'on pourroit couper, dans cette partie du Chemin, de manière à lui donner une largeur suffisante, (disons trente pieds) à très peu de frais.

En plusieurs endroits les Ponts sont faits de Pin et de Sapin mêlés, et j'ai remarqué, presque partout sans exception, que tandis que le Sapin étoit complètement pourri et réduit en pièces, le Cèdre étoit presque aussi entier que le jour qu'on l'avoit posé.

Il est nécessaire de dire que les parties pontées sont en plusieurs endroits tellement brisées, qu'il y a de quoi s'étonner qu'un cheval puisse y traîner une Charge; car bien qu'on ait ponté à neuf plusieurs endroits du Chemin, il n'y a pas plus de trois ou quatre ans, les Ponts ayant été faits de Sapin (tandis qu'il y avoit du Cèdre tout auprès) et par endroits de morceaux trop petits, ils ne pouvoient durer long-temps. La conséquence en a été qu'il y a en plusieurs endroits, espaces de 5 à 10 pieds de large, sans une seule pièce de bois; en d'autres endroits les morceaux sont éloignés et épars, de sorte qu'on ne peut s'empêcher d'admirer la sagacité et le soin des pauvres animaux à qui la pratique a appris à se tirer d'endroits aussi difficiles. Aussi je crois qu'il arrive rarement, qu'une charge passe le Portage, sans que le cheval s'embarque fréquemment, même dans les plus grandes sécheresses, de manière qu'il faut que le Conducteur le dételle souvent pour qu'il puisse s'en retirer, décharge le train, et arrange tout du mieux qu'il peut.

Quant à la Savanne des Roches, qui est pontée l'espace de 900 à 1000 verges, si l'on n'avoit en vue que de la réparer pour le mode de transport actuel, le moyen seroit de nettoyer les fossés et de mettre des morceaux de Cèdres à la place de ceux qui sont pourris. Mais comme les meilleurs Chemins construits de cette manière sont encore bien mauvais, le seul moyen pour en faire de bons seroit de relever le Pontage actuel et de le remplacer avec du Cèdre posé à plat sur la terre, d'en mettre un second rang ou la chose seroit nécessaire, et de couvrir le tout d'une couche de la bourbe ôtée des fossés, enfin d'ajouter un lit de gravier, dont l'on trouve une bonne qualité et en abondance dans presque toute la longueur du Portage. Il faudroit avoir soin en même temps de faire de larges et profondes fossés avec des égouts et une décharge suffisante pour emporter l'eau, s'il est possible; il faudroit aussi faire examiner souvent les égouts et les fossés pour voir à ce qu'ils soient débarrassés de toutes obstructions, ni laissés, comme c'a été le cas jusqu'à présent, jusqu'à ce qu'il croisse de gros arbres tout au milieu d'eux. Avec cette méthode, et un peu d'attention, je ne doute pas qu'il n'y a (si vraiment il y en a) peu de parties marécageuses du Portage, où l'on ne puisse faire un Chemin bon et solide; mais dans quelques années il faudroit remettre du gravier. Il faut admettre que ce plan demanderoit des frais considérables, mais si l'on considère de quelle importance est une bonne ligne de communication entre les Provinces, je ne puis m'empêcher de penser qu'elle seroit beaucoup plus avantageux de l'adopter que de faire les réparations temporaires que demande le plan maintenant suivi.

Entre le 14e et le 16e mille, où l'espace d'environ 2 milles, on rencontre un lit continu de roche solide, qui s'étend de chaque côté à une telle distance qu'il est impossible de l'éviter; il ne paroit pas y avoir d'autre moyen d'améliorer ce bout de Chemin, que d'élargir le Chemin actuel en comblant les interstices ou les inégalités de surface avec des morceaux de rocher, dont il y en a en abondance de tous côtés, et de mettre dessus un lit de pierre concassée à la grosseur d'environ un œuf, et de recouvrir ce lit d'une couche de gravier, partout où l'on pourra s'en procurer.

Depuis environ le 16e mille jusqu'à la Rivière St. François, le côté de la Montagne est en plusieurs endroits très-escarpé et couvert de roches, dont on pourroit ôter un grand nombre du Chemin, ou qu'on pourroit y casser.

Entre la Rivière St. François et le Lac, le Chemin se trouve coupé par 8 à 10 langues de roche qu'il faudroit miner; ces langues de roche ont de 15 à 20 pieds de longueur et une élévation d'environ 30 à 45 degrés, ce qui rendrait difficile le passage des voitures; un des pensionnaires à la Rivière Verte étant un mineur et désirant de l'emploi, il n'y aurait besoin que de lui donner des outils, &c. &c.

Il pourroit aussi être nécessaire de miner quelques-uns des fragmens de rochers maintenant dans le Chemin. Les endroits marécageux sont si nombreux entre le Rivière St. François et le Lac Temiscouata, qu'il est inutile de vouloir en parler en détail; il faut

donc que je renvoie à mon plan pour en voir la position et l'étendue, et je me bornerai à faire observer que je recommande à leur égard la même méthode que celle que j'ai recommandée pour la Savanne des Roches.

Les ponts élevés sur les divers cours d'eau qui traversent le chemin étant de largeur suffisante et en bon état, à l'exception de quelques gardes-fous et planches ou traverses, cet objet ne demanderait qu'une somme légère.

Les principales montagnes sont celles qui sont au commencement du portage, le new Caledonian Hill, celle située sur le bord orientale de la Rivière Verte, celle des deux côtés de la Rivière Saint-François, la Grande Fourche et les Montagnes Buard, qu'il faudroit escarper dans leur partie les plus roides, pour permettre aux voitures chargées de les monter facilement.

Ayant mesuré la distance en plusieurs endroits entre des arbres placés directement vis-à-vis les uns et les autres, et qui paroissent avoir de 20 à 30 ans, il parait évidemment que ce chemin n'a pas été ouvert pendant cet espace de temps à plus de 12 à 15 pieds de largeur, et comme la direction générale en est E. S. E., les rayons du soleil ne peuvent jamais aider à l'affêcher, si ce n'est pour peu de temps le matin, lorsqu'ils ont le moins de force; la conséquence en est que des endroits qui pourroient être affêchés en étant exposés seulement quelques heures au soleil et au vent, sont toujours humides.

C'est pourquoi je voudrais recommander comme un préliminaire à toute amélioration, de raser toutes les broussailles qui bordent toute la longueur du portage à la largeur d'environ 30 pieds, et de faire tous les efforts possibles pour chasser l'eau.

Et comme une grande portion passe sur un terrain graveleux et rocheux, il ne demanderait pas à avoir plus de 15 à 20 pieds de large; on pourroit donner plus de largeur dans les endroits qui ne peuvent être affêchés, de manière à permettre au soleil d'agir de toute sa force pour les tenir secs. Mais il faut admettre cependant que la largeur proposée ne garderait pas le chemin des chûtes d'arbres, à moins de donner au chemin au moins 60 pieds de largeur.

La dépense pour ouvrir 30 milles de chemin, en lui donnant 30 pieds de large, allouant 7 pieds pour la largeur du vieux chemin, à 12 piastres par acre, ne monterait pas à plus de £360.

J'ai mis l'étendue du chemin à ouvrir à 30 milles, ayant déduit de toute la distance 5 milles pour les défrichemens, et les 2½ milles qui restent pour les endroits où le chemin est brûlé.

Les travaux proposés comme devant être faits sur le chemin, étant d'une nature tout-à-fait différente de tous ceux auxquels j'ai jamais été employé, je n'oserais hasarder de donner mon opinion sur les dépenses probables qu'ils pourroient demander pour être faits; mais je croirais qu'il faudroit près de cent livres par mille, ou environ £4000, somme, que j'ai lieu de l'espérer, couvrirait toutes les dépenses, et ferait un bon chemin.

A partir de chez Long à aller jusqu'au Dégélé, 15 milles, il n'y a à passer qu'un cours d'eau de conséquence, appelé le Cabouot, éloigné d'un mille; ce cours d'eau est de 20 à 30 pieds de large, avec des rivages fermes, et étoit très peu profond à cette saison; mais on dit que l'automne et le printemps il grossit beaucoup par les eaux qui viennent des Montagnes. Maintenant on passe cette rivière sur un arbre jeté en travers; à environ un mille au dessus le long de ce cours d'eau, Long a un défrichement de quelques acres.

Le chemin seroit facile à ouvrir à partir de chez Long à aller au Dégélé; surtout en passant le long du sommet des Montagnes plates qui environnent le lac qui passe derrière, et à la vue de la maison de Hall. Si cette partie étoit ouverte, toute la ligne seroit praticable aux piétons jusqu'à la Petite Chûte de Madawaska, ayant été fait à nouveau de 12 à 14 pieds de large, à partir du Dégélé, passant le long du rivage droit de la rivière Madawaska, à aller jusqu'au confluent de cette rivière avec la rivière St. Jean, distance d'environ 30 milles.

Depuis le commencement de l'établissement de Madawaska jusqu'à l'Eglise, il n'y a pas de chemin, si ce n'est les parties détachées laissées entre voisin et voisin pour l'avantage commun, quoique la terre soit ouverte de chaque côté de la Rivière St. Jean, à l'exception de la réserve des Sauvages.

Signé,

ELIOT.

Br. Major, 68e. Rég.

Appendice
(P.P.)Lac Temiscouata,
19 Février, 1827.

Mon Cher Monsieur,

Il est si longtemps que je retarde à vous écrire, que je ne fais vraiment de quelle manière vous en faire mes excuses. Le Curé, les Capitaines Hébert et Bellefleur avaient promis, en passant, de m'envoyer par écrit, pour vous être transmises, leurs idées à l'égard des améliorations faites dans le Portage, sous vos ordres. Je ne puis vous dire rien de mieux, que de vous informer que 330 chevaux chargés, surtout de blé de Madawaska, ont passé dans le chemin depuis le 8 Janvier, avec au moins deux fois autant de monde, qui tous n'avaient qu'une voix pour louer ce que vous aviez fait, et pour vous souhaiter tout le succès possible à l'avenir.

Cette semaine j'ai eu le malheur d'apprendre que mon moulin à la Rivière des Caps, a été brûlé, soit par stupidité ou négligence. C'est le second moulin à farine que le feu m'a consumé depuis le 2 Novembre, 1826. Je serai de plus aises d'apprendre de vos nouvelles, et quand vous reviendrez l'été prochain dans ces quartiers sauvages.

Je suis avec un respect bien sincère,

Votre Très-Obt. Serviteur,

ALEX^r. FRASER.

J. A. WOLFF, Ecuyer.

Lac Temiscouata,
8 Novembre, 1828.

Mon Cher Monsieur,

Les plaintes se multiplient contre le chemin du Portage; les Ponts que vous n'avez pas réparés, sont dans l'état le plus impraticable.

Mr. Germáin Déchêne, de la Rivière des Caps, qui a contracté pour le transport de la Malle à Frédérickton, a fait une représentation à Mr. Stayner, D. M. P. G., à cet égard.

Je vous trouble, mon cher Monsieur, afin que vous pétitionniez pour avoir l'aide nécessaire.

Un Monsieur, (H. G. Deane, Ecuyer,) partit d'ici il y a deux jours pour s'en retourner aux Etats-Unis; il ne se rendit qu'à la Rivière St. François, pour voir, je suppose, la course de cette rivière; c'est pourquoi, je suppose, que jusqu'à ce que nos frontières soient marquées, le Gouvernement aura de la répugnance à déboursier de l'argent pour améliorer cette communication; cependant le portage est maintenant dans le plus mauvais état. Les fils de Mr. Dall ont trouvé le corps d'un pauvre homme, à environ un mille au dessous de leur maison, Lundi dernier; il était étendu sur le rivage, et les gens que j'appelois pour l'enquête, ont supposé qu'il était mort de froid et d'humidité, car il n'avait pas même assez de vêtements pour se garantir des rayons du soleil. Je m'attends à ce que les gens de Madawaska nous apprendront quelque chose de ce malheureux. Notre conjecture a été qu'il était un Irlandais, âgé d'environ 30 ans: il avait un peu de fil, 4 aiguilles, un dé et une mesure de tailleur dans sa poche, environ une livre de pain; un haillon indiquait qu'il était tailleur.

Avec toute l'estime qui vous est due;

Je suis, Mon Cher Monsieur;

Votre Très-Obeissant Serviteur,

ALEX^r. FRASER.

J. A. WOLFF, Ecuyer.

William Henderson, Ecuyer, est appelé et examiné :

Avez-vous eu occasion de tourner votre attention sur l'objet des communications intérieures dans ce district? Depuis l'année 1822, je me suis occupé activement à former un nouvel établissement dans la partie nord-est du township de Frampton, et dans la partie

de Standon qui l'avoisine. Cela m'a porté à donner une attention particulière au sujet de la facilitation de la communication intérieure des comtés de Dorchester et d'Hertford. Mon expérience courte est trop bornée, pour me mettre en état de former une idée correcte de ce sujet dans d'autres parties du district.

Avez-vous eu occasion de considérer cette matière, dans ses rapports et sa liaison avec la formation de nouveaux établissements? J'ai dernièrement tourné toute mon attention sur le sujet de la communication intérieure dans ses rapports et sa liaison avec la formation de nouveaux établissements. Les résultats de mon expérience et de mes recherches se trouvent recueillis dans un papier accompagné des tableaux et preuves nécessaires, que j'ai soumis à la Société des Arts et des Sciences. La table ci-annexée est un abrégé du tout, et elle montrera que dans l'espace de sept ans, qu'on peut établir sur des terres incultes 150 pauvres familles, moyennant une avance de £900 et moins, remboursable dans le cours de six années, et qu'il est très probable qu'il en résulterait au public, dans le cas où il ferait des entreprises semblables, un gain de £900 et davantage, sans compter la valeur des terres établies. On pourrait parvenir à ce but en fournissant aux nouveaux colons du travail sur les lieux, sans dépense pour le public, et sans qu'il soit besoin d'entreprendre aucun ouvrage public pour cela.

Quels sont, à votre avis, les chemins qu'il serait plus expédient de faire ouvrir maintenant? Avant de parler de nouveaux chemins, je prie de remarquer que l'amélioration du chemin Craig et du chemin de Kennebec, est un objet de la plus grande importance pour ce district; mais je suis d'avis qu'aucun chemin de traverse sur ces deux grands chemins ne saurait être d'un avantage permanent, tant qu'il n'y aura pas d'établissements sur chacun un suffisant nombre d'habitans pour les maintenir en état de réparation. Il faudrait taxer les lots inoccupés qui se trouveraient sur ces chemins, pour tenir en bon état leur part de chemins; les terres aux environs de ces grandes lignes de communication devant en retirer de l'avantage devraient aussi contribuer à la réparation des chemins, quoiqu'en moindre proportion. Un nouveau chemin depuis Saint François, sur la rivière Chaudière, jusqu'au Lac St. François et cotoyant le rivage méridional, delà suivant la rivière jusqu'à Sherbrooke, serait très avantageux, en ce qu'il favoriserait l'établissement d'une grande étendue de ce qu'on croit de bonne terre; et de plus en ce qu'il ouvrirait une communication directe entre Québec et la capitale du nouveau district. Cependant c'est avec une certaine hésitation que j'avance ceci, vu qu'on n'a pas beaucoup de connaissances sur le local de cette étendue de pays. La partie à l'est de la Chaudière, surtout dans les comtés de Dorchester et de Hertford, a été explorée d'une manière assez étendue, avec soin et en détail, jusqu'à la source des eaux qui tombe dans le St. Laurent. C'est pourquoi je puis donner des opinions plus décidées sur les chemins à ouvrir dans cette partie. Le plus important de tous est celui qui a déjà été tracé par Mr. Ware, (en 1825,) par l'ordre du gouvernement, et qui commence au No. 14, dans le 9e. rang de Frampton, et se termine à la rivière St. Jean, à l'endroit où cette rivière importante commence à être navigable. Pour mieux faire entendre ceci, j'ai annexé une petite esquisse du chemin proposé et du pays environnant. Quoiqu'elle soit exécutée grossièrement, elle sera trouvée assez correcte pour mettre le comité en état de se former une idée de l'importance du chemin proposé. Lorsque Mr. Ware traça ce chemin, il avait en vue de prendre la direction la plus droite, quoiqu'en passant dans le township de Standon, il traverse des terres qui ne sont pas cultivables. Pour cette raison j'ai tiré une ligne à partir de l'angle est de Frampton, près de la ligne entre ce township et Standon, du côté de Cranbourne, passant dans d'excellente terre jusqu'au lac Etchemin, qui offre pour un établissement, la meilleure situation, peut-être, qu'on puisse trouver dans aucune partie quelconque des terrains incultes de ce district. Pour cette raison je recommanderais une déviation de la ligne de Mr. Ware, à l'angle nord de Cranbourne, et de suivre celle que j'ai tracée jusqu'au lac Etchemin, où l'on pourrait arrêter le chemin pour le présent. La longueur totale du chemin que je propose ne serait que 14½ milles. Le second chemin que je proposerai, est à partir de la seigneurie St. Joseph, en traversant Cranbourne, entre le 7e. et le 8e. rang, jusqu'à ce qu'il tombe dans celui de Frampton, à 1½ mille au nord-ouest du dit lac; ce chemin aurait environ 12 milles de long. Et deux chemins de 9 à 10 chacun, l'un à partir des derniers établissemens de la Rivière du Sud, vers la source de la branche principale de cette rivière, et l'autre entre Kamouraska et la Rivière Ouëlle, vers les sources de la Rivière Ouëlle, pourvu toujours que ces derniers chemins puissent être (d'après les renseignemens de personnes mieux informées que je ne le suis) entrepris avec la pleine certitude, que leur ouverture fera suivie d'établissemens immédiats, comme je puis certifier que c'est le cas à l'égard de ceux de Cranbourne et de Frampton.

Ayez la bonté de donner les raisons qui vous font recommander l'ouverture de ces chemins, et de dire ce que vous pensez de leur impor-

William Hen-
derson, Ecr.

importance relative, quels sont les effets qu'ils doivent vraisemblablement produire sur les nouveaux établissemens, et la somme qu'ils pourraient coûter? Mes raisons pour recommander l'ouverture de Chemins aux dépens du public, à la Rivière Ouelle, à la Rivière du Sud, et pour aller au Lac Etchemin par Cranbourne et Frampton, sont:—En premier lieu, l'amélioration prompte et générale de la partie la plus précieuse du District de Québec, qui ne peut s'effectuer que par l'ouverture de nouveaux Chemins dans les diverses directions. Les anciennes Seigneuries sont devenues si peuplées qu'il y reste très peu de terre à concéder. On doit s'attendre à voir les naturels du pays se jeter aussitôt sur les terres incultes, au bout des Seigneuries, du moment que ces terres seront offertes au défrichement, et qu'on ouvrira des Chemins pour s'y rendre. On peut calculer et toute sûreté, qu'au moins 20 familles par années seront portées à s'établir sur chacun des Chemins que j'ai proposés; vu qu'un double avantage s'offre aux gens pauvres, comme presque tous les nouveaux colons le sont, savoir:—Un bon chemin pour se rendre à leur habitation, et de l'ouvrage sur ce chemin pour leur donner de quoi acheter des provisions, tant que leurs terres ne produisent rien. Les difficultés qu'on a éprouvées dans l'établissement des Chemins Craig et de Kennebec, ne se rencontreront pas dans ceux que j'ai proposés, car ils sont tous dans le voisinage immédiat des parties densément peuplées du district. En ouvrant ces Chemins et en faisant des établissemens sur les terres voisines, on établira, à dix milles en arrière des anciens établissemens, trois grands points, qui en s'étendant viendront à s'unir l'un à l'autre, et dans le cours de quelques années établiront toute l'étendue du pays qui joint immédiatement les Seigneuries, entre la Rivière Chaudière et la Rivière du Loup, tandis qu'en même temps ils formeront des avant-postes, prêts à pousser les établissemens dans l'immense et belle vallée arrosée par la Rivière St. Jean. Mais les avantages qu'on pourra en recueillir seront encore plus importants sous un point de vue politique. Cet objet lié à l'intérêt direct, et bien plus, peut être à la sûreté future non seulement de la Province mais même de toute l'Amérique Septentrionale. Les différens endroits où j'ai proposé de faire aller ces Chemins, sont à deux ou trois milles de la ligne réclamée par les Etats-unis. Si nos ambitieux voisins réussissent à obtenir cette ligne, il est tout-à-fait évident que l'occupation immédiate du pays situé entre eux et le St. Laurent par des Sujets Anglois, devient un objet de nécessité vitale, car il n'y a qu'une population dense de Sujets loyaux et courageux, qui pourra garder la lisière qui nous restera, contre les impiétés ultérieures, même en temps de paix. D'un autre côté, si la Grande-Bretagne réussit à retenir l'importante vallée de St. Jean, ce n'est que par une occupation immédiate, que nous pouvons en attendre l'annexion finale au Canada; et pour effectuer cela, nous devons faire d'avance des préparatifs, en ouvrant le plutôt possible une communication directe avec diverses parties de la Rivière St. Jean. Quoiqu'il en arrive donc, que le territoire en dispute nous reste ou qu'il nous soit ôté, il est évident que notre sûreté et notre bien-être futurs dépendent de l'établissement du territoire intermédiaire, aussitôt que possible. La dépense probable de ces Chemins doit dépendre, comme de raison, de la manière dont on les ouvrira; et les parties qui se trouvent dans le voisinage immédiat des Etablissemens actuels coûteront probablement moins, que celles qui en sont plus éloignées. Je recommanderais de faire les Chemins que j'ai proposés, de manière à permettre le passage de voitures, de dix pieds de large, en abattant un quart d'acre du bois de chaque côté; la dépense totale de quoi ne passerait pas 17s6 par arpent, ou £24 10s. par mille, à quoi il faut ajouter £5 10s. par mille pour les Ponts, et dépenses imprévues, en tout £30 par mille. Le coût des trois Chemins serait donc:—

De Frampton au Lac Etchemin, 14½ milles,	£435 0 0
St. Joseph au Lac Etchemin, 12 dito,	360 0 0
de la Rivière du Sud, 9 dito,	270 0 0
de la Rivière Ouelle, 9 dito,	270 0 0

Total £1335 0 0

Mais il serait non seulement inutile, mais même défavorable de dépenser la somme entière dans une seule année: car si les Chemins sont ouverts plus rapidement que les Etablissemens, ils seront sujets à se remplir de jeunes arbres et de mauvaises herbes. Je proposerais qu'en 1829 on ne fit de ces Chemins que de simples Sentiers ou Chemins d'Hiver, qui donnerait aux Colons la facilité de mieux choisir les Lots et en addition à cela environ deux cinquièmes du Chemin faits de la manière dont je l'ai proposé; cela demanderait la moitié de la somme affectée. En 1830, on pourrait en dépenser un autre quart, et le restant en 1831, et au bout de ce temps il y aurait sur le Chemin de Frampton au moins, et je crois fortement, sur les trois autres, assez de terres occupées pour maintenir le Chemin en réparation, selon

que la loi le requiert. C'est d'une manière toute particulière que je recommande le Chemin qui doit aller au Lac Etchemin. Les terres qui entourent cette belle nappe d'eau sont de la meilleure qualité; et ce Lac d'après sa situation centrale ne manquerait pas, lorsqu'il serait occupé, d'avoir l'effet de répandre de grands Etablissemens de tous côtés sur une vaste étendue de la plus excellente terre, qu'on ne peut approcher aussi facilement d'aucun autre point. Un Village qui serait établi sur ce Lac (profond et navigable) sur le Chemin qui conduit aux Etats-Unis et aux Provinces inférieures, posséderait de grands avantages qui ne le céderaient nullement à aucun autre du District.

Quel serait l'effet du déboursement de Capitaux Publics sur les classes pauvres des Paroisses de la Campagne; pourrait-on faire en sorte de fournir un fond au moyen duquel les classes pauvres pourraient à la fois acheter des Grains de semence dans le Printemps, sans qu'il fut besoin de faire un Prêt Public à cet effet? Le déboursement des petites Sommes que j'ai proposées pourraient être, pour autant, d'une importance infinie pour les Habitans pauvres des Paroisses avoisinantes. A Ste. Claire, qui avoisine Frampton, (je parle d'après mon observation et ma connaissance personnelle) il règne la plus grande détresse, par suite du manque partiel de la Moisson du Froment l'année dernière, et du manque totale de la même Moisson cette année; à peine y en a-t-il un sur vingt qui ait recueilli la semence; et je suis certain qu'il n'y a pas moins de 70 à 80 familles dans cette seule paroisse qui se trouveront dénuées de tout avant le Printemps, et conséquemment hors d'état de faire aucune semence, sans quelque assistance libérale. Je suis tout-à-fait d'opinion, que le meilleur moyen d'alléger la misère de ces personnes, serait de donner du travail sur les lieux à ceux qui sont dans le besoin. Le manque de marché pour les gros Produits empêche les Cultivateurs de cultiver en grand. L'ouverture de nouveaux Chemins leur promettra de nouveaux voisins, qui, nécessairement pour la première année au moins, seront obligés d'aller chez eux chercher leurs Provisions. Cela stimulera leurs efforts, tandis qu'une dotation indéfinie aura un effet tout contraire. Il n'y a pas de doute ce que j'ai proposé pour être dépensée en 1829, sur le Chemin de Frampton au Lac Etchemin, savoir £217 10s. ne put être aisément convertie en un fonds pour soulager les Habitans pauvres de la Paroisse Sainte Claire, et pour leur donner des Grains de semence. Je ne veux pas dire cependant que cette Somme suffirait pour aider tous les Gens de la Paroisse qui ont besoin d'assistance; mais si à cela l'on ajoute la Somme demandée par les Colons pour bâtir un Pont sur la Rivière Etchemin, dans le voisinage immédiat de Sainte Claire, ce sera suffisant. Il est à désirer, à cet égard, que quelque argent qui soit voté pour aider à l'érection de ce Pont, ce soit à la condition expresse qu'il ne sera payé aucun Péage, et qu'il soit bâti le Printemps et l'Été prochain, afin que les Habitans indigènes de Ste. Claire puissent être employés dans les mois de Février et de Mars à tirer le Bois nécessaire: en effet il faudrait ajouter cela comme une condition spéciale de l'Octroi. S'il est stipulé, comme mesure préliminaire, que le Pont sera homologué, afin de pourvoir légalement à son entretien à l'avenir, (chose que les Pétitionnaires seront bien sans y être forcés), la Saison prochaine va s'écouler, avant d'avoir passé par toutes les formalités requises en pareils cas; et le pauvre sera par là privé d'un avantage bien grand pour lui. Il ne pourrait être fait aucun ouvrage de conséquence, que le Chemin proposé, avant les semences; c'est pourquoi il faudra avancer la partie de la somme qui pourrait être accordée pour acheter de la semence; et pour calculer avec sûreté, il ne faut pas mettre plus d'un tiers, ou de la moitié tout au plus, de la somme affectée pour les Chemins ou pour le Pont, pour l'achat des Grains de semence, car les travailleurs doivent avoir des Provisions pour eux et leurs familles, pendant qu'ils travaillent comme on le propose.

Ayez la bonté de donner un détail pratique de la manière dont vous croyez que cela pourra s'effectuer? En répondant à ceci je ne parlerai que de l'argent proposé pour Frampton, dans la vue d'assister les plus pauvres habitans de Sainte Claire; et comme de raison, ce que je dirai pourra s'appliquer à toute autre Paroisse. Outre les Commissaires qu'il plaira à Son Excellence de nommer pour effectuer ces objets, il serait nécessaire de nommer quelque personne respectable, résidante près du lieu où les Chemins doivent être ouverts, &c., et s'il est possible intéressé à leurs progrès, pour surveiller l'ouvrage; et aussi le Curé de Sainte Claire pour distribuer la semence et recommander ceux qu'il croirait avoir le plus besoin d'emploi, comme moyen pour la payer. Les Commissaires résidans à Québec auraient à employer la moitié de l'argent à acheter du grain de semence, réservant le restant pour l'achat de provisions et le paiement des transports, en mettant une petite somme en réserve pour payer la personne chargée de surveiller les travaux, ce que le surintendant ne pourra pas faire à aucune

Appendice (P.P.)

aucune distance considérable. Ce dernier objet, le transport des provisions et du grain de semence, devrait être donné exclusivement aux plus pauvres des gens de Sainte Claire qui ont un cheval. On ne pourra acheter les provisions dans la Paroisse, conséquemment ce fera un objet pour le pauvre de les avoir sur le lieu, et les plus prodigues et les plus indifférens les acceptèrent avec plus

de plaisir que de l'argent même. Tout l'ouvrage se ferait comme de raison à tant par acre pour les Chemins, à tant par pont ou autre ouvrage, et quand l'ouvrage ferait fini un billet du surintendant mettrait le travailleur en état de régler avec le Curé pour les avances à lui faits, ou pour les provisions nécessaires pendant qu'il travaillerait.

TABLEAU montrant l'argent dépensé annuellement, (et remboursé) pour l'établissement de 150 familles pauvres.

ANNEES.	PAYEMENS.			REMBOURSE.			Résultats généraux.	
	Pour une ferme publique, moulins et objets généraux.	Pour les colons.	Total.	Produit de la ferme publique et des moulins.	Des colons.	Total.	Perte.	Gain.
1ère année, supposons 1829.	£448 19 0	292 16 3	741 15 3	33 9 0	Rien.	33 0 0	708 15 3	
2de période des plus fortes avances, en argent £863 19s. 9d. } 1830	241 10 0	32 6 0	274 6 0	119 1 6	dito	119 1 6	155 4 6	
3e. } 1831	75 5 0	29 5 0	104 10 0	108 10 6	dito	108 10 6	Avances pour l'établissement cent tel.	4 0 6
4e. } 1832	88 17 6	12 0 0	100 17 6	143 10 0	dito	143 10 0		42 12 6
5e. } 1833	78 0 0	3 0 0	81 0 0	192 7 0	25 6 0	218 3 0		137 3 0
6e. } 1834	78 0 0	3 0 0	81 0 0	201 7 0	72 13 9	274 0 9		193 0 9
7e. période du remboursement total des avances faites, avec intérêt. } 1835	78 0 0	3 0 0	81 0 0	386 12 0	98 19 0	485 11 0		404 11 0
8e. } 1836	118 0 0	Locations des pauvres discontinuées.	118 0 0	486 12 6	165 4 10½	651 17 4½		533 17 4½
9e. } 1837	Etablissement de la ferme publique fini.			Fermes et moulins publics transférés au surintendant.	130 4 8½	130 4 8½		130 4 8½
10e. } 1838					89 1 7½	89 1 7½		89 1 7½
11e. } 1839					89 1 7½	89 1 7½		89 1 7½
12e. } 1840					46 10 4½	46 10 4½		46 10 4½
13e. } 1841					46 10 4½	46 10 4½		46 10 4½
14e. } 1842					46 10 4½	46 10 4½		46 10 4½
15e. } 1843					46 10 4½	46 10 4½		46 10 4½
Gain total £945 14s, 10d.	1206 11 6	375 17 3	1582 8 9	1671 10 6	856 13 1	2528 3 7	863 19 9	1809 14 7
Si l'on calcule l'intérêt sur la perte et le gain respectivement, la différence est de £20 3s. 10d. £730 8 6 750 12 4								
Gain total si l'on calcule l'intérêt, £965 18s. 8d. £1594 8 6 2560 6 11								

Mardi, 23, décembre 1828.

F. Doyon.
23 décembre.

François Doyon, du Township de Tring à l'ouest de la Rivière Chaudière, derrière la paroisse St. François, étant appelé a informé votre Comité; Qu'il a résidé dans le Township depuis le mois de mars dernier; Qu'il a été ouvert un chemin à partir de la seconde concession de la seigneurie de St. François ou Vaudreuil, jusqu'au bras de l'ouest à peu près vis-à-vis sa demeure; que ce chemin peut-être considéré plutôt comme un chemin d'hiver qu'un chemin roulant; les arbres y ont été coupés et abattus à la largeur de vingt pieds environ toute la longueur du chemin, mais dans les tems de pluie le printemps et l'automne, il devient impassable, et même l'été; qu'il y a plusieurs habitans résidans dans le Township de Tring; que ce n'est que depuis peu qu'ils y sont établis; qu'ils n'ont pas les moyens de perfectionner le chemin en égard au travail; qu'ils auraient le bois de bout à abattre pour y arriver; que ce chemin traverse en partie la seigneurie De Léry, et que ce seigneur ne veut rien y faire parce qu'il n'y est pas obligé par la loi; que l'habitant sur la terre du quel passe ce chemin l'a bouché, de sorte qu'ils n'ont plus de sortie; que par les détours qu'il est obligé de faire, il a ruiné ses chevaux; pourquoi, il supplie en son nom et celui des personnes qui demeurent dans le dit Township, qu'il soit apporé un remède à ce mal, soit en légalisant le dit chemin, ou accordant une aide pécuniaire pour le faire faire; que le manque d'un chemin suffisant retarde beaucoup l'établissement de ce Township; plusieurs habitans désirent aller s'y établir, mais ils en sont détournés à cause des mauvais chemins.

A. Bolduc.

Augustin Bolduc, du même lieu, étant appelé, et le témoignage de François Doyon lui ayant été lu, il y a concouru; et dit de plus: qu'il ya treize habitans dans le Township de Tring, dont trois y résident actuellement; qu'il sont à deux lieues et trois quarts des anciens établissemens; que les terres ordinaires sont de trois arpens de front sur trente de profondeur; les terres sur lesquelles ils sont établis leur appartiennent, ils en ont des contrats de concession; ils payent les terres de 90 arpens £50; ils ne payent pas l'intérêt de cette somme au taux légal, ils payent 15s d'intérêt par année, pour les cinq premières années, et l'intérêt augmente de 15s tous les cinq ans, jusqu'à ce qu'il se monte à

Pintérêt légal. La rente est rachetable en tout tems, en remboursant le capital et ils se considèrent propriétaires incommutables des dites terres.

Jean Veilleux, cultivateur de St. François, Nouvelle Beauce, et propriétaire de terre dans le Township de Tring, étant appelé, et le témoignage de François Doyon lui ayant été lu, il y a concouru. J. Veilleux.

François Xavier Verrault, Ecuyer, Notaire Public, résidant à St. François, Nouvelle Beauce, ayant été appelé, et le témoignage de François Doyon lui étant lu, il y a concouru, et a dit de plus qu'il faudrait entre £300 à £350 pour faire le chemin mentionné; que les gens veulent l'entretenir, et qu'ils sont obligés par leur contrats de donner une journée de corvée par chaque terre sur ce chemin pendant cinq ans. F. X. Verrault.

Vendredi, 26 décembre 1828.

William Henderson, écuyer, est appelé de nouveau et interrogé:

Après l'ouverture de nouveaux chemins, quels moyens connaissez-vous pour les maintenir en bon état, et si vous en connaissez aucun, quels indiqueriez vous? Des concessionnaires qui ont concédé des terres sont tenus de réparer les chemins. Les chemins de Frampton et de St. Joseph au Lac Etchemin sont verbalisés, et cela est comme de raison un moyen de pourvoir pour leur réparation à l'avenir. Il faudrait prendre des mesures pour vendre les terres de la couronne, afin de mettre en opération l'acte d'homologation, quant à ce qui regarde les terres non concédées. A l'égard des chemins de la Rivière Ouelle et de la Rivière du Sud, comme ils passent partie sur les terres d'individus et partie sur les terres de la couronne; il faudrait comme condition à l'octroi, que tous deux seront homologués selon la loi, afin de pourvoir à ce qu'ils soient tenus en bon état après qu'ils auront été faits. W. Henderson, 26 décembre.

Y a-t-il quelques parties du pays où vous recommandez d'ouvrir des chemins, qu'il serait avantageux d'explorer dans cette vue, avant d'en venir à une détermination finale sur leur utilité, et aussi pour s'assurer à quoi monterait les dépenses pour ouvrir tels chemins? La partie des comtés de Dorchester et de Hertford, où j'ai particulièrement recommandé de faire passer les chemins, savoir : depuis Frampton sur l'Etchemin et depuis St. Joseph sur la Chaudière jusqu'au Lac Etchemin, a été, il n'y a pas plus d'une année ou deux, explorée avec soin et en détail, comme on peut le voir par le plan annexé à mon témoignage du 22 du courant, et le pays, par lequel passeront les chemins de la Rivière du Sud et de la Rivière Ouelle, est aussi suffisamment connu, pour rendre inutile toute exploration préparatoire, pour la petite distance à laquelle on se propose de conduire les chemins dans l'intérieur. Les rivières, savoir : la Rivière Etchemin, la Rivière du Sud, la Rivière Ouelle et aussi la Rivière du Loup, communiquent avec les eaux de la Rivière Saint-Jean par de courts portages, qui sont connus et fréquentés depuis les premiers temps de la colonisation du Canada. Les cartes publiées par Bellin, ingénieur dans la Marine Française, de même que celle de Mitchell, prouvent qu'on se servait de ces portages il y a près d'un siècle, et même de nos jours les sauvages du Nouveau Brunswick viennent à Québec par les mêmes routes. Mais c'est la seule partie du district, où il y ait un besoin particulier de chemins, que je sache autant que je puis le savoir, être suffisamment connue, par des recherches scientifiques, pour me permettre de recommander l'affectation immédiate d'argent public sur de nouveaux chemins, sans qu'il me paraisse nécessaire de faire une exploration préparatoire. Il me semble qu'en poussant de nouveaux établissemens, ou en ouvrant des chemins étendus de communication entre ceux qui existent actuellement, le premier point de départ est une connaissance suffisante de la géographie et de la géognosie du pays que l'on se propose d'exploiter; sans ces renseignemens préliminaires, il ne peut rien être fait d'assez général pour mériter l'intervention de la législature. On peut bien faire une application judicieuse à l'ouverture de nouveaux chemins pour une petite distance, à différens points des établissemens les plus avancés, dans des parties détachées du pays, telles que celles que j'ai recommandées. Mais on ne peut entreprendre de faire aucun grand chemin de communication entre ces établissemens isolés, avec la certitude que l'argent dépensé sera appliqué pour le plus grand avantage. Le peu de connaissances géographiques que nous avons du pays, nous les devons en grande partie au colonel Bouchette, Monsieur pour les talens professionnels et le zèle public duquel j'ai le plus grand respect. Sa belle carte du Bas-Canada fait beaucoup d'honneur à son pays natal, et j'oserais avancer que l'ouvrage qu'il a commencé sur la statistique du pays lui fera autant d'honneur. Je regrette infiniment avec plusieurs, que ses efforts patriotiques lui aient été si peu profitables : J'espère sincèrement que la législature saisira l'occasion qui se présente de le récompenser dignement de sa très belle carte, et en même temps d'assurer la publication de son ouvrage précieux sur la statistique, avec une édition nouvelle et correcte de son Atlas, qui est un objet bien à désirer pour le sujet en question. Mais les géographes les plus instruits ne peuvent guères faire autre chose que de compiler et d'arranger des cartes générales des matériaux et des renseignemens puisés sur les lieux par des explorateurs—si les travaux de ceux-ci sont défectueux, ou s'il se rencontre de grandes étendues de pays, où il n'y a pas eu d'exploration, les travaux de l'homme savant doivent nécessairement souffrir de circonstances qu'on ne peut guère surmonter. La carte du colonel Bouchette, publiée en 1815 est, quant aux renseignemens qu'il donne, extrêmement correcte, même jusqu'aux plus petits détails; mais il est à regretter que de grands espaces, dans les townships, et de plus grands encore dans les seigneuries, aient été laissés en blanc, faute de matière pour donner des renseignemens corrects;—et de plus plusieurs des premières explorations faites, ou pour parler plus correctement, qu'on dit avoir été faites dans les townships, ne méritent aucune confiance. Depuis que cet ouvrage a été donné au public, l'auteur infatigable a recueilli, tant par ses propres observations que par celles de son habile famille, et tirés d'autres sources, une masse de renseignemens qui rendaient une nouvelle édition incomparablement plus précieuse que celle compilée il y a près de 15 ans. Mais il reste encore même beaucoup à faire—il y a peu de nos nombreuses rivières qui aient été visitées, et plusieurs même n'ont pas été explorées, même quant à leur course générale; nous n'avons des renseignemens corrects sur la grandeur d'aucune, non plus que sur les obstructions qui y arrête la navigation. Une petite somme d'argent judicieusement appliquée par des personnes qui auraient à cœur d'obtenir le plus de renseignemens possibles au moindre prix, fourniraient toutes les notions générales dont on a besoin sur ce sujet intéressant. S'il m'était permis d'indiquer quelque mesure, qui n'entrerait pas d'une manière immédiate dans le sujet des questions qui me sont posées, je recommanderais de placer une petite somme à la disposition de la Société des Arts pour l'objet unique et exprès d'encourager l'arpentage pendant l'hiver, et pendant l'été l'exploration de quelques-unes de nos principales rivières. Il est tout probable que dans le cours de quelques années nous serions, par ces mesures, mis au fait du cours générale de toutes les principales rivières du pays, et moyennant le quart, peut-être, de ce qu'il en coûterait en le faisant de toute autre manière. Je suis certain que pendant la morte saison de l'hiver on trouverait plusieurs jeunes Messieurs entrepreneurs, et en tout qualifiés pour l'entreprise, et même des arpenteurs de profession, qui s'empresseraient de se faire connaître de cette manière, sans attendre d'autres rémunérations que leurs simples dépenses. S'ils étaient assistés par quelque ingénieurs ou officiers de marine, (dans une saison où leurs services ne seraient pas requis ailleurs) pour la partie astronomique, on pourrait faire beaucoup à peu de frais. On a surtout besoin d'explorations assez exactes, et de renseignemens statistiques à l'égard des rivières ci dessous mentionnées :

La Rivière Gatineau et trois ou quatre grands cours d'eau tributaires de la Rivière des Outaouais, dont nous ne connaissons absolument que l'existence.

La Rivière des Outaouais elle-même au dessus de la jonction de la Rivière Madawaska, jusqu'au Lac Temiscaming.

Les sources des Rivières de l'Assomption et Maskinongé.

La Rivière Saint-Maurice.

La Rivière Sainte-Anne.

La Rivière Jacques Cartier.

La Rivière Montmorenci.

La Rivière Ste. Anne du comté de Northumberland et la Rivière du Gouffre du côté du nord, et

La partie supérieure de la Rivière Yamaska.

La Rivière St. François, particulièrement jusqu'au lac St. François, et le lac lui-même qui n'est presque pas connu.

La Rivière Nicolet, qui est imparfaitement connue.

La Rivière Bécancour, à peine connue du tout.

Les Grandes Branches de la Rivière Chaudière, surtout la Rivière Beauvillage et le Bras du Sud, laquelle Rivière traverse une étendue de pays fertile, presque tout-à-fait inconnue à tous autres qu'aux sauvages.

La Rivière du Sud.

La Rivière Ouelle.

La Rivière du Loup; -

Et la dernière, mais non pas la moins importante, la magnifique Rivière St. Jean, et ses nombreuses branches et lacs.

On pourrait donner un encouragement semblable pour se procurer des rapports géologiques. Les documens précieux fournis dans cette branche par l'expédition du Saguenay, sont des preuves éclatantes qu'il y a dans le pays des hommes capables, sous tous les rapports, de donner au public tous les renseignemens dont on a besoin sur ce chapitre—si on leur donne des facilités pour exercer leurs talens, telles que celles que j'ai indiquées.

Les terres où passent ces chemins sont elles tenues en franc et commun soccage, ou en seigneurie?—Le chemin que j'ai recommandé depuis Frampton jusqu'au lac Etchmin, a été, comme je l'ai dit, tracé par l'ordre du gouvernement, dans la vue d'en faire une grande communication directe entre Québec et la Rivière St. Jean. Environ la moitié des terres qu'il traverse appartiennent à un ou deux grands propriétaires qui les ont obtenues depuis peu en tenure soccagère—le restant sont les terres non concédées de Cranbourne, et il ne passe nulle part sur les réserves ni de la couronne ni du clergé. Le chemin depuis St. Joseph jusqu'au lac Etchmin doit passer sur les terres non concédées de la couronne dans le township de Cranbourne, l'espace de 9 milles, le restant de son étendue proposé doit passer sur des terres appartenant à un particulier, dont la moitié est dans la seigneurie de St. Joseph. Le chemin à partir de la Rivière Ouelle passera sur une seigneurie la moitié de sa longueur, le restant sur des terres non concédées. Le chemin de la Rivière du Sud, partie par les fiefs Lepinay et Ste. Claire, et partie par les terres de la couronne dans le township d'Ashburton.

Serait-il raisonnable d'attendre que ces propriétaires voudraient contribuer aux frais de l'ouverture de ces chemins?—A cela je ne puis répondre que pour autant que j'y suis intéressé moi-même; que je n'épargne aucun effort possible pour ouvrir d'autres chemins que ceux proposés, lesquels absorberaient tous les moyens que je pourrais employer à cet objet, surtout lorsqu'on considère que l'affluence de colons qu'occasionnera l'ouverture des chemins proposés, demandera de fortes avances en provisions de bouche et autres pour les supporter pendant la première année. A cet égard, je puis aussi remarquer que depuis le commencement de notre établissement en 1823, nous avons ouvert ou fait ouvrir, à nos propres dépens, plus de 14 milles de bons chemins, dans un pays jusque là entièrement inconnu, et que nous n'avons pas eu un seul denier du public, soit de l'argent qui fut voté en 1816 pour les communications intérieures, soit de toute autre source que ce soit. Je puis ajouter que nous n'avons reçu support ni encouragement quelconque, dans notre difficile et coûteuse entreprise. Si j'osais prendre sur moi de répondre pour les autres individus sur les terres desquels peuvent passer les chemins proposés, il faudrait qu'ils firent tous les plus grands efforts pour ouvrir de nouveaux chemins et établir leurs terres, et qu'il serait impossible d'attendre d'eux aucune dépense additionnelle surtout si l'on considère que ces chemins vont être entrepris pour le bien public seulement, et sans aucune considération pour les intérêts des individus. Mais on peut attendre que toutes les facilités raisonnables seront données aux colons qui s'établiront sur ces chemins en autant qu'ils passeront sur les terres des particuliers, tant sous le rapport des conditions d'établissement que sous celui de l'assistance qui sera donnée aux colons pauvres.

Quel effet aurait sur les établissemens proposés sur ces chemins, l'opération de l'ordre récent pour la vente des terres de la couronne?—Si l'on donne une explication libérale aux arrangemens récents à l'égard de la vente des terres de la couronne, je suis d'opinion que le résultat en serait favorable à leur établissement. Si l'on met en vente de temps à autre des lots de pas moins de 1200 acres, dans les parties du pays où l'on en demandera, et où l'on aura voté de l'argent public pour l'ouverture de chemins après que les terres auront été achetées, je suis d'opinion qu'on trouverait des acheteurs respectables qui comme de raison seraient intéressés à l'établissement immédiat des terres ainsi acquises; mais

Appendice
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de la manière dont on a agi sur cet arrangement jusqu'à présent, on ne peut rien attendre de bon. Au contraire je conçois qu'il doit avoir l'effet d'éteindre toute entreprise en grand. Dans le nouveau système, comme dans celui qu'il a remplacé, il semble qu'il y a une condition *sine qua non*, qu'il ne sera vendu aucune terre à aucune personne en état de les améliorer ou de les payer. Des lots d'un et de deux cents acres ne peuvent convenir qu'à un cultivateur. L'expérience a démontré qu'on ne peut trouver de colons parmi les gens qui ont le moyen de vivre hors des bois; un nouvel habitant bien loin d'être en état de payer la terre qu'il exploite, ne peut pas même payer la plus petite rente annuelle pendant plusieurs années, et pour réussir à quelque chose il faut de plus lui fournir de l'assistance soit en provisions soit en ouvrage sur les lieux, pour la première année au moins. S'il faut que les terres se vendent (mesure dont la convenance est une question) ce doit être en grands lots dignes de l'attention des capitalistes. Je pense cependant que le plan le meilleur et le plus sage serait de concéder les terres gratuitement, à condition d'y faire certaines améliorations dans un temps donné. Il faut observer cependant qu'on ne saurait adopter aucun système, qui puisse toujours opérer avec succès dans toutes les parties d'une province aussi étendue que le Bas-Canada, et où il se rencontre de si grandes variétés de sol et de climat. La tenure soccagère répondrait, peut-être, aux vues du propriétaire dans les parties plus fertiles des districts supérieurs, mais les concessions en seigneurie peuvent seules convenir à cette partie de la province. Quant au système mesquin actuelle d'offrir en vente à nos habitans des lots de 100 acres de terre dans les townships, bien loin de débarrasser de quelques-unes des réserves les plus de valeur, éparées dans les établissemens les plus anciens dans les townships, au quart environ de ce qu'elles valent, je ne sais si cela peut-être regardé comme avantageux — au moins réussit-on sous ce rapport. Mais sous un autre point de vue, il ne faut pas être prophète pour prédire sa chute complète. Mais en autant que ses opérations se sont étendues, il est à ma connaissance que des terres qui valaient 10s. ont été mises en vente et vendues pour 2s., tandis qu'on ne pouvait en avoir à moins de 5s. d'autres terres situées aux environs, et qui ne valaient pas le quart de celles qui s'étaient vendues pour 2s., il en est arrivé comme de raison que les premières se sont vendues, mais pas un acre des autres. Le choix des lieux pour les ventes était aussi absurde que l'évaluation des terres. Au lieu d'exposer les terres en vente à Québec, à Montréal ou aux Trois-Rivières, où elles auraient pu attendre de la concurrence entre les enchérisseurs, on a choisi des endroits retirés, où quelquefois il ne se rendait pas une âme, tandis qu'en d'autres les terres s'adjugeaient au premier et unique enchérisseur qui se présentait. Dans ce district il ne s'en est pas vendu un seul acre à un cultivateur, malgré qu'on eût pris tous les moyens pour les forcer à devenir les seuls acquéreurs. Quant à l'intérêt qu'y a cette partie de la province, je pense, que le résultat final et unique que l'on peut attendre de ce nouvel arrangement, comme on l'appelle, sera de priver les habitans du pays et les classes pauvres d'émigrés des moyens d'obtenir aucune partie de nos vastes forêts à défricher pour pourvoir à sa subsistance; tandis que les sommes provenant des ventes qui se font et qui pourront se faire, ne couvriront les frais de ces mêmes ventes.

J. Bte. Fortin,
écuyer.

Jean Baptiste Fortin, écuyer, l'un des Chevaliers représentant le Comté de Devon, a été appelé et examiné:

Connaissez-vous les terres dans le Comté de Devon, leur proximité des rivières, et s'il y a des jeunes gens suffisamment pour les établir?—Je connais particulièrement toutes les terres qui sont concédées; elles sont presque généralement toutes susceptibles d'établissement, et il y a plus qu'il ne faut de jeunes gens pour les établir. Les terres sont en grande partie, et particulièrement le quatrième rang, appartenant presque généralement dans cette contrée aux habitans qui sont sur le fleuve, qui se trouvent obligés de ne pas les établir dans ce moment parce qu'il en tirent leur bois de chauffage, et celui pour l'usage des terres. En conservant ceci pour l'utilité de l'agriculture, c'est toujours dans la vue qu'à l'avenir elles serviront à l'établissement de leurs enfans, mais quant aux terrains qui joignent, ils sont séparés par une chaîne de montagnes, qui court presque depuis un bout à l'autre du Comté; les terrains qui joignent ces montagnes par derrière sont en certains endroits de très bonne terre, et de beaux bois, mais il y a de grandes parties, surtout sur les terrains qui joignent ces terres, qui sont bien montagneuses. Je n'ai pas une entière connaissance des terrains éloignés de ces montagnes. D'après l'information que j'ai pu en prendre, plus on s'éloigne dans la profondeur des terres, plus elles seraient avantageuses pour des établissemens, particulièrement en approchant de la Rivière Saint-Jean. Quant aux rivières, la rivière appelée Bras Saint-Nicolas, parcourt presque toutes les terres de ce Comté, excepté la partie sud-ouest de la Paroisse de Saint-Thomé. Cette rivière est considérable, mais je ne crois pas qu'il puisse jamais être susceptible d'amélioration pour pouvoir s'en servir avec des voitures d'eau, et la raison en est qu'elle se termine au Fleuve Saint-Laurent par une chute qui met un obstacle insurmontable. En conduisant son cours dans les profondeurs des terres, elle se trouve extrêmement rocheuse et pleine de rapides. Mais elle peut servir, et a déjà servi en plusieurs circonstances pour y faire descendre des bois par eau; c'est-à-dire, en billots. Il a déjà été descendu des bois qui ont été conduit par les eaux du Bras jusque près des moulins, mais je ne connais pas sa source. On peut faire la même chose par la Rivière du Sud, mais je ne la connais pas dans l'intérieur des terres. Les mêmes obstacles existent par rapport à cette rivière que par rapport au Bras Saint-Nicolas.

Pourriez-vous nous donner les noms de quelques personnes en ville qui

pourraient nous donner des renseignemens sur les terres de ce compte?—Je n'en connais pas d'autres que M. Bouchette, junior, qui a arpenté ces terres l'année dernière. Pour moi je tiens les connaissances que j'en ai de vieilles personnes dont la plupart sont mortes, qui avaient l'habitude d'y aller à la chasse; mais n'y en ayant plus, les jeunes gens d'à présent n'y vont pas.

N'y aurait-il pas moyen de nettoyer et de rendre susceptible de navigation avec des bateaux, les deux Rivières du Sud et du Bras Saint-Nicolas, et à quels frais?—Je crois que certaines parties du Bras Saint-Nicolas pourraient s'améliorer de manière à pouvoir y voguer en canots ou en bateaux, mais je crois qu'il s'y trouvera toujours des endroits insurmontables, comme la chute, où il se termine au fleuve.

Quel serait à votre avis l'endroit le plus convenable pour faire des établissemens de jeunes gens sur des terres non concédées de la couronne dans votre Comté, et quels seraient les chemins nécessaires pour les mettre en état de s'y rendre et combien coûterait ce chemin?—Je crois que la partie qui mérite le plus de considération est la partie qui avoisine la Rivière Saint-Jean. Il serait convenable que les établissemens fussent faits sur la rivière même, où il y aurait une étendue de terrain assez considérable pour mériter les frais d'un chemin pour s'y rendre. J'ai toujours entendu dire des vieillards que la distance du fleuve à l'Islet était de 20 à 25 lieues, mais à présent on prétend qu'il n'y a pas plus de 12 ou 15 lieues, mais ces vieillards ne veulent pas y croire; l'endroit le plus propice que je connaisse est dans la coupe des montagnes, qui se trouve vis-à-vis l'Église de l'Islet. Ces montagnes sont très aisées à traverser; se croissant entr'elles, elles laissent un espace entre eux assez commode pour y faire un bon chemin, en faisant un détour d'environ six arpens, et une fois ce détour la fait, on peut aller loin sans rencontrer d'obstacles semblables. Je ne connais pas dans la profondeur des terres les obstacles qui pourraient se rencontrer, mais anciennement, j'ai entendu dire aux chasseurs qu'il n'y avait pas d'obstacles insurmontables pour aller à la Rivière Saint-Jean. Je crois que pour le coût d'un semblable chemin, ce pourrait être généralement d'environ cent louis par mille.

Samedi 27 décembre 1828.

Jean Baptiste Bournival, du district des Trois-Rivières, a été appelé et examiné. J. Bte. Bournival.

Avez-vous eu aucun moyens et quels de connaître les nouveaux établissemens dans le township de Caxton, derrière la Pointe du Lac et Machiche, dans le district des Trois-Rivières?—J'ai eu occasion de connaître le township de Caxton, par les travaux que j'ai faits en différens lieux sur le dit township. J'ai aussi bien rodé sur ce township.

Quand ce township a-t-il été arpenté la première fois?—Quand le premier établissement a-t-il été commencé; quel est le nombre actuel d'habitans y résidans à présent?—Il y a trois ou quatre ans que le township a été arpenté. Il y a trois ans que le premier établissement a été commencé. Il y a sept ou huit personnes qui résident sur le dit township.

Quel était l'état des communications à ce township lorsque le premier établissement a été commencé?—Les premiers habitans ont-ils eu des obstacles à rencontrer à cet égard; les ont-ils surmonté tout-à-fait ou en partie; jusqu'à quel point et par quel moyens?—Il a fallu passer à travers des bois, bien difficilement, une lieue dans Saint-Joseph, jusqu'à une lieue dans le township; il n'y avait pas d'autres moyens que de porter (toute cette distance) les vivres et les fournitures sur le dos. Il y avait des côtes très hautes à monter et des savannes difficiles. Ces difficultés sont en quelques manières disparues; 1^o parce que les terres de Saint-Joseph ont été concédées depuis jusqu'à la ligne du dit township, et 2^o les ravines ont été pontées jusqu'au dit township; le chemin fait en partie, et en partie ébranché par les habitans de Saint-Joseph et ceux du township, et de là continué environ une lieue et quart par les propriétaires du dit township; un pont considérable ayant été fait sur la Rivière de Machiche par Sueton Grant, écuyer.

Y a-t-il des communications par eau, et quelles, entre ce township et la Rivière Saint-Laurent ou celle de Saint-Maurice; et quelle est la distance de ce township de chacune de ces rivières?—Il n'y a pas de communication à la Rivière Saint-Laurent, ni à la Rivière Saint-Maurice, la distance du chemin à faire pour gagner à la Rivière du Loup est d'environ une lieue et demie, et de là, il y a une communication très facile par eau jusqu'au Saint-Laurent. Il y a peut-être la même distance à faire pour atteindre la Rivière Saint-Maurice, mais c'est dans les parties éloignées du township, vers le 19^e. ou 20^e. rang, où il est à présumer qu'il ne se formera d'établissement de sitôt.

Les habitans de ce township auraient-ils une communication plus courte aux Trois-Rivières, par un chemin qui irait joindre le chemin des Forges? et s'il en est ainsi décrivez le particulièrement; la nature du pays à travers lequel ce chemin devrait passer, et les frais probables d'icelui?—Oui; il y aurait une communication plus courte pour les habitans des 7^e. et 8^e. rangs, et la distance du chemin neuf à faire ne serait pas plus d'une lieue pour atteindre le chemin des Forges, et pas plus de sept lieues et demie aux Trois-Rivières. Le pays est marécageux.

geux jusqu'au chemin des Forges; il coûterait environ cent louis, mais pour communiquer aux établissemens actuellement commencés, il coûterait davantage sans leur donner moyen de communiquer aux paroisses voisines ni à la navigation de la Rivière du Loup.

Qu'elle est l'étendue des défrichemens dans le dit township, le nombre de maisons, &c.; veuillez bien donner au comité aucune information statistique que vous pouvez avoir relativement au dit township?—Treize terres ouvertes et défrichées, six ou sept maisons et plusieurs granges.

Par quelle description d'habitans le dit township a-t-il premièrement été établi; quelle est sa population actuelle; quels sont leurs moyens pécuniaires?—Par quelles circonstances, ces moyens ont-ils été affectés avantageusement ou désavantageusement?—Principalement par des Canadiens; il n'y a que peu d'habitans à présent; l'année étant mauvaise, les habitans du haut de Saint-Joseph même, joignant le township, ont été obligés de quitter l'endroit (pour le présent,) aussi bien que la plupart de ceux du township.

En quelle quantité les terres dans ce township sont-elles distribuées?—Les lots sont de six arpens ou environ, par vingt arpens.

Lundi, 29 Décembre 1828.

M. David Grant, des Trois-Rivières, appelé et interrogé :

1. Avez-vous eu quelques moyens de connaître les nouveaux établissemens du Township de Caxton en arrière de la Pointe du Lac et Machiche, dans le district des Trois-Rivières, et quels sont-ils?—J'ai été plusieurs fois dans le township de Caxton, mais je ne puis dire que j'ai aucune connaissance particulière des établissemens ou de township.

2. Quand ce township a-t-il été arpenté pour la première fois? quel est le nombre actuelle des habitans?—Il fut arpenté en 1824, et il a commencé à s'établir en 1825, mais je ne connais rien sur le nombre actuel de ses habitans.

3. Quel était l'état des communications entre le township, au temps où commencèrent les établissemens? les nouveaux habitans avaient-ils beaucoup d'obstacles à surmonter sous ce rapport? les ont-ils surmontés en tout ou en partie, et par quels moyens et jusqu'à quel point?—On se rendait au township à travers les bois l'espace de 8 à 9 milles, par la partie supérieure de Machiche. Les obstacles étaient un grand nombre de ravines qui coupaient le chemin; on a en partie surmonté ces obstacles en faisant des ponts dans le fond des ravines, et en ouvrant un chemin qui pénètre dans le township à une distance considérable.

4. Y a-t-il, et quelle communication par eau entre le fleuve St. Laurent ou le St. Maurice; et quelle est la distance de ce township de ces deux rivières?—Je ne puis répondre à cette question d'après mes connaissances personnelles. La distance pour aller au St. Laurent peut-être de 18 milles ou environ.

5. Les habitans de ce township n'auraient-ils pas plus court à aller aux Trois-Rivières, par un chemin qui tomberait dans celui des forges, et s'il en est ainsi, décrivez ce chemin, surtout la partie du pays par laquelle ce chemin passerait, et ce qu'il pourrait coûter?—Je suis également incapable de répondre à cette question, mais il est à supposer que la communication en serait raccourcie, non pas avec l'établissement actuel, mais avec les rangs de derrière.

6. Quelle est l'étendue des défrichemens dans le dit township, le nombre de maisons, &c.? Ayez la bonté de faire part au comité de toutes les connaissances statistiques que vous pouvez avoir concernant le dit township?—Je ne puis dire, je ne connais pas assez le township pour en faire au comité aucun rapport particulier.

7. Par quelle sorte d'habitans le dit township a-t-il été d'abord établie? Quelle en est la population actuelle? Quels sont leurs moyens pécuniaires? Et par quelles circonstances ces moyens ont-ils été appliqués avantageusement ou désavantageusement?—Principalement par des officiers de milice et des miliciens.

8. En quelles quantités les terres de ce township sont-elles distribuées?—En pas moins de 100 acres aux colons, et de pas plus de 1200 acres aux officiers: Les capitaines en ont 800; les lieutenans et les enseignes 500 chacun.

Andrew Paterson, Ecuyer, appelé et interrogé.

Mêmes questions qu'au témoignage précédent.

Je montai au township de Caxton en septembre dernier pour y visiter ma terre et voir les améliorations qui y avait été faites.

Je crois qu'il y a quatre à cinq ans que ce township a été arpenté; aussitôt que l'arpentage en fut fait, les établissemens commencèrent; il y a environ douze familles résidentes, formant plus de trentes personnes.

Lorsque les établissemens commencèrent le seule voie pour parvenir au township était qu'à travers les bois, ce qui a considérablement retardé l'établissement du township. Sueton Grant, écuyer, l'agent, et quelques autres ont ouvert un chemin à travers les bois, mais comme les souches en sont pas encore arrachées, c'est une bien mauvaise route, et c'est avec difficulté qu'une voiture peut parvenir à l'établissement; je crois que ce chemin va à la première concession, et probablement jusqu'à la seconde.

On pourrait couper un chemin jusqu'à la Rivière du Loup ou le St. Maurice, ce qui mettrait les habitans en état de se rendre au St. Laurent en radeaux par l'une et l'autre de ces rivières. La Rivière Machiche passe à travers le township, mais elle n'est pas navigable même pour les petits bateaux. D'après le meilleur de mes connaissances, je crois que ce township est à peu près à distance égale de la Rivière du Loup et de celle de St. Maurice, c'est-à-dire environ 6 à 7 milles, mais les établissemens sont plus près de la dernière de ces rivières.

Le chemin le plus direct pour aller des Trois-Rivières au township, c'est de passer par les forges de St. Maurice, et une personne qui a fait ce trajet m'a assuré qu'il n'y avait pas plus de 16 à 17 milles. Je pense qu'on pourrait faire passer un chemin tout le long du front du township, montant jusqu'à la 4e ou 5e rangée et descendant au chemin des forges, qui est bon jusqu'aux Trois-Rivières, pour une charge de 800 livres. Il y a quelques années il fut voté une somme pour améliorer les communications dans le comté de St. Maurice; il n'en a été dépensé qu'une petite partie, et si le restant était appliqué il suffirait pour couvrir les dépenses du chemin proposé dans le township.

Je crois qu'il y a environ 200 acres défrichés maintenant, ou qui sont en train de l'être dans le township, et environ 14 maisons; la mauvaise moisson de l'année dernière et le mauvais état des chemins a empêché plusieurs colons de rester dans leur maisons, et en plusieurs endroits ils n'ont pas les moyens de tirer leurs moissons des défrichemens; les terres sont excellentes en plusieurs endroits, et seraient bientôt établies si des chemins étaient ouverts, les terres de la seigneurie de Machiche qui le bornent étant toutes concédées.

Je crois que ce township est principalement concédé à des personnes qui servirent dans la milice pendant la dernière guerre. Je ne puis dire exactement quelle est la population de ce township, car plusieurs de ceux qui ont des billets de location ne restent sur leurs terres qu'un court espace de temps dans l'année; la plus part des colons sont pauvres et ne peuvent payer pour avoir leurs patentes. Lorsque je fus au township plusieurs des colons vinrent me demander si je croyais que le gouvernement leur accorderait du délai; car s'il ne faisait pas cela, le mieux pour eux était d'abandonner leurs terres incontinent, plutôt que de courir le risque de perdre leurs peines, en les améliorant. En effet il y en avait parmi eux qui espéraient qu'en considération de leurs services dans la milice, le gouvernement leur donnerait les titres de leurs terres sans qu'ils fussent obligés de payer d'honoraire.

Les terres concédées sont je crois comme suit:—à L'Honble Mathew Bell, 1200 acres; Sueton Grant, comme agent pour le dit township, 1200 acres; Lieutenant Dame et Paterson, 500 acres chacun; Enseigne Grant, 500 acres, et environ 60 lots de 100 acres chacun à divers individus.

Mardi, 30 Décembre 1828.

L'Honble. Mathew Bell est appelé et interrogé.

(Questions 1, 2, 4, 5, 7.)

Je n'ai jamais été dans le township moi-même, mais ayant pris les terres qui m'étaient dues pour mes services comme officier de milice, j'ai pris des informations sur l'état des établissemens. J'ai rempli les conditions d'établissement, mais à grands frais par le manque de chemins, et je me propose de les faire établir aussitôt qu'il y aura des chemins pour me permettre d'y mettre du monde.

Ce township fut arpenté en 1824, et à ce que j'ai appris pour y concéder des terres aux miliciens qui avaient servi pendant la dernière guerre. M. Sueton Grant a été nommé agent, et je prendrai la liberté de renvoyer le comité à ce Monsieur, pour en recevoir des renseignemens ultérieures à l'égard de cette place.

Il n'y a aucune communication entre ce township et la rivière St. Maurice, et s'il y en avait elle tomberait bien au dessus de la grande chute et de rapides difficiles. J'ai oui dire qu'on pouvait établir facilement une communication avec la Rivière du Loup.

Je

Appendice
(P. P.)

M. D. Grant,
29 décembre.

A. Paterson,
écuyer.

L'Honble. M.
Bell.
30 décembre.

Appendice
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Je suis d'opinion que les premiers établissemens doivent nécessairement communiquer avec les Trois-Rivières par le chemin de Machiche qui va jusqu'au township ou bien près. Il est probable que l'extrémité orientale sera plus proche des Trois Rivières par un chemin qui traverserait les terres réservées pour les forges de St. Maurice, mais comme les chemins allant dans cette direction ont été abandonnés depuis plusieurs années, il faudrait les ouvrir de nouveau, je connais le terrain, du moins une partie, pour être montagneux et rempli de ravines profondes; et il y a deux grandes savannes qui ont été autrefois pontées avec des billots, et qui sont maintenant dans un très mauvais état.

Je crois que ce township a été réservé exclusivement pour les miliciens, et pour être établi par eux; et on espérait que leurs parens et connaissances des environs les aideraient à s'établir; et je ne doute pas que le manque de chemin est la seule cause qui a empêché que ce township ne soit maintenant peuplé de cultivateurs Canadiens. Plusieurs de ceux qui ont droit d'avoir des terres n'ont pas pris leurs billets de location, à cause de l'impossibilité d'aller sur les lieux.

Sutton Grant, Ecuyer, est appelé et examiné.

S. Grant, écr.

(Même questions que pour David Grant.)

Ayant été nommé agent pour surveiller l'établissement, j'ai eu occasion de connaître le township de Caxton.

L'arpentage commença en 1823 et fut achevé en 1824. Le nombre d'habitans résidans est maintenant très petit, et n'excède pas, je crois, deux familles.

Lorsque l'établissement commença en 1825, la communication se faisait et se fait encore par la concession de St. Joseph dans la paroisse de Machiche. Les nouveaux habitans eurent alors à rencontrer la difficulté d'ouvrir un chemin, à travers les bois, de plus d'une lieue dans cette concession, sur un pays très rude, entrecoupé de ravines très profondes. Les difficultés ont été surmontées depuis en partie, par les nouveaux colons (qui avaient concédé toutes les terres le long du chemin jusqu'au township) aidés par les habitans de Caxton; mais cette communication ne sera de sitôt d'un grand service pour les voitures chargées, à cause des côtés immenses et inaccessibles chaque côté des ravines qui coupent le chemin; et il n'y en a pas moins de six dans cette distance, et qu'on ne peut éviter par cette route.

Il n'y a aucune communication immédiate par eau entre ce township et la rivière St. Maurice et le St. Laurent. La distance horizontale entre le St. Laurent peut-être de six lieues, le St. Maurice est beaucoup plus près des derniers rangs sur les réserves de la couronne, mais je n'ai aucune idée de cette distance.

Je ne puis donner sur cette question aucune information fondée sur ma connaissance personnelle, mais des personnes qui connaissent bien le pays m'ont dit, que toute la distance du chemin qu'il faudrait depuis les 8e. et 9e. rangs (réserve du clergé) ne ferait guère plus d'une lieue, la plus grande partie à travers des savannes, pour aller jusqu'au chemin des forges. Par cette voie la communication serait bien, il est vrai, plus courte pour aller aux Trois-Rivières, mais ne le serait pas pour se rendre au St. Laurent par Machiche ou la Rivière du Loup. La dépense de ce chemin ne pourrait pas monter bien haut, et assurément, avec le temps, il serait bien utile aux nouveaux habitans; mais je pense humblement qu'il ne peut pas être de suite d'un très grand usage. Les nouveaux colons iront naturellement aux habitations voisines chercher du secours, et ils y recevront des provisions, etc. pour leur travail. Le chemin pour aller au Trois-Rivières par le chemin des forges, n'offrant dans une distance de 7 à 8 lieues, aucune maison ni établissement quelconque, si ce n'est celui des forges, ne pourra être utile que lorsque le township sera avancé, et aura un surplus de produits pour le marché.

La somme totale des terres concédées, sur lesquelles on a rempli les conditions d'établissement, est 4800 acres, et elles sont distribuées dans les sept premiers rangs; la somme totale des défrichemens sur les terres de 112 acres; la distance de chemin ouvert à travers le township d'environ une lieue et demi, et le nombre des maisons dix, mais il y en a qui ne sont presque que de simples cabanes. Le manque des moissons de l'année dernière a obligé les habitans du township et de la partie supérieure de St. Joseph, joignant Caxton, à aller passer l'hiver aux anciennes habitations. Lorsque l'établissement commença en 1825 et 1826, cent soixante et sept miliciens de la ci-devant milice incorporée firent application à moi, comme agent, pour avoir des terres dans ce township, mais un bien petit nombre sont venus demander des billets de location, car voyant que quelques officiers (qui ont droit à de grandes étendues de terre, et qui ne sont pas tenus à plus de conditions que les simples miliciens) avaient pris leurs terres sur le front du township, ils se trouvèrent nécessairement rejetés plus en arrière dans la forêt, et il perdirent courage faute de chemins pour se rendre à leurs lots, qui alors étaient éloignés de 3 à 5 lieues de tous chemins. Un chemin qui aurait traversé les cinq ou six premiers rangs jusqu'au réserves du clergé aurait obvié à cette difficulté. Presque toutes les terres de ces rangs, à en excepter peut-être la partie supérieure du premier et du second rang, sont propres à la culture. Le pays abonde en bois de toutes sortes, entre lesquelles se rencontre le pin, l'épinette et le chêne (chêne rouge). Il est arrosé par

un nombre de petites rivières, entre autres par une branche de la rivière Machiche, sur laquelle il y a beaucoup d'endroits propres à bâtir des moulins, outre un grand nombre de beaux lacs. Sur la rivière mentionnée en dernier lieu il a été dernièrement élevé un moulin à scie, à la distance de onze acres seulement de la ligne de front du township; mais à présent il n'est utile qu'à l'établissement adjacent, n'y ayant aucune possibilité de porter ses produits sur le marché. Pour expliquer plus clairement la situation de ce township à l'égard des paroisses voisines, je demande au comité qu'il me soit permis de dire, que les concessions de St. Joseph de Belle-Chase et Pique-dur, dans la paroisse de Machiche, courant en ligne parallèle l'une avec l'autre N. 45°. O. un nouveau chemin qui commencerait au chemin de St. Joseph, environ 2 milles au dessous de la ligne de front de Caxton, et qui courrait à angles droits avec celui de St. Joseph, couperait le chemin de Belle-Chase au sud à la distance de 40 acres, et continuant dans la même direction couperait celui de Pique-dur à la distance de 20 acres; et en le poussant encore 15 à 16 acres, on le ferait aboutir à la Rivière du Loup au dessous de la Chôte de l'Eturgeon, d'où la rivière est navigable pour les bateaux et radeaux jusqu'au Saint-Laurent. Cette voie offrirait une excellente communication entre le township (par le chemin de Pique-dur, au milieu d'un pays riche et densément peuplé, sans allonger la distance) et le Saint-Laurent à Machiche; mais ce qui est le plus important de tout une communication par eau aux marchés des Trois-Rivières et de Québec, pour les potasses et les bois, &c. Mais ce qui donnerait des facilités plus immédiates aux colons, et à l'établissement du township serait l'ouverture du chemin demandé à travers les premiers cinq ou six rangs, jusqu'au lot mis à part pour asseoir un village. L'aide demandée, si on donnait l'ouvrage en petits contrats, ou à la journée, sera suffisante, dans l'opinion de tous les colons, à la confection de ces améliorations, et allégerait en outre la détresse des habitans des dernières concessions; par le manque des moissons de l'année dernière.

Les colons sont la plupart Canadiens. Il est probable qu'il serait établi presque exclusivement par le surplus de la population des paroisses de Machiche, de la Rivière du Loup et de Maskinongé, où les seigneuries sont presque toutes concédées.

Les terres sont divisées en lots de 100 acres, et elles sont distribuées pour la plupart en lots de 100 à 500 acres.

Mercredi, 31 décembre 1828.

M. Louis Bernard, de la paroisse de la Pointe aux Trembles, ayant été appelé, a informé votre comité; que les pouvoirs donnés par la loi aux Grands Voyers étaient beaucoup trop grands, en autant qu'il était impossible d'amener des témoins contre eux; que par cela, un Grand Voyer pourrait tracer un chemin dans son cabinet, sans qu'il fut possible aux parties de pouvoir prouver le contraire. Que le pouvoir de tracer ou de changer les chemins devrait être laissé à la majorité des habitans des paroisses ou circuits; lesquels seraient convoqués en assemblée à cet effet, ou de par les parties nommer des personnes étrangères comme jurés, pour visiter les lieux et décider. Les frais auxquels sont assujettis les habitans du pays pour faire tracer des chemins sont très onéreux, et insupportables pour les habitans des nouveaux établissemens. Dans les cas de manque de formalités, les frais sont les mêmes; de sorte que les Grands Voyers n'ont aucun intérêt à éviter ces fautes; c'est plutôt un avantage pour eux: c'est l'opinion des habitans que je connais.

M. L. Bernard.

Vendredi, 2 janvier 1829.

Le Révérend *Messire Michel Dufresne*, a été appelé et examiné:

Rév. Messire Michel Dufresne.

Avez-vous eu occasion de fixer votre attention à l'objet des communications intérieures dans cette partie du district qui comprend la seigneurie de Saint-Giles et les townships au delà?—Je n'ai guère fixé mon attention sur ces objets, y ayant un chemin qui traverse St. Giles dans une direction à-peu-près nord-nord-ouest l'espace d'environ vingt et un milles; lequel chemin sert pour le besoin des gens de Saint-Giles, au sud-ouest de la rivière, pour Saint-Sylvestre au haut de Saint-Giles, pour les townships de Leeds, d'Inverness, de New-Ireland, d'Halifax, &c. Quoique Saint-Giles soit habité depuis environ soixante ans, il n'est établi que sur les bords de la Rivière Beauvillage, et ne prend presque aucun accroissement, soit à cause des savannes qui sont considérables, soit à cause des gelées fréquentes, soit à cause des inondations de cette même rivière qui causent de temps en temps des pertes très considérables aux habitans. Il y a quelques personnes établies de l'autre côté de la rivière (au nord-est) qui n'ont pas encore de chemin de roi, le Grand Voyer leur en ayant verbalisé un tout dernièrement; jusqu'à cette heure ces habitans au nord est de la rivière au nombre de huit environ, sont servi du chemin Craig, traversant la rivière à-peu-près vis-à-vis leurs habitations, excepté dans les grandes eaux.

Par quels moyens vous est venue cette connaissance?—Ayant été fort souvent à Saint-Giles et à Saint-Sylvestre, j'ai eu le moyen de prendre ces connaissances par moi-même. Je n'ai jamais été dans les townships de

de Leeds ni de Broughton qui avoisinent les paroisses que je dessers. Les connaissances que j'aurai de ces lieux ne seraient que par ouï-dire.

Quels sont les chemins et ponts actuels et leur état dans cette partie du pays qui comprend la seigneurie de Saint-Giles et le township de Leeds?—Il n'y a dans Saint-Giles et dans Leeds qu'un seul chemin, celui que je viens de nommer, et dans Saint-Sylvestre, (nouvelle paroisse érigée dernièrement aussi bien que Saint-Giles par une érection canonique,) il y a de plus le chemin Sainte-Marie qui rencontre *Craig's Road*, à la ligne seigneuriale qui sépare Saint-Giles ou Beauvillage de Leeds et forme un angle aigu avec cette route. La route Craig jusqu'à Leeds est ordinairement assez bonne, excepté les derniers quatre ou cinq milles qui sont mauvais, ce pays étant extrêmement montagneux et garni de roches, et dans les basses plaines de mollières. J'ai lieu de croire que cette même route dans Leeds est infiniment plus mauvaise par le rapport des voyageurs; le chemin Sainte-Marie est aussi assez mauvais, mais les habitans qui le bordent, étant très actifs, l'amélioreront dans bien peu de temps. Il est bon de remarquer que Saint-Sylvestre est un établissement tout nouveau, n'ayant pas plus de neuf ans d'existence et déjà il y a plus de 400 terres concédées et à-peu-près 200 habitée, par autant de familles Canadiennes et Irlandaises catholiques pour le très grand nombre. Les ponts sont au nombre de six, cinq dans Beauvillage et un dans Leeds, un sur la Rivière aux Pins, l'autre sur la Rivière à la Fourchette, un troisième sur un petit ruisseau dont je ne connais pas le nom, un quatrième sur la Rivière du Four et un cinquième sur la même rivière Chemin Sainte-Marie, et le sixième dans Leeds sur la rivière Bécancour. Ces ponts sont en bon état, excepté le troisième et le quatrième, que j'ai trouvés quelque fois impraticables, ayant été enlevés par le gonflement des eaux, et il fallait passer ces petites rivières à l'eau avec danger de verser à cause des cailloux.

Quelle devrait être, dans votre opinion, la direction des chemins, les places les plus convenables pour y bâtir des ponts, les inconvéniens auxquels les habitans de ces endroits sont à présent assujettis?—Quels seraient les frais probables des ponts et de la confection et réparation des chemins nécessaires?—Il est très difficile de donner la direction des chemins et la place des ponts à bâtir à cause des savannes, mollières, mauvais terrains qui pourraient se rencontrer dans les directions qui pourraient être données. Il y a déjà dans Saint-Sylvestre trois ou quatre chemins ébranchés et qui ne tarderont pas à être praticables par l'activité et le travail des gens, qui ne pensent pas même à demander la moindre aide à la législature. Deux ponts sur la rivière Beauvillage seraient à propos, un vers la chaussée du vieux moulin et un autre quelques lieux plus haut. Du reste j'ai procuré à Monseigneur Panet un plan très exact de la Seigneurie Beauvillage; je ne doute pas que S. G. ne se fit un véritable plaisir de le prêter pour le besoin du comité. Il est aussi très difficile de déterminer la dépense probable pour les différens objets mentionnés dans la question quatrième. Je crois cependant qu'avec £1000 ou £5000 bien employés, il se ferait beaucoup d'ouvrage. Mes paroissiens, pour le moment, n'éprouvent pas d'autres inconvéniens que ceux dont j'ai déjà parlé, tels que le gonflement de la rivière, les gelées, et les marécages qui se trouvent sur leurs terres, et c'est trop.

Veillez bien donner vos raisons et sur quoi vous appuyez pour recommander ces chemins, leur importance relative et les effets probables qu'ils pourront produire par rapport aux nouveaux établissemens?—Saint-Giles étant peuplé de pauvres gens, et les terres de ce lieu étant méprisées généralement, je ne vois pas quo pour le moment il fut nécessaire d'y faire de grandes dépenses; ces pauvres gens bien loin d'être capable d'exporter leurs grains et denrées, ont grand besoin d'importations de ces objets. Voici six ans que je les dessers, je puis dire avec vérité que je n'ai pas reçu 50 minots de grain de dîme chaque année. Quel commerce de pareils gens pourraient-ils faire? Et je crois qu'il s'écoulera encore bien des années avant qu'ils surabondent. Saint-Sylvestre avance à pas de géant; j'ai dit qu'il n'y a pas plus de neuf ans que cette partie de Beauvillage a commencé à être habitée, et je ne crains pas de dire qu'il y a déjà au moins autant d'ouvrage qu'à Saint-Giles. Peut-être qu'un petit don en faveur de Saint-Sylvestre redoublerait l'ardeur de ses habitans. Il faudrait bien choisir les personnes qui seraient dépositaires de ces argens, s'il en était donné, et il serait nécessaire de prendre le sentiment des intéressés afin d'employer ces sommes pour leur plus grand avantage. Avant de finir, j'oserais suggérer au comité une idée pour l'amélioration des habitans de Saint-Giles, mais que quelques personnes regardent comme impraticable. Ces infortunés voyent enlever chaque année ou presque chaque année le fruit de leurs sueurs et de leurs travaux, semences et levées de toute espèce de grains et de légumes, clôtures, tout disparaît et est emporté par cette rivière qui se grossit par les pluies et par les eaux qu'on y conduit pour dessécher les terres; quantité d'animaux ont péri dans ces inondations subites, des maisons ont été enlevées, et une famille nombreuse y a péri presque entièrement. Pour remédier à ces malheurs qui empêcheront toujours Saint-Giles de prospérer, (et remarquez que plus les terres se découvriront plus il y aura de danger) ne serait-il pas possible de creuser le lit de cette rivière, un ouvrage, j'en conviens, très dispendieux, mais absolument nécessaire?—La chambre ou si vous aimez mieux la législature pourrait obliger chaque propriétaire de travailler une couple de semaines par année dans la devanture de sa terre, en même temps qu'elle allouerait une certaine somme pour aider ces pauvres gens.

Mardi, 13 Janvier 1829.

Mr. Josiah King, de Saint Giles, Cultivateur, a comparu et a été interrogé :—

Avez-vous eu occasion de porter votre attention sur le sujet des Communications intérieures dans quelque partie du District, et surtout dans la Seigneurie de St. Giles et dans les Townships qui sont en arrière? Je possède du bien dans la Seigneurie de St. Giles, et j'y ai souvent voyagé. Je recommanderais de redresser le Chemin actuel en plusieurs endroits.

Quels sont les Chemins et les Ponts, et dans quel état sont-ils dans l'étendue de pays compris dans la Seigneurie de St. Giles et le Township de Leeds? On appelle le Chemin Craig celui qui passe dans la Seigneurie de St. Giles et le Township de Leeds; la partie de ce Chemin qui passe dans St. Giles est assez bonne, mais celle de Leeds très mauvaise. Il y a quelques Ponts qui sont bons.

Quelle serait à votre avis la meilleure direction pour les Chemins; les endroits les plus propres pour des Ponts; quels sont les inconvéniens auxquels les habitans de ces parties sont maintenant sujets? Combien en coûterait-il pour faire les Ponts et les Chemins nécessaires ou les réparer?—Le Chemin actuel est dans la direction la plus convenable, mais comme je l'ai dit plus haut, il aurait besoin d'être redressé en quelques endroits, et avec peu de frais on ferait faire au chemin un détour, où il se trouve quelques Côtes qu'il faudrait éviter. Je recommanderais d'ouvrir un Chemin d'Ireland à Shipton et de Shipton à Dudswell. Le moyen le moins dispendieux pour ouvrir les Chemins, une perche ou 16 pieds de large, ferait de les donner à faire par acre comme le défrichement, et cela fait, je crois qu'il faudrait donner les Ponts et Fossés à faire au rabais. Il faudrait deux Ponts sur les deux étangs du Nicolet, un sur chaque Chemin: sur le Chemin de Shipton il faudrait qu'il fut fait quatre petits Ponts. Les Ponts sur les étangs du Nicolet coûteraient, je suppose, environ £200 chacun; et les quatre du Chemin de Shipton, un d'une certaine grandeur sur la Rivière Wolfe, coûterait environ 150 Dollars, et les trois autres ne coûteraient ensemble guère plus de 100 Dollars. Je ne puis dire combien coûterait le Fossillage, car il y a des terrains qu'il faudrait affécher.

Ayez la bonté de donner les raisons qui vous portent à recommander ces Chemins, leur importance relative et quel effet ils devraient naturellement avoir sur les nouveaux Etablissemens? Il y a de grands Etablissemens qui souffrent du manque de ces Chemins, favoir: ceux de Stanstead, d'Eaton et de Dudswell, et d'autres sur le Chemin de Dudswell. La conséquence en ferait qu'un grand nombre d'Habitans de ces endroits, qui ont des Produits en quantité, tel que Potasse, Beurre, Fromage, Lard, Fleur, Lin, Graine de Foin, Mil, Trèfle, &c., sont obligés de les porter à Portland, à une plus grande distance qu'ils ne feraient, si les Chemins que je recommande étaient ouverts. Je suis porté à croire que si le Chemin de Dudswell était ouvert, dix Habitans du Chemin de Shipton sur un, en retireraient de l'avantage. Le Chemin de Dudswell est de 40 à 50 milles plus proche pour ces gens que le Chemin de Shipton. J'ai passé sur chacun de ces Chemins environ quatre fois, à cheval, en waggon et en traîneau, et à pied.

Mr. D. H. Andrews, de St. Nicolas, ayant comparu, a informé votre Comité: Il connaît le Chemin Craig qui conduit aux Townships de l'Est depuis cinq années, et il y a passé aussi souvent que ses affaires l'on demandé; depuis St. Nicolas jusqu'au Townships de Leeds, espace de 28 milles, le Chemin est bon; de là jusqu'à Ireland le Chemin est très rude, les habitans étant pauvres ne sont pas capables de faire le Chemin assez bon pour y voyager avec des voitures; depuis St. Nicolas jusqu'à Ireland toutes les rivières sont pontées. Je crois qu'il faudrait environ £300 pour réparer les Chemins depuis Leeds jusqu'à Ireland. De là jusqu'à Shipton, distance de 30 milles, il y en a 28 de très-mauvais Chemin. Il y a deux grandes rivières, la première appelée Rivière Wolfe, à 7 milles d'Ireland. Je crois qu'il suffirait de £75 pour y jeter un bon Pont. A sept milles plus loin on rencontre la Rivière Nicolet, pour y bâtir un Pont il faudrait £200, et en sus de cela je crois que £1000 suffiraient pour rendre le Chemin praticable, de manière à ce que les habitans pussent apporter leurs produits au Marché de Québec. Si l'on accordait ce que j'ai recommandé, il n'y a aucun doute que le Chemin serait rendu passable, ce qui amènerait à ce marché environ 40,000 habitans, qui n'y peuvent venir maintenant, qu'avec ce qu'ils peuvent amener vivant. En 1827 et 1828 on a fait passer par ce Chemin 3000 Bêtes à cornes et environ 2000 Moutons.

Appendice
(P. P.)M.J. King.
13 Janvier.

M. Andrews.

Appendice
(P.P.)

tons ; et l'amélioration du Chemin avancerait les Etablissements dans cette partie du pays. Les 28 milles entre Shipton et Ireland contiennent une étendue des meilleures terres du Bas-Canada, et ce serait un beau champ d'ouvert aux Emigrés ; il y a quelques belles fermes sur ce Chemin, mais les habitans ont été obligés de les abandonner, à cause du mauvais état où il se trouve. Maintenant si l'on accorde de l'argent pour améliorer ce Chemin, il faut imaginer un meilleur plan que celui qu'on a suivi ci-devant dans l'application des Deniers qui ont été votés pour le même Chemin ; les Contracteurs ont épargné pour le moins la moitié de l'argent ; par exemple le Pont qui a été bâti sur la Rivière Nicolet a été donné à l'entreprise pour la somme de £250, et le Pont a été fait pour £125, de sorte que les Contracteurs ont gagné la moitié de l'argent ; mais comme je l'ai dit plus haut, il faudrait £200 pour bâtir un Pont convenable sur la Rivière Nicolet. Mais si l'on autorisait des personnes convenables pour engager des Travailleurs et les surveiller, le pays profiterait de tout l'argent accordé pour cet objet.

Mr. Arnold.

Mr. George Arnold a comparu et a été interrogé.

(Mêmes Questions qu'à Mr. Dufresne.)

Ce qui m'a fait tourner mon attention sur la Seigneurie de St. Giles, c'est que j'y ai des terres.

En passant fréquemment sur le Chemin.

Autant que je le connais il y a un bon Chemin roulant, jusqu'à plus de 40 milles au dessus de la Pointe Levi ; il manque seulement un Pont sur le Saut. J'ai été jusqu'à Leeds.

L'Honorable John Caldwell et Mr. Joseph Bell font à mon humble avis les plus capables de marquer l'endroit le plus propre et le plus convenable pour bâtir un Pont sur le Saut, vu que leurs affaires les appellent plus particulièrement à cette place. Les habitans établis jusqu'à quelques centaines de milles sentent les inconvéniens de n'avoir pas un Pont sur le Saut, et surtout lorsqu'ils descendent des animaux vivans qu'ils sont obligés de faire traverser le Fleuve St. Laurent au Cap Rouge, au risque de leurs propres vies et de celles de leurs animaux, sans compter le grand prix qu'il leur faut payer pour cette traversée, et assez souvent, à certains temps de l'année, ils sont retenus depuis une semaine jusqu'à quinze jours.

La raison qui me fait recommander les Chemins à travers les Townships et surtout le Chemin Craig, c'est que ce Chemin a déjà été fait, et d'après les meilleurs renseignemens que j'ai pu me procurer, une légère somme suffirait pour les réparations, ce qui épargnerait aux habitans de se détourner de leur Chemin de plusieurs centaines de milles, et ils seraient en état de vendre leur produit de 10 à 15 par cent plus bas.

Mardi, 20 Janvier, 1829.

R. Christie,
écuyer.
20 janvier.

Robert Christie, Ecuyer, Membre pour le Comté de Gaspé, ayant comparu, a informé votre Comité :—Que c'est le désir de ses constituans qu'il soit ouvert un Chemin depuis le Village Sauvage au point de la haute marée sur la Rivière Ristigouche jusqu'à Mitis sur le St. Laurent, par lequel Chemin les habitans de ce Comté communiqueroient directement par terre avec la Capitale. Que ce Chemin servirait aussi de communication entre cette Province et le Nouveau Brunswick. Toute la distance pourrait être d'environ 90 milles. Il suffirait de la somme de £1000 à £1200 pour ouvrir un Chemin de 18 pieds de large, (avec les ponts nécessaires) jusqu'au Lac Matapédiac ; de là jusqu'au dit Village les voyageurs pourraient descendre par eau en été, et sur la glace en hiver. Il vaudrait mieux cependant que la Législature se déterminât à voter une somme pour ouvrir un Chemin de 12 à 18 pieds dans toute la distance, en prenant une ligne qui passerait à la tête du Lac. Il n'avait jamais été dans cette partie, mais il a appris de bonne autorité, à ce qu'il croit, que la terre y est presque partout excellente et propre à la culture. Il fut affecté en 1817 par acte de la Législature (57e Geo. 3, Chap. 13,) une somme de £1000 pour ouvrir un Chemin entre la Baie des Chaleurs et Rimouski par la voie de Mitis, mais ce vote n'a pas été mis à effet. Il apprenait qu'il s'établirait de suite des habitans sur les bords du Lac Matapédiac, et sur le Portage de Mitis, si on y ouvrait un Chemin. Il y a maintenant devant un Comité de l'Assemblée dont il est le Président, une Pétition des habitans de la Baie des Chaleurs, demandant entre autres choses l'ouverture de ce Chemin, et qu'il soit fait du revenu prélevé dans le comté un fond applicable à cet objet. Le Comité a fait rapport contre la formation de ce fond proposé,

et il est probable qu'il ne croira pas nécessaire de faire rapport sur l'utilité du dit Chemin, dans l'idée que cet objet étant plutôt une mesure d'intérêt général, il est plus à propos qu'il soit discuté dans ce Comité, auquel est renvoyée la partie de la harangue de Son Excellence relative aux communications intérieures. La Législature ayant, par l'acte ci-dessus mentionné reconnu la nécessité d'ouvrir le Chemin en question, il suggère humblement de révoquer l'allocation faite pour cet objet, et d'en faire une plus considérable.

Mercredi, 21 Janvier, 1829.

Mr. Charles Kirouac, de la Rivière du Sud, ayant été appelé, a informé votre Comité :—Qu'il a visité les terres au de là de la hauteur des établissemens vis-à-vis de la Paroisse de St. Pierre, Rivière du Sud ; qu'au de là de ces hauteurs il y avait d'excellentes terres sur les quelles on pourrait former de nouveaux établissemens. Qu'il y avait dans la Paroisse de St. Pierre environ 160 chefs de famille ; que de ce nombre, il y en avait au moins 49 qui n'avoient que des emplacements ; que cela provenait de ce qu'il n'y avait point de Chemins pour parvenir aux bonnes terres. Que si la Législature voulait accorder une somme de £400 pour l'ouverture d'un Chemin à travers la hauteur des terres, ce qui serait fort aisé, il se formerait de suite un nouvel établissement et cela procurerait des terres à la population surabondante de la dite Paroisse. Que la longueur du Chemin à ouvrir serait de quatre lieus.

M. Kirouac,
21 Janvier.

Vendredi, 23 Janvier, 1829.

Mr. Francis Armstrong Evans, ayant été appelé, remit à votre Comité le Papier suivant :—

Mr. Evans,
23 Janvier.

Le soussigné, F. A. Evans, Agent pour quelques-uns des principaux Habitans et autres Personnes résidantes dans les Townships de l'Est, soumet humblement au Comité pour les Communications intérieures, les renseignemens suivans à l'égard des principaux Chemins, qui selon lui demandent une dotation d'Argent public, et que le soussigné a été chargé de soumettre à l'Honorable Chambre d'Assemblée.

Les Townships de l'Est ont besoin pour aller aux principaux marchés de la province, savoir, Québec, Montréal et les Trois-Rivières ; des chemins de sortie pour porter les produits et se procurer les effets dont ils ont besoin des diverses villes ; et sous les circonstances actuelles on ne peut pas dire qu'ils aient des chemins de cette espèce, car les chemins actuels sont presque impraticables une grande partie de l'année ; en quelques endroits ils ne peuvent être faits ni réparés à cause du petit nombre d'habitans qui y résident maintenant, ce qui est dû principalement à la défectuosité des lois actuelles sur les chemins, qui ne donnent aucun moyen de forcer les propriétaires de terre non résidans à aider à faire et à entretenir les chemins, ni à rien de ce qui peut favoriser l'établissement du pays. Les grands chemins de sortie qui offrent aux Townships la commodité d'aller au marché sont les suivans : un chemin depuis Stanstead à travers Hatley, Bolton, Stukely et Granby, jusqu'à la Montagne d'Yamaska, environ 50 milles, c'est le chemin pour aller à Montréal ; un chemin depuis Sherbrooke jusqu'à la sortie du Lac Magog pour rencontrer le chemin ci-dessus pour Montréal, 20 milles ; le chemin Craig, de Shipton à Saint-Giles, 51 milles ; un chemin depuis le township d'Ireland jusqu'à Eaton, 45 milles, et allant jusqu'à Hereford jusqu'à la Rivière Connecticut, 30 milles ; un chemin depuis Melborne jusqu'à la Montagne d'Yamaska, pour tomber dans le chemin de Montréal, 30 milles. Il faudrait aussi quelques améliorations dans le chemin de Shipton, qui passe à travers Kingsley, Simpson et Wendover, 35 milles ; faisant en tout environ 300 milles de chemin, dont à peu près 60 milles seraient du chemin à neuf ; ainsi en allouant 60 louis par mille pour les 60 milles de chemin nouveau à faire, il faudrait la somme de £3,600, et £40 par mille pour les 240 milles à réparer, cela fera £9600, en tout £13,000. Cette somme ouvrirait de bons chemins à travers les townships, et tous les établissemens qui ne seraient pas sur le chemin pourraient aisément s'y rendre par des chemins de traverse ; mais ces grandes routes n'ayant aucun but sectionnaire ou de localité au préjudice d'autres parties, tous les townships sont intéressés à leur confection. Quant au moyen de lever cette somme, ou de la rembourser si elle était avancée par le trésor provincial, je crois que le mode le plus équitable serait d'imposer une taxe générale sur toutes les terres des townships ; disons pour cet emprunt un farthing par acre annuellement ; la taxe devant cesser aussitôt que le prêt sera remboursé. Cependant je crois qu'il est à désirer qu'il y ait une taxe permanente sur les fonds pour

pour la réparation des chemins, et pour faire les autres chemins dont les habitans pourront avoir besoin par la suite. Je crois aussi que là où les chemins seraient ouverts, la valeur de la propriété haufferait de 200 par cent en trois années. Cependant, comme il est possible que cette somme ne puisse être convenablement accordée, les chemins suivant sont absolument nécessaires aux habitans des Townships pour venir aux marchés, et ils les demandent.

1^o Le chemin Craig depuis la rivière Saint-François jusqu'à Saint-Giles. Ce chemin est fait en partie à travers le Township de Shipton et deux milles dans celui de Tingwick; mais il faudrait au moins £10 par mille pour le réparer, ce qui pour 16 milles monterait à £160. De là à passer par Tingwick, Chester, Wolfstown et Ireland, le chemin à environ 10 pieds de large; et il y est tombé beaucoup d'arbres, et il ressemble au lit d'un ruisseau rocheux et boueux; tout-à-fait impraticable pour les voitures, et extrêmement dangereux pour les voyageurs tant à pied qu'à cheval; cette distance dans le district des Trois-Rivières est d'environ 34 milles, à £60 par mille, ce qui je crois, est le plus bas prix auquel on puisse le faire faire, en donnant pouvoir aux commissaires de faire dévier le chemin de côté et d'autre lorsqu'il sera nécessaire pour éviter les côtes, etc. Cela monterait à la somme de £2040. Il y a sur ce chemin un pont sur la branche sud-est de la rivière Nicolet, de 150 pieds de long, et 17 ponts sur des ruisseaux de plus de 18 pieds, (voir le procès-verbal du Grand-Voyer,) mais le terrain sur lequel le chemin passe est d'une excellente qualité. Depuis la ligne du district des Trois Rivières dans le township d'Irlande, jusqu'à Saint-Giles, ou à la rivière Bécancour, à l'endroit appelé Palmer's House, dans le district de Québec, la distance est d'environ 22 milles, et le chemin est fait en partie, mais il faudrait environ £30 par mille pour le réparer, ce qui monterait à la somme de £660. Je crois ces sommes tout-à-fait raisonnables, et rien au-delà de ce qui serait nécessaire pour faire et réparer le dit chemin Craig, qui est la grande sortie des Townships pour venir à Québec.

2^o Le second chemin que je soumettrai à la considération du Comité, est celui à prendre au Township de Stanstead pour aller à Montréal. Ce chemin devient mauvais et presque impassable à la tête du Lac Massiwippi dans le Township d'Hatley, de là jusqu'à la sortie du Lac Magog, distance d'environ 11 milles, le terrain étant montagneux, demanderait d'après les meilleures estimations de £80 à £100 par mille. Depuis la sortie du Lac Magog jusqu'au Township de Stukeley, en faisant le tour de la montagne Bolton, le chemin est mauvais et dangereux. l'espace d'environ 7 milles, et demanderait environ £100 par mille; c'est leur seule route pour aller à Montréal. Toute la distance entre le haut du Lac Massiwippi et Stukely, faisant environ 18 milles, à supposons £90 par mille formerait £1620. La suite du chemin par Stukely, Shefford et Granby, distance de 30 milles, demanderait environ £15 par mille pour réparations, ce qui monterait à £450. Cela ouvrirait le chemin de Montréal jusqu'aux townships qui sont sur les lignes, et en même temps aux townships par lesquels le chemin passerait, et ferait d'une valeur incalculable pour le peuple.

3^o Le chemin suivant le plus important pour les townships le long de la rivière Saint-François, est la continuation du chemin Craig, selon le projet originaire, depuis la rivière Saint-François à travers Melborne, Brompton, Gore, Ely, Roxton et Milton, jusqu'à la montagne d'Yamaska, pour tomber dans le chemin qui va à Montréal: le terrain dans cette direction est une belle étendue de pays, n'offrant presque aucune savanne et tout-à-fait propre à recevoir des établissemens; déjà plusieurs colons s'y sont établis ou sont sur le point de s'y établir, et ont bâti des moulins à scies et à farine dans Ely et Milton. Ce chemin, s'il était fait, raccourcirait de moitié la distance qu'il faut parcourir maintenant pour aller de la rivière Saint-François et des townships du centre, Shipton par exemple, à Montréal. La longueur du chemin qu'il faudrait faire serait d'environ 28 à 30 milles, depuis le St.-François à Richmond jusqu'à la montagne d'Yamaska, à environ £60 par mille, ce qui ferait (y ayant plusieurs ponts aux sources de la rivière Yamaska) £1800 au moins, mais on a porté l'estimation à £2000.

Les trois chemins ci-dessus ont été inclus dans la pétition pour laquelle le soussigné a été nommé agent, c'est pourquoi il les recommande instamment à la considération favorable du Comité. Les sommes nécessaires seraient comme suit:

Pour le chemin Craig dans le District des Trois-Rivières par Shipton et deux milles dans Tingwick, £160 0 0
Pour le même par Tingwick, Chester, Wolfstown

et jusqu'à la ligne du District de Québec dans Ireland,	2040 0 0
Pour le même dans le District de Québec jusqu'à Palmer's House,	660 0 0
Total pour le chemin Craig jusqu'à la Rivière Saint-François,	£2860 0 0
Pour le chemin depuis la tête du Lac Massiwippi jusqu'à Stukely,	1620 0 0
Pour réparer la continuation du dit chemin par Stukely, Shefford et Granby,	450 0 0
Pour le chemin depuis la rivière Saint-François, jusqu'à la montagne d'Yamaska par Melborne, etc.,	2,000 0 0
Inclus et demandé; total,	£6930 0 0

Les chemins ci-dessus ouvriraient de bonnes communications aux villes de Québec et de Montréal, et passeraient au centre des Townships.

Mais il faut encore de l'argent pour compléter le chemin qui conduit de la rivière Saint-François aux Trois-Rivières par Kingsley, Simpson et Wendover, et pour étendre la branche du chemin de Saint-Grégoire, depuis l'endroit où il passe au-dessus de la branche sud-ouest de la rivière Nicolet, par le 9^e et le 10^e rang de Kingsley, pour couper le chemin de Craig à la maison d'école de Danville dans Shipton, distance de 13 milles, qui a été évaluée à £450. On a pétitionné pour cette somme, mais la pétition est venue trop tard; on a grand besoin de ce chemin, les habitans étant maintenant obligés de se rendre à ce point du chemin de Saint-Grégoire, (35 milles d'un mauvais chemin, distance que l'ouverture de ce chemin réduirait à 13 milles,) depuis le centre des établissemens de Shipton, de Kingsley et de Tingwick.

La réparation du chemin pour descendre de la rivière Saint-François par Kingsley, Simpson et Wendover, demanderait, selon qu'il en est fait mention ci-dessus, une allocation, vu le petit nombre d'habitans qui sont établis sur ce chemin, et étant presque impraticable une grande partie de l'année dans plusieurs endroits; la distance est de 35 milles, et demanderait environ £15 par mille pour les réparations, faisant £525. Ce chemin est presque le seul qu'ont les habitans pour parvenir au Saint-Laurent en descendant le long de la rivière Saint-François, et comme on y voyage beaucoup en allant à Québec, à Montréal et aux Trois-Rivières, les gens en ont le plus grand besoin. Il y a cependant un autre misérable chemin du côté occidental de la rivière Saint-François conduisant à Drummondville, mais à peine est-il passable en été. Les townships ont grandement besoin de ces chemins pour aller aux marchés de Québec, de Montréal et des Trois-Rivières, et le soussigné les recommande aussi très-humblement à la considération favorable du Comité pour les Communications Intérieures, et il donnera avec plaisir tous les renseignemens ultérieurs dont il aura besoin.

Québec, 23 Janvier 1829.

F. A. EVANS,

Agent pour les Townships de Shipton, de Stanstead, d'Ascot, d'Hatley, de Brompton, de Windsor, de Durham, de Tingwick, etc., communément appelés les Townships de l'Est.

Mardi, 27 Janvier 1829.

Jacques Déléigny, Ecuyer, un des Chevaliers représentant le Comté de Warwick, a été appelé, et examiné:

Connaissez-vous le Township de Brandon, et les communications qui y conduisent, et quels moyens avez-vous eu de connaître cet endroit?—Je ne connais pas le Township de Brandon par moi-même; je n'y ai jamais été. Je réside à Berthier depuis un nombre d'années, et le Township de Brandon est à environ six lieues du village de Berthier. Je connais beaucoup de personnes qui y ont des terres.

Quelles sont les facilités de communiquer depuis les anciens établissemens sur le Fleuve Saint-Laurent avec le Township de Brandon?—La route usitée à partir de Berthier est par la Côte du Saint-Esprit; les personnes qui y ont des terres là me disent que c'est la route la plus avantageuse pour y conduire à présent.

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J. Déléigny.
écuyer.

27 Janvier.

Y-a-t-il

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Y a-t-il des communications assez faciles pour permettre aux propriétaires de terres dans le Township de Brandon d'y aller et ouvrir ces terres ?—Il y a la communication qui existe par le Saint-Esprit, qui est très difficile. S'il y avait quelques améliorations de fait, le défrichement des terres serait beaucoup plus avancé. J'ai vu plusieurs personnes qui y avaient des terres et qui désiraient aller s'y établir, les vendre à défaut de communication pour y aller.

Quel est le nombre de personnes actuellement établies dans le Township de Brandon au meilleur de votre connaissance ?—Je ne m'en rappelle pas au juste. Il n'y a pas moins de trente familles, et je crois qu'il y en a davantage.

Y a-t-il des gens dans les anciens établissements de Berthier ayant des terres dans Brandon qui iraient les établir si les communications y étaient meilleures ?—Il y en a déjà qui ont vendu leurs terres dans les anciens établissements de Berthier pour aller s'y établir, et j'en connais d'autres qui iraient s'y établir si les communications étaient meilleures.

Les terres de Brandon ont-elles le caractère d'être de bonnes terres ?—Suivant ceux qui m'ont informé les bonnes terres sont par contrées, c'est-à-dire, qu'il y en a de bonnes et de mauvaises ; mais il y a des habitans qui ont des terres là qu'ils considèrent très bonnes : la preuve qu'elles sont très bonnes, c'est que ceux qui y ont semé ont récolté abondamment tous les ans.

Les personnes qui y sont établies ont-elles le moyen de faire les chemins demandés ?—Une partie n'en ont pas le moyen.

Quelle serait la somme nécessaire pour leur aider à faire cette communication, et dans quelle partie du township cette somme devrait-elle être employée.—Les intéressés croient qu'une somme de £300 serait suffisante pour établir un chemin convenable suivant le désir des pétitionnaires la place la plus convenable serait la concession du Saint-Esprit.

Quels seraient les avantages généraux de cette communication, une fois établie ?—L'avantage qu'il y aurait pour aller à Montréal serait de raccourcir le chemin d'environ six lieues.

Les habitans établis à Brandon désirent-ils une pareille mesure ?—La preuve de ceci est que j'ai entre les mains une requête que j'étais chargé de présenter de leur part à la Législature ; j'en ai été empêché par ce qu'elle m'a été remise trop tard pour que je puisse la présenter à la Chambre suivant ses règles.

F. Bélanger,
écuyer.

François Bélanger, Ecuyer, a été appelé et examiné :

Connaissez-vous le Township de Brandon, et les communications qui y conduisent, et quels moyens avez-vous eu de connaître cet endroit ?—Je connais le township de Brandon pour l'avoir visité l'automne dernier.

Quelles sont les facilités de communiquer depuis les anciens établissements sur le Fleuve Saint-Laurent avec le Township de Brandon ?—La seule route que je connais est par la concession du Saint-Esprit, derrière le village de Berthier.

Y a-t-il des communications assez faciles pour permettre aux propriétaires de terres dans le Township de Brandon d'y aller et ouvrir ces terres ?—La communication actuelle est un chemin d'hiver dont on peut se servir pour aller à cheval en été, mais elle n'est pas assez bonne pour y aller avec des voitures d'été.

Quelle est le nombre de personnes actuellement établies dans le Township de Brandon au meilleur de votre connaissance ?—Je n'ai fait que passer dans Brandon, mais j'estime le nombre de familles qui y sont établies à environ cinquante.

Y a-t-il des gens dans les anciens établissements de Berthier ayant des terres dans Brandon qui iraient les établir si les communications y étaient meilleures ?—Je n'en fais rien.

Les terres de Brandon ont-elles le caractère d'être de bonnes terres ?—Généralement parlant les terres de Brandon sont très bonnes : tel est le rapport que m'ont fait plusieurs de ses habitans.

Les personnes qui y sont établies ont-elles le moyen de faire les chemins demandés ?—Je fais qu'elles désirent beaucoup avoir un chemin, mais elles se plaignent qu'elles ne peuvent le faire sans l'assistance de la Législature.

Quelle serait la somme qui serait nécessaire pour leur aider à faire cette communication et dans quelle partie du township cette somme devrait-elle être employée ? Je ne saurais hasarder de réponse à cette question ?

Quels seraient les avantages généraux de cette communication une fois établie ? Ils faciliteraient l'établissement dans d'excellentes terres d'une population déjà trop nombreuse pour les anciens établissements qui avoisinent ce Township, à bien peu de frais comparativement parlant.

Les Habitans établis à Brandon désirent-ils une pareille mesure ? Je fais que les Habitans de Brandon se plaignent amèrement du défaut de communications convenables, et ils m'ont dit qu'ils se proposaient de faire application à la Législature à ce sujet.

Antoine Charles Taschereau, Ecuyer, de Ste. Marie Nouvelle Beauce, dans le Comté de Dorchester, ayant été appelé, a informé votre Comité : Que le chemin de Kennebec est tracé et ouvert très bien et nettoyé de bois jetés par le vent. Que les personnes à cheval peuvent y passer très bien, mais qu'il est impassable pour les voitures d'été. Qu'il y a cinq ponts sur toutes les Rivières fortes, et qu'il a été dépensé sur ce chemin entre £425 et £450 ; le chemin a été verbalisé : Qu'il y a des établissements de distance en distance, et une grande partie des terres sur ce chemin sont concédées à la charge d'entretenir le chemin de front : Qu'il y a beaucoup de défrichement fait sur quelques unes de ces terres : Qu'il pense que pour le mettre roulant, il faudrait environ £300 ; que le chemin a neuf lieues de long depuis St. Charles de la Belle Alliance jusqu'aux lignes ; sur la somme de £300 qui avait été votée pour ce chemin, il a été dépensé environ £450 ; le reste est encore à dépenser : Qu'il y a des fortes côtes sur ce chemin que l'on pourrait éviter par des détours, l'établissement sur ce chemin est grandement retardé par l'impossibilité d'y passer en voitures ; de sorte qu'il est impossible d'y transporter des matériaux ; il y a près de la moitié des concessions faites.

A. C. Taschereau, éc.

Joseph Bouchette, Ecuyer, est appelé de nouveau et interrogé :

J. Bouchette, éc.

Quelle proportion y aurait-il entre le chemin qui serait ouvert depuis les anciens établissements à Berthier jusqu'au Township de Brandon et les Communications générales de cette partie du pays situé entre l'Outaouais et le St. Maurice ; et quelle proportion y aurait-il entre un semblable chemin qui serait ouvert pareillement depuis les anciens établissements jusqu'au Township de Caxton et les Communications intérieures ? Des chemins qui seraient ouverts depuis les anciens établissements à Berthier jusqu'à Brandon, et depuis les anciens établissements de la Pointe du Lac et de Gatineau dans Caxton, pourraient avoir chacun 8 à 10 milles, et la distance du St. Maurice à Grenville par une nouvelle ligne de chemins, qu'on pourrait judicieusement ouvrir au bout de la profondeur des Seigneuries et qui traverseraient les townships de Kildare, Rawdon, Abercrombie, et les terres de la Couronne en arrière d'Argenteuil, et les townships de Chatham et de Grenville jusqu'au Bassin, pourrait être estimée à environ 124 milles, à travers lesquels on pourrait ouvrir une nouvelle ligne de communication qui présenterait de nombreux avantages pour l'avancement des établissements dans cette section du pays, et établirait un nouveau front d'établissement sur toute la ligne, et raccourcirait la communication entre le St. Maurice ou les Trois-Rivières et le cœur des établissements sur l'Outaouais à Grenville d'environ 70 milles. Ayant ainsi donné la distance de cette grande ligne de chemin, la proportion que les deux premiers chemins ont avec elle est d'environ un sixième ; lesquels deux chemins couperont la grande communication ci-dessus mentionnée, et faciliterait essentiellement les communications entre les anciens établissements et les terres incultes qui sont en arrière, avec le grand chemin proposé. Quant à cette partie du chemin en question entre Kildare et Grenville, je prends la liberté de renvoyer à mon rapport sur cette section du pays, imprimé en 1824, où se trouve une description détaillée de cette ligne de chemin et de ses avantages.

Voudriez-vous mettre devant le comité soit une copie de ce rapport que vous avez par devers vous, ou un extrait de la partie à laquelle vous faite allusion ci-haut ? Je n'en ai qu'une copie qui fait partie de mon nouvel ouvrage, et je suis prêt à en donner aucun extrait que l'on désirera.

Jeudi,

Jeudi, 29 Janvier 1829.

J. L. Borgia, Comté de Cornwallis, ayant été appelé, a informé votre Comité : Qu'il croit que la construction d'un Pont sur la Rivière des Trois Pistoles serait d'une utilité générale, pour ne pas dire que ce Pont serait nécessaire : qu'il ne peut dire au juste combien ce Pont coûterait, mais il croit qu'une aide de £2000 ou £1500 courant, pourrait suffire, si les Habitans y contribuaient de leurs travaux et fournissaient le bois. La longueur de ce pont, s'il était érigé au passage actuel serait environ de cinq arpens. Qu'il est d'opinion en outre qu'il est expédient d'octroyer aux Habitans de l'Île Verte la somme de £400 ou £500 courant, pour les aider à la construction d'un pont sur la Rivière Verte. Que cet octroi rencontrerait les vues des Habitans sur ce sujet, et le but de la requête qu'ils ont transmise au commencement de la présente Session, mais trop tard pour être présentée à votre Honorable Chambre. Qu'il est aussi d'opinion qu'il serait nécessaire d'octroyer une aide de £1000 courant, pour réparer et améliorer le chemin et les ponts du chemin qui conduit au Lac Témiscouata.

Mr. A. Poulin, de Saint François Nouvelle Beauce, ayant été appelé, a informé votre Comité : Qu'il était dans l'habitude de faire la chasse depuis neuf ans en automne dans cette partie du terrain qui se trouve entre le Lac Mégantic, le Lac St. François et le Bras du Ouest, et il l'a parcouru en différentes places. Toute cette partie du pays est planche en général et le sol y est bon, étant composé en plus forte partie de terre grise. Que le tout y est propre à l'Agriculture, et on y ferait des établissemens beaucoup plus avantageusement que sur les bords de la Rivière Chaudière : Que le climat y est doux, et il tombe peu de neige dans toute cette partie. Le bois est de haute futaye et se compose en général d'érables, ormes, noyers et autres bois. Qu'il croit que s'il était ouvert un chemin du Bras d'Ouest au chemin St. Giles ou autrement le chemin Craig, ces terres se prendraient immédiatement. Les terres sur le bord de la Rivière Chaudière sont difficiles à établir et les habitans n'en prennent que lorsqu'ils ne peuvent pas faire autrement. Qu'il y a un grand nombre de chefs de familles dans la paroisse qui ont plusieurs garçons à établir, mais ces jeunes gens restent chez leur père, faute de pouvoir se procurer des terres avantageuses. Qu'enfin toutes les bonnes terres se trouvent à l'Ouest de la Rivière Chaudière, au delà de la Chaîne de Montagnes qui la borde. Que le chemin qu'il conviendrait d'ouvrir, seulement comme chemin d'hiver, à partir à l'Ouest du Bras jusqu'au chemin Craig en le faisant passer par la tête du Lac St. François serait de huit à neuf lieues, et il croit qu'une somme de £300 à £400 serait suffisante. Le chemin passerait dans de meilleures terres dans cet endroit que si on le faisait passer par en bas du lac : le chemin aurait deux lieues de moins par en bas, mais les terres n'y sont pas aussi bonnes.

Mr. M. Bouchette, de Mr. Michel Boucher, du Township de Tring, a été appelé ; et l'information précédente de Mr. Alexis Poulin lui ayant été lue, il l'a confirmée.

Mercredi, 4 Février 1829.

F. X. Larue, Comté de Hampshire, ayant été appelé, a informé votre Comité : Qu'il y a quatre vingt onze terres concédées dans la profondeur de la Seigneurie de Neuville, courant nord-est et sud-ouest, et joignant au nord à la seigneurie de Bourg Louis, appartenant à Mr. Bernard Panet. Que ces terres sont déjà en partie occupées par des propriétaires étrangers, mais dans le mois de novembre dernier, le Député Grand Voyer ayant à la requête dudit Mr. Panet, verbalisé un chemin depuis le Pont neuf et gratuit sur la Rivière Jacques Cartier qui traverse leurs terres et va se terminer à la dite seigneurie du Bourg Louis, les dits propriétaires étant pauvres et ne se voyant pas en état de supporter les travaux que leur imposait le dit procès-verbal, ils seront obligés de déguerpir leurs dites terres et perdre les travaux qu'ils ont déjà fait sur icelles. Que pour l'encouragement de ces nouvelles concessions je crois qu'il conviendrait d'allouer une aide pour faire le chemin verbalisé et un second chemin qui partirait du bout de la route des Commissaires, et qui passerait dans la ligne d'entre les concessions Sainte Marie et Saint Jean mentionnées sur le plan figuratif, et irait se terminer à la dite seigneurie Bourg Louis. Que ces deux chemins étant une fois ouverts, ils se formeraient en bien peu de tems beaucoup d'établissements dans la dite seigneurie Bourg Louis. Qu'il croit que la somme de £200 serait suffisante pour l'ouverture des dits deux chemins : la longueur de chacun pour arriver à la dite seigneurie Bourg Louis serait d'environ 130 arpens.

W. Hall, Ecuyer, du Township de Broughton, dans le comté de Buckinghamshire, ayant été appelé informa le comité : Qu'il a été verbalisé un chemin depuis la Rivière Chaudière jusqu'au chemin Craig dans Leeds, en passant à travers Broughton. La distance est 23 milles, et raccourcirait considérablement la route pour aller de cette partie à Québec. Ce chemin a été ouvert dans Broughton l'été dernier, mais n'a pas été continué dans Leeds. Les terres qui bordent ce chemin sont d'une excellente qualité. Il n'y a pas d'habitans dans Leeds pour ouvrir ce chemin. Il faudrait au moins £300 pour ouvrir ce chemin, la distance étant de 14 milles, et £100 pour ouvrir la communication en-

tre Broughton et Tring, où il y a d'excellentes terres appartenant à la couronne. Les Commissaires pour les communications intérieures du Comté de Dorchester ouvrirent en 1819 et 1820, un chemin entre le chemin Craig dans Ireland et la ligne du district des Trois-Rivières, pour rencontrer le Township de Dudswell où il y a 280 habitans ; les Commissaires pour le district des Trois-Rivières n'ont pas continué le chemin. Si ce chemin était ouvert, il formerait, à mon avis, la grande voie de communication entre les Townships à l'est du Lac Memphramagog et Québec, et ouvrirait une communication suivie entre Québec et les Etats de New-Hampshire et de Vermont, et passerait dans les townships d'Hereford, Clifton, New-Port, Eaton, Westbury et Dudswell, qui tous sont établis, et il y a des habitans de chaque côté du chemin. La distance de ce chemin non encore ouverte est de 36 milles environ, et le terrain est très favorable pour l'ouverture d'un chemin. Il y a beaucoup de défrichemens sur le chemin, et s'il était ouvert cela porterait les gens à aller s'y fixer. Il faudrait pour ouvrir ce chemin environ £1000.

F. A. Evans et *S. H. Dickerson*, Francis Armstrong Evans, du Township de Shipton, et Mr. Silas Horton Dickerson, de Stanstead, ayant été appelés, et la partie du témoignage de M. Hall ci-dessus, qui a rapport au chemin de Dudswell, leur ayant été lue, ils l'ont corroborée.

Jeudi, 5 Février 1829.

A. McCambridge, de la paroisse de Charlesbourg, ayant été appelé, informa le comité : Que le township de Stoneham contient une population d'environ 93 âmes ; que les premiers habitans y sont établis depuis environ neuf ans ; qu'il n'est pas aussi avancé sous le rapport de la culture que les autres nouveaux établissemens aux environs de Québec ; le retard est dû entièrement au manque de chemins. Que nombre de colons auraient été disposés à y prendre des terres, mais que le mauvais état des chemins les en a empêchés. En effet les chemins sont si mauvais, que dans l'été un cheval ne saurait s'y rendre avec la moindre charge, ou s'il porte le moindre fardeau c'est au risque de se casser les jambes ; que dans le temps humide on n'y peut même passer à pied, sans mettre sa vie en danger. Qu'il vivait avec le Révérend M. Toosey, qui, il y a environ 33 ans, entreprit d'établir ce township : la richesse du sol porta M. Toosey à dépenser £2000 à £3000 pour l'établir, mais le manque de chemin fit échouer complètement son projet ; cependant il croit qu'on pourrait faire un bon chemin de voiture pour aller à Québec avec environ £500. Que la longueur de ce chemin à partir des anciens établissemens est d'environ 8 milles. Que pour faire les ponts nécessaires sur le chemin, il faudrait £100. Qu'un bon chemin à Stoneham faciliterait les communications au sud-est et au nord-est, de même qu'avec le sixième et dernier rang de la seigneurie de Beauport, connu sous le nom d'établissement de Waterloo ; et qu'un pareil chemin faciliterait l'établissement du pays, et raccourcirait aussi la communication à Valcartier d'environ 5 milles, et offrirait un moyen de subsistance à un grand nombre d'individus pauvres, qui sont maintenant à charge au pays, et la cité en retirerait de grands avantages par le bois de chauffage et de charpente qu'elle en tirerait.

A. McCambridge.

Lundi, 16 Février 1829.

A. C. Buchanan, Ecuyer, Agent résidant de sa Majesté pour la surintendance des colons et émigrés dans les Canadas, fut appelé et examiné :

Dans quelle partie de la province serait-il le plus avantageux de former des nouveaux établissemens, dans le cas où la législature accorderait de l'argent pour ouvrir des chemins ? Il y a beaucoup de parties dans la province bien propres à recevoir des colons industriels, soit émigrés du Royaume-Uni, soit Canadiens, et je vais les classer sous quatre différentes divisions : D'abord, je considère que l'attention publique devrait, dans la vue d'y former des établissemens immédiats, se diriger sur cette vaste étendue de terrain avantageux pour la culture, située entre la Rivière Chaudière et le township de Tring, comprenant les townships d'Oulney, d'Adstock, de Winslow, de Stratford, de Coleraine, de Weedon, de Wotten, de Hampden &c. et contenant ensemble environ un demi million d'acres de terre cultivable, bien boisée et bien arrosée par des rivières et lacs nombreux (St. François.) Ce qui me fait principalement pencher en faveur de cette partie, c'est la proximité du marché toujours sûr de Québec, où le cultivateur pourra porter le surplus de ses produits, et en second lieu la proximité de l'excellent chemin déjà ouvert le long de la Rivière Chaudière. Il faut ajouter à tout cela un autre avantage très précieux, savoir la certitude pour les colons d'avoir de bons titres, ces terres étant encore presque toutes en la possession de la couronne ; et à cette occasion, je dirai au comité que je ne pourrais pas recommander au colon étranger d'employer le peu d'épargnes, qu'il a amassées à grande peine, à son établissement dans la plupart des townships concédés, car d'après toutes les informations que j'ai recueillies à cet égard, on peut à peine se procurer un bon titre *bona fide*, et ce mal demande un remède immédiat. Une autre raison bien puissante d'établir immédiatement l'étendue de pays en question, c'est d'élever quelques barrières au monopole ambitieux des Américains qui ont déjà bouleversé les townships de l'est, et qui, je le crains, introduisent dans cette partie de

A. C. Buchanan, écrivain.Appendice
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de la province une influence tout-à-fait défavorable à l'établissement des émigrés anglais, et qui peut mettre en danger la sûreté de nos frontières, et faire perdre à la mère patrie à un temps qui ne serait pas éloigné, la portion la plus fertile du Bas-Canada. J'ajouterais à l'établissement précédent, sous la même direction, les townships de Crambourne, Buckland, Watford, et les Réserves de la Couronne dans Frampton. Secondement ; je conseillerais de former un petit établissement dans la partie non concédée des Townships d'Acton et Roxton, y compris les réserves de la couronne dans quelques townships adjacens, comprenant ensemble 50 à 100,000 acres de terre. Je recommanderais aussi, sous la même division, le township d'Ely : le sol de ce township est excellent, bien arrosé, et est situé sur la route directe de Sherbrooke à St. Hyacinthe et à la Montagne d'Yamaska. Il y a longtemps qu'il a été concédé à des personnes non-résidentes (à des américains à ce que je suis informé ;) il n'y a été fait aucune amélioration, par conséquent il n'y a pas de difficulté sur la réversion de ce township à la couronne. Troisièmement ; on paraît admettre partout l'importance de faciliter les communications par une nouvelle route, le long de l'Ottawa, et comme j'ai eu l'honneur, il n'y a pas longtemps, de le soumettre au gouvernement de sa Majesté à Londres, et plus récemment à son Excellence le gouverneur en chef, des recherches subséquentes ont confirmé mes premières idées : C'est pourquoi je demanderais qu'il me fût permis de recommander à l'attention publique l'établissement de la partie du pays située en arrière des seigneuries et commençant à Maskinongé, comprenant les townships de Kilkenny, Rawdon, Wentworth, Abercrombie, &c. en gagnant vers l'Ottawa. Je vois avec chagrin que la grande partie de ces townships est concédée, ce qui expose les colons à n'avoir que des titres incertains ; mais les portions non-concédées peuvent être supputées à 150,000 acres et je les recommanderais sous une même division avec les townships d'Harrington, Wentworth, Derry, Kippon, Portland, les trois quarts de Wakefield et de Marsham, qui tous sont arpentés et non-concédés, et dont le sol est considéré comme étant de meilleure qualité que les terres sur le littoral de l'Ottawa : Ces derniers townships sont à environ 15 milles de l'Ottawa, et il y a communément de très bons chemins de pied pour y conduire, et qui avec quelques légères réparations pourraient servir plusieurs années au besoins des nouveaux établissemens et jusqu'à ce qu'ils se fussent augmentés. Le ci-devant gouverneur en chef avait destiné le township de Templeton aux familles industrieuses qui ont travaillé au Canal de Rideau, mais il se trouve trop éloigné et le sol ne convient pas, et plusieurs familles qui avaient pris des locations y ont renoncé et se sont en allées dans les Etats-Unis ; cela est venu principalement de l'impossibilité où était chaque colon de trouver son lot particulier, sans perdre beaucoup de temps et dépenser toutes ses provisions. Quatrièmement, il serait sage et prudent de former un bon établissement sur la rivière Ristigouche et en gagnant le lac Matapédia et Madawaska, cette étendue de pays réunissant tant d'avantages la pêche, le chemin proposé depuis la Nouvelle Ecosse jusqu'à Metis, la facilité de la communication par la Baie des Chaleurs, &c. et la douceur du climat, sous cette division je classerais aussi Gaspé, où il se trouve beaucoup de bonnes terres et d'accès facile. Je considère les quatre situations ou établissemens ci-dessus comme les portions de la province qui méritent le plus d'attirer l'attention pour le présent. Il n'y a pas de doute que la formation d'un établissement dans le territoire immense du Saguenay, soit au lac St. Jean soit sur la rivière Chicoutimi, sera par la suite considérée comme un objet d'importance nationale, et il en résultera pour la province en général les plus grands avantages. Je pourrais citer nombre d'endroits avantageux pour des colons dans les seigneuries situées le long du St. Laurent et sur quelques-unes de ses rivières tributaires, surtout les rivières Nicolet et St. François, d'Yamaska, Richelieu, Chaudière, Bastiscan, Ste. Anne, &c. mais comme ces terres appartiennent à des individus, chacun adoptera les mesures qui conviendront le mieux à ses plans. A cet égard, je crois qu'il est de mon devoir de donner tous les secours en mon pouvoir aux propriétaires de terre, soit dans les seigneuries, soit dans les townships qui en auront besoin, en leur procurant des colons, et c'est ce dont j'ai déjà donné avis dans la Gazette Officielle de cette ville.

Savez-vous si les émigrés seraient disposés à rester en cette province dans le cas où la Législature leur donnerait quelque encouragement ?— La plupart des émigrés qui arrivent du Royaume-Uni à Québec n'ont aucune place particulière où ils se sont proposés d'avance d'aller se fixer. Une grande partie de ceux qui viennent d'Irlande sortent de la province d'Ulster, et leurs sentimens les disposent fortement à choisir une colonie britannique, où ils puissent jouir encore des avantages de notre constitution. Ils se font une idée du Bas et du Haut-Canada d'après le nom que porte chacune de ces provinces ; plusieurs que le terme Bas signifie une situation marécageuse, basse, insalubre, et *vice versa*, que le Haut-Canada est dans une situation élevée et montagneuse ; cependant c'est tout le contraire de la réalité ; autant en passant sur les notions qu'ont du Haut et du Bas-Canada les pauvres et crédules irlandais. Les émigrés d'Irlande et d'Ecosse sont les plus propres pour cette province, et je désire voir les émigrés généralement de toutes les parties du royaume s'amalgamer avec les naturels du pays : je ne sache pas qu'ils aient aucune disposition au contraire. On parle si fortement dans le Royaume-Uni des succès qu'ont rencontrés fréquemment les émigrés qui sont allés aux Etats-Unis, qu'il est tout naturel qu'ils aient été préjugés en faveur de ce pays, et qu'il en est de même à présent du Haut-Canada, vu les faits nombreux qui témoignent des succès rapides que des pauvres émigrés mêmes y ont rencontrés ; et l'on n'en saurait trouver une preuve plus frappante que le succès qui a suivi les efforts de 3,000 irlandais pauvres qui ont été transportés dans le Township de Cavan en 1816 et 1817 par le consul de Sa Majesté à New-

York, et qui ne reçurent d'autre secours que l'octroi de leurs terres. L'émigration au Bas-Canada n'a pas encore eu les avantages, le support et la protection qui produisent naturellement des résultats favorables. La langue française présente assurément un grand obstacle à l'étranger à sa première arrivée en cette province ; jusqu'à présent peu de nouveaux émigrés qu'il aurait été avantageux de retenir ont pu pénétrer dans l'intérieur de la province, et ceux qui le font sont des gens qui ont végété une année ou deux aux environs de Québec comme domestiques ou manœuvriers, et des personnes qui ont été employées sur les cages (radeaux), et qui sont bien loin d'avoir les dispositions nécessaires et avantageuses pour former un nouvel établissement. En réalité, les émigrés à leur arrivée à Québec se sont trouvés sans guide pour diriger leurs pas ou pour leur donner un bon conseil désintéressé, et souvent on ne leur a pas donné l'occasion de mettre pied à terre. Le vaisseau se rend à l'endroit où il dépose son lest (éloigné du côté du sud du fleuve, d'environ deux milles du Cul-de-Sac) et à peine l'ancre est jeté que plusieurs agens de bateaux-à-vapeur et de matelote prennent à bord tous les passagers ; il est inutile de faire connaître quel est leur objet. (*) On représente le Bas-Canada comme un désert, qui ne présente que la famine et la disette, etc. ; le crédule étranger ajoute foi à tout, et pendant que le dialogue continue les écoutes s'ouvrent, le bagage s'embarque, et en peu d'heures les pauvres émigrés se trouvent entassés sur le pont d'un vaisseau à vapeur en route pour Montréal, espérant qu'à son arrivée en cet endroit *tout ira bien* ; mais lorsqu'ils y sont arrivés ils se trouvent exposés à la même duperie de la part des bateliers d'Ogdensburg, des voituriers de Saint-Jean, etc. et sans avoir le temps de réfléchir et distrait par la nouveauté de la scène qui l'environne, les pauvres gens sont entraînés de poste en poste jusqu'à ce qu'il ait épuisé son petit pécule. Si la maladie, comme c'est souvent le cas, ne met pas fin à leurs embarras, et qu'ils parviennent à Ogdensburg ou à Kingaton dans un misérable bateau, se voyant au bout de leurs moyens pour avoir voulu vérifier les avis intéressés qu'ils ont reçus sur la route, ils se traînent dans les Etats vraiment découragés et désappointés par la réception qu'ils ont eue en Canada. Ce tableau n'est que trop vrai, c'est ce qui est arrivé tous les ans, et c'est ce qui arrivera toujours si l'on n'applique un remède aux abus, supportés par l'indifférence, et je puis presque dire par l'impossibilité qui existe pour les étrangers de trouver même les moyens de se fixer dans le Bas-Canada, sans commencer par perdre plus du double de temps et d'argent qu'il ne leur en faudrait pour acquérir des terres ; c'est à cela surtout qu'il faut attribuer le peu d'établissemens qui sont fait jusqu'ici en cette province par les émigrés du Royaume-Uni, et nullement à aucune objection ou prédétermination de leur part à cet égard. †) L'immigration volontaire qui se fait à Québec est bien loin d'être composée de gens pauvres ; une partie d'entre eux part dans la résolution d'aller s'établir dans les parties supérieures de la Pensylvanie et de l'Ohio, etc. comme étant la route qui coûte le moins ; le plus grand nombre sont des familles de cultivateurs industrieux et loyaux, et possédant, s'ils étaient bien appliqués, des moyens de s'établir dans le pays, mais par les causes dont je viens de parler, leurs dures épargnes s'évanouissent sans qu'ils puissent rendre aucun avantage permanent à la province, et sans qu'ils deviennent eux-mêmes de bons sujets ; c'est ainsi que faute d'arrangemens, et quelques fois, je crains, par des préjugés jaloux, des milliers de bons colons sont poussés hors des lignes pour aller enrichir et augmenter la puissance rapidement croissante de nos ambitieux voisins. Il est digne de remarquer qu'il est arrivé à Québec 29,000 émigrés dans les années 1827 et 1828, et je ne crois pas que sur tout ce nombre cent familles aient pris des terres dans la province. Je considérerais cela seul comme donnant une preuve évidente qu'il y a quelque chose de défectueux, et qu'il manque quelque mesure. Quant à encourager les émigrés avec des moyens pécuniaires, je n'en connais pas de meilleure que l'ouverture de chemins, et de faire arpenter exactement les terres destinées à l'établissement, en lots aboutissans les uns aux autres en déposant les arpentages pour l'inspection libre des émigrés et colons à leur arrivée au bureau de l'Agent résidant de sa Majesté pour la surintendance des colons dans les Canadas, aux termes et conditions auxquels le Commissaire des terres de la couronne pourra fixer ; où seraient aussi déposés tous les renseignemens nécessaires pour guider les étrangers ; une liste alphabétique des noms des colons devrait aussi y être tenue, mentionnant le lieu d'où ils sont venus et où ils sont allés, ce qui serait une chose bien avantageuse pour leurs amis et pour ceux qui voudraient les suivre, et donnerait un moyen de savoir où les trouver. L'Agent résidant à Québec devrait aussi être autorisé à mettre les colons en possession de leurs lots par la voie la plus immédiate, la plus simple, la moins coûteuse et la plus aisée possible. Il serait nécessaire d'avoir quelques hommes de confiance connaissant le pays pour servir de guides, et pour conduire, sous la direction de l'Agent résidant

(*) L'été dernier j'ai appris que les bateaux à vapeurs ont été à la rencontre d'un vaisseau jusqu'à l'Île d'Orléans, gagnant ainsi les passagers avant leur arrivée à Québec ; il ne s'agit que de s'entendre un peu avec le capitaine et bientôt la grande voile s'abat pour arrêter les progrès du vaisseau, jusqu'à ce qu'on se soit assuré des émigrés et de leur bagage ; de là est venu, outre quelques autres raisons bien fortes, l'absolue nécessité de prévenir par une loi les abus que j'ai eu l'honneur d'exposer dans une occasion précédente, en donnant mon témoignage relativement à l'Hôpital des Emigrés.

†) Les délais et désappointemens répétés qu'éprouvent les émigrés fait le sujet de leurs observations, et sans doute qu'il en est donné connaissance à leurs amis dans le Royaume-Uni, au grand préjudice de l'établissement du pays.

du département à l'arrivée d'un vaisseau chargé d'émigrés, aux établissemens auxquels il seront destinés, et à tels établissemens il serait nécessaire d'avoir un agent de location responsable, qui agirait de concert avec l'Agent résidant du bureau et sous sa direction résidant sur le lieu et dont la seule occupation serait de veiller sur le district qui serait mis sous sa surveillance, et à qui il ne serait pas permis de s'engager dans des spéculations sur les terres, et dans aucun trafic que ce soit, mais qui se bornerait à recevoir les colons et à les placer sur leurs terres; chargé de voir à ce que les terres soient régulièrement tracées, de tenir registre de toutes ses opérations, et d'en transmettre tous les mois le rapport, au bureau de l'Agent. Il faudrait pourvoir l'Agent de location d'une maison et autres bâtimens convenables, avec 25 à 30 acres de terre défrichés, avec la première semence, en y joignant les bestiaux et ustensiles d'Agriculture nécessaires. Cette terre serait une espèce de ferme nourcière, dont les colons pourraient tirer divers objets de nécessité, tels que bestiaux, semences, grains, &c. &c. Il faudrait joindre à la ferme de l'Agent d'établissement un grand bâtiment de bois pièces sur pièces, pour servir d'abri, à leur première arrivée, aux familles qui viendraient s'établir, jusqu'à ce qu'elles pussent se bâtir une petite Chaumière. La satisfaction et l'avantage qu'auraient les émigrés en trouvent un point de ralliement où ils trouveraient des avis désintéressés et de l'assistance, s'out si évidens, que je me sens forcé de solliciter la considération de votre Honorable Comité sur le sujet, par tout sentiment de devoir public. Comme le projet proposé occasionnerait des dépenses il est à propos d'éclaircir cette partie de ma réponse par une petite estimation. Comme cet arrangement demanderait naturellement plus d'assistance que le Bureau du Surintendant n'en peut rendre actuellement au public avec avantage, il soumettra cette estimation en toute déférence pour la libéralité du gouvernement de sa Majesté et du Parlement Provincial, qui y donneront telle considération que dans leur sagesse ils pourront trouver convenable, sans présumer nullement de son opinion, mais seulement pour aider à former une décision quant aux dépenses.

Disons :—Pour le département de l'Agent Résidant annuellement,

	£500 0 0
A	
Pour le salaire de l'Agent d'établissement,	150 0 0
Pour les Guides Colons,	100 0 0
Dépenses incidentes, portage, &c.	50 0 0
	£800 0 0
B	
Avances pour l'établissement.	
500 Acres destinés pour une ferme, pour abatre et défricher 25 acres,	£100 0 0
Maison de l'Agent, Grange, &c.	400 0 0
Ustensiles de ferme, bestiaux, &c.	150 0 0
Bâtiment de pièces sur pièces, pour mettre à l'abri 20 à 30 familles, avec deux poêles et un appartement pour l'Ecole,	200 0 0
Moulin à farine, avec force pour une scie,*	350 0 0
	£1200 0 0
Intérêt sur cette somme à 5 per cent,	£60 0 0
Dépenses annuelles par le compte marqué A	800 0 0
	£860 0 0

Disons £860 annuellement pour un système qui donnerait des facilités d'établissement à mille familles et plus de colons volontaires, ayant des moyens, ou 4s. chaque individu, supposant que chaque famille l'une avec l'autre soit composé du père et de la mère et de trois enfans.

La ferme publique, avec les améliorations qui devraient s'y faire, serait une ample sûreté pour l'avance qui serait faite, et surplus du produit payerait et au delà ce que souffriraient les ustensiles, &c. par l'usage, outre qu'au bout de la première ou de la seconde année, elle produirait de quoi subvenir à bien des dépenses incidentes; et je propose que chaque colon volontaire donne gratuitement la première année cinq journées de travail et trois la seconde, pour l'avantage général de l'établissement, et à préparer des lots pour de nouveaux colons, &c. &c. Pour les deux premières années, on pourrait former un dépôt de farine de blé d'inde ou d'avoine, de poisson, et de patates; aussi bien que de grains de semence, de graines de jardin &c. ce que l'on vendrait au prix courant. Les suggestions précédentes sont faites pour les émigrés et colons volontaires ayant les moyens avec telles facilités de se fixer; l'établissement de pauvres colons, soit émigrés soit de la province, occasionnerait quelque différence dans les dépenses. Mais la base de la suggestion actuelle pour les colons volontaires est de nature à les aider puissamment, et opérerait sous la même administration il en résulterait naturellement beaucoup d'épargnes, sans compter d'autres avantages de la première importance.

Les émigrés ont-ils quelque éloignement à s'établir dans le Bas-Canada? La réponse à cette question peut se déduire de celle à la seconde question; et j'ajouterai que d'après les rapports que j'ai eu avec les émigrés depuis quinze ans, et qui, je puis le dire, ont surpassé tout ce qu'en a pu avoir aucune autre personne dans l'Amérique du Nord, je ne

sache que les émigrés aient aucun éloignement, soit réel ou imaginaire, à s'établir dans le Bas-Canada.

Quels seraient, selon vous, les meilleurs moyens d'assister les pauvres colons, soit émigrés soit de la province? J'ai déjà eu l'honneur d'offrir, sur ce sujet, mon opinion au parlement impérial, de même qu'au gouvernement de sa Majesté, mais, ayant eu occasion, depuis mon arrivée en ce pays pour me charger des importans devoirs qu'il a plu au gouvernement de sa Majesté de me confier, de me mettre plus au fait des détails des mesures et de connaître plusieurs faits que j'ignorais, je puis varier un peu dans l'application, mais je ne dévierai guère du principe de mes premières suggestions. J'assure que si l'on donnait aux colons des facilités telles que j'ai eu l'honneur de suggérer dans ma troisième réponse, on poserait un fondement solide à l'établissement des pauvres colons, et l'on éviterait par conséquent une dépense considérable. Je recommanderais de mettre les établissemens des pauvres dans le voisinage des autres et peut-être serait-il mieux de les disposer au milieu d'eux: L'un assisterait beaucoup l'autre, et sans entrer dans aucune explication ultérieures, je vais entrer dans la partie financière du sujet:—

La dépense originaire pour faciliter l'établissement de mille familles et plus dans le Bas-Canada, est évaluée, d'après ma réponse à la seconde question, à £860 annuellement. Et la dépense additionnelle pour établir à chaque établissement 100 familles pauvres, serait comme suit:

Avances annuelles pour l'établissement de 100 familles pauvres:

2 Bâtimens de pièces sur pièces, avec 2 poêles, &c.	£250 0 0
Une ferme publique de 500 acres, défrichement, clôtures et culture de 10 acres de la terre attaché à la maison pour produire principalement des légumes pour les colons,	50 0 0
Pour défricher et cultiver un acre sur la terre de chaque famille pauvre, qui subsistera, avec les quatre mois d'approvisionnement, comme par le compte D,	400 0 0
Bâisse d'une maison pour le commis de location, &c.	100 0 0
Dépenses incidentes.	100 0 0
	£900 0 0

Dépenses annuelle de l'établissement des pauvres colons:

Intérêt sur £900 à 5 per cent,	£45 0 0
Guides,	50 0 0
Transport de Québec à la location,	100 0 0
Quatre jours de provisions,	6 0 0
Un commis de location et distribution des vivres, &c.	100 0 0
100 Haches, 100 pelles et 100 casseroles,	70 0 0
Médecin et médicamens,	100 0 0
Maître d'Ecole,	30 0 0
Quatre mois de provisions de farine de blé d'inde et d'avoine, poisson, patates, et melasse, 1s. par jour pour chaque famille,	600 0 0
Contingens,	150 0 0
	£1251 0 0

J'ai omis d'allouer un poêle pour les pauvres colons, dans l'idée qu'on trouve dans toutes les parties de la province les matériaux nécessaires pour faire un foyer &c. pour le feu, outre que le bois se trouve en quantité sous la main des colons. Mais l'allocation de £150 pour les contingens pourrait porter la dépense de quelques poêles communs.

Quand à l'établissement des pauvres anglais dans cette province, plusieurs des principaux membres de comité du parlement en Angleterre, et entre eux ceux qui s'intéressent le plus vivement pour le Canada, m'ont souvent parlé d'envoyer leurs pauvres forts et vigoureux, et de leurs dispositions à mettre une certaine somme à la disposition des autorités propres pour les y établir, s'ils voyaient des arrangemens satisfaisans pour leur réception à leur arrivée à Québec. On n'a jamais eu en contemplation d'envoyer des pauvres en état de travailler, à moins que les autorités provinciales n'y concourussent, et sans qu'on ne vît des fonds raisonnables destinés pour leur établissement; et je suis fermement persuadé que si Votre Honorable Comité considérait les principes que j'ai eu l'honneur d'avancer dans mes suggestions, comme promettant assez de succès pour au moins garantir la convenance de faire un essai, on peut s'attendre à toute co-opération possible de la part du gouvernement de sa Majesté et du parlement impérial; et ce serait le sujet d'une satisfaction bien vive pour les habitans du Royaume-Uni qui regardent ces belles provinces avec des sentimens d'affection et d'intérêt commun, que de voir pour une déclaration de Votre Honorable Comité, que vous n'avez la moindre objection à l'introduction de colons industriels du Royaume-Uni, et à leur amalgamation avec la population Canadienne loyale de cette province. La somme qu'il en coûte maintenant à la paroisse anglaise pour envoyer une famille pauvre aux Etats-Unis, (ce que l'on a fait sur un plan assez étendu depuis quelques années, ayant peut-être été envoyé 300 annuellement) monte à environ £30, chaque famille étant composée d'un homme, d'une femme et de trois enfans, le transport intérieur en Angleterre non compris:

Transport

* La dépense du moulin se payerait par le moulin même, ou on pourrait le donner à bail raisonnable à un colon respectable.

Appendice
(P. P.)

Transport d'un port britannique à New-York ou à Philadelphie,	£20 0 0
Argent d'hôpital et autres charges locales sur les personnes arrivant à New-York ou à Philadelphie, (*)	3 18 9
Chaque reçoit généralement en arrivant aux Etats-Unis, environ	10 0 0
Sterling,	£33 18 9

Je suis d'opinion que les paroisses payeraient d'avantage pour établir leurs pauvres dans une colonie britannique, où ils seraient assurés de la protection du gouvernement. En général les pauvres anglais réussissent peu dans les Etats-Unis ; ils y sont mal reçus, et le peu d'argent qu'ils reçoivent à leur débarquement est bientôt épuisé, et je suis fondé à dire que la plupart de ces pauvres finissent par se jeter dans le Haut-Canada, sans le sou ; de là la faîne politique et l'avantage qu'il y aurait à les faire transporter directement à Québec, car je vais montrer qu'une pareille somme, bien employée, assurerait leur succès dans les Canadas, sans parler des capitaux qui seraient apportés dans le pays. On peut remarquer ici que la marine marchande retire un grand avantage du transport des passagers à ce port. En 1827, je calcule que le frêt des émigrés à Québec n'a pas monté à moins de £30,000, somme qui surpasse de beaucoup celle qui a été payée pour le transport des marchandises importées du Royaume-Uni ; conséquemment chaque émigré qui est envoyé aux Etats-Unis est une perte réelle de £2 pour l'armateur anglais, outre que les provinces souffrent, comme je l'ai déjà dit, en ce que les américains reçoivent tout le capital qu'il peut recevoir ou obtenir en débarquant dans les Etats-Unis. Il ne fera peut-être pas inutile d'expliquer ce qu'on entend généralement par un pauvre anglais, terme que je ferai obligé d'employer avant que je puisse en trouver un moins humiliant pour désigner cette classe de colons, et qui vient sans doute de l'habitude et peut-être d'une sympathie louable de la part des autorités qui dirigent la distribution des aumônes. En Angleterre on classe ordinairement presque toute la population ouvrière du pays sous la dénomination de pauvres de la paroisse : c'est là une règle générale, qu'un ouvrier bien constitué à besoin d'une certaine somme pour vivre lui et sa famille, et lorsque son travail ne peut lui rapporter cette somme, il reçoit le déficit de la paroisse, conséquemment ces pauvres de paroisse sont les travailleurs agricoles d'Angleterre, et vu leur méthode supérieure de culture, l'introduction d'une partie d'entre eux ne manquerait pas d'être bien avantageuse à ces provinces. Je suis d'opinion qu'en général les paroisses ou autres corporations qui retireraient de l'avantage de leur éloignement, devraient subvenir aux frais nécessaires pour l'établissement de leurs pauvres. Par exemple, s'il fallait transporter, volontairement de Québec 20 pauvres familles, à qui on ne pourrait donner de l'emploi, et les établir comme je l'ai dit plus haut, il serait beaucoup plus avantageux pour les citoyens de le faire plutôt que de les supporter, comme c'est maintenant le cas, par des contributions casuelles et temporaires, sans compter nombre d'autres avantages qui en résulteraient. En Hollande, l'état a supprimé la mendicité, et les changements les plus heureux se sont opérés dans un pays qui il y a quelques années était surchargé de pauvres ; et le système qu'on a adopté, est celui d'établir sur des terres les ouvriers pauvres ; ainsi donc si l'on a réussi dans un vieux pays où l'on trouve difficilement des terres et où elles sont chères, avec combien plus de facilités peut-on adopter un semblable système dans le Canada, et s'il était une fois commencé et mis en opération, combien d'avantages importants en résulteraient-ils pas. Les avances à faire ne sont rien comparées aux résultats avantageux qui en seraient l'effet pour la province ; toutes les classes de la société retireraient par la suite de grands avantages de la mesure, car au bout de la première ou de la seconde année, les nouveaux colons contribueraient grandement au commerce et aux revenus du pays. Ainsi en recapitulant, il paraîtra qu'avec une dépense annuelle de £860 on peut faire des arrangements qui suffiront pour faciliter l'établissement d'au moins mille familles ayant des moyens, et qu'avec l'avance de £1251 on peut faire avec la plus grande apparence de succès l'établissement additionnel de cent pauvres familles. Il ne faut pas perdre de vue que si l'on adopte un système général pour l'établissement des pauvres de paroisse anglais, outre celui d'émigrés volontaires avec des moyens, la mesure demandera naturellement des détails plus étendus pour le Haut et le Bas-Canada, ce qu'il faudra laisser à la dif-

crétion du gouvernement lorsqu'il fera question d'en venir à l'arrangement des détails. Quelque plan qu'il puisse à la Législature d'adopter pour favoriser ces mesures importantes, votre Comité peut compter sur mes humbles efforts, considérant que je ne suis pas moins préparé à veiller au bien public qu'à celui des colons, et persuadé que je suis que je ne puis mieux mériter de mon roi et de mon pays qu'en faisant tout en moi pour avancer les intérêts de pauvres émigrés et colons industrieux, lié qu'est cet objet à la prospérité générale de la mère-patrie et de ces belles provinces.

Quelles sont les conditions auxquelles les colons reçoivent leur octroi de terre ?... J'apprends que depuis la nomination d'un commissaire chargé de la surintendance des terres de la couronne, il n'en a été concédé que sous l'autorité spéciale du gouvernement : les terres se vendent par encan par vente périodique, le prix est fixé par le commissaire et approuvé par le gouverneur. Des personnes qui ne sont que depuis six mois dans le pays peuvent acheter aucun lot qu'elles trouvent vacant, pourvu que telle terre ait été évaluée par le commissaire, et le prix par acre approuvé par le gouverneur.

Mercredi, 18 Février 1829.

William Sax, Ecuyer, est appelé et interrogé :

W. Sax,
écuyer.

Connaissez-vous les Townships de l'Est, et en avez-vous fait l'arpentage ?—Je les connais, et j'ai fait des arpentages dans les dits townships.

La terre est-elle dans ces townships de bonne qualité et propre à la culture ; et pourrait-on y former facilement des établissements ?—Oui, la terre y est généralement bonne, il s'y trouve quelques endroits montagneux, quelques endroits marécageux, mais la plus grande partie est de bonne terre ; le sol est riche et fertile et le climat y est assez favorable.

Pouvez-vous donner un plan des dits arpentages ?—Oui, j'en produis un qui renferme tous les townships de l'Est, sur une petite échelle.

Quelle est l'étendue des Townships de l'Est ?—Dans l'intérieur les townships sont ordinairement de 10 milles carrés chacun ; ceux qui sont sur les bords des rivières et des lacs ont en général 9 milles de front sur 12 milles de profondeur. Tous ces townships réunis contiennent environ 5,500,000 acres.

Pourriez-vous montrer les chemins qu'il serait expédient de faire, pour donner aux gens des townships accès à Québec et à Montréal ; et aussi pour procurer des terres à la population surabondante ?—A mon avis, le premier chemin qu'il serait expédient d'ouvrir est celui de Shipton à Québec, dont 19 $\frac{1}{2}$ milles, c'est-à-dire, la distance qu'il y a depuis le lac Saint-François jusqu'à un peu au-delà de la ligne de Shipton, dans Tingwick, sont déjà ouverts : à partir de ce point il y a environ 28 milles de l'ancien chemin Craig qui sont dans un très mauvais état, jusqu'à la ligne de séparation entre les districts de Québec et des Trois-Rivières. Depuis le point mentionné en dernier lieu à aller jusqu'à Saint-Giles, le chemin a déjà été ouvert par les commissaires, mais il reste encore à y faire quelques améliorations pour le rendre passable pour les voitures à roues entre Shipton et Saint-Nicolas. Un autre chemin qu'il me paraîtrait nécessaire d'ouvrir dans la direction de Montréal, serait un chemin qui partirait de la rivière Saint-François dans le township de Melborne et qui irait jusqu'à la montagne d'Yamaska, distance d'environ 42 milles. Un autre chemin à partir de l'extrémité septentrionale du lac Memphramagog à la sortie du dit lac, et qui rencontrerait le chemin mentionné en dernier lieu au sud de la montagne d'Yamaska, distance d'environ 42 milles. Un autre commençant dans le township d'Hatley près de la sortie du lac Tomafobi, et se terminant à la sortie du lac Memphramagog, au point où commencerait le chemin mentionné en dernier lieu, distance d'environ 11 à 12 milles. Un autre chemin commençant dans les townships d'Eaton et de Clifton, courant au nord et traversant les townships de Westbury, Dudswell, Weedon et Wolfeston, jusqu'à la pointe d'intersection de l'ancien chemin Craig et la ligne de séparation des districts de Québec et des Trois-Rivières, distance d'environ 50 à 60 milles ; ce chemin est ordinairement appelé le chemin de Dudswell. Un autre commençant à l'extrémité inférieure du lac Mégantic et courant à travers les townships de Gayhurst, Shenley et partie de Tring, et se terminant là, distance d'environ 40 milles.

(*) Dans les Etats-Unis chaque personne venant d'un pays étranger est obligée de payer un dollar, argent d'hôpital, outre cela dans plusieurs ports, comme New-York et Philadelphie, les autorités publiques de New-York exigent d'autres charges ; il faut donner caution que l'Etat ne sera pas chargé des personnes qui arrivent, cautionnement qu'on peut racheter en payant 2 $\frac{1}{2}$ dollars pour chaque personne. A Philadelphie outre le dollar d'hôpital, on en exige 2 $\frac{1}{2}$ pour le fond des pauvres, en tout 3 $\frac{1}{2}$ dollars.

milles. Ce chemin, à ce qu'il me paraît, offre de grandes facilités pour l'ouverture de nouveaux établissemens : il pourrait être continué à travers Broughton et Leeds, jusqu'à ce qu'il tombât dans le chemin Craig, distance d'environ 20 milles. Il me paraît aussi nécessaire d'ouvrir un autre chemin à partir de l'embouchure de la Rivière du Loup, à son confluent dans la Rivière Chaudière, à aller jusqu'en arrière des terres qui divisent cette Province d'avec l'Etat de Maine; distance d'environ 26 à 27 milles : c'est ce qu'on appelle ordinairement le chemin de Kennebec. Et (dans la vue de former des établissemens au nord-est de la Rivière Chaudière) un chemin à partir de la dite rivière dans la Seigneurie Saint-Joseph et aboutissant au lac Etchemin, distance d'environ 17 à 18 milles. Un autre commençant à la Rivière Etchemin, courant vers le sud-est, et aboutissant au lac Etchemin, distance d'environ 15 milles. Il serait à propos d'ouvrir un autre chemin (dans la vue de former de nouveaux établissemens) commençant dans le Township de Tring, aux chemins déjà mentionnés, et courant vers le sud-ouest jusqu'à ce qu'il rencontrât le chemin de Dudswell ci-devant mentionné, vers le lac Nicolet, distance d'environ 30 milles plus ou moins, partie à travers le township de Tring et ceux de Coleraine et Garthby, et une petite partie de Weedon.

SAMEDI, 21 Février 1829.

L'Honorable *William Bowman Felton*, ayant été appelé, donna au Comité les renseignements suivans :

Honorable
*William
Bowman Felton*,

A l'égard des Chemins conduisant des Townships au fleuve St. Laurent, je remarquerai en peu de mots, que dans l'état actuel des Townships il n'y a aucun Chemin qui soit d'une importance égale aux Chemins menant directement au St. Laurent. Il pourra être utile par la suite d'ouvrir des Chemins qui traverseront le pays, mais à présent le Public ne peut réserver assez d'argent pour rendre les Communications directes praticables.

Le Chemin direct entre Hatley et Montréal, traversant la sortie du Lac Memphramagog est utile à Stanstead, à Hatley, à Barnston, et jusqu'à un certain point à quelques autres Townships situés au Sud et à l'Est de Hatley; et la partie de ce Chemin qui commence à la sortie peut être considérée comme utile à tous les Townships au dessus de Shipton et de la Rivière St. François; mais le Chemin de Montréal devrait mener à Sherbrooke, autrement il n'y a aucune voie de communication entre le District de St. François et Montréal, sans faire un détour au Sud en passant par Stanstead, ou en suivant le cours de la Rivière jusqu'à Sorel.

On ne devrait pas demander à la Province de faire d'autres Chemins que ceux qui sont nécessaires pour ouvrir la communication entre le gros corps des Townships et le fleuve St. Laurent; et de ces Chemins autant seulement que les Habitans sont hors d'état de faire ou d'entretenir. On devrait s'en tenir strictement là, et l'on trouvera que même avec cette restriction, il en coûtera pour faire un seul Chemin praticable à partir du Saint Laurent à aller à un point donné dans les Townships, beaucoup plus que les gens qui demandent de l'aide pour des Chemins ne veulent l'avouer. Une grande partie du pays situé en arrière des Seigneuries, et où il faut passer pour arriver aux Townships, est de nature à faire désespérer de recevoir aucune assistance de la part des Habitans, parce que le sol est si humide et d'une qualité si inférieure, que des Colons n'y sauraient vivre sans commencer par y verser des Capitaux considérables, et y avoir long temps travaillé à l'égoutter et à l'exposer à l'action du soleil et du vent.

Si l'on considère comme une chose désirable d'ouvrir les Townships à la population canadienne, il faut que le Public se charge de faire un Chemin à travers l'étendue de terrain marécageux qui se trouve entre les Seigneuries et les Townships; si l'on néglige ou retarde cette mesure, les Townships vont se remplir de gens qui viendront du côté opposé de la Province, où les Chemins sont en grand nombre et praticables.

La communication la plus importante pour les Townships est celle qui suit les bords de la Rivière St. François; il est tout-à-fait indifférent pour les Habitans du District de St. François de quel côté de la rivière soit fait le chemin, pourvu qu'il y ait un bon chemin, c'est-à-dire un Chemin praticable pour les voitures à roues. C'est l'opinion générale de tous les gens désintéressés que le rivage occidental de la Rivière St. François présente le meilleur fond et la route la plus courte à partir du centre des Townships à aller au St. Laurent, et c'est la route la plus commode pour la population canadienne qui habitent les Seigneuries densément peuplées

de La Baie, de St. François, &c. Le Chemin du côté occidental devrait être achevé à partir de la ligne méridionale de Brompton à travers Melbourne et Durham à aller jusqu'à Drummondville; et il faudrait achever un Chemin depuis ce dernier endroit jusqu'à Sorel, et un autre jusqu'aux Trois-Rivières. L'argent qui sera dépensé sur ces Chemins procurera un bien immédiat aux Townships et à toute la Province en général; et ce qu'on y appliquera rendra utiles les sommes qu'on y a déjà dépensées. Il est inutile de promettre que ces communications pourront se faire pour une petite somme d'argent; il faudra au moins £35 par mille dans toute la distance entre la Baie et Drummondville, et entre De Guire et Brompton pour faire un grand Chemin utile et praticable. Mais il ne fera ni utile ni expédient de dépenser toute la somme dans une seule Saison; il sera plus utile d'en dépenser une partie annuellement, la moitié ou un tiers, jusqu'à la parfaite confection du Chemin.

Une autre branche du Chemin de St. François qui devrait être achevée pour en retirer quelque avantage de ce qu'il y a déjà été dépensé de l'argent public, est celle qui court de St. Grégoire à Shipton. Ce Chemin demande aussi une forte somme d'argent pour le rendre praticable pour les voitures.

On peut obtenir les détails des distances de ces deux routes des témoins qui sont devant le Comité des Chemins; mais il suffira, pour avoir des données pour calculer les dépenses, de dire que depuis De Guire, en passant par Drummondville, jusqu'à la ligne méridionale de Brompton, la distance peut être de 59 milles; de la Baie à Drummondville, 15 milles; de St. Grégoire à Shipton, 39 milles, de Chemin qui demande des avances: la distance absolue entre ces points étant quelque chose de plus.

L'Estimation serait comme suit :—

Chemin le long du Rivage occidental de la Rivière St. François, depuis De Guire jusqu'à la ligne méridionale de Brompton, 59 milles, à £35 par mille,	£2065 0 0
Branche orientale du dit Chemin, conduisant aux Trois-Rivières, savoir : de La Baie à Drummondville, 15 milles, à £35 par mille,	525 0 0
Chemin de St. Grégoire à Shipton, conduisant aux Trois-Rivières, 39 milles, à £35 par mille,	1365 0 0
	<hr/>
	£3955 0 0

Pour conclure, il faut répéter que jusqu'à ce qu'il soit ouvert et complété un bon chemin sûr et praticable, de manière à joindre les townships au reste de la province, c'est dissiper les ressources publiques que de dépenser de l'argent sur des chemins de traverse éloignés, qui ne peuvent être utiles qu'à des individus ou à des établissemens partiels. Il est également nécessaire de remarquer, qu'espérer faire un bon chemin à travers un pays impraticable pour une petite somme, c'est se faire illusion, et se préparer un désappointement certain.

Lundi 29 février 1829.

Joseph Rémi Vallières de Saint-Réal, écuyer, membre de votre honorable chambre, ayant été appelé, a informé votre comité :—

*Joseph Rémi
Vallières de
Saint-Réal,
écuyer.*

Qu'il connaît le chemin qui conduit de la paroisse de Saint-Grégoire au township de Kingsey; que ce chemin est ouvert depuis la paroisse de Saint-Grégoire, jusqu'à la Longue Pointe dans le township de Kingsey, mais qu'il est mal entretenu, et les pluies qui sont tombées l'été dernier l'ont considérablement endommagé; que les lots qui sont sur ce chemin étant presque tous en bois de bout, il tombe journellement sur le chemin des arbres, qui l'obstruent et en rendent le passage difficile. Que pour rendre ce chemin aussi utile qu'il pourrait l'être, il serait nécessaire de l'ouvrir jusqu'à Shipton, et d'adopter des moyens de le faire entretenir en bon état: Que £1000 suffiraient assurément pour le mettre en bon état depuis Saint-Grégoire jusqu'à Shipton; et que le plus sûr moyen pour le faire tenir en état de réparation, serait de concéder les terres à travers lesquelles il passe, à condition que les concessionnaires les maintinsent en bon état. Que ce chemin est d'une grande importance; il deviendrait la forte de plusieurs townships peuplés et fertiles, et d'une vaste étendue de pays maintenant inhabitée, mais ayant un sol qui invite à la culture, et qui promet de devenir sous peu une section très intéressante de cette

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cette province. Que la longueur de chemin à ouvrir pour pousser ce chemin jusqu'au township de Shipton, est de 4 lieues ou environ, traversant diagonalement le township de Kingsley depuis la branche sud-ouest de la Rivière Nicolet, jusqu'à deux milles de l'angle sud-ouest du dit township, et au nord-ouest de celui de Shipton, sur la Rivière Saint-François.

Jeudi, 5 Mars 1829.

John Murray. Mr. John Murray, du Cap Rouge, a été appelée et interrogé :

Etes vous natif d'Ecosse ?—Oui ; je suis né en *Aberdeenshire*, mais j'ai passé la plus grande partie de ma vie en *Ayrshire*.

A qu'elle époque êtes vous venu en ce pays ?—Je suis arrivée dans ce pays le 3 Octobre 1820.

Quels sont les inconvénients auxquels se trouvent assujétis les émigrés, quels sont les avantages et les désavantages de la situation de l'émigré, comparés à la situation où il se trouvoit en Europe ; d'après votre expérience quel seroit le mode le plus préférable pour surmonter les désavantages aux quels il est exposé ?—D'après ma propre expérience, je conçois que les plus grands inconvénients que rencontrent les émigrés qui desirerent s'établir sur des terres nouvelles, est le manque général de chemins de communication pour conduire aux nouveaux établissemens où il desirerent s'établir. D'après ma propre expérience, en outre des désavantages ci-dessus mentionnés, l'émigré en a d'autres à rencontrer, provenant principalement de ses moyens pécuniaires ; mais la condition de l'émigré dans ce pays comparée à celle où il se trouve en Europe, est assurément meilleure, et principalement rapport à ceux d'une classe supérieure, qui, après avoir surmonté tous les obstacles en général, réussissent les mieux. Le meilleur mode que puisse adopter un émigré afin de surmonter ces obstacles, est par le moyen d'une industrie persévérante, avec un mélange convenable de la pratique de son propre pays avec celui du Pays qu'il a adopté. Je considère ce mode préférable à celui où l'adoption soit le système Européen ou Canadien exclusivement.

Quels sont les points où le système de culture pratiqué en *Ayrshire* diffère de celui, qui d'après votre expérience, réussit le mieux en Canada ?—La différence qui j'y trouve, vient principalement de la différence du climat et des saisons. Un cultivateur venant en Canada et que conduiroit les travaux entièrement d'après la coutume du Pays où il a été élevé, seroit presque assuré de se ruiner. Vu que la saison est courte ici, son grain doit être mis en terre d'une manière bien plus expéditive que dans la Grande-Bretagne, n'importe quelque soit la dépense. Et pendant la récolte il faut pareillement qu'il change de système ; car il ne faut pas qu'il laisse venir son bled de même que là à aussi grande maturité, avant de la couper ; autrement les pluies et les coups de soleil, qui se succèdent, sont cause que le grain tombe souvent de l'épi, et conséquemment il lui arrive du dommage. De même, dans la Grande Bretagne, le cultivateur est dans l'habitude de lier son grain en gerbes aussitôt après l'avoir coupé, mais cela ne convient pas dans ce Pays, car dans ce Pays c'est le soleil qui produit le plus grande assèchement, tandis qu'en Angleterre ce sont les vents qui procurent ce résultat. Je suis donc d'avis que la coutume qui est adoptée dans ce Pays est la plus préférable ; quant aux patates, je ne trouve aucune différence, excepté quant à celle du climat dont je viens de parler ; et il faut les planter et les arracher avec plus d'expédition. Quant aux navets, le système varie beaucoup. Dans la Grande Bretagne nous pouvons semer en toute sûreté, à plusieurs reprises dans le mois de Juin, mais dans ce pays nous ne pouvons semer difficilement en tout tems, excepté entre le premier et le quinze de Juillet. Je parle en général d'après ma propre expérience. Le système que l'on suit ici rapport au foin est à peu de chose près le même que dans la Grande Bretagne, avec cette exception, qu'en général je trouve qu'il est plus préférable de ne pas tant étendre le foin, car s'il est trop étendu au soleil, le foin est sujet à jaunir et devient brûlé.

Quels moyens possède un Emigré pour former un capital qui puisse le mettre en état de travailler sur sa propre terre, en supposant qu'il en ait une ?—Le plan général que j'ai vu suivre par des individus qui étoient à 30 ou 40 milles de Québec, afin de former le capital nécessaire, a été : de s'engager pendant l'Été à travailler à toutes espèces d'ouvrages qu'ils pouvaient trouver, soit dans Québec ou ses environs, et avec leurs épargnes de l'Été de se rendre sur leurs terres vers l'automne ; de s'y bâtir une habitation temporaire ; et d'y passer l'hiver, de s'occuper à y abattre quelques acres de bois pendant l'hiver, et de le faire brûler au printemps,

de s'y planter, force patates, un peu d'avoine et de pois, de revenir à Québec, et de travailler jusqu'au tems de la récolte ; alors de retourner comme auparavant et d'employer l'hiver à travailler, et d'y vivre sur le produit de leur ferme de l'été précédent. Ils peuvent faire ceci pendant trois ou quatre années, ou autant que cela est nécessaire. C'est en agissant de cette manière, qui je connois plusieurs familles qui sont maintenant à leur aise et qui vivent commodément, et qui ont commencé avec peut être moins de quatre piastres pour toute fortune ; ceci regarde ceux qui sont à 30 ou 40 milles de Québec. Je ne puis parler avec certitude de ceux qui sont en général plus éloignés. Ces faits se sont passés sous mes yeux. L'établissement dont je veux parler, est Faussembault, où j'ai résidé pendant deux ans et demie lors du commencement de cet établissement. Il n'y avoit pas de chemins, et l'endroit le plus voisin d'où il falloit porter des provisions étoit à la distance de trois milles.

Ne seroit ce pas un moyen de faciliter les établissemens, si les émigrés qui n'ont que peu de moyens ne faisoient que couper le petit bois, et écorcer les gros arbres, ou d'abattre, de couper débiter et de brûler le bois, sans arracher les fouches ?—Quant au première mode il pourroit être adopté par ceux qui n'ont pas d'autres moyens, et là où les arbres sont gros et clairs ; mais néanmoins je pense que la meilleure méthode est de nettoyer la terre, lorsque la chose est possible. Quant au deuxième mode, j'en dirais autant.

Comment vous y prenez-vous par rapport aux fouches ?—Je n'ai jamais vu d'autre moyen d'arracher les fouches, que de couper d'abord les petites racines, et de laisser pourrir les fouches. Il m'a été suggéré par un nommé George Tomlinson, un mineur au Cap Rouge, qu'il se faisoit fort de me montrer un appareil au moyen duquel on pourroit arracher des fouches avec beaucoup de facilité ; tout l'appareil devant consister principalement dans une chaîne avec des leviers ; mais qu'il n'avoit pas les moyens suffisants de se pourvoir d'une chaîne, car autrement il en auroit fait l'essai sur ma terre.

Pensez vous qu'un Emigré au quel on accorderoit des terres pourroit y effectuer un établissement sans une aide publique ?—Je pense qu'un Emigré ne pourroit pas faire un établissement sans adopter les moyens que je viens d'indiquer. Ici le grand besoin est d'avoir un capital, et lorsqu'un individu se trouve bien dans sa patrie, il ne songe jamais à venir ici ; comme de raison la grande masse des émigrés qui viennent ici n'ont point de capitaux, et sont obligés de rencontrer toutes les difficultés qui sont ci dessus détaillées, ainsi que beaucoup d'autres, et lorsqu'il a réussi à avoir une terre ouverte, il est entravé dans les efforts qu'il fait afin d'améliorer sa terre.

Quelles sont les dépenses du passage pour les émigrés qui viennent dans ce pays ?—J'estime le prix du passage pour venir de l'Ecosse dans ce pays, à environ six louis par tête, en comptant deux personnes audessous de quatorze ans, comme une passager.

Quelles provisions prendriez-vous pour le passage ? Je ne suis pas prêt à répondre à cette demande. Quant à la quantité, si je traversais l'Atlantique moi-même, je crois que je me munirais des provisions suivantes :—Vingt-huit livres de farine d'avoine, deux minots de patates, six livres de beurre, quatorze livres de bœuf, une livre de thé, dix livres de sucre, un demi-gallon de mélasse et un gallon d'esprit de rum, et quelques autres bagatelles qui ne me reviennent pas à la mémoire. Lorsque je suis arrivé à Québec, j'avais avec moi ma femme, et cinq enfans depuis l'âge de deux ans à quatorze ans. J'ai été employé à des occupations agricoles jusqu'à l'âge de vingt-trois ans, alors j'entrais dans une filature et fabrique de coton, ou j'ai continué jusqu'à ce que j'ai quitté l'Ecosse pour ce pays. A mon arrivée ici je desirais avoir un emploi comme assistant dans une maison de commerce, mais n'ayant pu y réussir je dirigeai mon attention vers l'agriculture, et j'allai m'établir à Faussembault, à environ six lieues de Québec. J'obtins un lot de M. D'Estimauville aux conditions suivantes : Je devois nettoyer quatre arpens de la manière ordinaire, pour lesquels je devois recevoir dix piastres par arpent, et d'ensemencer la terre ainsi faite pendant trois années consécutives, dont le produit devoit être à mon profit. Je construisit une petite maison, pour laquelle je reçut quarante piastres au moment de mon départ.

Lorsque vous avez commencé à travailler dans le bois, pouviez-vous travailler pour vos voisins à temps perdu ; quelles gages aviez-vous et comment vous étoient-elles payées ?—J'ai beaucoup travaillé à faire de la terre neuve pour les autres, et j'ai reçu pour cela dix piastres par arpent ; cette terre neuve étoit pour les Messieurs en ville qui avoient des terres dans cet endroit. Je puis avoir fait environ vingt arpens de terre neuve. Lorsque je ne nettoyai pas la terre au complet, je ne recevais que six piastres par arpent.

Ces

Ces argens avec le produit de ma terre m'ont fait subsister avec ma famille pendant tout le temps. Il m'est arrivé quelque malheur, ma maison fut incendiée. Comme j'avais été dans l'habitude de vivre plus en société, je désirais obtenir une terre toute faite : voyant une annonce que M. White avait besoin d'un fermier, je m'arrangeai avec lui, à raison de trente louis par année, en par lui soutenant ma famille. M. White vint à décéder la première année de mon temps de service, et je continuai une deuxième année avec les syndic, recevant un meilleur salaire, qui s'élevait à cinquante louis, et ma famille nourrie en partie. La troisième année je pris la ferme à Bail avec tout le bétail, à raison de cent vingt louis par année. Sur la ferme de M. White il y a environ quatre vingt arpens de terre entièrement faite, et environ trente ou quarante qui ne sont pas parachevés. J'ai pris la ferme des Jésuites à Beauport, pour vingt-neuf années, mais toute nue, et à la charge d'entretenir les bâties à mes dépens. J'ai cette ferme depuis le premier de mai dernier.

Lorsque vous-avez commencé à travailler dans la forêt, aviez-vous quelqu'un pour vous aider, et s'il en est ainsi, combien leur donniez-vous par jour, à part de leur nourriture?—Je n'ai eu personne avec moi.

Combien trouvez-vous qu'il faut de jours de travail pour abattre et nettoyer un arpent de terre?—Je ne puis pas dire combien il faut de journée de travail pour préparer un arpent de terre prêt à herfer.

Connaissez-vous quelque émigré pauvre proche de votre demeure, qui a pris une terre en bois de bout, sans posséder aucun capital; et détailler de quelle manière il s'est mis à l'œuvre, d'après ce que vous en connaissez?—J'en connais plusieurs, dont j'ai fait le récit ci-dessus.

Si quelque émigré pauvre obtenait des terres à deux milles de votre demeure, pourriez-vous lui donner de l'ouvrage à temps perdu, entre l'époque où il fait ses semences et celui de la récolte, et quelles gages seriez-vous en état de lui donner, à part de sa pension?—J'ai employé des hommes, et je leur ai ordinairement donné deux chelins par jour, avec leur nourriture, ou deux chelins et dix-huit sols par jour sans nourriture, pendant la récolte : c'était des hommes fiables et capables, mais je n'ai pas l'habitude d'en employer généralement, parce que j'ai des hommes à l'année. Je paye à un homme qui fait bien labourer vingt louis par année, et je lui donne son coucher, sa pension, son logement et son lavage. Je paye à un homme pour faire tous les travaux en général de la ferme six piastres par mois, pendant toute l'année; et pour une bonne servante, trois piastres par mois.

Samedi, 7 mars 1829.

M. Ferdinand
Murphy.

M. Ferdinand Murphy, de Valcartier, ayant comparu, a dit : Je suis d'une province dans le sud de l'Irlande. J'arrivai dans ce pays, en octobre 1821, accompagné de ma sœur. La disette des temps, les fortes rentes des terres, les bas prix des produits qui causaient ma ruine, le mécontentement des esprits dans les différentes parties du pays, et les rapports favorables qui me furent faits du Canada, m'engagèrent avec ma sœur de venir tenter fortune dans cette partie éloignée de l'hémisphère. À notre arrivée ici, nous possédions à nous deux vingt et un chelins. Je restai en ville pendant quinze jours, sans gagner un sol : J'allai alors à Valcartier, tout-à-fait dans le bois, à trois milles du premier établissement. J'avais fait l'entreprise de couper et d'abattre le bois sur cinq arpens de terre, à raison de trois louis par arpent. On m'avança des provisions, des vêtements et d'autres articles dont j'avais besoin, qui s'élevaient en tout à la moitié de la somme de l'entreprise. Je finis mon entreprise avant le printemps, et nettoyai la terre après que la neige eut disparu de dessus la terre, et je reçut la somme entière de quinze louis. Je subsistai entièrement sur cela pendant l'hiver, et il me revenait une balance au printemps. À mon arrivée dans le bois, je me bâtis une cabanne de pièces sur pièces d'environ 12 ou 14 pieds en carré, assez haute pour qu'un homme pût s'y tenir debout, avec une ouverture pour la fumée; le plancher était de pièces fendues aplaniées, et je ménageai un endroit pour y placer le foyer. Comme il n'y avait pas de chemin, dans cette distance de trois milles, j'étais obligé de porter mes provisions sur mon dos, quelques fois dans la neige par dessus la tête. Mes provisions se composaient principalement de biscuit, patates et lard, et quelques fois je me procurais du thé et du sucre. Arrivé au printemps, aussitôt la terre découverte, je semai environ 22 minots de patates, qui me donnèrent dans l'automne, vingt-trois minots pour chaque minot de semence; c'est une des meilleures récoltes que j'ai jamais eu. N'ayant point de famille à soutenir, pendant que mes patates étaient en terre, j'allai dans différentes parties du pays passer le temps parmi mes amis pendant environ deux mois; Je ne faisais aucune dépense parmi eux. Dans l'automne je revins faire ma récolte, et dans l'hiver je fis une entreprise de

£100 à Saint-Giles que j'accomplis avec trois hommes. Je ne fis pas grand profit, car il ne me resta que £8 quitte et net. Au printemps je revins à Québec, et j'obtins des religieuses de l'Hôtel-Dieu, un lot de 262 arpens de terre dans le fief Saint-Ignace sur la Rivière Jacques-Cartier : Je m'y rendis sur la fin de l'hiver suivant, j'y fis un abattis d'environ cinq arpens, que je nettoyai au printemps, et je semai 80 minots de patates, qui me rapportèrent plus de 600 minots. J'y avais aussi semé environ un minot d'avoine, qui fut en partie mangé par les écureuils, ce qui conséquemment me donna peu de chose. J'ai pris il y a deux ans, une autre terre dépendante des biens des Jésuites, qui a 90 arpens. J'ai à présent environ 56 arpens de terre que j'ai faite avec l'aide de journaliers que j'employais, lorsque j'avais de quoi les payer. Ma récolte cette année est la plus mauvaise que j'ai eu, rapport au printemps qui a été pluvieux et qui a gâté ma grange. J'ai semé 52 minots de patates, et je n'en ai récolté que 552. J'ai semé 11 minots d'avoine, et j'espère recueillir 100 minots. J'espère aussi avoir 1000 boîtes de foin. En 1827 ma récolte était de 946 minots de patates, le produit de 47 minots : 100 minots d'avoine, le produit d'environ 10 minots, et 600 ou 700 boîtes de foin. Depuis que j'ai commencé, j'ai eu des gens à gages comme suit : Deux hommes pour un mois à six piastres, et nourris pendant l'année dernière. Dans l'année précédente j'ai eu un homme et sa femme pendant un mois, l'homme à quatre piastres, et sa femme à deux piastres. Avant cela, je n'avais pas les moyens de payer des engagés. Je me plais tout-à-fait bien dans ce pays. J'aime l'Irlande, mais je n'irai jamais pour y demeurer, parce que le peuple n'y est pas unanime. Avec ce que j'ai gagné sur ma ferme, j'ai acheté des meubles, et des animaux; 7 bêtes à cornes et un cheval, et j'espère être en état au printemps prochain d'acheter encore deux bêtes à cornes, et d'ajouter quelque autre chose à mes petits besoins. La plus grande difficulté qu'un émigré rencontre, sont les provisions pour le premier hiver, des vêtements convenables, une bonne hache, et une meule à aiguiser pour l'usage de quelques individus, afin de conserver la hache en bon état, et des chemins lorsqu'ils ont quelque chose à apporter au marché; quant aux provisions pour lui-même, un homme peut les porter sur son dos; mais lorsqu'il y a quelque chose à transporter, le manque d'un chemin est une grande souffrance.

Quel serait l'effet d'un prêt que le gouvernement ferait à des nouveaux émigrés pauvres, afin de les mettre en état de surmonter les difficultés de la première année? S'il y avait un établissement de pas moins de 8 ou 10 familles sur de bonnes terres, qui seroient dans la ferme disposition de rembourser l'emprunt, avec des habitudes industrielles, et qui auraient soin de leur santé, un prêt pourrait leur être utile, si le montant n'en était pas trop considérable, et qu'ils pussent le rembourser. Des individus peu réfléchis empruntent de l'argent, dans l'espérance de le rembourser ponctuellement, mais lorsque le temps est expiré, ils se trouvent hors d'état de le rendre.

À votre avis quel est le mode le plus avantageux et le plus économique en fait de nourriture pour un nouvel émigré en cette province? Pourvu que les patates ne soient pas trop éloignées, car c'est un objet qui pèse beaucoup, et que l'on puisse les avoir à bon marché, c'est une bonne nourriture. Bien des personnes parlent de patates et de poisson salé comme un moyen économique pour nourrir un homme de travail : Je puis dire avec confiance, d'après ma propre expérience, que la nourriture la plus économique pour un homme de travail sont les patates, du lard et de la soupe aux pois; on se sert principalement du lard pour donner un gout de viande à la soupe, à part de cela cette nourriture est plus solide que les patates et le poisson. Mais, néanmoins, je ne crois pas qu'un homme puisse vivre longtemps même sur cela seulement; il faut qu'il ait du thé ou du gruau; cela revient à meilleur compte, et procure un changement. Le lait serait meilleur, mais l'émigré ne se trouvait pas encore assez en moyens pour acheter ou nourrir une vache.

Combien faut-il de temps à un Irlandais d'une constitution robuste pour apprendre à manier la hache?—Depuis trois à six mois. Il en est de cela parmi nous, comme il en est des métiers; tel individu est plus susceptible d'apprendre en moins de temps qu'un autre. Je buchais aussi bien au bout de trois mois, que je le fais à présent, et je ne craindrais pas de bucher avec aucun américain qui vient au monde, pour ainsi dire, la hache à la main.

Jean-Baptiste Noreau, de Valcartier, ayant été appelé, a dit :—

Je suis établi à Valcartier, il y aura cinq ans cet automne. Je suis établi dans la cinquième concession. J'ai quarante arpens de terre faite une maison, grange, deux chevaux, une vache et trente poules. Je n'avais ni argent, ni meubles lorsque je me suis établi sur ma terre. Je gagnais ma vie en vendant du bois pour faire des roues et du bardeau; et en changeant de chevaux et en trafiquant. Si j'avais les moyens d'ensemencer ma terre le printemps prochain, je serais à mon aise pour le reste de ma vie. J'ai toujours semé depuis la première année que j'ai pris ma terre. Un bon homme peut gagner deux chelins par jour en été et trente sous en hiver. J'ai eu des journaliers qui travaillaient pour leur nourriture.

J. B. Noreau.

Charles Savard, de Valcartier, ayant été appelé, a dit :—

J'ai été trois ans à Valcartier. Je suis établi sur un lot près de la rivière. J'ai sept ou huit arpens de terre faite, une petite maison et une grange.

Chs. Savard.

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grange. Je n'avais ni argent ni meubles lorsque je me suis établi sur ce lot avec ma femme. Je gagnais ma vie comme je pouvais, bien misérablement. Je travaillais pour tous ceux qui voulaient m'employer, et je semais ma terre. Les gages d'un journalier à Valcartier, sont de deux chelins à deux chelins et demi par jour.

Wm. Brown, William Brown, de Valcartier, cultivateur, a comparu et a été interrogé :—

Quels sont les inconvénient auxquels les émigrés se trouvent assujettis dans ce pays ? quels sont les avantages et les désavantages de la condition de l'émigré, comparés avec la situation où il se trouvent en Europe ? quel est, suivant vous, le meilleur mode à adopter pour surmonter les désavantages auxquels ils se trouvent exposé ?—Le plus grand inconvénient auquel un émigré est assujetti, est le manque général de chemins ; avec de bons chemins l'émigré se trouverait plus à l'aise. Quant à moi, je crois que je suis au-si bien que je le serais dans mon lieu natal. La persévérance est le grand objet, et il n'y a que par ce moyen que l'émigré puisse réussir.

Quel est le système d'agriculture que d'après votre expérience, vous avez trouvé le mieux convenir au pays ?—D'autant que j'en puis juger par ma propre expérience, je crois que le système des récoltes vertes est le plus avantageux.

Lors de votre arrivée dans ce pays, avez-vous obtenu des terres, et quels moyens aviez-vous pour commencer à vous établir ?—J'obtins une ferme à moitié de Mr. Wilson : c'était en partie de la terre neuve ; j'y ai demeuré un an. Je pris alors un lot de Mr. Neilson, à raison de £5 de rente par année ; il y avait environ vingt arpens de terre faite dessus. J'avais apporté d'Ecosse environ £900, je les ai employés en acquisition de terres. J'ai présentement environ 500 arpens de terre qui m'appartiennent, sur lesquels il y a environ 130 de terre faite. Pour mettre la terre prêt à recevoir la semence, cela a coûté depuis dix à douze piastres.

Combien trouvez-vous qu'il faut de jours de travail pour abattre et nettoyer un arpent de terre ?—Je crois qu'un homme met environ une semaine pour abattre et débiter le bois sur un arpent de terre, et qu'il faut une autre semaine pour le mettre en tas, le brûler et le nettoyer, prêt à y recevoir la semence.

Connaissez vous quelque émigré pauvre près de votre demeure, qui a pris des terres en bois debout et qui n'avait aucuns moyens ; et dites de qu'elle manière il s'est mis à l'œuvre, d'après ce que vous en savez ?—Je connais plusieurs individus industrieux qui ont commencé sans avoir aucun moyens, et ils travaillaient à la journée ; et à tems perdu pendant l'été et pendant l'hiver, ils buchaient, au printemps ils semaient aussi vite que possible, et s'en revenaient travailler en ville jusqu'au moment de la récolte ; par ce moyen ils se procuraient une vache, et en continuant de même, il sont maintenant passablement bien.

Si quelque émigré pauvre obtenait des terres à deux milles de votre résidence, pourriez-vous lui donner de l'ouvrage à tems perdu, et quels tems où il ensemencier sa terre, et le tems de la récolte, et quels gages pourriez-vous lui donner à part de sa nourriture ?—Pendant l'été, je pourrais employer bien des bras, et principalement pendant la moisson ; je pourrais peut-être employer vingt personnes. Dans le tems de la récolte, et généralement pendant l'été je donne à ces gens trente sous par jour, sans compter leur nourriture, et aux femmes un chelin par jour. Je garde un engagé auquel je paye à part de sa pension neuf louis par année ; j'ai une forte famille, en m'y comprenant, avec sept enfans : le plus vieux desquels est un homme de vingt quatre ans, et le plus jeune a neuf ans ; de ceux-ci il y a quatre garçons et trois filles. A l'aide de ma famille et de mon engagé, tout l'ouvrage de la ferme se fait jusqu'à l'approche de la récolte, alors je prends de l'aide.

Qu'elle est la somme la plus modique avec laquelle un émigré puisse entreprendre de se mettre sur une terre ?—Il y en a beaucoup qui vont sur des terres, sans aucuns autres moyens que leur industrie.

Comment s'y prennent ils pour vivre ?—C'est en travaillant pour les autres pour une journée ou deux, de tems en tems, afin de se procurer un pain, ou quelques minots de patates. A l'exception de deux familles, je n'en connais aucune autre qu'il ne soit pas passablement à son aise dans notre établissement.

T. McMullan, Thomas McMullan, de Valcartier, ayant comparu, a dit :—
Je suis né dans le nord de l'Irlande, et je vins en Canada en 1821. Je vins dans ce pays d'après les rapports que ce pays-ci était superbe pour un homme de travail, et où il pouvait aisément gagner sa vie. J'entendis dire que les émigrés y fesaient bien, mais cependant je ne l'ai pas trouvé aussi favorable que je m'y attendais. A mon arrivée dans ce pays j'avais ma femme et quatre enfans ; c'était en automne ; l'aîné de

mes enfans à maintenant quatorze ans, et le plus jeune trois ans ; ils sont à présent au nombre de cinq. Je n'avais pas un chelin à moi lors de mon arrivée. Je vendis quelques outils de menuisier que j'avais pour me procurer de la nourriture pendant la première semaine de mon arrivée. Je m'employai alors à scier du bois en ville, à raison de deux chelins la corde, cela dura environ trois semaines, je ne pus gagner que deux chelins par jour à cet ouvrage. Je m'engageai alors pour faire de la terre neuve à Valcartier, pour Mr. Stuart ; on m'allouait £30 pour faire dix arpens. J'arrivai à Valcartier vers Novembre. J'y ai toujours resté depuis. J'abattis douze arpens pendant cet hiver là, et je fus payé sur le pied que je viens de mentionner. Je n'avais rien autre chose pour soutenir ma famille, excepté dix ou douze jours d'ouvrage, que je me procurai de quelques individus de Valcartier, à raison d'un chelin et demi par jour. Je me rendis au beau milieu du bois, dans la sixième concession de Valcartier, où aussitôt après mon arrivée je coupai des pièces et me fit une petite maison, de douze pieds sur quatorze, et de cinq pieds de hauteur ; je la couvrit en bardeaux, et pratiquai une ouverture à un bout pour y laisser passer la fumée, et je fis un plancher avec des pièces, laissant un endroit où nous allumions le feu. Je me trouvais à deux miles et demi du voisin le plus proche, et dans toute cette distance il n'y avait qu'un petit sentier, et je portais mes provisions sur mon dos par ce chemin, où j'avais quelques fois de la neige à mi-corps ; mes provisions consistait en patates et farine. Je payais un écu par minot pour les patates, et depuis dix à douze chelins et demie par quintal de farine. J'ai acheté des patates pendant deux ans, excepté quelque peu que je reçu dans l'été suivant mon arrivée. J'en achetais dans ce tems là, environ un minot et demie par semaine ; j'eus du lard, mais point de poisson ; nous dépensions environ cinq livres de lard par semaine ; c'était les messieurs avec lesquels j'avais contracté qui nous l'envoyaient, à sur et mesure que nous en avions besoin. Nous dépensâmes environ deux quintaux de farine durant l'hiver, nous en fîmes des galettes et du pain. Nous mangions les patates bouillies avec du sel, et quelques fois avec du lard ; nous faisons peu d'usage de grog (rum mêlé avec de l'eau) excepté dans l'occasion lorsque nous venions en ville ; nous avions un peu de thé et de sucre, peut-être une fois la semaine et le dimanche. Dans le printemps, je nettoyai presque tout l'abattis que j'avais fait, environ trois ou quatre arpens, et j'y semai environ cinq minots de patates, mais c'était trop tard ; je les piochai et les ramassai dans l'automne ; je n'y mis rien autre chose. Pendant ce printemps là, je travaillai beaucoup pour mes voisins, à raison d'un chelin et demi par jour, ce que je recevais en provisions et en effets que l'on m'apportait de la ville. J'étais alors dans de moyennes circonstances. Je faisais entièrement subsister ma famille par ce moyen. Je ne récoltai pas plus de seize ou dix-huit minots de patates de la semence que j'avais mise en terre, et quoi qu'elles étaient plaines d'eau, et autrement mauvaises, nous ne lassâmes pas que de nous nourrir avec pendant la saison suivante. Durant le deuxième hiver, j'abattis environ six arpens de terre, et je fus payé sur le même pied. J'eus beaucoup d'ouvrage pendant cet hiver là ; environ trente ou quarante jours autant que je crois, à raison d'un chelin et demi ; ma femme ne pouvait pas me donner d'aide. Je n'avais pas un seul chelin en argent. Dans le printemps je nettoyai encore trois arpens de terre, et je semai environ dix minots de patates et deux minots d'avoine verte, en bonne saison. J'eus beaucoup d'ouvrage à la journée, et je fus payé sur le même pied et de la même manière. Dans l'automne je ramassai 150 minots de patates ; je coupai mon avoine avec la faucille, et je le mis en petits faisceaux. Je n'avais pas d'animaux pour la faire manger, et point de chemin pour la porter au marché, de sorte qu'elle resta à pourrir sur le champ. Durant le troisième hiver, je coupai et j'abattis environ trois arpens de terre pour un nommé Macartney, un émigré à Valcartier, à trois piastres par arpent ; et je travaillai pour d'autres. Je me trouvai un peu plus à mon aise ce troisième hiver, mais pas beaucoup. A cette époque j'avais fini l'entreprise que j'avais commencée. Le deuxième hiver je m'adressai à M. Bélanger, l'agent des religieuses, qui possèdent une seigneurie à Valcartier, et j'en obtins une concession de 126 arpens ; elle est à la distance d'environ 50 arpens de mon premier abattis. Le troisième printemps je commençai à nettoyer ma propre terre ; j'abattis 5 arpens et j'en nettoyai trois, à moi seul. Je semai environ 10 ou 12 minots de patates, et j'en ramassai 200. Je m'occupai à bucher et abattre pendant tout l'hiver suivant. Je me bâtis une assez bonne grange vers le 15 ou le 16 de mai. Je me rendis sur ma nouvelle terre le même printemps, et je construisit une maison de pièces sur pièces plus grande que la première. Je me trouvai avec ma famille plus à l'aise, mais je n'avais pas d'argent. Je rachevai de nettoyer quatre arpens. Cet été là, et l'hiver suivant je m'occupai à abattre, et de tems à autre je travaillai à la journée. J'ai maintenant 16 arpens de terre faite, et cinq ou six autres qui sont abattus. Je crois que je puis faire quatre arpens de terre neuve par année. La cinquième année je me procurai une vache, qui me fut donnée pour partie du paiement de mon ouvrage. Ma récolte de l'année dernière consistait d'environ 250 minots de patates, 30 minots d'avoine et 900 bottes de foin. Je commence maintenant à me trouver beaucoup plus à mon aise que je l'étais. Je n'aurais jamais eu une terre ou ferme à moi en propre en Irlande. Je crois que je suis bien mieux ici que je ne le serais en Irlande. Je ne suis pas fâché du tout d'y être venu, quoique j'en eus quelque regret au premier abord. Dans l'avant dernière année je me suis procuré une deuxième vache, avec le produit de mon avoine, qui se montait à environ dix piastres. Je la laissai courir dans les bois ; où elle engraisa. Je l'ai tué. Je pense que vers le commencement d'avril, nous aurons fini de la manger ; nous avons commencé en novembre. Je me sert du suif pour faire de la chandelle, et j'ai fait vendre la peau sur le marché pour sept chelins et demi.

Owen Sullivan, de Valcartier, ayant comparu, a dit :—

Je possède 180 arpens de terre à Valcartier, dans la Seigneurie de Saint-Gabriel. Mon père fut demeurant à Terre-Neuve en 1802, et y établit un magasin de marchandises sèches ; et il revint dans ce pays en 1811, avec sa famille. Il apporta quelques effets de Terre-Neuve, et établit un semblable magasin à Québec. L'année d'après son arrivée, il prit à bail la ferme de Mr. Desbarats, à la Petite Rivière Saint-Charles, qu'il a gardé pendant dix ans ; le loyer était de £140 par année, et pendant neuf ans à moitié profit. A la fin de ce bail il fut à Valcartier, sur la Rivière Jacques Cartier, dans la Seigneurie de Faußembault, où il acheta 500 arpens de terre. Je me rendis sur cette terre ; j'avais ordinairement quatre ou cinq hommes avec moi, et quelques fois jusqu'à quinze et seize. La deuxième année, nous avions 50 arpens en culture, et nous obtinmes seize louis dix chelins de la Société d'Agriculture, pour nous récompenser des efforts que nous avons montrés en faisant de la terre neuve. Ensuite mon père acheta une autre terre à Valcartier, où je demeure maintenant. Mon père a maintenant environ 100 arpens de terre faite sur sa ferme, et j'en ai environ autant. Je garde deux chevaux, une paire de bœufs, et trois vaches. Je gardais auparavant six vaches. Mon père a deux chevaux, huit vaches, et quelques autres jeunes animaux.

Quel sont les inconvénients auxquels les émigrés se trouvent assujettis ici ? quels sont les avantages et les désavantages de la situation de l'émigré, comparés à la situation où il se trouvait auparavant en Europe ? d'après votre expérience quel est le meilleur mode pour surmonter les désavantages auxquels il se trouve exposé ?—Le plus grand inconvénient auquel un émigré se trouve exposé, est le manque de bons chemins. C'est le besoin, ou le manque de chemins qui l'empêche d'apporter les produits de sa ferme au marché.

Quels moyens possèdent les émigrés pauvres, pour pouvoir établir leurs terres ?—Ils sont dans l'habitude de rassembler leurs amis et voisins, et de former une espèce de corvée ; alors ils coupent et mettent en tas, prêt à brûler, cinq ou six arpens, qu'ils ensèmentent tout aussitôt. Cette coutume est assez ordinaire dans les nouveaux établissemens, et elle se pratique alternativement parmi tous les émigrés.

Combien trouvez-vous qu'il faut de journées de travail pour abattre et nettoyer un arpent de terre ?—Un homme met environ huit jours pour abattre un arpent de bois. Il est difficile pour un homme seul de pouvoir y mettre la dernière main, mais par le moyen des corvées, dont je viens de parler, l'émigré se trouve en état de parachever sa terre neuve, et d'y mettre sa semence.

Connaissez-vous quelque émigré pauvre proche de votre demeure, qui a pris des terres à bois, sans avoir aucuns moyens ; et expliquez de quelle manière il s'y est pris, d'après ce que vous en connaissez ?—Je connais quelques individus dans notre établissement, qui ont commencé sans aucuns moyens, et qui sont maintenant passablement bien. Ils ont commencé par travailler pour les autres pendant quelques mois ; et dans le printemps, au moyen de ce qu'ils avaient gagné, ils se sont soutenus, et ont abattus le bois sur leurs propres terres ; ils ont alors nettoyé leurs terres, après que le feu y eut passé, au moyen des corvées.

Si quelque émigré pauvre obtenait des terres dans l'étendue de deux milles de votre demeure, pourriez-vous l'employer à tems perdu, entre l'époque où il ensemence sa terre et le tems de la récolte ; et quels gages pourriez-vous lui donner à part de sa nourriture ?—Je paye à un bon homme pendant toute l'année, à part de sa nourriture, treize louis dix chelins par année ; et durant l'année lorsque j'emploie des hommes à la journée, je leur donne un chelin et demi par jour, nourriture à part. Mais c'est à des hommes qui entendent l'ouvrage de l'endroit, tel que de bucher et tout ce qui est nécessaire pour une nouvelle terre.

A votre avis, quel est le prix raisonnable pour faire un arpent de terre ?—Je crois que huit ou neuf piastres est un prix raisonnable.

Si l'on faisait un prêt de deniers publics à ceux qui ont commencé à s'établir, et pour lequel ils payeraient un intérêt, par le moyen des produits qu'ils livreraient à l'Agent de la Compagnie, et que cette dernière exporterait et vendrait à commission ; pensez-vous que cela leur serait avantageux ?—Je crois que cela réussirait bien ; et la raison en est que la belle saison est de courte

durée, les chemins sont mauvais, les marchés de Québec ne sont pas permanents ; l'éloignement où se trouvent ceux qui sont dans les nouveaux établissemens pour se rendre au marché est très considérable ; ce qui fait que par le moyen d'un tel prêt, cela les mettrait en état de réserver leurs produits afin de profiter d'une bonne occasion pour les apporter au marché, et les vendre à bon prix : par exemple, j'ai vu, l'automne dernier, des personnes apporter leurs produits au marché, et qui, rapport aux mauvais chemins et au mauvais tems ont exposés leur animaux et leurs voitures à beaucoup de difficultés et de dangers ; à part de cela, leurs produits se font alors vendus à bien plus bas prix qu'ils ne se vendraient maintenant. On doit savoir que dans ce pays la saison de l'hiver n'est bonne qu'à apporter ses produits au marché, et que c'est l'époque la plus favorable pour cet objet. Et comme je crois que le tems le plus favorable pour abattre le bois est depuis le milieu de Mars à la fin d'Avril, un semblable prêt lui donnerait le tems de rester sur sa terre et d'abattre le bois qui est nécessaire. Je connais plusieurs individus qui ont eus plus qu'il leur fallait de foin et de paille pour la consommation de leurs animaux, tandis que s'ils avaient eus les moyens d'acheter des animaux pour l'employer, cela aurait amélioré leurs fermes et leur aurait été d'un plus grand avantage, de même que rapport à leurs mœurs ; car l'on voit généralement que ceux qui fréquentent souvent les marchés, contractent des habitudes d'ivrognerie, en arrêtant aux auberges qui se rencontrent sur leur route. De même, si l'on charroye du foin ou de la paille à plus de cinq lieues, c'est autant de tems perdu pour le cultivateur ; au contraire en amenant une vache ou un bœuf gras, des cochons ou d'autres animaux au marché, cela lui est plus profitable, parce qu'il perd moins de tems à les vendre, et conséquemment il est exposé à moins de dépense ; en outre il y a d'autres espèces de produits sur une terre, tels que navets et petites patates, etc., et qui ne sont d'aucun usage au cultivateur à moins qu'il n'ait des animaux. Un semblable prêt le mettrait en état de surmonter toutes ces difficultés, d'autant plus que les étrangers sont en général dénués de moyens. Dans le mois d'Octobre une personne qui a beaucoup de fourrages, et qui a un peu d'argent, peut venir au marché de Québec, et peut acheter une bonne vache pour dix ou douze piastres, et au printemps peut revendre la même vache depuis £8 jusqu'à £10, ce qui laisse au fermier l'engrais pour améliorer sa terre, et un profit clair pour ses peines ; et s'il n'avait pas ces moyens, la plus grande partie de ce produit pourrait ou serait perdu pour lui. C'est la même chose rapport au gros bétail : on peut acheter une paire de bœufs l'automne depuis £6 jusqu'à £8, et s'ils sont bien engraisés, on peut les vendre au printemps depuis £20 à £25.

Elijab Heney, de Valcartier, cultivateur, ayant comparu a dit :—

Je viens du Connecticut, et je suis dans ce pays depuis 30 ans. Je suis établi à Valcartier depuis 12 ans, et je suis le premier qui a pris des terres dans cet établissement. J'empruntai £100, et avec cela je me suis établi. J'obtins deux lots en concession, et Mr. Stuart et Mr. Neilson m'avancèrent de l'argent jusqu'au montant de leur valeur ; j'ai ensuite vendu ces lots pour rembourser l'argent que j'avais emprunté.

Combien de nouvelles terres avez-vous ouvertes ?—Si j'avais quelques minutes de réflexion, je le pourrais dire. J'ai ouvert cinq nouvelles terres à Valcartier. Sur la Rivière Saint-François j'en ai ouvert quatre. Dans les Etats-Unis, j'en ai ouverte une à Utica, Wethersfield, et une dans Windsor. J'ai maintenant 60 ans, et je crois qu'il est grand tems de fermer les livres et d'arrêter.

Pourquoi avez-vous si souvent changé de terres ?—A l'âge de 24 ans, le maître qui m'avait élevé me fit présent de 100 piastres ; avec cette somme j'achetai 50 arpens de terre. Je m'y établis avec ma femme, et je fis 40 arpens de terre neuve ; j'y demeurai deux ans et demi, et je la revendis pour 1000 piastres. J'allai à Utica, et j'achetai 366 arpens de terre pour 1000 piastres et quarante écus ; mais je fis cette acquisition d'un individu qui n'y avait aucun droit, et ils me citèrent en cour, et me dépossédèrent ; de sorte que je perdis mon argent, terre et tout. Alors je vins en Canada. J'achetai 200 arpens du Docteur Longmore pour 600 piastres, payable en 6 ans, sans intérêt. J'ai payé cette ferme il y a treize ans. J'y ai fait 60 arpens de terre neuve, et m'y suis bâti une maison et une grange ; je l'ai laissée il y a 12 ans, et j'ai été à Valcartier. J'ai depuis donné cette ferme à mes trois garçons. J'ai gagné par la vente de ma première terre à Valcartier

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cartier, 300 piaftres. J'ai obtenu ensuite un lot de terre des Commissaires des Biens des Jésuites. Sur cette dernière terre j'ai abattu 20 arpens, et j'en ai nettoyé 16, et je l'ai ensuite vendue à un nommé Beattie pour £45. Il y a cinq ans, j'ai acheté une ferme de Mr. Stuart, sur laquelle j'ai bâti une maison et une grange; j'ai maintenant 56 arpens de terre en culture.

Est-ce que les émigrés pauvres ne pourraient pas semer plus facilement en se contentant de couper le petits bois, ou en abattant et débitant le gros bois sans nettoyer le terrain entièrement?—Le meilleur moyen d'obtenir du profit est d'abattre et de nettoyer le terrain tout-à-fait; la manière imparfaite de faire la terre neuve dont il est fait mention dans cette question, convient mieux dans un pays chaud, que dans un pays froid comme celui-ci; vous ne pouvez pas vous attendre à une récolte à moins que le soleil ne porte à plein. Si on ne fait qu'écorcer, il faut nettoyer tous les ans, et la terre n'est jamais nette, parce que les arbres tombent à tout moment. Un demi arpent de terre bien nettoyée vaut mieux que deux arpens fait à la hâte.

Faites-vous de la potasse à Valcartier?—Il n'y a que proche de la rivière où l'on pourrait faire de la potasse, parce que la terre est trop légère ailleurs.

On a donc raison de dire quelques fois que la première récolte défraye la dépense du défrichement?—C'est là l'opinion générale, et j'ai moi-même été plus que payé par la première récolte. L'année dernière j'ai défriché 15½ arpens de terre: sur cela j'ai eu 128 minots de patates, 200 minots de navets, et j'avais de l'avoine verte sur le reste. J'ai onze bêtes à cornes, je les ai hiverné sur cette avoine, et ils sont en aussi bon état que l'on en peut trouver dans le canton.

Comment doit s'y prendre un pauvre homme pour ouvrir une nouvelle terre?—Il faut qu'il travaille la moitié du tems pour se procurer sa nourriture, et le reste du tems pour lui même. Lorsque je commençai à Wethersfield je travaillais à la charpente et à bucher, et je gagnais une piaftre par jour; lorsque j'avais amassé un peu d'argent, je travaillais pour moi même. Depuis que j'ai été à Valcartier, l'ouvrage que j'ai eu, a été principalement de l'ouvrage à l'entreprise.

Connaissez-vous quelque émigré pauvre, demeurant proche de vous, qui a pris des terres en bois de bout, et qui était sans moyens, et expliquez de quelle manière il s'y est pris, d'après ce que vous en connaissez?—Je connais des individus dans l'endroit qui, il y a quatre ans, n'avait rien au monde, et qui ont maintenant des vaches, des patates et du beurre qu'ils apportent au marché de Québec. Ils ont aussi acquittés leurs terres, mais ils les avaient eues à bas prix, l'un a payé £15, et l'autre £12.

Si quelque émigré pauvre obtenait des terres dans la distance de deux milles de votre demeure, pourriez-vous l'employer à tems perdu, entre l'époque où il ensemence sa terre, et le tems de la récolte, et quels gages pourriez-vous lui donner à part de sa nourriture?—Je préférerais l'employer pendant toute l'année à £13 par année; si c'était un bon homme de travail.

Qu'elle est la plus petite somme avec laquelle un émigré peut s'établir sur une nouvelle terre?—Un homme capable devrait être en état de pouvoir se vêtir et se nourrir pour toute l'année au moyen de six mois de travail; si un homme n'était pas en état de faire cela un pays nouveau ne pourrait jamais s'établir.

Si le public faisait une avance de deniers aux nouveaux émigrés, croyez-vous que cela serait avantageux?—Si la bourse était ouverte, cela offrirait trop d'indulgence à l'émigré; sans cela ils travailleraient pour vivre; mais s'ils pouvaient se reposer quand à cet objet, ils ne travailleraient plus. J'ai fait métier de m'endetter par fois, mais je trouve que cela n'est pas fort avantageux: le tems s'écoule trop vite lorsque l'on a des intérêts à payer; cela ressemble à la chenille qui dévore toute la substance.

Que penseriez-vous d'un projet au moyen duquel une compagnie ferait des avances à des émigrés qui seraient établis, en par eux payant l'intérêt par les produits qu'ils livreraient à l'Agent de la Compagnie, et que cette dernière exporterait pour être vendus à commission?—J'y ai réfléchi murement afin de pouvoir y donner une réponse juste: cela ferait du bien à quelques-uns, à d'autres cela ne ferait pas le cas; parce qu'il s'en trouverait qui pro-

fiteraient de l'occasion, et qui prendraient les deniers sans payer ni les intérêts ni le principal: rapport aux honnêtes gens, cela ferait du bien au pays, mais il y a tant d'aventuriers que la Compagnie pourrait bien y perdre.

Richard Ward, de Valcartier, cultivateur, a comparu et a dit:—

Je viens du Comté de Wexford, en Irlande, et je suis arrivé dans ce pays en 1816. J'y amenai ma femme et deux enfans. Mon passage me couta £15, J'avais apporté un peu d'argent, et je travaillai à Québec pendant une année avant d'aller à Valcartier sur une terre appartenant à Mr. Fletcher. Mr. Fletcher me promit moitié de cette terre à condition que je continuerais à payer les rentes, et que j'en ferais le défrichement. J'en ai défriché 30 arpens. Je pris une terre à Valcartier de Mr. Campbell, dont soixante et quinze arpens étaient défrichés, à raison de douze louis par année. Lorsque j'allai d'abord à Valcartier, je vivais au moyen de mon travail: il se trouvait alors plusieurs petites entreprises à faire dans le canton. Lorsque j'allai dans le bois pour la première fois je travaillais pour mes voisins à tems perdu: on me donnait trois chelins et dix-huit sous par jour pour mon travail. J'aurais pu employer un émigré pauvre à tems perdu en lui donnant trente sous par jour, sa nourriture à part. J'aurais pu l'employer durant le premier hiver, après son arrivée, à dix chelins par mois. J'en connais plusieurs qui ont pris des terres en bois de bout, et qui n'avaient aucun moyens; ils travaillaient pour les autres et pour eux-mêmes, et de cette manière ils se sont soutenus.

R. Ward.

Patrick Scully, du Lac Beauport, cultivateur, ayant comparu, a dit:—

P. Scully.

Je suis du Comté de la Reine, en Irlande, et je suis résident dans ce pays depuis dix ans. J'ai une femme et sept enfans; trois desquels demeurent avec moi; mon passage a couté £3 10s. par tête. Nos provisions pendant le passage pour chaque personne, était comme suit: 1 quintal de farine d'avoine, un demi quintal de farine, environ 140 livres de patates et 25 livres de lard fumé. J'arrivai à Québec le 17 Mai, et je me mis à travailler sur le Cap à un écu par jour. Je travaillai là pendant près de trois ans. J'avais à moi environ £25 ou £26; l'un de mes garçons travaillait sur le Cap avec moi, les autres se placèrent en service. Durant ce tems je ramassai encore £25 ou £26, fruit de mes épargnes; ce qui me faisait en tout environ £50. Avant de laisser les travaux du Cap, je pris une terre en bois debout de Mr. Duchesnay, à Beauport, et je commençai à y travailler vers le 7 Mai, et entre cette époque et le 17 Juin j'avais nettoyé et ensemencé quatre arpens.

Par quels moyens, avec quel aide, et aux dépens de qui avez-vous fait ce défrichement?—C'est par mon travail et celui de mon garçon que j'ai effectué ce défrichement. Je ne puis pas dire ce que valait ce travail. J'ai maintenant 30 arpens de défrichés. J'ai depuis ce tems défriché 25 arpens sur une autre terre.

Par quels moyens un pauvre homme peut-il s'établir sur une nouvelle terre?—Par l'industrie; en s'y appliquant sans relâche, et en travaillant matin et se couchant tard. Il ne peut pas travailler sans avoir des provisions, et il faut qu'il se les procure, avant qu'il s'établisse sur sa terre.

Comment doit-il faire pour se les procurer?—S'il ne peut pas trouver de l'argent à emprunter d'un ami, il faut qu'il le gagne; et il ne peut pas gagner cet argent, et travailler sur sa terre en même tems.

Combien de tems lui faut-il pour gagner cet argent; et où, et par quels moyens faut-il qu'il le gagne?—Il faut qu'il aille en service, ou qu'il travaille tous les jours, jusqu'à ce qu'il en ait suffisamment. La moindre somme avec laquelle un émigré peut s'établir sur une nouvelle terre est de £18 à £20.

Si vous vous trouviez dans le cas d'aller sur une terre, et que vous auriez ces £18 ou £20 dans votre bourse, à quoi les emploieriez-vous?—En patates, farine, lard et quelques pois.

Est-ce que le lard n'est pas un objet qui coute beaucoup, et pour quoi ne parlez-vous pas de poisson salé. Je crois que la soupe au pois est meilleur que le poisson salé, qui fait boire trop d'eau. Dans une famille de 4 ou 5, une livre ou une livre et demie suffit pour

pour une soupe. J'ai un garçon qui a 25 ans, un de 18, et mon plus jeune a 14. J'ai trois filles, elles sont toutes mariées et établies.

A quelle époque avez-vous été sur votre terre, et quel est le meilleur tems pour aller sur une terre ?—Je me suis rendu sur ma terre le 1er ou le 2 de Mars, il y a de cela huit ans: du 1er Mars ou dernier Juin, c'est à mon avis le meilleur tems pour aller sur une terre à bois.

Connaissez-vous plusieurs personnes, et combien qui sont venues dans ce pays avec rien au monde, et qui sont maintenant assez bien sur leurs terres ?—J'en connais plusieurs, et cinq d'entre eux sont dans notre établissement.

Comment s'y sont-ils pris ?—Ils se sont procurés d'un de leurs

voisins quelques minots de patates et une poche de farine, et maintenant par leur industrie ils sont assez bien.

Y a-t-il quelques-uns de vos émigrés qui ont vendus leurs terres après les avoir améliorés, et qui en ont établies de nouvelles; gagnent-ils par ce moyen, et comment ?—Oui, il s'en trouve. Je crois qu'ils gagnent par ce moyen, car ils vendent la première terre, et avec le prix ils en achètent une autre, qu'ils garnissent beaucoup mieux en bestiaux.

S'en trouve-t-il quelques-uns qui sont dans l'habitude de travailler en ville, et de passer l'hiver au Lac Beauport ?—S'il n'y a rien à faire ils viennent travailler, mais non pas avant que leur récolte soit finie; par ce moyen ils épargnent le loyer d'une maison, et se nourrissent pendant une grande partie de l'année.

Appendice
(P.P.)

Appendix (Q.) 20th Decr.

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

THE Agricultural Society for the District of Montreal have again the honor of reporting to your Honorable House :

The grant by the Legislature in 1826, which received the Royal Assent, and was promulgated in August 1827, has been the means of calling forth the activity and industry of several of the most populous Counties in the District, to form Auxiliary Societies for the promotion of their agriculture. And that by the means afforded for general purposes, the District Society have been enabled to continue the general competitions, concentrated in Montreal.

To the grants hitherto so liberally bestowed, your Society can alone attribute the agricultural improvements which have taken place in this District, more particularly in the breed of horses, cattle and sheep.

The encouragement held out by this Society for retaining the first breed of horses in America, and by the importation of a very superior order of cattle into the District, now shews its efficiency ; the objects sought for are daily attaining. The Society would recommend a renewal of those importations occasionally to be made so as to establish in the country a thorough breed.

The suggestions which this Society in its former Reports has made, this Society sees no cause to recall, but on the contrary, from additional experience, begs leave to solicit a reference to those Reports by your Honorable House.

The Society for the District is confident that should your Honorable House see fit to grant a further sum upon the principal of the grant of 1826, it will afford an encouragement to the remaining Counties to follow the examples shown by those where auxiliaries have been established ; will enable those auxiliaries to follow up the system adopted by them for the encouragement of agricultural science, so much in arrear in this Province, and must thereby promote competition and industry amongst that particular and most useful class of the community.

Annexed the Society presents a Statement of its funds.

All which is most respectfully submitted. Montreal 5th Dec. 1828.

By order of the Committee, H. GRIFFIN, Sec. and Treas.

Statement of the appropriation of the Monies received for "General purposes" from the grant in 1826 to the Agricultural Society of this District.

Table with columns for date (1828), description (Jany. To paid premium on fat hogs, District Show; Mar. 13. To do. do. at District Cattle Show, viz. on draught Stallions; D54, saddle do. D48; on Bulls 36, fat oxen 24; on fat Sheep), and amount (£6 5 0; D174; 43 10 0; Carried over, £49 15 0).

Aux Honrables Chevaliers, Citoyens et Bourgeois de la Province du Bas-Canada, assemblés en Parlement Provincial.

LA Société d'Agriculture du District de Montréal a de nouveau l'honneur de faire rapport à votre Honorable Chambre :

Que le don de la Législature en 1826, après avoir reçu la Sanction Royale, et de suite sa promulgation en Août 1827, a procuré à l'activité et à l'industrie de plusieurs des Comtés les plus peuplés du District, l'avantage de former des Sociétés Auxiliaires pour l'avancement de leur Agriculture ; et au moyen des aides qui ont été accordés, la Société du District s'est trouvée en état de continuer les compétitions générales, et qui sont particulièrement propres au District de Montréal.

C'est au moyen de ces dons accordés jusqu'ici d'une manière aussi libérale, que votre société peut seul attribuer les améliorations qui ont eu lieu dans l'Agriculture de ce District, et plus particulièrement dans l'amélioration des races des Chevaux, du Bétail et des Moutons.

L'encouragement que la Société a offert, afin de conserver la meilleure race de Chevaux en Amérique, et l'importation qui a eu lieu dans le District d'un ordre supérieur de Bestiaux, démontre maintenant qu'elle en est l'efficacité, et que l'on parvient à atteindre de jour en jour les objets que l'on avait en vue. La Société recommande donc que l'on renouvelle les importations de tems en tems, de manière à établir dans ce pays une race parfaite.

La Société ne voit aucun motif de retracter les suggestions qu'elle a émises, et qui se trouve consigné dans ses premiers rapports ; au contraire, par un surcroît d'expérience, elle prend la liberté de solliciter votre Honorable Chambre, de vouloir bien avoir référence à ces rapports.

La Société pour le District est persuadée que dans le cas où votre Honorable Chambre trouverait convenable d'accorder une autre somme, d'après le principe du don de 1826 ; cela procurerait un encouragement aux autres Comtés, en les engageant de suivre les exemples de ceux des Comtés où il a été établi des Sociétés Auxiliaires ; que cela mettra ces Sociétés Auxiliaires en état de suivre le système qu'elle a adopté pour l'encouragement de la Science de l'Agriculture, qui est demeurée bien en arrière en cette Province ; et que par ce moyen cela augmentera l'émulation et l'activité parmi cette classe particulière, et qui est une des plus utiles à la société.

La Société soumet un état de ses fonds, lequel est ci-annexé.

Le tout soumis très-humblement.

Montréal, 5 Décembre 1828.

Par ordre du Comité. H. GRIFFIN, Sec. et Trés.

Etat de l'emploi des deniers reçus pour des objets généraux à même le don de 1826, par la Société d'Agriculture de ce District.

Table with columns for date (1825), description (Janv. Payé les prix pour des Cochons engraisés à l'exhibition de district; 13 Mars. Do. Do. Do. à l'exhibition du district pour les animaux, savoir: Pour des Etalons de trait, 54P. chevaux de selle 43P. 102; Pour les tauraux 36P.; Bœufs engraisés 24P. 60; Pour des moutons engraisés 12), and amount (£6 5 0; 174; 43 10 0; Piastres 174; 43 10 0; A Porté ci-contre, £49 15 0).

Appendice (Q.) 20 Decr.

Appendix
(Q.)
20th Dec.

1828.	Brought over, £49 15 0		
Sept. 18.	To do. District Cattle Show, viz.:		
	on draught & Saddle Mares 84		
	Cows 30, Heifers 10,		
	yearling Bulls 18 58		
	Rams 15, Ewes 15 30		
	Boars 15, Sows 12 27		
	Cheese 15, Cloth 12 27		
		D236	
		56 10 0	
Oct.	To do. do. at ploughing matches,	4 10 0	
	To do. on account of Mower and Hagan, printers, advertising in 1817	4 13 11	
	To do. to H. Griffin this years' allowance on his loss of the Bull "Eclipse" per resolve 18th Dec. 1827	20 0 0	
		<u>135 8 11</u>	
		Cr.	
	By amount from the grant of 1826 for "general purposes"	150 0 0	
	Less proportion of Balance on last years' Account to 18th December 1827 inclusive	27 6 7	
		<u>122 3 5</u>	
	Balance against the General Fund due to the Treasurer	£62 15 6	

B.

Statement of the Funds for the County of Montreal 1828.

1828.	By proportion of the grant of 1826 received by this County,	117 17 0	
	Less its proportion of balance on last years' account to 18th Dec. 1827 inclusive	21 9 4	
		<u>96 7 8</u>	
Sept.	To paid Joseph Perrault, Esq. his disbursement for advertising County Show at Church Door	0 5 0	
	To do. premiums at County Show this day, viz.:		
	on draught Stallions D36, on draught Mares D26 D62		
	on Bulls 18, Cows 18 36		
	on Rams 12, Ewes 12 24		
	on Boars 9		
		131	
		<u>32 15 0</u>	
		<u>33 0 0</u>	
	Balance in favor of County funds in Treasurer's hands	£63 7 8	

Errors Excepted,
Montreal, 5th December 1828
(Signed)

H. GRIFFIN,
Treasurer.

Statement

Appendice
(Q.)
20 Decr.

1828.	Montant d'autre part, £49 15 0		
18 Sept.	Payé les Prix à l'exhibition d'animaux, savoir:		
	Pour des Jumens de trait et de selle, 84		
	Vaches 30 p. taures 10 p. bouvillards 18 p. 58		
	Beliers 15 p. agneaux 15 p. 30		
	Porcs 15 p. truies 12 p. 27		
	Fromage 15 p. drap 12 p. 27		
		Piastres 226	
		<u>56 10 0</u>	
Oct.	Do. do. do. aux partis de labours,	4 10 0	
	Do. un compte de Mower et Hagen, Imprimeurs, pour avertissemens en 1817;	4 13 11	
	Do. à H. Griffin, allouance cette année pour la perte qu'il a faite sur le taureau "Eclipse," selon résolution du 18 Décembre 1827,	20 0 0	
		<u>135 8 11</u>	
		Avoir.	
	Montant du don de 1826 pour "objets généraux,"	150 0 0	
	Moins la proportion de la balance sur le compte de l'année dernière jusqu'au 18 Décembre inclusivement,	27 6 7	
		<u>122 13 5</u>	
	Balance contre le fonds général due au trésorier,	£12 15 6	

B.

Etat des Fonds relativement au Comté de Montréal, 1828.

1828.	Proportion du don de 1826, reçue par ce comté,	£117 17 0	
	Moins sa proportion d'une balance sur le compte de l'année dernière, jusqu'au 18 Décembre inclusivement,	21 9 4	
		<u>96 7 8</u>	
Sept.	Payé à Jos. Perrault, Ecr. ses déboursés pour avertissemens à la porte de l'église au sujet de l'exhibition du comté,	0 5 0	
	Do. Prix à l'exhibition d'animaux ce jour, savoir:		
	Pour des étalons de trait 36 p. jumens de trait 26 p. 62		
	Tauraux 18 p. vaches 18 p. 36		
	Béliers 12 p. agneaux 12 p. 24		
	Porcs, 9		
		131	
		<u>32 15 0</u>	
		<u>33 0 0</u>	
	Balance en faveur du Comté restant entre les mains du Trésorier,	£63 7 8	

Sauf Erreurs.
Montréal, 5 Décembre 1828.

H. GRIFFIN,
Trésorier.

Etat

Appendix
(Q.)
20th Dec.

Statement of the Funds of the Agricultural Society for the District of Montreal, December 1828.

1827.	March	To paid premiums at District Show	£49 15 0	
	Sept. 13	To do. do. County of Montreal	40 0 0	
	27	To do. do. District Show	43 10 0	
	Oct 18	To do. do. do. Ploughing Matches	11 0 0	
			<u>144 5 0</u>	
		To do. expenses in the past winter on trial of experiments with trains and sleighs for preventing cahots	6 0 0	
		To do. for a ring for bull "Hollifernes"	0 15 0	
		To do. sundry expenses at County Show in Sept. last, per order of Committee	1 9 0	
		To do. transporting bull "Castor" from River du Chêne to Montreal	0 11 0	
	Dec. 18.	To do. Paul Kauntz for retaining in this District his celebrated stud horse "Sir Walter" during the season 1827 per resolve of this day	30 0 0	
		To do. H. Griffin this year's portion of remuneration for his loss of bull "Eclipse" per resolve of this day	20 0 0	
			<u>58 15 0</u>	
			203 0 0	

				Cr.
	Feb 6.	By Balance in hands of the Treasurer per account rendered to the Legislature of this date	86 6 10	
		By amount collected from Members in 1827	22 10 0	
			<u>108 16 10</u>	
		Deduct Treasurer's Commission on £522 10s. at 5 per cent,	26 2 6	
			<u>82 14 4</u>	
		Balance due to the Treasurer,	£120 5 8	

1828.		By amount of grant in 1826 "for general purposes," promulgated in August 1827	150 0 0	
		By do. on account of do. for the Counties in this District	610 0 0	
		To Treasurer's Commission at 5 per cent on £760	38 0 0	
		Balance in hands of the Treasurer	601 14 4	
			<u>£760 0 0</u>	<u>£760 0 0</u>

Balance

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(Q.)
20 Dec.

Etat des Fonds de la Société d'Agriculture pour le District de Montréal, Décembre 1828.

1827.	Mars.	Payé pour prix à l'exhibition de District,	£49 15 0
	13 Sept.	Do. do. comté de Montréal,	40 0 0
	27 "	Do. do. exhibition de District,	43 10 6
	18 Oct.	Do. do. aux partis de labours,	11 0 0
			<u>£144 5 0</u>
		Do. dépenses dans le cours de l'hiver dernier, lorsque l'on a fait des expériences avec des Traînes et des Sleighs pour prévenir les Cahôts,	6 0 0
		Do. pour un anneau pour le taureau "Holopherne,"	0 15 0
		Do. diverses dépenses à l'exhibition de comté en septembre dernier par ordre du Comité,	1 9 0
		Do. transport du taureau "Castor" de la Rivière du Chêne à Montréal,	0 11 0
	18 Déc.	Do. à Paul Kauntz, pour avoir gardé dans ce district son célèbre étalon "Sir Walter," durant la saison de 1827, conformément à la résolution de ce jour,	30 0 0
		Do. à H. Griffin, la portion de cette année comme remunération pour sa perte du taureau "Eclipse," selon résolution de ce jour,	20 0 0
			<u>58 15 0</u>
			£203 0 0

				Avoir.
	6 Fév.	Balance entre les mains du Trésorier par compte rendu à la Législature, de cette date,	£86 6 10	
		Montant perçu des membres en 1827,	22 10 0	
			<u>103 16 10</u>	
		A déduire, la commission du Trésorier sur £522 10s. à 5 pour cent,	26 2 6	
			<u>82 14 4</u>	
		Balance due au Trésorier,	£120 5 8	

1828.		Montant du Don en 1826 pour des "objets généraux," (promulgué en Août 1827,)	150 0 0
		Do. à compte de do. pour les Comtés de ce District,	610 0 0
		Commission du Trésorier à 5 par cent sur £760,	38 0 0
		Balance entre les mains du Trésorier,	661 14 4
			<u>£760 0 0</u>
			<u>£760 0 0</u>

Balance

Appendix (Q.) 20th Dec.	By Balance brought down in hands of Treasurer	601 14 4	
	To proportion to the share of County of Montreal (See Statement B.)	96 7 8	
	Topaid to County of York Society, its share	77 13 0	
	Overpaid by error	17 17 6	
		95 10 6	
	To do. do. of Effingham, its share	38 12 1	
	Overpaid by error	8 11 11	
		47 4 0	
	To. do. do. Western division of Huntingdon	32 14 4	
	Overpaid do.	7 5 8	
		40 0 0	
	To do do Eastern division of do.	69 14 1	
	To do. do. County of Bedford Society	60 12 4	
	To do. for "general purposes" as per Statement A.	135 8 11	
		544 17 6	
		£56 16 10	
	Balance in favour of the County of Montreal, brought from Statement B. annexed	63 7 8	
		£120 4 6	

Funds available to be paid to those Counties where auxiliaries have not yet been established, when such shall have been formed, viz. :	
Balance of the general Statement	56 16 10
Amount due by County of York as overpaid	17 17 6
Do. do. of Effingham, do.	8 11 11
Do. do. of Huntingdon, do. Western Division	7 5 8
	90 11 11
Amount yet to be received, balance of the Grant of 1826	150 0 0
	£240 11 11

Montreal 5th Dec. 1828

E. E:

H. GRIFFIN,
Treasurer.

Appendice (Q.) 20 Dec.	Balance d'autre part, entre les mains du Trésorier,	£601 14 4
	Proportion de la part du Comté de Montréal, (voyez l'état B.)	96 7 8
	Payé à la Société du Comté de York, sa part,	£77 13 0
	Payé de plus, par erreur,	17 17 6
		95 10 6
	Do. d'Effingham, sa part,	38 12 1
	Payé de plus, par erreur,	8 11 11
		47 4 0
	Do. Division Ouest de Huntingdon,	32 14 4
	Payé de plus, par erreur,	7 5 8
		40 0 0
	Do. Division Est de do.	69 14 1
	Do. Société du Comté de Bedford,	60 12 4
	Do. pour objets généraux, (selon l'Etat A.)	135 8 11
		544 17 6
		£56 16 10
	Balance en faveur du Comté de Montreal, extrait de l'Etat B ci-annexé,	63 7 8
		£120 4 6

Fonds à l'usage de ceux des Comtes où il n'a pas encore été établi des Sociétés auxiliaires, et qui leur seront payés lorsque les sociétés auront été formées, savoir :	
Balance de l'état général,	£56 16 10
Montant dû par le Comté de York, payé par erreur,	17 17 6
Do. do. d'Effingham, ditto,	8 11 11
Do. do. de Huntingdon, Division de l'Ouest,	7 5 8
	90 11 11
Montant à recevoir, balance du Don de 1826,	150 0 0
	£240 11 11

Montréal, 5 décembre 1829.

Sauf Erreurs.

H. GRIFFIN, Trésorier.

To the Montreal District Agricultural Society : The President and Committee of the County of York Agricultural Society submit the following Report of their proceedings during the current year, to be laid before the Honorable the House of Assembly :—

THEY beg leave to intimate that this Society is in a most flourishing state, and bids fair to be productive of the most beneficial effects to the agriculture of the country. It now consists of about sixty members, chiefly practical farmers, besides those nominated by law, and other honorary members appointed by the Society in the neighbouring Parishes ; some Canadians have joined the Society and some have competed for premiums and obtained them, but more attended at our Exhibition as spectators than as competitors, deterred apparently by the idea that they had no chance of succeeding in a competition with the English, but this Society has offered them such encouragement, and have used such efforts to convince them of the true disposi-

A la Société d'Agriculture du District de Montréal : Le Président et le Comité de la Société Agricole du Comté de York, soumettent le Rapport suivant de leurs procédés pendant l'année courante, pour être mis devant l'Honorable Chambre d'Assemblée.

ILS prennent la liberté de représenter, que cette Société est dans l'état le plus florissant, et qu'elle annonce un résultat dont les effets seront des plus salutaires pour l'agriculture du Pays. Elle se trouve composée maintenant d'environ soixante membres ; principalement de Fermiers pratiques, sans compter ceux que la Loi a désignés, et d'autres membres honoraires nommés par la Société dans les Paroisses voisines. Quelques Canadiens se sont joints à la Société ; plusieurs d'entr'eux sont devenus Compétiteurs pour des Prix et les ont obtenus ; mais le plus grand nombre qui a assisté à nos Exhibitions s'y sont plutôt trouvés comme spectateurs que comme Compétiteurs, retenus, en apparence, par l'idée qu'ils ne pourraient pas avec succès en-

Appendix
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tion of the Society that they begin to entertain a spirit of emulation, and will in a short time be as numerous and as active at our Shows as the most experienced English farmers, and thus the principal object of the establishment of Agricultural Societies in the Province be attained. They beg leave to intimate also that the present mode of placing monies in the hands of Auxiliary Societies for distribution, is by far the most popular plan yet adopted, and gives most general satisfaction. The stimulus which the distribution of premiums has created in every part of the county is very apparent by the unprecedented preparations which have been made this fall by the farmers to enter into a very extensive and spirited competition for the premiums that are expected to be offered the ensuing season, and it would certainly disappoint many a zealous agriculturist and blast the rising spirit of emulation within the county, were the monies granted heretofore, to be withheld for the future; but the Committee of this Society place implicit confidence in the judgment and liberality of the Legislature, and are therefore led to believe that the hopes they entertain of being enabled to continue the great work of improvement, are not unfounded; our numerous attended exhibition, the well contested competition for the premiums that were offered, and the very favourable impression which the distribution of them created in the minds of the competitors and spectators, convince us that every branch of farming economy has received an impulse which in a short time by proper measures will bring the agriculture of the country to great perfection.

We have distributed a large number of our Rules in French and English throughout the county, a copy of which we annex.

The following is a Statement of the application of the public funds received from your Society in behalf of the Legislature:

PREMIUMS awarded and paid at the Cattle Show on the 11th September 1828.

Capt. D. C. McLean received 1st premium for English Stud,		£3	0	0
Orlando Powers, 2d ditto ditto ditto,		1	0	0
Capt. John Clarke, 1st ditto Canadian do.		3	0	0
Louis Ludrier, 2d ditto ditto ditto		1	10	0
Wm. Powers, 1st ditto English Mare,		1	10	0
Thomas Barron, 2d ditto ditto ditto		1	0	0
Robert Patton, 1st ditto Canadian do.		1	10	0
Felix La Londe, 2d ditto ditto ditto		1	0	0
John Baileys, 1st ditto 2 yr. old colt,		1	0	0
Daniel Case, 2d ditto ditto ditto		0	10	0
James Brown, 1st ditto English Bull,		2	0	0
John McDonald, 2d ditto ditto ditto		1	0	0
Henry McBride, 1st ditto Canadian do.		1	10	0
Wm. McFarlane, 2d ditto ditto ditto		0	15	0
James Brown, 1st ditto English Cow,		1	5	0
John McDonald, 2d ditto ditto ditto		0	15	0
John McMartin, 1st ditto Canadian do.		1	5	0
John Hutchins, 2d ditto ditto ditto		0	15	0
John Hutchins, 1st ditto Heifers,		0	15	0
Wm. H. Whitmore, 2d ditto ditto		0	10	0
John McMartin, 1st ditto Yearlings,		0	15	0
John Hutchins, 2d ditto ditto		0	10	0
Carried over,		£27	5	0

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trer en concurrence avec les Anglais; mais l'encouragement que la Société leur a offert, et les efforts qu'elle a fait pour les convaincre des véritables intentions de la Société ont été tels, qu'ils commencent maintenant, à faire voir un esprit d'émulation, et l'on peut espérer que dans peu de tems, ils seront en aussi grand nombre, et tout aussi actifs à nos Exhibitions que le sont nos Fermiers Anglais les plus expérimentés. et c'est alors, l'on aura atteint l'objet principal de l'établissement des Sociétés Agricoles en cette Province. Ils prennent aussi la liberté de représenter que le mode actuel de placer les deniers entre les mains des Sociétés Auxiliaires pour en faire la distribution, est le plan populaire le plus préférable qui a été adopté jusqu'à présent; que cela cause une satisfaction générale. L'aiguillon, que la distribution des Prix a crée dans toutes les parties du Comté est très apparent, ainsi que le font voir les préparations sans exemple que les Fermiers ont faites cette Automne, dans la vue d'entrer en concurrence sur toutes espèces d'objets, avec la plus grande ardeur, pour les Prix qu'ils s'attendent voir offrir dans la saison prochaine; et plus d'un Agriculteur zélé serait trompé, et l'esprit naissant d'émulation dans le Comté anéanti, si les deniers qui ont été ci-devant accordés, étaient refusés à l'avenir; mais le Comité de cette Société repose une entière confiance dans la sagesse et la libéralité de la Législature, et il est conséquemment porté à croire, que les espérances qu'il a, d'être en état de continuer le grand œuvre de l'amélioration, ne sont pas mal fondées. Les nombreuses réunions lors de nos Exhibitions, l'ardeur de la concurrence pour les prix qui étaient offerts, et l'impression très favorable que faisait la distribution de ces prix sur les esprits des Compétiteurs et des Spectateurs, nous a convaincus que toutes les branches de l'économie agricole ont reçues une impulsion qui, avec les moyens convenables, portera en peu de tems l'agriculture à une grande perfection.

Nous avons distribué par tout le Comté un grand nombre de nos Réglemens en Français et en Anglais; Copies desquels sont annexés à ce rapport.

Ce qui suit est un état de l'emploi des Fonds publics reçus de votre Société de la part de la Législature:—

PRIX qui ont été accordés et payés à l'Exhibition des Animaux le 11 Septembre 1829.

Capt. D. C. McLean, a reçu le 1er. Prix pour un Etalon Anglais,		£3	0	0
Orlando Powers, 2e. do. do.		1	10	0
Capt. John Clarke, 1er. do. do. Canadien,		3	0	0
Louis Ladrier, 2e. do. do. do.		1	10	0
William Powers, 1er. do. un Jument Anglais,		1	10	0
Thomas Barron, 2e. do. do. do.		1	0	0
Robert Patton, 1er. do. do. Canadienne		1	10	0
Félix La Londe, 2e. do. do. do.		1	0	0
John Baileys, 1er. do. un Poulain de deux ans,		1	0	0
Daniel Case, 2e. do. do.		0	10	0
James Brown, 1er. Pour un Taureau Anglais,		2	0	0
John McDonald, 2e. do. do.		1	0	0
Henry McBride, 1er. do. do. Canadien,		1	10	0
W. McFarlane, 2e. do. do. do.		0	15	0
James Brown, 1er. do. une Vache Anglaise,		1	5	0
John McDonald, 2e. do do.		0	15	0
John McMartin, 1er. do. do. Canadienne		1	5	0
John Hutchins, 2e. do. do.		0	15	0
John Hutchins, 1er. do. Jeunes Taures,		0	15	0
Wm. H. Whitmore, 2e. do. do.		0	10	0
John McMartin, 1er. do. Veaux d'un an,		0	15	0
John Hutchins, 2e. do. do.		0	10	0
Porté ci-contre,		£27	5	0

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		Brought over, £27 5 0	
John Dewar,	1st ditto Oxen,	1 10 0	
Daniel Case,	2d ditto ditto	1 0 0	
James Brown,	1st ditto Ram,	1 0 0	
Duncan McMartin,	2d ditto ditto	0 10 0	
James Brown,	1st ditto Ewes	1 0 0	
Samuel Liscom,	2d ditto ditto	0 15 0	
Thomas French,	1st ditto Boar,	1 0 0	
Henry McBride,	2d ditto ditto	0 10 0	
John Baileys,	1st ditto best Sow,	1 0 0	
Henry McBride,	2d ditto ditto ditto	0 10 0	
Wm. H. Whitmore,	1st ditto Cheese,	1 10 0	
Moses Davis,	2d ditto ditto	1 0 0	
Wm. Powers,	3d ditto ditto	0 10 0	
Henry Chapman,	1st ditto Woollen Cloth	1 0 0	
Adam Burwash,	2d ditto ditto ditto	0 10 0	
Chs. T. Barron,	1st ditto Flannel,	1 0 0	
Moses Davis,	2d ditto ditto	0 10 0	
Wm. Drew,	1st ditto Lincen,	1 0 0	
William Symes,	2d ditto ditto	0 10 0	
Martin Allbright,	1st ditto Wheat,	2 0 0	
Joachim Perejas,	2d ditto ditto	1 5 0	
John McMartin,	3d ditto ditto	0 15 0	
Abeather Waldon,	1st ditto Rye,	1 10 0	
Walter McConatt,	2d ditto ditto	0 15 0	
Judak Center,	1st ditto Pease,	1 10 0	
James Draper,	2d ditto ditto	0 15 0	
William Laroy,	1st ditto Oats,	1 10 0	
Widow Peck,	2d ditto ditto	0 15 0	
Stephen Burwash,	1st ditto Indian Corn,	2 0 0	
Abner Rice,	2d ditto ditto ditto	1 5 0	
Abeather Waldon,	3d ditto ditto ditto	0 15 0	
John McMartin,	1st ditto Turnips,	1 0 0	
Thomas Barron,	2d ditto ditto	0 10 0	
Samuel Liscom,	1st ditto Apple Trees,	3 15 0	
John McArthur,	2d ditto ditto ditto	3 0 0	
Thomas Barron,	3d ditto ditto ditto	2 5 0	
Samuel Goodwin,	4th ditto ditto ditto	1 10 0	
Moses Davis,	1st ditto dressed Cloth,	1 0 0	
Wm. McFarlane,	2d ditto ditto ditto	0 10 0	

Premiums awarded Ploughmen.

William Drew was awarded and paid,	1 10 0
James McConatt, ditto ditto	1 5 0
William Blair, ditto ditto	1 10 0
James McCulloch, ditto ditto	1 5 0
John Nicol, ditto ditto	0 15 0
John Logie, ditto ditto	0 5 0
John Tibert, for Canadian Ploughing ditto	1 0 0
Martin Leroy, ditto ditto	0 15 0

Total Amount of Disbursements, £80 15 0

Premiums offered for Apple Trees planted in the Fall of 1828 and the Spring of 1829.

The 1st premium for not less than 100 trees,	7 10 0
2d do. ditto ditto	6 0 0
3d do. ditto ditto	4 10 0
4th do. ditto ditto	3 0 0

Total amount of disbursements and appropriations, £101 15 0

Contra,

By amount of Cash received from District Agricultural Society on acct. of Legislature, £95 10 6
Balance to be paid out of the

Carried forward, £95 10 6 £101 15 0

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		Montant d'autre part, £27 5 0	
John Dewar,	1er. do. Bœufs,	1 10 0	
Daniel Case,	2e. do. do.	1 0 0	
James Brown,	1er. do. Bélier,	1 0 0	
Duncan McMartin,	2e. do. do.	0 10 0	
James Brown,	1er. do. Agneaux,	1 0 0	
Samuel Liscom,	2e. do. do.	0 15 0	
Thomas French,	1er. do. Porc,	1 0 0	
Henry McBride,	2e. do. do.	0 10 0	
John Baileys,	1er. do. meilleur Truic,	1 0 0	
Henry McBride,	2e. do. do. do.	0 10 0	
Wm. H. Whitmore,	1er. do. Fromage,	1 10 0	
Moses Davis,	2e. do. do.	1 0 0	
Wm. Powers,	3e. do. do.	0 10 0	
Henry Chapman,	1er. do. Drap,	1 0 0	
Adam Burwash,	2e. do. do.	0 10 0	
Mad. T. Barron,	1er. do. Flannelle,	1 0 0	
Moses Davis,	2e. do. do.	0 10 0	
W. Drew,	1er. do. Toile,	1 0 0	
Wm. Symes,	2e. do. do.	0 10 0	
Martin Allbright,	1er. do. Bled,	2 0 0	
Joachim Perejas,	2e. do. do.	1 5 0	
John McMartin,	3e. do. do.	0 15 0	
Abeather Waldon,	1er. do. Seigle,	1 10 0	
Walter McConatt,	2e. do. do.	0 15 0	
Judak Center, a reçu e	1er Prix pour Pois,	1 10 0	
James Draper,	2e. do.	0 15 0	
Wm. Leroy,	1er. Avoine,	1 10 0	
La veuve Peck,	2e. do.	0 15 0	
Stephen Burwash,	1er. Bled-d'Inde,	2 0 0	
Abner Rice,	2e. do.	1 5 0	
Abeather Waldon,	3e. do.	0 15 0	
John McMartin,	1er. Navets,	1 0 0	
Thomas Barron,	2e. do.	0 10 0	
Samuel Liscom,	1er. Pommiers,	3 15 0	
John McArthur,	2e. do.	3 0 0	
Thomas Barron,	3e. do.	2 5 0	
Samuel Goodwin,	4e. do.	1 10 0	
Moses Davis,	1er. Etoffe,	1 0 0	
Wm. McFarlane,	2e. do.	0 10 0	

Primes accordées pour Labourage.

Wm. Drew, il lui a été alloué et payé,	1 10 0
James McConatt, do. do.	1 5 0
Wm. Blair, do. do.	1 10 0
James McCulloch, do. do.	1 0 0
John Nicol, do. do.	0 15 0
John Logie, do. do.	0 5 0
John Tibert, pour Labours entre Canadiens, do. do.	1 0 0
Martin Leroy, do. do. do.	1 15 0

Montant total des déboursés, £80 15 0

Primes qui sont offertes pour des pommiers qui auront été plantés dans l'Automne de 1828, et le Printems de 1829.

Le premier prix, pour pas moins de 100 arbres,	7 10 0
Le 2e. do. do. do.	6 0 0
Le 3e. do. do. do.	4 10 0
Le 4e. do. do. do.	3 0 0

Montant total des déboursés et des appropriations, £101 15 0

Avoir.

Argent reçu de la Société d'Agriculture du District, de la part de la Législature, £95 10 6
Balance qui reste à payer à

Porté ci-contre, £95 10 6 £101 15 0

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Brought forward, £95 10 6	101 15 0
private funds of the Society, acquired by subscriptions, 6 4 6	
<hr/>	
£101 15 0	101 15 0

Errors excepted.

Extracted from the minutes,
By order of the Committee.

(Signed) JAMES BROWN, jun. Secy.
C. Y. A. S.

St. Andrews, 12 Dec. 1828.

(Copy.)
Signed, H. GRIFFIN, Secy.
M. A. S.

RULES and REGULATIONS of the *County of York Agricultural Society.*

At a General Meeting of the Inhabitants of the County of York, held in St. Andrews on the 2d February 1826, Mr. John McMartin being called to the Chair, the purpose of the meeting was explained, and the following Resolutions were unanimously adopted, viz:—

Resolved, 1st. That the persons present form themselves into a Society, to be called the "County of York Agricultural Society," the object of which will be to improve the mode of Agriculture in the said County by every means in their power.

Resolved, 2d. That the officers of this Society shall be a President, two Vice-Presidents, a Treasurer and Secretary; and that a Committee of ten shall manage the business; all which officers shall be elected annually.

Resolved, 3d. That James Brown, Esquire, be President; Mr. John McMartin and Thomas Barron, Esquire, Vice-Presidents.

Edward Jones and Duncan McNaughton; Henry Chapman; Wm. Tennison; Jacob Schagel; Stephen Burwash; Thomas Cooke; John McEwett; Doctor A. Rice, were elected to form the Committee.

Mr. Guy Richards, Treasurer.
Mr. James Murray, Secretary.

Resolved, 4th. That the Committee draw up Rules for the better regulation of this Society.

Resolved, 5th. That those present immediately enter their names as members of this Society;—which Resolution was unanimously complied with.

(Signed) JAMES MURRAY, Secy.

On the 25th of March 1826, pursuant to public notice, a General Meeting took place, when the following regulations were unanimously adopted:—

1st. The object of this Society is to promote by its efforts and example, the science of Agriculture throughout the County, to give premiums in money or pieces of plate, agricultural publications or implements to the practical farmers who shall excel in the art of ploughing, cropping, raising stock of all kinds, in the dairy, planting of fruit trees, and the general improvement of farms, and home manufactures.

2d. There shall be a general meeting annually, on the 20th day of January, or day following, if it should fall on a Sunday, for the election of a President, two Vice Presidents, a Secretary and Treasurer, and ten

Montant d'autre part, £95 10 6	101 15 0
même les fonds particuliers de Société, au moyen des souscriptions, 6 4 6	
<hr/>	
£101 15 0	101 15 0

Sauf Erreurs,

Extrait des minutes,
Par ordre du Comité.

(Signé.) JAMES BROWN, Junr.
Secr. S. A. C. Y.

St. André. 12 Décembre 1829.

(Copie.)
H. GRIFFIN,
Secr. S. A. M.

REGLES et REGLEMENS de la *Société Agricole du Comté d'York.*

A une assemblée générale des habitans du Comté d'York, tenue à St. André, le 2 Février, 1826, Mr. John McMartin ayant été prié d'occuper la Chair, on expliqua le but de l'assemblée, et l'on adopta unanimement les Résolutions suivantes, savoir :

Résolu, 1er.—Que les personnes présentes se forment en une Société qui aura pour nom "Société Agricole du Comté d'York," et dont l'objet sera d'améliorer la manière de cultiver le sol dans le dit Comté, en employant pour cela tous les moyens en son pouvoir.

Résolu, 2e.—Que cette Société aura pour officiers un Président, deux Vice Présidens, un Trésorier et un Secrétaire, que toutes affaires de la Société seront conduites par un Comité de dix de ses membres, et que tous les Officiers seront élus annuellement.

Résolu, 3e.—Que James Brown, Ecuyer, soit Président, et que Mr. John McMartin et Thomas Barron, Ecuyer, soient Vice Présidens.

Edward James et Duncan McNaughton, Henry Chapman, Wm. Tennison, Jacob Schagel, Stephen Burwash, Thomas Cooke, John McEwett, et le Docteur A. Rice, furent élus membres constitutifs du dit Comité.

Mr. Guy Richards, Trésorier,
Mr. James Murray, Secrétaire,

Résolu, 4e.—Que le Comité prépare des Réglémens pour le meilleur gouvernement de cette Société.

Résolu 5e.—Que les personnes présentes inscrivent immédiatement leur noms comme membres de cette Société. Cette Résolution fut aussitôt exécutée.

(Signé.) JAMES MURRAY, Sec.

Le 25 Mars, 1826, suivant avis public, il y eut une Assemblée Générale de la Société, à laquelle les réglémens suivans furent adoptés unanimement.

1er.—L'objet de cette Société, est de contribuer par ses efforts et par son exemple aux progrès de l'art de l'agriculture dans tout le Comté, et de donner à cet effet des prix en argent ou des pièces de vaisselle, des instrumens d'agriculture, ou des ouvrages qui traiteront de cet art, aux Cultivateurs de profession qui excellent dans l'art du labourage, celui de faire la Récolte, celui de cultiver toute espèce de Bétail, celui de la Laiterie, dans le plan des arbres fruitiers, et dans l'amélioration générale des fermes et des Manufactures Domestiques.

2e.—Il y aura tous les ans au vingtième jour de Janvier ou le jour suivant, si le premier se trouve un Dimanche, une assemblée générale pour l'élection d'un Président, de deux Vice-Présidens, d'un Secrétaire,

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3d. The Committee shall remain in office for one year, and one half of those comprising it, may be re-elected, but may retire after serving one year, then the Committee may elect others in their stead.

4th. The said Committee shall meet quarterly or oftener if required by the President.

5th. Any practical farmer or gentleman in the County, may become a member of the Society by paying the sum of five shillings annually. No expulsion can take place unless at a general meeting, when two-thirds of those present may expel any member for misconduct towards the Society.

6th. No person unless a practical Farmer within the County can partake of the benefit of premiums.

7th. All decisions to be made by a majority of members present, and the President to have the casting vote.

8th. The rules of competition to be similar to those adopted by the Highland Society of Scotland.

9th. The judges shall be named by the Committee from among the members, who shall determine in all cases.

10th. At the annual general meeting of this Society in January, the proceedings of the year shall be read over, a statement of the funds exhibited, the list of subscribers read over, and the annual subscription received, previous to the election of officers.

11th. No member entitled to vote on any subject, till the preceding article is complied with.

12th. That the general meeting in January shall serve for the first quarterly meeting. The second quarterly meeting will take place on the second Tuesday of March. The third on the second Tuesday of June. The fourth on the second Tuesday of September.

At a general meeting of the Inhabitants of the County of York, held on the 21st January 1828, the following additional Resolution was agreed to:

Resolved, That in order to extend the benefits to be derived from the Association, ten new members from the neighbouring parishes be added to the number of the Committee, and that twenty do constitute in future the number of the Committee, exclusive of the President, two Vice-Presidents, the Secretary and Treasurer.

JAMES BROWN, Junr. Sec'y.

d'un Trésorier, et d'un Comité Dix de membres pour surveiller les intérêts généraux de la Société, et Six de ces membres avec le Président, ou l'un des Vice-Présidents seront compétens à agir, à convoquer des Assemblées extraordinaires, &c.

3e.—Le Comité restera en office durant une année, et moitié des membres, dont il sera composé pourront être restés une année en fonction, et dans ce cas le Comité pourra élire de nouveaux membres pour les remplacer.

4e.—Ce Comité s'assemblera tous les trois mois ou plus souvent s'il est requis par le Président.

5e.—Tous Cultivateur de profession, ainsi que tous bourgeois du Comté aura droit de devenir membre de la Société, en payant annuellement la somme de cinq shelings. Nul membre ne sera exclus qu'à une assemblée générale; et à telle assemblée deux tiers des membres présens auront le pouvoir d'exclure aucun membre pour mauvaise conduite envers la Société.

6.—Nul autre que des Cultivateurs de profession, résidents dans le Comté, ne pourra prétendre aux prix qui seront accordés par la dite Société.

7e.—La décision de toute question se fera par la majorité des membres présens, et le président aura une voix prépondérante.

8e.—Les règles de compétition seront semblables à celles qui ont été adoptées par la Société des montagnards d'Ecosse.

9e.—Les juges seront nommés d'entre les membres par le Comité, et seront compétens à juger dans tous les cas.

10e.—A l'assemblée générale de cette Société qui aura lieu chaque année en Janvier, les procédés de l'année seront lus; on produira l'état des fonds, on lira la Liste des Souscripteurs et l'on recevra la souscription annuelle avant de procéder à l'élection des Officiers.

11e.—Nul membre n'aura droit de voter sur aucun sujet jusqu'à ce que l'on se soit conformé à l'article précédente.

12e.—L'assemblée générale qui aura lieu en Janvier, servira pour la première assemblée de quartier; la seconde assemblée de quartier aura lieu le second Mardi de Mars; la troisième le second Mardi de Juin, et la quatrième le second Mardi de Septembre.

A une Assemblée Générale des habitans du Comté d'York tenu le 21 Janvier, 1828, la résolution additionnelle qui suit à été adoptée.

Résolu.—Qu'afin d'étendre les avantages qui doivent résulter de cette association, il soit ajouté au Comité Dix nouveaux membres, qui seront des paroissés voisines, et qu'à l'avenir le Comité soit composé de vingt membres outre le Président, deux Vice Présidents, le Secrétaire et le Trésorier.

JAMES BROWN, Jun. Secrétaire.

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LIST OF COMMISSIONERS appointed under the Act of the 6th Geo. IV. cap. 2, and under the Act of the 7th Geo. IV. cap. 9, which amends the above Act, intituled, "An Act to provide for the " Summary Trial of certain Small Causes."

LISTE des COMMISSAIRES nommé en vertu de l'Acte de la 6e Geo. IV, chap. 2, et en vertu de l'Acte de la 7e Geo. IV, chap. 9, qui amende l'Acte ci-dessus, intitulé, "Acte qui pourvoit à la décision sommaire de certaines Petites Causes."

Persons appointed.	For what Seigniorie, Parish, Township or place.	Date of Appointment.	Personnes nommées.	Pour quelle Seigneurie, Paroisse, Township ou lieu.	Date de la nomination.
Samuel Robertson, Esquire	At the place called Great Mecatina Point	1826 May 27	Samuel Robertson, Ecuyer,	Au lieu nommé la Pointe Grand	1826. Mai 27
Louis Chevalier, Esquire	Seigniorie of St. Paul	do. do.	-	Mécatina,	do. do.
Ralph Taylor and Jonas Abbott, snr. Esquires	Ditto of St. Armand	18 July	Louis Chevalier, Ecuyer,	Seigneurie de Saint-Paul,	18 Juillet.
James M. Perkins and Thomas Barron, Esquires	Ditto of Argenteuil	do. do.	Ralph Taylor et Jones Abbott, senior, Ecuyers,	Ditto de St. Armand,	do. do.
Jean Baptiste Hertel De Rouville and Philip Byrne, Esquires	Ditto of Rouville	do. do.	James M. Perkins et Thomas Barron, Ecuyers,	Ditto d'Argenteuil,	do. do.
Jean Baptiste Constantin, Albigece Waldo Robinson and Paul Rollin, Esquires	Ditto of Isle Jesus	do. do.	Jean Baptiste Hertel de Rouville et Philip Byrne, Ecuyers,	Ditto de Rouville,	do. do.
The Honorable Roderick McKenzie, Joseph Turgeon, Michel Turgeon, François Hyacinthe Seguin and John McKenzie, Esquires	Ditto of Terrebonne	do. do.	Jean Baptiste Constantin, Albigece Waldo Robinson et Paul Rollin, Ecuyers,	Ditto de l'Ile Jésus,	do. do.
Pierre Gideon Vallée, Esquire	Parish of St. François Xavier of Verchères	do. do.	L'Honorable Roderick McKenzie, Joseph Turgeon, Michel Turgeon, François Hyacinthe Seguin et John McKenzie, Ecuyers,	Ditto de Terrebonne,	do. do.
Etienne Mayrand and Sueton Grant, Esquires	Ditto of St. Antoine, Rivière du Loup	do. do.	Pierre Gideon Vallée, Ecuyer,	Paroisse de St. François Xavier de Verchères,	do. do.
Kenelm C. Chandler and Louis Brassard, Esqs.	Ditto of Nicolet	do. do.	Etienne Mayrand et Sueton Grant, Ecuyers,	Paroisse de St. Antoine, Riv. du Loup,	do. do.
Samuel Hatt, Esquire	Ditto of St. Louis of Chambly	do. do.	Kenelm C. Chandler et Louis Brassard, Ecuyers,	Ditto de Nicolet,	do. do.
Isaac H. Filer and James Phillips, Esquire	Ditto of St. Thomas	do. do.	-	Ditto de Nicolet,	do. do.
Soloman Bingham and Leonard Thomas, Esqrs.	Ditto of St. George	do. do.	Samuel Hatt, Ecuyer,	Ditto de St. Louis de Chambly,	do. do.
Joseph Vigneau René de la Bruère and Pierre Weillbrenner, Esquires	Ditto of St. George	do. do.	Isaac H. Filer et James Phillips, Ecuyers,	Ditto de St. Thomas,	do. do.
Clark Rogers Vaughan, Esquire	Ditto of Boucherville	do. do.	Solomon Bingham et Leonard Thomas, Ecuyers,	Ditto de St. George,	do. do.
Samuel Willard and Alvin Williams, Esquires	Township of Stanbridge	do. do.	Joseph Vigneau, René de la Bruère et Pierre Weillbrenner, Ecuyers,	Ditto de Boucherville,	do. do.
Richard Frost, Esquire	Ditto of Shefford	do. do.	Clark Rogers Vaughan, Ecuyer,	Township de Stanbridge,	do. do.
Rufus Labanee, Esquire	Ditto of Granby	do. do.	Samuel Willard et Alvin Williams, Ecuyers,	Ditto de Shefford,	do. do.
Chester Hovey, Esquire	Ditto of Eaton	do. do.	Richard Frost, Ecuyer,	Ditto de Granby	do. do.
William Hall, Esquire	Ditto of Hatley	do. do.	Rufus Labanee, Ecuyer,	Ditto d'Eaton,	do. do.
William Bowron, Esquire	Ditto of Broughton	do. do.	Chester Hovey, Ecuyer,	Ditto d'Hatley,	do. do.
Lawrence George Brown, Esquire	Ditto of Hinchinbrooke	do. do.	William Hall, Ecuyer,	Ditto de Broughton,	do. do.
Robert Hoyle and Lewis Odell, Esquires	Seigniorie of Beauharnois	August 30 do.	William Bowron, Ecuyer,	Ditto d'Hinchinbrook,	do. do.
Joseph Edouard Faribault and Laurent Leroux, Esquires	Ditto of Lacole	do. do.	Lawrence George Brown, Ecuyer,	Seigneurie de Beauharnois,	do. do.
Eustache Nicolas Lambert Dumont, Esquire	Ditto of St. Sulpice	do. do.	Robert Hoyle et Lewis Odell, Ecuyers,	Ditto de La Cole,	do. do.
François Boucher and Louis André Duchesny, Esquires	Ditto of Milles Isles	do. do.	Joseph Edouard Faribault et Laurent Leroux, Ecuyers,	Ditto de Saint-Sulpice,	do. do.
François St. Onge and Jacques Dorion, Esqrs.	Parish of St. Joseph de Maskinongé	do. do.	Eustache Nicolas Lambert Dumont, Ecuyer,	Ditto de Milles Isles,	do. do.
Robert Jones, Edward Walker Carter and William Nelson, Esquires	Ditto of St. Ours	do. do.	François Boucher et Louis André Duchesny, Ecuyers,	Paroisse de St. Joseph de Maskinongé,	do. do.
Selah Pomroy, Elisha Gustin and Alexander Kilborn, Esquires	Ditto of St. Pierre of Sorel	do. do.	Robert Jones, Edward Walker Carter et Wm. Nelson, Ecuyers,	Ditto de St. Ours,	do. do.
François Lehoullier, John Walsh and Antoine Charles Taschereau, Esquires	Township of Stanstead	do. do.	-	Ditto de St. Pierre de Sorel,	do. do.
	Seigniorie of Ste. Marie, Nouvelle Beauce, otherwise called Taschereau	do. do.	-	-	-
		31 do.	-	-	-

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Novr.	80	Seilah Pomroy, Elisha Gustin et Alexander Kilborn, Ecuyers,	Township de Stanstead,	30	Aout
do.	do.	François Lehoullier, John Walsh et Antoine Charles Taschereau, Ecuyers,	Seigneurie de Sainte-Marie N.-Beauce, autrement appelée Taschereau,	do.	do.
do.	do.	L'Honorable Charles de Sallaberry, Ecuyer,	Paroisse de St. Louis de Chambly,	30	Nov.
do.	do.	Henry Hoyle et Lewis Odell, Ecuyers,	Seigneurie de La Cole,	do.	do.
do.	do.	John Augustus Mathison, Ecuyer,	Ditto de Vandreuil,	do.	do.
Decr.	26	François Languedoc, Ecuyer,	Ditto de St. George,	do.	do.
do.	do.	Ignace Raizenne, Ecuyer,	Ditto du Lac des deux Montagnes,	do.	do.
do.	do.	David Blanchard, junior, Ecuyer,	Township de Potton,	do.	do.
do.	do.	Charles Benedict, Ecuyer,	Seigneurie d'Argenteuil,	26	Déc.
do.	do.	Ignace Gaspard Boisseau, Ecuyer,	Paroisse de St. Thomas,	do.	do.
do.	do.	William Fraser, Ecuyer,	Seigneurie de Mount Murray,	do.	do.
do.	do.	L. M. R. Barbier, Ecuyer,	Paroisse de Berthier,	do.	do.
1827	do.	Barthelemy Joliette, Ecuyer,	Seigneurie de la Valtrie,	do.	do.
February 8	do.	Louis Picard, Ecuyer,	Ditto de St. Hyacinthe,	do.	do.
do.	do.	John Hettrick, Ecuyer,	Ditto de Blainville,	do.	do.
do.	do.	François Letellier de Saint-Juste et François Xavier Boucher, Ecuyers,	Paroisse de Notre-Dame de Liesse, communément appelée Riv.-Ouelle,	1827.	do.
do.	do.	George Waters Allsopp et Edward Hale, Ecuyers,	Paroisse de St. Famille, communément appelée Cap Santé,	8	Février
do.	do.	Olivier Laurent Fleury de la Gorgendière, Ecuyer,	Paroisse de Deschambault,	do.	do.
April	9	A. A. Dame, Pierre Bazin et C. E. Gagnon, Ecuyers,	Ditto St. Antoine de la Riv. du Loup,	do.	do.
Novr.	30	Joseph Bistodeau et Thomas Bouthillier, Ecuyers,	Seigneurie de St. Hyacinthe,	do.	do.
do.	do.	Pierre Grisé, Ecuyer,	Ditto de St. Denis,	do.	do.
1828	do.	John Simpson, Ecuyer,	Ditto de Soulanges,	do.	do.
January	2	Louis Henry Gauvin, Ecuyer,	Paroisse Protestante de Longueuil,	9	Avril
do.	23	Louis Chicou Duvert et Joseph Benoit, Ecuyers,	Seigneurie de Saint-Charles,	30	Novr.
March	18	Rémi Puize et Isaac Hudon, Ecuyers,	Paroisse de Sainte-Anne Lapocatière,	do.	do.
do.	do.	Amable Dionne et François Gauvreau, Ecuyers,	Paroisse de Saint-Louis de Kamouraska,	1828.	do.
April	11	George Larue et Moise Morin, Ecuyers,	Seigneurie de la Rivière du Loup,	2	Janr.
May	28	L'Honorable James Cuthbert et William Morrison, Ecuyers,	Seigneurie de Berthier,	do.	do.
Decr.	2	Jean Marie Bélanger et Félix Tétu, Ecuyers,	Seigneurie de Berthier,	13	Mars
do.	do.	Amable Archambault, Ecuyer,	Ditto de St. Jean Port Joli,	do.	do.
do.	do.	Charles McDonell, Ecuyer,	Ditto de St. Hyacinthe,	11	Avril
do.	do.	Philippe Beaulieu, Ecuyer,	Ditto de Monnoir,	23	Mai.
do.	do.		Kamouraska,	2	Dec.

Je certifie par ces présentes, ce qui précède être une vraie et correcte Liste, comme copiée du Régistre des Commissions pour la décision des Petites Causes.

Bureau du Secrétaire Provincial,
Québec, 3 Janvier 1829:

D. DALY, Sect. et Greffier.

The Hon. Chs. De Salaberry, Esquire	Parish of St. Louis of Chambly
Henry Hoyle and Lewis Odell, Esquires	Seigniorie of Lacole
John Augustus Mathison, Esquire	Ditto of Vandreuil
François Languedoc, Esquire	Ditto of St. George
Ignace Raizenne, Esquire	Ditto of the Lake of the Two Mountains
David Blanchard, junr. Esquire	Township of Potton
Charles Benedict, Esquire	Seigniorie of Argenteuil
Ignace Gaspard Boisseau, Esquire	Parish of St. Thomas
William Fraser, Esquire	Seigniorie of Mount Murray
L. M. R. Barbier, Esquire	Parish of Berthier
Barthelemy Joliette, Esquire	Seigniorie of Lavaltrie
Louis Picard, Esquire	Ditto of St. Hyacinthe
John Hettrick, Esquire	Ditto of Blainville
François Le Tellier de St. Juste and François Xavier Boucher, Esquires	Parish of Notre Dame de Liesse, commonly called River Ouelle
George Waters Alsopp and Edward Hale, Esqrs.	Parish of St. Famille, commonly called Cap Santé
Olivier Laurent Fleury De Lagorgendière, Esqr.	Parish of Deschambault
A. A. Dame, Pierre Bazin and C. E. Gagnon, Esquires	Ditto of St. Antoine of the Rivière du Loup
Joseph Bistodeau and Thomas Bouthillier, Esqrs.	Seigniorie of St. Hyacinthe
Pierre Grise, Esquire	Ditto of St. Denis
John Simpson, Esquire	Ditto of Soulanges
Louis Henry Gauvin, Esquire	Protestant Parish of Longueuil
Louis Chicou Duvert and Joseph Benoit, Esqrs.	Seigniorie of St. Charles
Rémi Puize and Isaac Hudon, Esquires	Parish of St. Anne Lapocatière
Amable Dionne and François Gauvreau, Esquires	Ditto of St. Louis of Kamouraska
George Larue and Moise Morin, Esquires	Seigniorie of Rivière du Loup
The Hon. James Cuthbert and William Morrison, Esquires	Ditto of Berthier
Jean Marie Bélanger and Felix Tétu, Esquires	Ditto of St. Jean, Port Joli
Amable Archambault, Esquire	Ditto of St. Hyacinthe
Charles Macdonell, Esquire	Ditto of Monnoir
Philip Beaulieu, Esquire	Kamouraska

I do hereby certify the foregoing to be a true and correct List as copied from the Register of Commissions for the Trial of Small Causes.

Provincial Secretary's Office,
Quebec, 3d January 1829.

D. DALY, Sec. & Reg.

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LISTE des COMMISSAIRES des PETITES CAUSES démis par le Gouverneur, et des Greffiers des Commissaires des Petites Causes qui ont été renvoyés d'office, sous la sanction du Gouverneur :

Commissaires :		
Nom.	Pour quelle Paroisse ou Township.	Date de la démission.
Joseph Bistodeau,	Saint-Hyacinthe.	16 Février 1828.

Greffiers :		
Noms.	Pour quelle Paroisse ou Township.	Date de la Démission.
Solomon Walbridge, H. B. Reeves, J. B. Déguise,	Stanbridge, Isle Jésus, Vaudreuil,	1er Février 1828. 3 Juin 1828. 7 Juin 1828.

LIST of Commissioners of Small Causes dismissed by the Governor, and of Clerks of Commissioners of Small Causes who have been removed from office under the Governor's sanction.

Commissioners.		
Name.	For what Parish or Township	Date of dismissal.
Joseph Bistodeau,	St. Hyacinthe,	February 16th 1828.

Clerks.		
Names.	For what Parish or Town	Date of dismissal.
Solomon Walbridge, H. B. Reeves, J. B. Deguise,	Stanbridge, Isle Jesus, Vaudreuil,	February 1st. 1828. June 3d 1828. June 7th 1828.

C. YORKE, Secy.

C. YORKE, Secrétaire.

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HOUSE OF ASSEMBLY. CHAMBRE D'ASSEMBLEE.

Wednesday, 24th December, 1828.

Mercredi, 24 Décembre 1828.

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

Ordered, That Mr. Neilson, Mr. Leslie, Mr. Cu villier, Mr. Quesnel and Mr. Viger, do compose the said Committee.

Attest

W.M. B. LINDSAY,
D. C. H. Assbly.

RESOLU, Que la Pétition de divers Marchands et Négocians de Québec soit référée à un Comité de cinq membres, pour en examiner le contenu et en faire rapport avec toute la diligence convenable, avec pouvoir d'envoyer querir personnes, papiers et records.

Ordonné, Que Mr. Neilson, Mr. Leslie, Mr. Cu villier, Mr. Quesnel et Mr. Viger composent le dit Comité.

Attesté,

J. ANT. BOUTHILIER,
Greffier Asst.Appendice
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HOUSE OF ASSEMBLY.

COMMITTEE ROOM.

Saturday, 27th December, 1828.

In Committee on the above order of reference.

PRESENT :—Messrs. Quesnel, Neilson, and Viger.

Mr. Neilson called to the Chair.

Read the Order of Reference.

Read the Petition.

Ordered, That William Finlay, Esquire, and William Walker, Esquire, do appear before the Committee on Tuesday next, at ten o'clock in the forenoon.

Adjourned till Tuesday next.

Tuesday, 30th December, 1828.

PRESENT :—Messrs. Leslie, Neilson and Cu villier.

Mr. Neilson in the Chair.

William Finlay, Esquire, called in, and being interrogated, stated :—

He is a Merchant in *Quebec*, and Chairman of the Board of Trade, and one of the Petitioners. There was a Gentleman sent to England in the year one thousand eight hundred and twenty seven, as an Agent for the Trade, by the Merchants of *Quebec* and *Montreal* : he sailed from *New York* in the sixteenth of January ship, arrived in England early in February of that year : he left London about the month of August, shortly after the close of the Session of Parliament : he called the attention of Ministers to the disadvantages which the wheat and grain of this country were placed in by the temporary Act allowing its importation on a certain fixed duty. There was an alteration of this temporary Act during the Session of one thousand eight hundred and twenty-seven. He thinks it was more favorable with regard to flour and meal only. At the Session of one thousand eight hundred and twenty eight, the law was made permanent on a scale of Duties, which he thinks more favorable than heretofore, chiefly on account of the permanency of the Law. At the Session of one thousand eight hundred and twenty-seven, there was an alteration of the Law regulating the admission of Lumber from the United States into Canada for exportation, which is generally thought more favorable than formerly. Salted Beef and Pork were also admitted at that Session, on paying a duty of twelve per cent., which was formerly prohibited.

Ashes

CHAMBRE D'ASSEMBLEE,

CHAMBRE DE COMITE.

Samedi, 27 Décembre 1828.

En Comité sur l'Ordre de Référence ci-dessus.

Présens : Messrs. Quesnel, Neilson et Viger.

Mr. Neilson appelé au Fauteuil.

Lu l'Ordre de Référence.

Lu la Pétition.

Ordonné, Que *William Finlay*, Ecuyer, et *William Walker*, Ecr. comparaissent devant ce Comité, Mardi prochain à dix heures du matin.

Ajourné à Mardi prochain.

Mardi, 30 Décembre 1828.

Présens : Messrs. Leslie, Neilson et Cu villier.

Mr. Neilson au Fauteuil.

William Finlay, Ecuyer, a été appelé et examiné.

Il est marchand à Québec, et Président du Bureau de Commerce, et un des Pétitionnaires. En mil huit cent vingt-sept, les marchands de Québec et de Montréal envoyèrent un Monsieur en Angleterre comme Agent pour le Commerce : il fit voile de New-York dans le paquebot du seize Janvier et arriva en Angleterre au commencement du mois de Février de cette même année. Il laissa Londres vers la mi-Août, peu de tems après la fin de la Session du Parlement. Il appela l'attention des Ministres sur les désavantages qu'éprouvaient le bled et les autres grains de ce pays, par l'Acte temporaire qui en permettait l'importation sous certains droits fixes. Il y eut un changement de fait à cet Acte temporaire dans la Session de mil huit cent vingt-sept. Il pense que cet Acte devint plus favorable quant à ce qui regarde seulement la farine de froment et les autres farines. Dans la Session de mil huit cent vingt-huit, on rendit la loi permanente, et d'après un tarif de droits qu'il croit plus favorable que ci-devant, principalement en raison de l'état permanent de la loi. Dans la Session de mil huit cent vingt-sept, il y eut un changement de la loi qui règle l'entrée des Bois qui viennent des Etats-Unis en Canada, pour en être exportés ; changement que l'on considère plus favorable que ci-devant. On permit aussi dans cette Session l'entrée du bœuf et lard salés en payant un droit de douze par cent ; ce qui auparavant était prohibé.

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Aslies from the United States were also allowed to be entered into Great Britain as Canadian; any other alteration in that Session is of minor consideration. He has no proof that there was any change made in the intentions of the Home Government, in relation to the trade of Canada, subsequently to the arrival of the Agent in London. He has correspondence from the Agent which he will give in, and the Committee may have the perusal of the instructions. There was raised for the purposes of the Mission, a sum of upwards of one thousand pounds currency, at *Quebec* and *Montreal*, altogether amongst the Merchants. The expenses of the mission amounted to about eight hundred and fifty pounds,—eight hundred and sixteen of which were paid to the Agent. At *Quebec* there were about thirty subscribers who contributed about seven hundred pounds. At *Montreal* there was raised about three hundred and twelve pounds. The Agent has no further claim on the merchants. He has heard that the Agent brought with him an authority from Lord *Goderich*, for the Government to consent to a compensation from the Legislature. In that case the Agent understood that he would refund to the Merchants. The Petition of the Merchants now is to be refunded for their disbursements, which would be returned to each individual Subscriber. There was no Commercial Agent resident in London, immediately previous to Mr. *Felton's* appointment, in one thousand eight hundred and twenty seven. Mr. *Acheson* was at one time employed as Agent for the Merchants, in regard to the interests of the trade and the Province generally; he had no fixed salary; he sometimes received from one hundred to one hundred and fifty pounds from *Quebec*, and probably as much from *Montreal*; the money was paid by private contribution; he ceased to be Agent so far as *Quebec* is concerned, about the year one thousand eight hundred and seventeen, or one thousand eight hundred and eighteen. He is not aware that the Merchants have ever applied to be reimbursed for these payments. The Communications with Mr. *Acheson* were addressed to the Committee of Trade, and the Subscribers had access to them. He can assign no particular reason why application was not made to the Legislature for reimbursement of the advances to Mr. *Felton*, in the Session of one thousand eight hundred and twenty seven, probably they were uncertain whether the mission would be attended with any public advantage, and it is only on proof of public advantage that they think themselves authorized to prefer their claim.

Adjourned to the call of the Chair.

Wednesday, 7th January, 1829.

PRESENT :—Messrs. *Neilson*, *Leslie*, *Cuvillier* and *Quesnel*.

Mr. *Neilson* in the Chair.

William Finlay, Esquire, laid before your Committee the annexed correspondence referred to in his examination of the 30th ultimo.

(Copy.)

London, 12th March, 1827.

Sir,

Immediately on arriving in London on the 24th ult., I delivered my credentials at the Colonial Office, and was instantly placed in communication with the President of the Board of Trade; and I had the satisfaction to learn that an earlier arrival in this country would not have been attended with any advantage to the business of my mission. As the measures to be adopted for the regulation of the Foreign Corn Trade were under discussion, I applied myself immediately in making the necessary representations in the spirit of my instructions,

On permit pareillement l'entrée dans la Grande Bretagne des Potasses des Etats-Unis comme venant du Canada. Les autres changemens qui eurent lieu dans cette Session sont d'une importance mineure. Il n'a aucune preuve pour faire voir qu'il s'est opéré aucun changement dans les intentions du Gouvernement en Angleterre rapport au commerce du Canada subséquemment à l'arrivée de l'Agent à Londres. Il a en sa possession la correspondance de l'Agent qu'il produira, et le Comité peut en examiner les instructions. Pour défrayer les dépenses de cette Mission, à *Québec* et à *Montréal* on a formé une somme de plus de mille livres courant, et cela entièrement parmi les marchands. Les dépenses de la mission se sont élevées à environ huit cent cinquante louis. De cette somme huit cent seize louis ont été payés à l'Agent. A *Québec* il y a environ trente souscripteurs qui y ont contribué environ sept cents louis. A *Montréal* on a formé environ trois cent douze louis. L'Agent n'a aucune autre réclamation contre les marchands. Il a entendu dire que l'Agent avait apporté avec lui une autorité de Lord *Goderich* pour que le Gouvernement consentit à une compensation que pourrait faire la Législature. Dans ce cas l'Agent a compris qu'il ferait un remboursement aux marchands. La Pétition des marchands est maintenant à l'effet d'être remboursé de leurs avances, qui seraient remises à chaque souscripteur individuellement. Il n'y avait point d'Agent de Commerce résidant à Londres immédiatement avant la nomination de Mr. *Felton* en mil huit cent vingt-sept. Mr. *Acheson* fut une fois employé comme Agent pour les marchands relativement aux intérêts du commerce et de la Province en général: il n'avait aucun salaire fixe; il recevait quelquefois depuis cent à cent cinquante louis de *Québec*, et probablement autant de *Montréal*; l'argent était payé au moyen de souscriptions privées. Il a cessé d'être Agent, en autant que *Québec* y est intéressé, vers mil huit cent dix-sept ou mil huit cent dix-huit. Il n'a pas connaissance que les marchands aient jamais fait quelques démarches pour le remboursement de ces payemens. Les communications de Mr. *Acheson* étaient adressées au Bureau de Commerce et les souscripteurs y avait accès. Il ne peut assigner aucune raison particulière de ce que l'on ne s'est pas adressé à la Législature pour être remboursé des avances faites à Mr. *Felton* dans la Session de mil huit cent vingt-sept. Probablement que l'on était dans l'incertitude de savoir s'il résulterait quelque avantage public de cette mission, et que c'est sur la preuve de l'avantage public qui en est résulté qu'il se croient autorisés à faire leurs réclamations.

Le Comité s'ajourne à l'appel du Président.

MERCREDI, 7 Janvier 1829.

Présens : Messrs. *Neilson*, *Leslie*, *Cuvillier* et *Quesnel*.

Mr. *Neilson* au Fauteuil.

William Finlay, Ecuyer, met devant le Comité la correspondance ci-annexée, mentionnée dans son examen du 30 Décembre dernier.

(Copie.)

Londres, 12 Mars 1827.

Monsieur,

Immédiatement après mon arrivée à Londres, le 24 précédent, je remis mes Lettres de Crédit au Bureau Colonial, et j'entrai tout de suite en correspondance avec le Président du Bureau de Commerce; et j'eus la satisfaction d'apprendre que quand même je serais arrivé plutôt dans ce pays, l'objet de ma mission n'en aurait retiré aucun avantage. Les mesures à adopter pour régler le commerce des céréales étrangères étant sous discussion, je m'appliquai sur le champ à faire les représentations nécessaires, dans l'esprit de mes instructions,

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structions, pressing the unlimited introduction of flour and grain, rather than the adoption of a maximum for grain alone. To this preference I was directed by the consideration that the *supposed* interests of Upper Canada required the protection for their flour. The result of the deliberation of Ministers on this subject is matter of so great notoriety that I do not trouble you with the details at present, observing only that the measures proposed have passed the Committee of the Commons with some modifications of the duty on barley and oats; and that in the opinion of competent judges the interests of the Canadas are sufficiently protected. As soon as the urgency of this particular subject permitted, I waited on the various gentlemen composing the Committee in town, and a meeting of a small number of these gentlemen was held at Mr. Robert Gillespie's. There was some discussion proceeding from a difference of opinion on the question of unrestricted introduction of Foreign Produce into the Provinces for the purpose of export. The indisposition of the President of the Board of Trade had prevented me from ascertaining his sentiments on the application of the general principle prior to the meeting, in the absence of this information, therefore, the gentlemen present appeared to waive the decision of this point. The protracted illness of Mr. Huskisson, has deferred to an uncertain period the consideration of the general subjects interesting to us; the delay arising from this unfortunate accident appearing to me to threaten the suspension of an intercourse with the United States during the approaching season, I addressed a memorial to the Board of Trade stating this apprehension, and entreating an immediate decision on the subject of the obstruction at the Provincial Ports of Entry to the importation of commodities allowed to be *Warehoused*. This point thus simply stated, detached from all other questions, and being in itself the effect of mere technical omission in the Act of the sixth George Fourth, chapter one hundred and fourteen, was immediately decided on by Mr. H. and the necessary Parliamentary measures will be adopted for the removal of the impediment. In the mean time in consequence of my urgent request, directions have been issued through the Treasury to the Commissioners of the Customs to apprise their officers in Canada of the intention of His Majesty's Government on this subject, and I have suggested that a copy of a communication should be forwarded to Lord Dalhousie through the Colonial Office, and which I shall endeavour to have sent out by the New York Packet of the sixteenth. The object of this arrangement is to obviate any difficulty that might arise in the interval, that must necessarily intervene between the opening of the navigation and the promulgation of the Act of Parliament.

I cannot venture to give any opinion as to the decisions to which Ministers may come respecting the other subjects committed to my charge. Great efforts are making by the shipping interests of the out ports for protection. On the very important point of West India Commerce I cannot flatter the Committee with the most distant hope of obtaining any pledge or guarantee as to the permanence of the system that may be adopted; as far as I can ascertain the disposition of Ministers, it appears at present quite favorable to the continuance of the present state of things.

The direct effects of the Warehousing system, (without any modification of the two Acts of the sixth George Fourth chapter one hundred and fourteen, and seventh George Fourth chapter forty, further than the proposed amendment to escape the Frontier Ports of Entry,) will be to introduce every description of American produce to the Warehousing Ports in Canada; the term *Warehouse* it will be observed, is applied by the one hundred and fifteenth Section of the sixth George Fourth, chapter one hundred and seven, to "any shed, yard, timber, pond, or other place," in which goods can kept, so that

insistant sur l'introduction illimitée de la fleur et du grain, plutôt que sur l'adoption d'un *maximum* pour le grain seulement: Ce qui m'a déterminé en cela, c'a été la considération que les intérêts supposés du Haut Canada demandaient quelque protection pour sa fleur. Le résultat des délibérations des Ministres sur le sujet est une chose si bien connue, que je ne vous troublerai d'aucun détail à cet égard pour le moment; je me bornerai à observer que les mesures proposées ont été passées dans le Comité des Communes, avec quelques modifications dans le droit sur l'orge et sur l'avoine, et que dans l'opinion de bons juges on y a assez consulté les intérêts des Canadas. Aussitôt que me le permit l'urgence de ce sujet particulier, je me rendis chez les divers Messieurs de la ville qui composent le Comité, et il se fit une assemblée peu nombreuse de ces Messieurs chez Mr. Robert Gillespie. Il y eut quelque discussion provenant de la différence d'opinion à l'égard de l'introduction libre du produit étranger dans la Province pour l'exportation. L'indisposition du Président du Bureau de Commerce m'avait empêché de voir quels étaient ses sentimens sur l'application du principe général, avant le tems de l'assemblée; c'est pourquoi par suite de cette absence, les Messieurs présents parurent abandonner la décision de ce point. La maladie prolongée de Mr. Huskisson a remis, à un tems incertain, la considération des sujets généraux intéressans pour nous; le délai résultant de cet accident malheureux me semblant menacer d'une suspension de commerce avec les Etats-Unis, durant la saison qui approche, j'adressai un mémorial au Bureau de Commerce, dans lequel j'énonçai cette appréhension, et où je le priai de donner une décision immédiate à l'égard de l'obstruction des ports d'entrée provinciaux à l'importation de commodités dont l'entrepôt est permis. Ce point ainsi mis tout simplement, détaché de toutes les autres questions, et étant en lui-même l'effet d'une simple omission technique, dans l'Acte 6, Geo. IV, chap. 114, fut immédiatement décidé par Mr. H. et l'on va adopter les mesures parlementaires nécessaires pour faire disparaître l'empêchement. Dans l'intervalle, les Commissaires de la Trésorerie ont, à ma vive sollicitation, donné des ordres aux Commissaires des Douanes, d'informer leurs Officiers en Canada de l'intention du Gouvernement de Sa Majesté sur ce sujet, et j'ai suggéré qu'on envoyât une copie de sa communication à Lord Dalhousie par le Canal du Bureau Colonial, et que je m'efforçerai de faire envoyer par le paquebot de New-York du 16. L'objet de cet arrangement est d'obvier à toute difficulté qui pourrait résulter dans l'intervalle qui doit nécessairement s'écouler entre l'ouverture de la navigation et la promulgation de l'Acte du Parlement.

Je ne puis hasarder aucune opinion sur les décisions auxquelles les Ministres pourront en venir, à l'égard des autres sujets commis à mes soins. La marine des ports de l'intérieur fait de grands efforts pour avoir de la protection. Sur le point très important du commerce des Indes Occidentales je ne puis flatter le Comité de l'espérance, même la plus éloignée, d'obtenir aucune garantie sur la permanence du système qui sera adopté. Autant que je puis juger des dispositions des Ministres, elles paraissent pour le moment tout à fait favorables à la continuation de l'état actuel des choses.

Les effets directs du système d'entrepôt (sans aucune modification des deux Actes 6e. Geo. 4, chap. 114, et 7e. Geo. 4, chap. 40, autre que l'amendement proposé pour éviter les ports d'entrée sur la frontière) seront d'introduire toutes espèces de produits Américains dans les ports d'entrepôt du Canada. Le terme d'entrepôt (*Warehouse*) il faut l'observer s'applique selon la 115e. section de la 6e. Geo. 4, chap. 107, à tous hangars, cours, étangs à bois et autres places, où l'on peut garder des marchandises, de sorte que toutes espèces de bois, mûts, chevaux, bestiaux vivans, &c. seront inclus dans

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all kinds of Lumber, Masts, as well as horses, live stock, &c. will be included in its operation. Now as respects the West Indies, all commodities passing through the Warehouses in Canada free of duties, would on arrival in the West Indies, be subject at present to the duties imposed by the sixth George the Fourth chapter one hundred and fourteen, excepting flour, which by the seventh George the Fourth chapter forty, pays the diminished duty. As respects the United Kingdom, masts, timber, (not including deals nor staves,) and ashes will come, as was intended last year, under the character of British productions. Deals and staves will be shipped from the Warehouse as Foreign, and bear that character on importation. As Timber will not be exposed to the payment of duty on importation into the Province, the difficulty stated by the Committee respecting the construction given to the Table of Duties by Mr. Woodhouse, as to the measurement, as it affects *White Pine*, will not exist, unless when the article is imported for consumption, an operation which in itself would be objectionable in principle. Staves are similarly circumstanced. In adverting to the construction of Mr. Woodhouse, it may be well to notice that it does not correspond exactly with the intention of Mr. Hume, that gentleman conceiving that the duty on the "thousand feet of other kind of wood and lumber," imposed by the Act sixth George the Fourth, chapter one hundred and fourteen, was meant to be applied exactly in the same manner as it had heretofore been carried into effect, when it formed part of the Canada Trade Act. The foregoing observations apply to the existing Law, but I have already said that I cannot give an opinion as to the alteration to which present circumstances may give rise, neither as respects the details to be adopted, nor as to the principles on which they will be introduced. I purpose sending this to Quebec, under an official frank to Mr. Cochran, for which reason I shall address it to Mr. Finlay.

I am, Sir,

Your very devoted,

Humble Servant,

(Signed)

W. B. FELTON.

GEORGE AULDJO, Esquire, or
WM. FINLAY, Esquire,
Chairman of Board of Trade.

London, 4th April 1827.

Gentlemen,

I was yesterday favored with an interview with the President of the Board of Trade, and discussed at full length all the topics connected with the proposed improvements in the Commercial regulations of the Provinces with Great Britain and the Colonies.

In respect to the admission of Canadian grain and flour, Mr. Huskisson expresses himself very much gratified at succeeding in placing our trade in those articles on the advantageous footing contemplated by the original resolutions, and as the Corn Bill was read for the second time on Monday (2d) evening, it will probably pass without any essential variation. For your information I enclose an Extract from the Act as it now stands, being a clause containing a provision to which great importance is attached by the landed interest, but its object is merely to verify the character and ascertain the identity of the grain and flour shipped from the Colonies; it is only of interest to us as affording an additional reason for making Montreal a Custom's Port. By another Clause you will perceive that flour cannot be imported into Ireland. Mr. Huskisson concurs with Lord Bathurst in opinion, that to press the admission of American flour through the Canadas on lower duties than that article pays when imported in a foreign ship, although desirable as a means of increasing the export by the St. Lawrence, and of affording additional employment to British shipping, would be attended with some risk at present, by drawing into discussion the propriety of admitting Canadian flour. There

son opération. Maintenant, à l'égard des Indes Occidentales, toutes provisions passant par l'entrepôt en Canada franches de droits, seront, à leur arrivée dans les Indes Occidentales, sujettes pour le présent, aux droits imposés par la 6e. Geo. 4, chap. 114, en exceptant la fleur, qui par l'acte 7e, Geo. 4, chap. 40, paye les droits réduits. Quant au Royaume-Uni, les mâts, les bois (non compris les madriers et douves) et les cendres, entreront, comme on se le proposait l'année dernière, comme des produits anglais. Les madriers et douves seront embarqués de l'entrepôt, comme étrangers, et en porteront le caractère dans l'importation. Comme le bois ne sera pas exposé à payer de droit sur l'importation dans la Province, la difficulté présentée par le Comité à l'égard de l'interprétation donnée à la table des droits par Mr. Woodhouse sur le mesurage, en regard au *pin blanc*, n'existera plus, si ce n'est lorsque cet article sera importé pour la consommation, opération qui en elle-même serait en principe sujette à objection. Les douves se trouvent dans le même cas. En parlant de l'interprétation de Mr. Woodhouse, il serait bon de remarquer qu'elle ne correspond pas exactement avec l'intention de Mr. Hume, ce Monsieur concevant que le droit imposé sur les 1000 *pieds d'autres espèces de bois*, par la 6e. Geo. 4, chap. 114, était entendu s'appliquer exactement de la même manière qu'on l'avait pratiqué ci-devant, lorsque ce droit formait partie de l'Acte du commerce du Canada. Les observations précédentes s'appliquent à la loi existante, mais, comme je l'ai déjà dit, je ne puis donner d'opinion sur les changemens que les circonstances actuelles peuvent amener, ni sur les détails qu'on peut adopter, ni sur les principes sur lesquels ils seront introduits. Je me propose d'envoyer ceci à Mr. Cochran, sous une forme officielle, ce pourquoi je l'adresserai à Mr. Finlay.

Je suis Monsieur,

Votre très dévoué

Et très humble serviteur.

(Signé)

W. B. FELTON.

GEORGE AULDJO, Ecuyer, ou
WM. FINLAY, Ecuyer,
Président du Bureau de Commerce.

Londres, 4 Avril 1827.

Messieurs,

Hier, j'eus l'honneur d'avoir une entrevue avec le Président du Bureau de Commerce, et j'ai discuté au long tous les sujets liés au perfectionnement proposé des réglemens à l'égard du Commerce entre les Provinces avec la Grande-Bretagne et les Colonies.

Quant à l'admission des grains et de la fleur Canadienne, Mr. Huskisson s'est montré très satisfait du succès qu'il a eu de placer notre commerce en ces articles sur le pied avantageux contemplé dans les Résolutions originaires, et comme le Bill des Céréales fut lu Lundi soir (2e) il passera probablement sans aucune altération essentielle. Pour votre information je vous envoie ci-inclus un extrait de l'Acte, tel qu'il est maintenant; c'est une clause contenant une disposition à laquelle on attache une grande importance parmi la classe propriétaire, mais l'objet en est seulement de vérifier le caractère et de contester l'identité du grain et de la fleur embarqués pour les Colonies; elle ne nous intéresse qu'en ce qu'elle présente une raison additionnelle de rendre Montréal un Port de Douane. Vous verrez par une autre Clause que la fleur ne peut être importée en Irlande. Mr. Huskisson concourt dans l'opinion de Lord Bathurst, que quoi qu'il soit désirable de presser l'admission de la fleur Américaine par les Canadas, moyennant un droit plus bas que ne paye cet article lorsqu'elle est importée sur un fond étranger, comme moyen d'augmenter l'exportation par le Saint-Laurent et de donner un emploi additionnel à la marine anglaise, cette mesure se-

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Appendix (R.R.) is ground to hope that this arrangement may be adopted at some future period.

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After going through the details of the West India Trade, I pressed on Mr. Huskisson the great importance of affording some assurance that the present advantages shall be permanent; but on this subject the Ministry feel themselves precluded from making any positive declaration. Mr. Huskisson repeatedly stated that it is the intention of Government to afford every possible encouragement to the trade between the West Indies and the North American Provinces, and he considers the answer to the Ship-Owners' Committee as affording all the assurance that can be reasonably expected on the part of Government. In this light, indeed, it is viewed by the London Ship-Owners; but I should have been better pleased to have obtained a more specific pledge on this interesting point.

In respect to details, every facility is to be given to the free import of all American productions, and for this purpose the Ports of Montreal and Kingston will be declared free Warehousing Ports for imports by land or inland navigation, but limited as respects imports by sea, to British Vessels only. This is considered to be the only effectual means of preserving the navigation of the Saint Lawrence above Quebec to the English flag, and as it allows the productions of the British Dominions to be bonded at Montreal, at the same time it affords the required facility of shipping wheat and flour at that place for Great Britain without exposing the shipper to the necessity of proceeding to Quebec to make oath to the declaration of origin prescribed by the Corn Bill. To extend the benefits of the warehousing system to the utmost limits, permission will be given to enter all commodities at the Provincial Custom Houses on giving security for their deposit at one of the Free Warehousing Ports; and on offering similar security the articles may be removed from any of the Warehouses to other Warehousing Ports for the purpose of shipment for exportation. This arrangement will include Halifax. It is conceived that every description of American produce will thus find its way to the shipping Ports, excepting salt provisions, and in order to provide as far as practicable for this deficiency, without entrenching too much on other interests it is intended to allow fresh pork to be admitted free of duty. The pervading principle in these arrangements is the supply of the West Indies at the cheapest rate; attention to this consideration will explain to the Committee the reasons for losing sight of their recommendation to amend the scale of duties; at the same time it is open to the Local Legislature to impose any duties they may think proper on articles imported *for consumption* within the Colony. The Committee will observe that it is now a national question for the supply of the West Indies, and we have no right to tax the consumer there for our benefit; and if it be said, that our own commodities merit protection, the answer is, that this protection is afforded as well by levying the duties in the West Indies as in Canada, and with more equitable regard to the interests of the ultimate consumer.

Fresh fish, fresh beef, saw logs, firewood and horses and carriages of Travellers will also be exempted from duty.

In respect to the Lumber Trade with Great Britain, I have no reason to hope for any further favourable arrangement than the admission of the lumber and masts of the United States into the United Kingdom as British productions. The positive refusal given by the Board of Trade to the application of the Shipping Com-

rait pour le moment accompagnée de quelque risque en amenant sous discussion la convenance d'admettre la fleur Canadienne. Il y a lieu d'espérer que cet arrangement sera adopté à quelque époque future.

Après être entré dans tous les détails du commerce des Indes Occidentales, j'insistai, auprès de Mr. Huskisson, vu l'importance majeure de donner quelque assurance à l'égard de la permanence des avantages actuels, mais le ministère se sent empêché de faire aucune déclaration positive. Mr. Huskisson me répéta souvent que le Gouvernement avait intention de donner tout l'encouragement possible au Commerce entre les Indes Occidentales et les Provinces de l'Amérique Septentrionale, et il considère la réponse au Comité des armateurs, comme toute l'assurance qu'on peut raisonnablement attendre de la part du Gouvernement. C'est aussi sous le même jour que les armateurs de Londres l'envisagent, mais j'aurai préféré obtenir une garantie plus spécifique sur ce point intéressant.

A l'égard des détails, on doit donner toutes les facilités à l'importation libre de tous les produits Américains, et pour cette fin les ports de Kingston et de Montréal vont être déclarés ports d'entrepôt pour les importations par terre ou par navigation intérieure, mais en les limitant, à l'égard des importations par mer, aux seuls vaisseaux anglais. On considère cela comme le seul moyen efficace pour conserver la navigation du Saint-Laurent, au-dessus de Québec, au pavillon anglais, et comme il est permis de mettre en dépôt à Montréal les produits des possessions Britanniques, on donne en même tems la facilité d'embarquer à cette place pour la Grande-Bretagne, le blé et la fleur, sans obliger le chargeur d'aller à Québec prêter sur la déclaration concernant la production le serment prescrit par le Bill des Céréales. Dans la vue d'étendre les avantages du système d'emmagasinage, aux dernières limites, on donnera permission d'entrer toutes les commodités aux Douanes provinciales, en donnant caution qu'elles seront mises en dépôt à l'un des trois ports d'entrepôt; et en offrant un pareil cautionnement les articles pourront être transportés de tout magasin à d'autres ports d'entrepôt pour être embarquées pour l'exportation. Cet arrangement comprendra Halifax. On conçoit que toute sorte de produits américains se rendront ainsi aux ports d'embarquement, les provisions salées exceptées, et pour obvier, autant qu'il est praticable à ce défaut, sans nuire trop à d'autres intérêts, on a en vue d'admettre le lard frais franc de droit. Le principe qui servira de base à cet arrangement sera l'approvisionnement des Indes Occidentales, au plus bas prix: en faisant attention à cette considération, le Comité verra la raison pour quoi l'on n'a pas égard à la recommandation qu'il a faite de modifier l'échelle des droits; en même tems, il est libre à la Législature locale d'imposer tous les droits qu'elle croira convenable, pour les effets importés pour être consommés dans la Colonie. Le Comité observera que l'approvisionnement des Indes Occidentales est devenu une question nationale, et nous n'avons pas le droit d'y taxer le consommateur pour notre propre avantage, et si l'on dit que nos propres denrées méritent de la protection, on nous répondra que vous obtenez aussi bien cette protection par la levée de droit dans les Indes Occidentales qu'en Canada, et d'une manière plus équitable pour le consommateur.

Le poisson frais, le bœuf frais, bois à scier, bois de chauffage, chevaux et voitures de voyageurs seront aussi exempts de droits.

A l'égard du Commerce du bois de construction avec la Grande-Bretagne, je n'ai lieu d'espérer aucun arrangement plus favorable, que l'admission du bois et des mâts des Etats-Unis dans le Royaume-Uni, comme produits britanniques. On aurait dû prévoir le refus positif donné par le Bureau de Commerce à la

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Committee for a reduction of duties, ought to have been anticipated, as it could not consistently have been acceded to, without a correspondent reduction in the duties of Baltic timber. I ventured to suggest to Mr. Huskisson that it would be very desirable to compel the payment of the duties on Canada timber, at the time of import, unless when warehoused for exportation, urging that when this was accomplished a fair opening would be afforded for the application of the same principle to the Baltic timber, and the result would be a decided advantage to the British merchant. It is unnecessary to detail the other arguments in favor of this suggestion; the result was that Mr. Huskisson would not make any further promise than that it should become a subject for deliberation; as it strikes at the principle of the Warehousing System, I could expect no more favourable answer than that it merits consideration.

The importation of East India silk goods by foreigners and by Inland navigation, and the import of French silks by inland navigation, will be repressed by the duties being raised to thirty per cent, and the import of cotton and woollen goods by a duty equal to that levied on similar articles in the United States.

To conclude, I have great satisfaction in stating, that His Majesty's Ministers express the utmost solicitude for the prosperity of the North American Colonies, and more particularly for the extension and security of the Commerce of the Saint Lawrence.

I shall keep you informed of the progress of the arrangements decided upon at this interview.

I have the honor to be,

Gentlemen

Your most obedient and most humble Servant,
(Signed) W. B. FELTON.

WILLIAM FINLAY, Esq.
Chairman Committee of Trade, Quebec, and
George Auldjo, Esq.
Chairman Committee of Trade, Montreal.

Extracts from the Corn Bill, read for the second time on Monday 2d April 1827.

"That no corn, grain, meal or flour shall be shipped from any port in the British possessions out of Europe, as being the produce of any such possession, until the owner, or proprietor, or shipper thereof shall have made and subscribed a declaration in writing, before the Collector or other Chief Officer of the Customs at the port of shipment, that such corn, grain, meal or flour was the produce of some British possession out of Europe to be named in such declaration; and before any corn, grain, meal or flour shall be entered at any port in the United Kingdom, as being the produce of any British possession out of Europe, the master of the ship importing the same, shall produce and deliver to the Collector or other chief Officer of the Customs of the port or place of importation, a copy of such declaration certified to be a true and accurate copy thereof, under the hand of the Collector or other chief Officer of the Customs at the port of shipment, before whom the same was made, and such master shall also make and subscribe before the Collector or chief Officer of Customs at the port or place of importation, a declaration in writing that the corn, grain, meal or flour on board such ship is the same that was mentioned and referred to in the declaration so produced by him, without any admixture or addition (under a penalty not yet inserted), provided, that the declaration aforesaid shall not be required in respect of any corn, grain, meal or flour which shall have been shipped within (time not inserted) next after the passing of this Act.

mande d'une réduction de droits faite par le Comité de Commerce, vu qu'on ne pouvait y accéder avec consistence, sans faire une réduction correspondante dans les droits sur les bois de la Baltique. Je hasardai de dire à Mr. Huskisson qu'il serait à désirer qu'on exige le payement des droits sur le bois du Canada, au tems de l'importation, à moins qu'il ne fut mis en entrepôt pour l'exportation, travaillant à faire voir que cela une fois effectué, il y aurait une belle occasion pour demander à appliquer le même principe au bois de la Baltique, et le résultat en serait un avantage décidé pour le marchand anglais. Il est inutile de détailler les autres raisons en faveur de cette suggestion. Le résultat fut que Mr. Huskisson ne voulait promettre autre chose qu'il amènerait le sujet sous délibération. Comme il touche au principe du système d'entrepôt, je ne pouvais attendre de réponse plus favorable que celle que la chose méritait d'être considérée.

L'importation des soies des Indes-Orientales sur fonds étrangers et par la navigation intérieure, et l'importation de soies françaises par la navigation intérieure sera réprimée en haussant les droits jusqu'à trente par cent; et l'importation des cotonnades et des lainages, par un droit égale à celui qui est levé dans les Etats-Unis sur des articles semblables.

Pour conclure, j'ai le plaisir bien grand de dire que les Ministres de Sa Majesté, montrent la plus grande sollicitude pour la prospérité des Colonies de l'Amérique Septentrionale, et plus particulièrement pour l'extension et la sûreté du commerce du Saint-Laurent.

J'aurai soin de vous informer du progrès des arrangements décidés dans cette entrevue.

J'ai l'honneur d'être,

Messieurs,

Votre très-humble et très-obéissant serviteur,
(Signé) W. B. FELTON,

WILLIAM FINLAY, Ecuyer, Président
du Comité de Commerce, à Québec, et
George Auldjo, Ecuyer, Président
du Comité de Commerce, à Montréal.

Extraits du Bill des Céréales, lu pour la 2e fois Lundi 2 Avril 1827.

"Qu'il ne sera embarqué d'aucun port dans les possessions Britanniques hors d'Europe, blé, grain, fleur ni farine de froment, comme étant le produit d'aucune telle possession, jusqu'à ce que le possesseur ou propriétaire ou l'embarqueur d'iceux, n'ait fait et signé une déclaration par écrit, devant le Collecteur ou autre Officier principal des Douanes, au port de l'embarquement, que les dits blé, grain, farine ou fleur est le produit de quelque possession Britannique hors d'Europe, laquelle sera nommée dans la dite déclaration; et avant qu'il soit entré du Bled, grain, fleur ou farine dans aucun port du Royaume-Uni comme étant le produit d'aucune possession Britannique hors d'Europe, le Maître du vaisseau qui les importera, produira, et remettra au Collecteur ou autre officier principal de la Douane du port ou place de l'importation, une copie de telle déclaration, certifiée comme une copie vraie et correcte d'icelle, sous le seing du Collecteur ou autre officier principal de la Douane au Port de l'embarquement, devant qui elle aura été faite, et tel maître fera et signera devant le Collecteur ou Officier principal de la Douane, au port ou place de l'importation, une déclaration par écrit, que le blé, grain, fleur ou farine, à bord de tel vaisseau, sont les mêmes que ceux mentionnés et marqués dans la déclaration ainsi par lui produite, sans aucun mélange ni addition (sous une pénalité non encore spécifiée.) Pourvu que la déclaration susdite ne sera pas exigée pour le blé, grain, fleur ou farine, qui auront été embarqués dans (tems non marqué) prochain, après la passation de cet Acte.

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That, &c. not lawful to import from any parts beyond seas into the United Kingdom any malt, or to import any corn ground into Ireland or to import into Great Britain any corn ground except wheat meal, wheat flour and oatmeal, forfeited.

That the Isle of Man considered to be in the United Kingdom.

That the total quantities of corn grain, meal and flour paying duty and warehoused, shall be published once a month in the London Gazette. —N. B. The Schedule of Duties not printed with the Act.

London, 26th May, 1827.

Dear Sir,

I have the pleasure to acquaint you, that the discussion on the Corn Bill which took place last night in the House of Lords, terminated so favorably to the views of its supporters, that there appears to exist no doubt as to its being passed in its present shape. As you have been already informed of the particulars in the Bill which affect the Colonies, it is only necessary to inform you that no alteration has taken place in that respect. Mr. Huskisson has appointed next Monday for an interview with the Chairman of the Board of Customs on the subject of the arrangement that must be introduced for the regulation of our trade, into Parliament, and I hope that no further delay will arise to impede the accomplishment of the measures on which the Board of Trade has already decided, the subject of which has been communicated to you, and in which I have no reason to anticipate a change. I have been favored with assurances from the present Secretary for the Colonies, of his wish and anxiety to promote our commercial prosperity, and I have no reason to apprehend the smallest departure from the principles of protection to our intercourse with the West Indies which obtained previously to the late change of Administration. I shall not fail to keep you informed of every new occurrence, and I hope speedily to announce the introduction of the Bill to give effect to Mr. Huskisson's arrangements in our favor.

I am, dear Sir,

Your most obedient,

Humble Servant,

(Signed)

W. B. FELTON.

Wm. Finlay, Esquire.

London, 14th June, 1827.

Sir,

My last addressed to Mr. Finlay, will have excited expectations of advantages from the Corn Bill, that I fear are to be disappointed by the result of last night's debate on the rescission of an amendment proposed by the Duke of Wellington. The Ministers have expressed their determination to abandon the Bill in its amended shape, and although it may possibly be carried through the Lords, yet there is not the remotest expectation of the Commons concurring in the amendment, nor of their substituting a Bill in conformity with the view of the Lords; under these circumstances I can only express my hopes that reliance on the information contained in my last has not yet occasioned any inconvenience to the interests of my constituents. Although I have made earnest application to the Board of Trade, and the Colonial Department on this subject of our particular interests involved in the decision of this question, yet I am at present only authorized to say that His Majesty's Government is fully alive to the absolute necessity of a provision for continuing the Canada Corn Bill for a limited period, but time has not yet been afforded to allow of the determination to which they may come being decided on. Every effort will be made on the part of the Committee in town to produce attention to this subject.

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“Qu'il, &c. ne sera permis d'importer d'aucune partie au delà des mers dans le Royaume-Uni, aucune drèche, ni d'importer des blés moulus en Irlande, ni d'importer dans la Grande-Bretagne aucun blé moulu, excepté de la farine de froment, de la fleur de froment et de la farine d'avoine; confiscation.

“Que l'île de Man est considérée comme étant dans le Royaume-Uni.

“Qu'on publiera tous les mois dans la Gazette de Londres, les quantités de blé, de grain, de farine et de fleur taxés, qui seront emmagasinés.—N. B. La Cédule des droits non imprimées avec l'Acte.

LONDRES, 26 Mai 1827.

Cher Monsieur,

J'ai le plaisir de vous informer que la discussion sur le Bill des Céréales, qui eut lieu hier au soir dans la Chambre des Lords, s'est terminée si favorablement aux vues de ses moteurs, qu'il ne paraît exister aucun doute sur sa passation sous sa forme actuelle. Comme vous avez déjà été informé des détails du Bill qui affectent les Colonies, je n'ai plus qu'à vous informer qu'il n'y a eu aucun changement à cet égard. Mr. Huskisson a fixé Lundi pour avoir une entrevue avec le Président du Bureau des Douanes, au sujet de l'arrangement qui doit être introduit dans le Parlement pour régler notre commerce, et j'espère qu'il ne surviendra aucun délai capable d'arrêter l'accomplissement des mesures sur lesquelles le Bureau de Commerce s'est déjà décidé, dont le sujet vous a déjà été communiqué, et dans lesquelles j'ai tout lieu d'espérer qu'il n'arrivera aucun changement. Le Secrétaire actuel des Colonies m'a assuré qu'il ne désirait rien plus que d'avancer notre commerce, et je n'ai aucune raison d'appréhender le moindre désistement des principes de protection, obtenue pour notre commerce avec les Indes Occidentales avant le dernier changement qui est survenu dans l'administration. Je ne manquerai pas de vous mander tout ce qui pourra arriver de nouveau, et j'espère pouvoir en peu vous annoncer l'introduction du Bill pour effectuer les arrangements de Mr. Huskisson en notre faveur.

Je suis, cher Monsieur,

Votre très humble

Et très obéissant serviteur.

(Signé)

W. B. FELTON,

Wm. FINLAY, Ecr.

LONDRES, 14 Juin 1827.

Cher Monsieur,

Ma dernière lettre à Mr. Finlay aura dû faire naître sur les avantages que promettait le Bill des Céréales, des espérances que je crains devoir être déçues, par le résultat des débats d'hier au soir, à l'égard d'un amendement proposé par le Duc de Wellington. Les Ministres ont déclaré qu'ils étaient déterminés à abandonner le Bill, tel qu'il est amendé, et quoiqu'il puisse être passé chez les Lords, il n'y a pas l'espoir le plus éloigné que les Communes concourent à l'amendement, ni même qu'elles lui substituent un Bill conforme aux vues des Lords. Sous ces circonstances, il ne me reste qu'à espérer que les informations contenues dans ma dernière lettre n'ait occasionné aucun inconvénient à ceux de mes constituans qui s'y seraient reposés. Malgré les plus vives instances de ma part auprès du Bureau de Commerce et du Département Colonial à l'égard de nos intérêts particuliers qu'embrasse la décision de cette question, tout ce que je suis autorisé à dire pour le moment, c'est que le gouvernement de Sa Majesté est convaincu de la nécessité absolue de quelque mesure pour continuer, pour un tems limité le Bill des Céréales du Canada, mais le tems n'a pas encore permis d'en venir à une détermination finale. Les membres du Comité qui sont en ville feront tous leurs efforts pour attirer l'attention sur ce sujet.

Appendix
(RR.)
9th Jany.

I enclose for your information the printed draught of the clause in the "Customs Bill," which regulate the commercial point connected with the Provinces. I was anxious to have abstained from sending this until it had passed through the Committee which it will do to night, and I entreat you not to *assume* that any arrangements contemplated in this Act will be ultimately adopted, because from the extraordinary changes that have recently taken place, it will be injudicious to trust to appearances. You will perhaps feel with me that giving publicity to the contents of this communication may under present circumstances be injurious to our interests.

I am, Sir,
Your most obedient,
Humble Servant,
(Signed) W. B. FELTON.

George Auldjo, Esquire,
Montreal Board of Trade.

London, 19th June 1827.

Dear Sir,

I hasten to enclose you copies of the Resolutions proposed last evening in the Commons, by the Chancellor of the Exchequer, by which you will perceive it is intended to place the introduction of Canada Wheat on similar grounds as in the Corn Bill now before the Lords, with the variation of the measure being temporary instead of permanent, continuing only in operation until the first May one thousand eight hundred and twenty eight. Under the circumstances of allowing only the grain now in Bond, or that can be Bonded previous to the first July, to be brought in for consumption, it would appear that Canadian grain will be better situated than if the original Corn Bill had gone into operation. I trust the notification of the intention of Ministers will reach Quebec in season, to prevent any injurious effects from the late communications announcing the loss of the Corn Bill.

Mr. Huskisson's Customs' Bill will be reported to night, and will be passed in the course of the week, it will probably accompany the new Corn Bill to the Lords, so that all the great measures in which the Canadas are interested will be before the Legislature next week. There does not appear to be any anticipation of resistance to either of these Bills in the Lords.

The Resolution which proposes to admit Foreign grain limits the admission of that article to the quantity now in Bond or that may come in or before the first of July, on similar duties to those imposed by the late Corn Bill; the quantity in Bond is supposed to be about five hundred thousand quarters, (of wheat,) and this is the extent of the competition to which Canada grain will be exposed.

Copy of the 2nd Resolution.

Resolved, That any sort of grain, meal or flour, the produce of any British Possession in North America, or elsewhere out of Europe, now in Warehouse in the United Kingdom, or which may be entered at any port thereof, before the first May, one thousand eight hundred and twenty eight, shall be admissible for home consumption, upon payment of the following duties, viz:—

<i>Wheat</i> , for every Quarter,	£0 5 0
until the price of British Wheat made up and published according to Law, shall be sixty-seven shillings per quarter. Whenever such prices shall beat or above sixty-seven shillings per quarter, the duty shall be for every quarter,	0 0 6
<i>Barley</i> , for every Quarter,	0 2 6
until the price shall be 34s per quarter, then	0 0 6
<i>Oats</i> ,	0 0 6

Je vous envoie ci-inclus, pour votre information, le projet imprimé des clauses du "Bill des Douanes," qui règle le point commercial lié avec les Provinces. J'aurais voulu pouvoir me dispenser d'envoyer ceci jusqu'à ce qu'il eut passé dans le Comité; ce qu'il fera ce soir, et je vous prie de ne pas penser qu'aucun des arrangements contemplés dans cet Acte sera finalement adopté, car d'après les changemens extraordinaires qui ont eu lieu récemment, il serait imprudent de se fier aux apparences. Vous sentirez peut-être, avec moi que la publicité du contenu de cette lettre sous les circonstances présentes, pourrait nuire à nos intérêts.

Je suis, Monsieur,
Votre très humble
Et très obéissant serviteur.
(Signé) W. B. FELTON.

GEORGE AULDJO, Ecuier,
Bureau de Commerce de Montréal.

Londres, 19 Juin 1827.

Cher Monsieur,

Je me hâte de vous envoyer des Copies des résolutions proposées hier au soir chez les Communes par le Chancelier de l'Échiquier, par lesquelles vous verrez qu'on se propose de mettre l'introduction du froment du Canada, sur le même pied que dans le Bill des Céréales maintenant devant les lords, avec la différence que la mesure est temporaire au lieu d'être permanente, ne continuant d'être en opération que jusqu'au 1er mai 1828. Vu la permission qui est donnée de n'entrer pour la consommation que le grain maintenant en dépôt, ou qui pourra être mis en dépôt avant le 1er juillet, il paraîtrait que le grain du Canada sera mieux situé que si le Bill des Céréales, originaire, fut venu en opération. J'espère que la notification des ministres arrivera à Québec à tems pour prévenir les effets injurieux qui auraient pu résulter des communications recentes, qui annonçaient la perte du Bill des Céréales.

Le Bill des douanes de M. Huskisson va être rapporté ce soir et sera passé dans le cours de la semaine, Il accompagnera probablement chez les lords le nouveau Bill des Céréales, de sorte que toutes les grandes mesures qui intéressent les Canadas vont être devant la Législature la semaine prochaine. Il ne paraît pas qu'il doive survenir aucune opposition à l'un ni à l'autre de ces bills chez les lords.

La résolution qui propose d'admettre le grain étranger, limite l'admission de cet article à la quantité maintenant en dépôt ou qui pourra y être mise le ou avant le 1er juillet, moyennant des droits semblables à ceux imposés par le bill des céréales précédent, La quantité en dépôt est supposée être d'environ 560,000 quarters (de froment) et c'est là l'entendue de la concurrence à laquelle sera exposé le grain du Canada.

Copie de la 2e. Résolution.

Résolu, Qu'aucune sorte de grain, de farine, ou fleur, étant le produit d'aucune possession Britannique dans l'Amérique Septentrionale, ou ailleurs hors d'Europe, maintenant en magasin dans le Royaume-Uni, ou qui pourra entrer dans aucun port d'icelui avant le 1er jour de mai 1828, pourront être admis pour la consommation intérieure, en payant les droits suivans, savoir:

<i>Froment</i> pour chaque quarter	£0 5 0
jusqu'à ce que le prix du froment Britannique, arrangé et publié selon la loi, se vende 67s. le quarter, lorsque tel prix sera à ou au-dessus de 67s. le quarter, le droit, par chaque quarter sera de	0 0 6
<i>Orge</i> ,—pour chaque quarter,	0 2 6
jusqu'à ce que le prix soit de 34s. le qr. dans lequel cas,	0 0 6
<i>Avoine</i>	0 0 6

Appendice
(RR.)
9 Jany.

Appendix (R.R.) 9th Jan'y.	Oats, for every quarter, until the price shall be 25s per quar- ter, then	0 2 0	<i>Avoine</i> , par chaque quarter, jusqu'à ce que le prix soit de 25s. le qr. alors,	0 2 0	Appendice (R.R.) 9 Janv.
	<i>Rye, Pease and Beans</i> , for every quarter, until the price shall be 41s,	0 3 0	<i>Seigle, Pois et Fèves</i> , par chaque quarter, jusqu'à ce que le prix soit de 41s.	0 3 0	
	<i>Wheat Meal and Flour</i> , for every barrel being 196 lbs., a duty equal in amount to the duty payable on thir- ty eight and a half gallons Wheat.	0 0 6	<i>Farine</i> et <i>Fleur de Froment</i> , par chaque quart pesant 196 lbs., un droit égal en montant au droit payable sur tren- te-huit gallons et demi de froment.	0 0 6	
	<i>Oatmeal</i> , for every quantity of 181½ lbs., a duty equal in amount to the duty payable on a quarter of oats.	0 0 6	<i>Farine d'Avoine</i> , par chaque 181½ lbs. un droit égal en montant au droit payable sur un quarter d'avoine.	0 0 6	
	<i>Maize or Indian Corn, Buck Wheat, Bea or Big</i> , a duty equal in amount to the duty payable on a quarter of Bar- ley.		<i>Maïs ou Blé d'inde, Blé sarrasin, l'Orge</i> ap- pelée <i>Big</i> , un droit égale en mon- tant au droit payable sur un quar- ter d'orge.		

I am, dear Sir,

Your most obedient,

Humble Servant,

(Signed) W. B. FELTON.

Wm. Finlay, Esquire, Chairman,
Board of Trade, Quebec.

London, 22nd June, 1827.

Dear Sir,

We are somewhat relieved from the state of agitating suspense in which the defeat of the Corn Bill left us, by the introduction and passage through the Commons, of a temporary measure which as far as the Canada Trade in grain is concerned, professes to place us on exactly the same footing as the former Bill, with the simple difference of the present arrangement being temporary instead of permanent; to counterbalance this inconvenience, we shall have only to contend with the competition of the wheat now in Bond, or to be Bonded up to the first of July, which is estimated at six hundred thousand quarters, instead of the continued import allowed by the original measure. I cannot venture to give you any assurance of the present Bill passing the Lords, because I have been called upon to furnish explanations of the probable operation of the Act in introducing grain and flour from Canada, and I have reason to believe that great apprehension arising from the misconception of our powers of inundating this country with grain, prevails in the Lords. I enclose a copy of the Bill in the shape in which it will probably be passed this evening; at the same time I have the satisfaction of enclosing a copy of Mr. Huskisson's Customs' Bill, in which are incorporated the arrangements for the Trade of the Canadas. This Bill passed in the present form last night. I do not understand that much opposition is expected to it in the Lords, indeed we may rather anticipate support, because the principles it embodies are in some measure a departure from the rigidly liberal system, which has met its strongest resistance in the Upper House; at the same time I feel so little confidence at the present moment in any general rules of action in Parliament, that I must caution you not to rely too implicitly on the successful issue of these measures, until you hear of the actual completion of the Bill. My object in the present being, in the first place to relieve you from the suspense which ignorance of the intentions of Government must have entailed, and in the next place to demonstrate that His Majesty's present Ministers have redeemed their promise of protection and assistance to the Canadas, as far as depends on them, and to the full extent of our most sanguine expectations.

I am, dear Sir,

Your most obedient,

Humble Servant,

(Signed) W. B. FELTON.

George Auldjo, Esquire, Chairman,
Board of Trade, Montreal.

Remarks

Je suis cher monsieur,

vosre très-humble et très-

obéissant serviteur,

(Signé) W. B. FELTON.

Wm. Finlay, écuyer, président du
Bureau de commerce à Québec.

Londres, 22 Juin 1827.

Cher Monsieur,

Nous commençons à sortir de l'état d'agitation et d'incertitude dans le quel nous avait laissé la chute du bill des céréales, par l'introduction et la passation chez les communes d'une mesure temporaire, qui en autant que le commerce de grain du Canada y est intéressé, promet de nous placer sur le même pied que le bill précédent, avec la seule différence que l'arrangement actuel est temporaire, au lieu d'être permanent. Pour contrebalancer cet inconvénient nous n'aurons à entrer en concurrence qu'avec le froment maintenant en dépôt ou qui le sera d'ici au 1er juillet; (lequel on estime à 600,000 quarters,) au lieu de l'importation continuée que permettait la mesure originaire. Je ne puis hasarder de vous assurer que le Bill actuel passe chez les lords, par ce que l'on m'a demandé des explications sur l'opération probable de l'acte, en introduisant le grain et la fleur du Canada, et j'ai raison de croire qu'il règne chez les lords de grandes appréhensions, sur l'idée fausse que l'on y a conçue sur les moyens que nous avons d'inonder ce pays de grains. Je vous envoie ci-incluse une copie du bill, dans la forme dans laquelle il va probablement passé ce soir. En même tems j'ai la satisfaction de vous envoyer ci-incluse une copie du bill des Douanes de M. Huskisson, dans lequel sont incorporés les arrangements relatifs au commerce des Canadas. Ce bill passa dans cette forme hier au soir. Je ne sache qu'il doive rencontrer beaucoup d'opposition chez les lords; même nous devons attendre qu'il y sera supporté parce que les principes qu'il renferme sont en quelque sorte une aberration du système de libéralité entière, qui a rencontré la plus forte résistance dans la chambre haute, en même temps dans le moment actuel si peu de confiance dans aucune règle générale d'action en Parlement, que je dois vous mettre en garde contre une assurance trop implicite du succès de la mesure, jusqu'à ce que vous appréciiez la passation finale du bill. Mon objet, dans la présente, est d'abord de vous tirer de l'incertitude où doit vous avoir placé l'ignorance des intentions du gouvernement, et en second lieu pour vous faire voir que les ministres actuels de Sa Majesté ont rempli leur promesse, de protéger et d'assister les Canadas, autant qu'il dépend d'eux, et dans toute l'étendue de nos plus vives espérances.

Je suis, cher Monsieur,

vosre très-humble et très-

obéissant serviteur,

(Signé) W. B. FELTON.

George Auldjo, Ecuyer, Président du Bu-
reau du Commerce, Montréal.

Remarques

Appendix
(RR.)
9th Jan'y.

Remarks on some particulars in the present Customs' Bill :

It will be seen by the new table of duties, staves from America, and the Ionian Islands, (which now pay one third only of the duty payable on the Foreign staves,) are for the future to be deemed Foreign, and pay duty accordingly, viz : twenty three shillings per one hundred and twenty ; taking this in connection with the two clauses in another part of the Bill, one of which provides that staves shall be admitted *by land or inland navigation* duty free, and the other, that staves imported into the United Kingdom from Canada, shall be deemed British, it is evident that the freight of all the staves imported from America, must come to the British ship holder, and that the export of that article must be by the Saint Lawrence. Beef and Pork are no longer to be prohibited in the Colonies. This arrangement is consequent on the decision as to the admission of those articles into the United Kingdom, upon payment of a duty of twelve shillings per hundred weight, as the West Indies may be supplied through the Ports of the United Kingdom with Foreign Beef and Pork, there could be no legitimate reason for excluding the Canadian Merchant from engaging in a similar indulgence. The liability to the duty of twelve shillings per hundred weight is sufficient to give the Agricultural interest in the Province a fair protection, and the admission of Fresh Beef and Pork free of duties, places the interest engaged in curing and barrelling those articles for exportation on an equally favorable footing.

Wood articles imported into the West Indies from the Canadas pay only one fourth of the duties ; the object of this clause is to allow Albany deals and other articles exported through Quebec to meet American articles on favorable terms. The monopoly of the Home Market being preserved to Canada deals and sawed timber.

A.

Provided always, and be it further enacted, that the Commissioners of His Majesty's Customs shall as soon as may be after the passing of this Act, cause to be published in the *London Gazette*, an account of the total quantity of corn, grain, meal and flour distinguishing the produce of His Majesty's possessions out of Europe from the produce of Foreign Countries, which shall be in Warehouse on the first day of July one thousand eight hundred and twenty seven. And once in each succeeding calendar month, cause to be so published an account of all corn, grain, meal or flour, distinguishing the produce as aforesaid, which shall in the month next preceding have paid the duties established by this Act, together with an account of the total quantity of each sort of corn, grain, meal and flour respectively as aforesaid remaining in Warehouse at the end of each preceding calendar month.

London, 2nd July, 1827.

Gentlemen,

I have now the satisfaction of announcing the completion of my mission by the Prorogation of Parliament, which took place this day, and of the satisfactory arrangement of the principal points committed to my charge by the passing of the two Bills respecting the importation of corn and flour, and the regulation of the Customs. The latter Bill received the Royal Assent without any alteration in the form in which it was transmitted to you ; and the Corn Bill of which I hasten now to forward a copy, passed with the addition of an amendment as contained in the above copy of the clause introduced by the Lords. I expect to meet the gentlemen composing the Committee in town in a few days, when I shall prepare for them and your information, a few remarks on the anticipated operation of those Laws, which I shall previously submit to some competent authority for correction.

I have the honor to be,

&c. &c.

(Signed)

W. B. FELTON.

GEORGE AULDJO, Esquire, and
Wm. Finlay, Esquires,
Chairmen of the Board of Trade,
Quebec and Montreal.

Quebec,

Remarques sur quelques points particuliers du bill actuel des Douanes :

On verra par la nouvelle table de droits, que les douves d'Amérique et des Iles Ioniennes (qui payent maintenant un tiers seulement du droit payable sur les douves étrangères) seront à l'avenir considérées comme étrangères, et payeront le droit en conséquence, savoir, 23s par 120 ; considérant ceci avec les deux clauses qui se trouvent dans une autre partie du bill, dont l'une pourvoit à ce que les douves seront admises par terre ou par la navigation intérieure, franchises de droit, et l'autre que les douves importées du Canada dans le Royaume-Uni seront considérées comme étant Britanniques, il est évident que le frêt de toutes les douves importées d'Amérique doivent venir à l'Armateur Anglais, et que l'exportation de cet article doit se faire par le St. Laurent. Il n'y aura plus de prohibition dans les Colonies pour le bœuf et le lard. Cet arrangement découle de la décision quant à l'admission de ces articles dans le Royaume-Uni. Payant un droit de 12s. par quintal, c'est suffisant pour donner aux intérêts agricoles de la Province une protection avantageuse, et l'admission du bœuf et du lard frais, sans payer le droit, place ceux engagés à préparer et à embariller ces articles pour l'exportation sur un pied également favorable.

Les bois importés des Canadas dans les Indes Occidentales ne payent que le quart des droits. L'objet de cette clause est de permettre aux planches et autres articles exportés d'Albany par Québec, de rencontrer les articles Américains avec assez d'avantage. Le monopole du marché de l'Angleterre est conservé aux douves et bois sciés du Canada.

A.

Pourvu toujours, et qu'il soit de plus statué, que les Commissaires des Douanes de Sa Majesté feront aussitôt que faire se pourra après la passation de cet Acte, publier dans la *Gazette de Londres* un état de toute la quantité de blé, grain, farine et fleur (en distinguant les produits des possessions de Sa Majesté hors d'Europe des produits des pays étrangers,) qui sera en magasin le 1er. jour de Juillet 1827. Et feront ainsi publier, une fois par mois, un état de tout le blé, grain, farine et fleur (en distinguant les produits comme susdit) qui pourront, dans le mois qui aura précédé, avoir payé les droits établis par cet acte, avec ensemble un état de la quantité totale de chaque sorte de blé, grain, farine ou fleur respectivement comme susdit, restant dans les magasins à la fin de chaque mois de calendrier.

Londres, 2 Juillet 1827.

Messieurs,

J'ai maintenant le plaisir de vous annoncer la fin de ma mission par la prorogation du Parlement qui a eu lieu aujourd'hui, et l'arrangement satisfaisant des principaux points confiés à mes soins, par la passation des deux bills relatifs à l'importation du grain et de la fleur et au règlement des douanes. Le dernier bill a reçu l'assentiment royal sans altération, dans la même forme dans laquelle il vous a été transmis, et le bill des céréales dont je me hâte de vous faire parvenir une copie, a été passé avec l'addition d'un amendement, tel que contenu dans la copie ci-dessus de la clause introduite par les lords. J'espère rencontrer les messieurs du Comité qui sont en ville sous peu de jours, lorsque j'aurai préparé pour eux et pour votre information quelques remarques sur l'opération anticipée de ces lois, et que je soumettrai par avance à l'examen de quelque autorité compétente.

J'ai l'honneur d'être,

&c., &c., &c.

(Signé)

W. B. FELTON,

GEORGE AULDJO, Ecuyer, et
Wm. Finlay, Ecuyer,
Présidens des Bureaux de Commerce
de Québec et de Montréal.

Québec,

Appendice
(RR.)
9 Janv.

Quebec 13th September, 1827.

Québec, 13 Septembre 1827.

Appendix
(RR.)
9th Jany.

Gentlemen,

I beg leave to apprise the Committee of Trade of my return from London, which place I left about a fortnight after the termination of the late Session of Parliament. I enclose for the information of the Committee two Acts of Parliament, seventh and eighth George the Fourth, chapters fifty six and fifty seven, which embody the result of the representations made to His Majesty's Government on behalf of the Commerce of the Canadas; and I embrace the opportunity of presenting a few remarks in reference to your instructions, explanatory of the expected operation of the provisions contained in the Bills on the Trade of the Provinces, as well respecting the intercourse with the Mother Country, as with the West Indies.

First. The primary object to which my attention was called by the instructions prepared in Lower Canada, was the introduction of the grain and flour of the Provinces into the United Kingdom. It was strongly urged that motives of policy and justice ought to determine the Government to admit these articles free of all duties, at least that this indulgence might be expected under limitation as to the quantity to be introduced. To those who have watched the progress of the great measure of the Corn Bill, it will not be matter of surprize that the sanguine expectation entertained of a permanent and favorable arrangement were not realized, and on this subject it may suffice to observe that the present temporary measure taken in connection with the circumstances under which it was passed, ought to be received as indicating the favorable dispositions of His Majesty's Ministers; but must not be considered as making the extent of the indulgence they may be inclined to afford us hereafter; although that must necessarily be qualified by attention to the prejudices of a numerous portion of the community. It is to be hoped that the apprehension entertained of the introduction of foreign grain, and flour through the Canadas will be found groundless; but it must not be disguised that the deduction of any illicit practices of this description will inevitably ensure the disappointment of our hopes. As respects the details of this Bill, (seventh and eighth George the Fourth, chapter fifty seven,) they will be found to correspond as far as practicable with the recommendation of the Committee. The difficulties attending the certificate of origin being disposed of by the permission accorded to the *shipper* to sign the required declaration (clause six.)

Second. The expected encouragement of the Lumber Trade by the reduction of duties as proposed by the shipping interest, was dependant on the success of the representation of that body, the failure of their efforts in Parliament has suspended for the present any alteration in our favor; but I cannot but hope that a temperate and reasonable course will eventually produce some arrangement calculated to give us a more decided reference in the British Market. The Committee will not fail to perceive that the principle which pervades the present enactments, is to give the utmost possible facility to the carrying trade in the bulky commodities furnished by the neighbouring States: it is evident that the imposition of duties on imports under the name of protective duties, is quite incompatible with this freedom of commerce, and as the duties collected in the Province must add to the price of commodity, they virtually amount to a tax on the British Consumer, and tend to diminish the amount of freight and the consumption of the article in Great Britain. In providing for the extension of this trade the navigation of the Saint Lawrence above Quebec by Foreign shipping is most scrupulously guarded against.

The details of the Act (sixth and seventh George the Fourth, chapter fifty six,) connected with this subject, are contained in the thirty second and thirty third clauses, and partially as respects staves in the twenty first

Messieurs,

Je demande la liberté d'annoncer au Comité de Commerce mon retour de Londres, d'où je suis parti environ quinze jours après la clôture de la dernière session. J'envoie ci-inclus pour l'information du Comité deux actes du Parlement, 7 et 8 Geo. IV, chap. 56 et 57, qui renferment le résultat des représentations faites au gouvernement de Sa Majesté, de la part du corps mercantile des Canadas; et je profite de cette occasion pour présenter quelques remarques, par suite de vos instructions, pour expliquer l'opération que doivent avoir les dispositions contenues dans ces bills sur le commerce des Provinces, aussi bien que sur nos relations commerciales avec la mère-patrie et avec les Indes-Occidentales.

Premier :—Le premier objet sur lequel a été appelée mon attention par les instructions préparées dans le Bas-Canada, a été l'introduction du grain et de la farine des Provinces dans le Royaume-Uni. On maintenait fortement que des motifs de politique et de justice devaient déterminer le gouvernement à admettre ces articles sans payer aucun droit, au moins qu'on pouvait attendre cette indulgence pour une certaine quantité à laquelle l'introduction serait limitée. Ceux qui ont suivi les progrès de la grande mesure du Bill des Céréales verront sans surprize, que la vive espérance d'un arrangement favorable et permanent ne se soit pas réalisée, et à cet égard il suffira d'observer, que la mesure temporaire actuelle, considérée avec les circonstances sous lesquelles elle a été passée, doit être reçue comme une indice des dispositions favorables où sont les ministres de Sa Majesté; mais non pas comme la mesure de l'indulgence qu'ils sont disposés à nous donner ci-après; mais dans cela il faut faire entrer pour quelque chose les préjugés d'une portion considérable de la société. Il est à espérer qu'on verra l'illusion qu'il y a dans les craintes que l'on conçoit à l'égard de l'introduction du grain et de la fleur étrangère par les Canadas; mais il ne faut pas se cacher que la découverte de toutes pratiques illicites de cette nature frustrera inévitablement toutes nos espérances. A l'égard des détails de ce bill (7 et 8 Geo IV, chap 57) on verra qu'ils correspondent, autant qu'il est possible avec les recommandations du Comité. Les difficultés qui accompagnaient le certificat d'origine ont disparu par la permission accordée à l'*embarqueur* de signer la déclaration requise. (6e. clause.)

Deuxième :—L'encouragement qu'on attendait dans le commerce du bois par la réduction des droits, telle que proposée par les commercans, dépendait du succès de la représentation de ce corps. Leurs efforts ayant échoué en Parlement, cela suspend pour le moment toute altération en notre faveur; mais je ne puis m'empêcher d'espérer qu'avec de la modération et de la raison, on amènera quelque arrangement propre à nous donner une préférence décidée sur le marché d'*Angleterre*. Le Comité ne pourra s'empêcher de remarquer que le principe qui domine dans les dispositions actuelles, est de donner toutes les facilités possibles des grosses denrées qui viennent des états voisins: il est évident que l'imposition de droits sur les importations, sous le nom de droits *protectifs*, est tout-à-fait incompatible avec cette liberté de commerce; et comme les droits imposés dans la Province doivent augmenter le prix des denrées, ils équivaldraient virtuellement à une taxe sur le consommateur anglais, et tendraient à diminuer la quantité du frêt et la consommation de l'article dans la Grande-Bretagne. Tout en pourvoyant à étendre ce commerce, on a eu soin de prévenir la navigation du Saint-Laurent au-dessus de Québec par des vaisseaux étrangers.

Les détails de l'Acte (6 et 7 Geo. IV, chap. 56) liés à ce sujet se trouvent dans les 32e et 33e clauses, et en partie en ce qui regarde les douves dans la 21e clause. Il est pourvu que toute espèce de bois, excepté

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first clause. By these it is provided that every description of lumber excepting deals may be imported free of duty, and shall be considered as the produce of the Canadas, when exported from Canada to Great Britain or her possessions in America. The import of deals without duty can only take place in Bond; but with the view of providing for the supply of the West Indies, they will only be subject to one fourth the Foreign duties on importation into those Islands, being liable as at present to pay the Foreign duty on importation into Great Britain. It will be observed that in the view of encouraging the transit of a particular kind of staves through the Saint Lawrence, the twenty first clause imposes the heavy Foreign duty on American staves, which at present pay only one third of the ordinary duties.

Third, On this head the commerce in Pot and Pearl Ashes, the arrangement will be found to be in accordance with the reasoning of the Committee, though not absolutely according to their recommendation. The thirty third clause permits the import of ashes duty free, and the Act of one thousand eight hundred and twenty six already provides for their reception in Great Britain as Canadian produce.

Fourth, In respect to salt provisions, the Committee will observe, that as foreign Beef and Pork were intended to be allowed to enter into Great Britain upon payment of twelve shillings per hundred weight duty, there could be no reason for excluding the Canadas from a similar advantage: the twenty eighth clause consequently repeals the prohibition of the import of those articles, so that there they may now be introduced into Canada for warehousing for export to any Country, At the same time as the preparation of salted provisions may be advantageous to the Provinces, the import of fresh Beef and Pork is permitted by the thirty third clause.

The Committee's recommendation in respect to the duty on Whisky will be found embodied in the Table of new Duties in clause twenty nine.

As to imports through the United States, the Committee will perceive that the Table of Duties in clause twenty nine, imposes thirty per cent on foreign Silk Manufactures and twenty per Cent on foreign Cottons, and the twenty fifth, twenty sixth and twenty seventh clauses make sufficient provision for preventing the introduction of foreign commodities in the manner complained of; and the thirty fourth clause provides against a misconception which has prevailed in both Provinces in respect to the collection of *Provincial Duties* on some foreign productions.

The Committee will find that the concessions in favour of Upper Canada in respect to horses, &c. of travellers, cordwood, &c. are now extended to this Province by the provisions of the thirty third clause, which also includes raw hides and tallow as suggested by the Committee.

The thirty sixth clause contains the authority for entering commodities at the frontier Ports previous to being *warehoused* in Canada, and the thirty fifth provides for the erection of Montreal and Kingston into free Ports, limited in respect to communication by sea, to British vessels; the thirty seventh clause allows the removal of goods from Montreal to Quebec (being Ports in the same possession) the warehousing already permitting the removal of articles from *one Province to another*.

In respect to the anticipated difficulty from the construction given by Mr. Woodhouse on the Act sixth George the Fourth, chapter one hundred and fifteen, respecting the admeasurement of timber, it is evident that the change in principle renders any alteration unnecessary as regards Canada: and the construction is altogether favourable to us as regards the Duties to be levied on foreign deals in other Ports.

cepté les madriers, pourront être exportés sans payer de droits, et seront considérés comme produit des Canadas lorsqu'ils seront exportés du Canada dans la Grande-Bretagne ou dans ses possessions en Amérique. L'importation de madriers sans payer de droits ne pourra se faire que par entrepôt transit; mais dans la vue de pourvoir à l'approvisionnement des In des Occidentales, ils ne seront sujets qu'au quart des droits étrangers sur l'importation dans ces îles, étant sujets à présent à payer le droit étranger sur l'importation dans la Grande-Bretagne. On observera que dans la vue d'encourager le transit d'une espèce particulière de douves par le Saint Laurent, la 21e clause impose le fort droit étranger sur les douves américaines, qui à présent ne payent qu'un tiers des droits ordinaires.

Troisième :— Sous ce chapitre, le commerce en potasse et perlasse, on verra que l'arrangement est conforme au raisonnement du Comité, quoique différant un peu de ses recommandations. La 3e. clause permet l'importation des alkalis francs de droit, et l'acte de 1826 pourvoit déjà à leur réception dans la Grande-Bretagne, comme produit du Canada.

Quatrième :— A l'égard des provisions salées, le Comité observera que comme on se proposait d'admettre dans la Grande-Bretagne le bœuf et le lard étrangers, en payant un droit de 12s. par quintal, il n'y avait aucune raison pour priver les Canadas du même avantage; la 28e. clause conséquemment révoque la prohibition de l'importation de ces articles, de sorte que maintenant ils peuvent être introduits dans le Canada pour entrepôt transit pour être exportés dans aucun pays. En même tems comme la préparation des provisions salées peut être avantageuse aux provinces, la 33e. clause permet l'importation du bœuf et du lard frais.

On trouvera incorporée dans la table des nouveaux droits, dans la 29e. clause, la recommandation du Comité à l'égard du droit sur le whiskey.

Quant aux importations par les États-Unis, le Comité verra que la table des droits dans la clause 29e. impose 30 par cent sur les soieries de manufacture étrangères, et 20 par cent sur les cotons étrangers; et les 25e., 26. et 27e. clauses pourvoient suffisamment à prévenir l'introduction des denrées étrangers de la manière dont on se plaint, et la 34e. clause renferme des dispositions contre les abus qui ont existé dans les deux Provinces à l'égard de la perception de droits provinciaux sur quelques produits étrangers.

Le Comité trouvera que les concessions en faveur du Haut-Canada à l'égard des chevaux et des voyageurs, du bois de corde, etc., sont maintenant étendues à cette Province, par les dispositions de la 33e. clause, qui renferme aussi les peaux crues et le suif, selon que le Comité l'a suggéré.

La 36e. clause autorise l'entrée des denrées aux ports de la frontière, avant d'être mis en dépôt transit en Canada; la 35e. pourvoit à l'établissement de Kingston et de Montréal, comme ports libres, limités cependant, quant à la communication par mer, aux vaisseaux anglais, la 37e. clause permet le transport des marchandises de Montréal à Québec, (étant des ports situés dans la même possession,) les lois de dépôt permettant déjà le transport des effets d'une Province à l'autre.

A l'égard de la difficulté qu'on redoutait de la construction donnée par Mr. Woodhouse à la partie de l'Acte 6e. Geo. IV, chap. 115, relative au mesurage des bois, il est évident que le changement de principe rend inutile aucune altération à l'égard du Canada: et cette interprétation nous est tout-à-fait favorable à l'égard des droits qui doivent être prélevés sur les madriers étrangers à d'autres ports. J'ai

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I have now gone through the principal subjects recommended to my attention by the Committee, and I trust that the arrangements contained in these Acts will prove that none of their injunctions have been lost sight of, and if all the details suggested by the Committee have not been adopted, it must be attributed to the principles on which they were founded, being incompatible with the more extensive and comprehensive view which His Majesty's Ministers have taken of these subjects. I beg leave to assure the Committee that no effort has been spared to accomplish their wishes to the fullest extent; and every acknowledgment is due to the Gentlemen in London connected with the Province for their cordial support and the zeal they have evinced for the promotion of our interests.

In conclusion, I feel myself at liberty to repeat, that the indulgent reception and mature consideration of our representations by His Majesty's Ministers confirm the assurance of their earnest desire to promote the commercial prosperity and general welfare of these highly favoured Provinces.

I shall be happy to afford any further explanation that may be deemed necessary, as I shall at all times be ready to contribute to the extent of my ability to forward the views and the interests of the Commercial community of Lower Canada.

I have the honor to be,

Gentlemen,

Your very sincere and humble Servant,
(Signed) W. B. FELTON,

Wm. Finlay and Geo. Auldjo, Esq.
Chairmen of the Committee of Trade,
Quebec and Montreal.

Your Committee have examined on this Petition William Finlay, Esquire, Chairman of the Committee of Trade at Quebec, whose evidence is hereunto annexed. They have also had before them the Instructions given to the Agent sent to England by the Trade in one thousand eight hundred and twenty seven, and his Correspondence with the Quebec Committee, which last is also annexed to this Report.

It appears to your Committee that a few Merchants of Quebec and Montreal disbursed about eight hundred and fifty pounds for the expenses of this Mission.

The Journal of the House of the twenty second March one thousand eight hundred and twenty six, contains a Petition from the Merchants of Montreal for a Commercial Agent, which was reported against on the twenty third of March; and also a Message from the Governor for the appointment of an Agent, which was not acted upon on account of the lateness of the Session; and it does not appear to have been again taken up in the Session of one thousand eight hundred and twenty seven: The Agent sent by the Merchants seems to have been in some degree a substitute for the one proposed to be appointed by public authority.

Your Committee have no doubt but that the Merchants on sending this Agent to England, were actuated by a desire of promoting the interests of the Trade which is so intimately connected with the general interests of the Province. It appears, however, that the measures relating to the Corn Trade had been decided upon by Ministers before the arrival of the Agent, and that no very important alteration on the Bills before Parliament affecting the Trade took place during the Session, although the mission was no doubt useful in calling the attention of Ministers to various subjects favourable to the Trade, and which had already been urged in the Address of the House of the twenty third March one thousand eight hundred and twenty six.

J'ai maintenant passé par-dessus les principaux sujets recommandés à mon attention par le Comité, et j'espère que les arrangements contenus dans ces actes, prouveront que je n'ai perdu de vue aucune de ses injonctions; et si tous les détails suggérés par le Comité n'ont pas été adoptés, on doit l'attribuer aux principes sur lesquels ils étaient fondés et qui étaient incompatibles avec les points de vues plus vastes et plus étendus sous lesquels les ministres de Sa Majesté ont envisagé ces sujets. Je demande d'assurer le Comité qu'il n'a été épargné de ma part aucun effort pour remplir ses désirs dans toute leur étendue; et toute reconnaissance est due aux messieurs de Londres liés avec la Province pour le zèle et le support cordial qu'ils ont montrés pour l'avancement de nos intérêts.

En conclusion, je me sens en liberté de répéter que la réception indulgente et la même considération de nos représentations par les Ministres de Sa Majesté, confirment l'assurance qu'ils ont donnée de leur désir le plus ardent d'avancer la prospérité commerciale et le bien-être général de ces Provinces si favorisées.

Je me ferai un plaisir de donner toutes explications ultérieures qu'on pourra trouver nécessaires, de la même manière que je suis prêt de contribuer de tout ce qui est en moi aux intérêts du corps mercantile du Bas-Canada.

J'ai l'honneur d'être,

Messieurs,

Votre très-sincère et très-humble serviteur,
(Signé) W. B. FELTON,

WM FINLAY et GEO AULDJO, Ecuyers,
Présidens des Bureaux de
Commerce à Québec et Montréal.

Votre Comité a examiné à l'égard de cette Pétition William Finlay, Ecuyer, Président du Comité de Commerce à Québec, dont le témoignage est ci-annexé. Il a aussi eu par devers lui les instructions données à l'agent envoyé en Angleterre par le corps des commerçans en mil huit cent vingt sept, et sa correspondance avec le Comité de Québec, ce qui est aussi annexé à ce Rapport.

Il appert à votre Comité qu'un petit nombre de marchands de Québec et de Montréal ont déboursé huit cent cinquante livres pour payer les frais de cette mission.

Le Journal de la Chambre du vingt-deux Mars mil huit cent vingt-six contient une Pétition de la part des Marchands de Montréal, demandant un Agent mercantile, sur laquelle il fut fait un rapport défavorable le vingt-trois Mars; et aussi un message du Gouverneur pour la nomination d'un Agent, sur lequel il ne fut pas procédé, à cause que la session se trouvait trop avancée; et il ne paraît pas que le sujet ait été repris pendant la session de mil huit cent vingt-sept. L'agent qu'ont envoyé les marchands paraît avoir été une espèce de substitut de celui qu'on voulait faire nommer par l'autorité publique.

Votre Comité ne doute nullement que les marchands en envoyant cet agent en Angleterre, n'aient été mus par le désir d'avancer les intérêts du commerce, qui sont si intimement liés avec ceux de toute la province. Il paraît cependant que les ministres avaient décidé les mesures relatives aux céréales avant l'arrivée de l'agent, et qu'il ne s'est fait aucun arrangement essentiel pendant cette session aux bills qui étaient devant le parlement pour régler le commerce; mais la mission a fait beaucoup de bien, en ce qu'elle a appelé l'attention des ministres sur divers sujets utiles au commerce, et sur lesquels la Chambre avait déjà insisté dans son adresse du vingt-trois Mars mil huit cent vingt-six.

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Your Committee are persuaded, that while the interests of the Colony can be so seriously affected by public measures in England, and while there is no authorized Agent for the Province resident there, different interests in the Colony will be in some degree compelled to send Agents to England. All these interests will be more or less allied to the general interest; but your Committee are of opinion that it would be imprudent to give those particularly concerned to understand that there is a probability of the expenses being borne by the Country at large.

It is indeed of public notoriety that there are at this moment a number of persons, who, on grounds similar to the present Petition, might prefer claims to a reimbursement of the expenses of such Agents.

Your Committee upon the whole cannot recommend that the prayer of the Petitioners be granted.

Ordered, That the Chairman do leave the Chair and report.

All which is nevertheless humbly submitted.

J. NEILSON,
Chairman.

HOUSE OF ASSEMBLY,

Wednesday, 7th January 1829.

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RESOLVED, That the Petition of the Curate, Church Wardens and Elders of the Parish of St. Louis de Lotbinière, together with the Message of His Excellency the Administrator of the Government, received this day, and relating to the same object, be referred to a Committee of Five Members, to examine the same and to report thereon, from time to time, with power to send for persons, papers and records.

Ordered, That Mr. Bourdages, Mr. Laterrière, Mr. Vallières, Mr. Proulx and Mr. Borgia, do compose the said Committee.

Ordered, That the Petition of the Inhabitants of Saint Philippe, County of Huntingdon, presented to this House on the twelfth of December last, be referred to the said Committee.

Wm. B. LINDSAY,
Dy. Clk. H. of Ass'y.

HOUSE OF ASSEMBLY,

COMMITTEE ROOM,

Thursday, 8th January 1829.

In Committee on the Message of His Excellency the Administrator of the Government, and on the Petition from the Curate and others of the Parish of Saint Louis de Lotbinière, relating to the distress of the Inhabitants of the said Parish.

PRESENT:—Messrs. Bourdages, Borgia, Vallières, Proulx and Laterrière.

Mr. Bourdages called to the Chair.

Read the Order of Reference.

Read the Message and Petition referred to the Committee.

The Rev. J. B. Davelui appeared before your Committee, and gave the following information:—

I am Curate of the Parish of Saint Louis de Lotbinière

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Votre Comité est persuadé que tant que les intérêts de cette Colonie seront si fortement affectés par les mesures publiques d'Angleterre, et tant qu'il n'y aura pas résidant en ce pays un Agent autorisé pour la Province, différentes classes d'intéressés en cette Colonie seront en quelque sorte forcés d'envoyer des Agens en Angleterre. Mais votre Comité est d'opinion qu'il serait imprudent de donner à entendre à ces différentes classes qu'elles peuvent espérer que le pays entier se chargera des dépenses.

Il y a en effet, en ce moment, et cela est notoire, un grand nombre de personnes qui, avec tout autant de raison que les Pétitionnaires, pourraient mettre en avant des réclamations et demander le remboursement des frais encourus pour de tels Agens.

Le tout considéré, votre Comité ne peut recommander d'accéder à la demande des Pétitionnaires.

Ordonné, Que le Président laisse le Fauteuil et fasse rapport.

Le tout néanmoins humblement soumis.

J. NEILSON,
Président.

CHAMBRE D'ASSEMBLÉE,

Mercredi, 7 janvier 1829.

RESOLU, Que la pétition du curé, des marguilliers et notables de la paroisse de Saint-Louis de Lotbinière, ensemble le message de Son Excellence l'administrateur du gouvernement, reçu ce jour, relativement au même objet, soient référés à un comité de cinq membres pour les examiner et faire rapport sur iceux de temps à autre, avec pouvoir d'envoyer quérir personnes, papiers et records.

Ordonné, Que M. Bourdages, M. Laterrière, M. Vallières, M. Proulx et M. Borgia composent le dit Comité.

Ordonné, Que la pétition des habitans de Saint Philippe, comté de Huntingdon, présentée à cette chambre le douzième décembre dernier, soit référée au dit Comité.

J. ANT. BOUTHILLIER,

Greffr. Asst.

CHAMBRE D'ASSEMBLÉE,

CHAMBRE DE COMITÉ,

Jeudi, 8 janvier 1829.

En comité sur le message de Son Excellence l'administrateur du gouvernement, et la pétition du curé et autres de la paroisse de Saint-Louis de Lotbinière, relativement à la détresse des habitans de la dite paroisse.

PRESENS:—MM. Bourdages, Borgia, Vallières, Proulx et Laterrière.

M. Bourdages appelé au fauteuil.

Lu l'ordre de référence.

Lu le message et la pétition référés à ce comité.

Le Révd. Messire J. B. Davelui est comparu devant votre comité et l'a informé comme suit:—

Je suis curé de la paroisse de Saint-Louis de Lotbinière,

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de Lotbinière, and have resided there since the month of September one thousand eight hundred and twenty-two. I received annually as tithes (*dimes*) between five and six hundred minots of wheat on an average, and nearly the same quantity of oats, with about one hundred minots of pease, about twenty minots of barley, and fifteen or twenty minots of Indian corn. It is probable I shall not receive this year more than twenty five or thirty minots of wheat, and perhaps one hundred minots of oats. The Parish may contain about three hundred landholders who are farmers. From one thousand eight hundred and twenty-four to one thousand eight hundred and twenty-seven, the crops constantly diminished, and those of the present year appear to be the forerunner of a sort of famine, according to the oldest inhabitants, who confess they have never seen such alarming indications of distress among the greater part of the poorer class of farmers. I know no means by which these unfortunate families can procure assistance by their own endeavours. The number of landholders cultivating their lands who have not this year reaped sufficient grain for their subsistence, amounts to about eighty-three families forming five hundred and forty-six persons, who will have within themselves no means of subsistence before the beginning of July next. There are thirty-four heads of families, which families, forming in the whole two hundred and fifty-nine persons, have at this time no means of subsistence, and forty-nine families, forming in the whole two hundred and eighty-seven persons, of whom the greater part have not the means of subsistence for more than a month, some for two months, others for three months, and a very small number for four months, reckoning from the first of January to the first of July, as appears by the Statement now produced, (marked with the Letter A, and with the initials of the Charman of this Committee) and drawn up by Louis Legendre, Esquire. From the public examination this document has undergone, I believe it to be correct. From the statements made to me personally by several of these poor persons in the month of November last, the failure of the harvest of the present year, is the effect of the will of God, and does not arise from the fault of those by whom the lands were cultivated. In consequence of the letter from the Church Wardens and divers of the principal inhabitants of the Parish, dated the fourteenth of December one thousand eight hundred and twenty-eight, (the said letter marked B, and now produced) I gave notice from the pulpit on Sunday the twenty-first of December last, that a general meeting of the parishioners would be held on the same day after divine service, in the public room of the Parish, to deliberate on the means of relieving the distressed farmers, as well as and besides the ordinary poor. At this meeting, which was held according to the notice I had given, eight of the principal inhabitants were appointed to enquire into the state of those persons most in distress; and on the twenty-eighth of the said month, I called a meeting of the persons composing the *Fabrique*, at which it was resolved, that the said persons should address the Bishop of Quebec for the purpose of obtaining his permission to employ the amount of the Christmas offerings which were then about to be made to relieve such of the poor as had no property susceptible of cultivation, and the revenue of the *Fabrique* for the relief of the parishioners who were landholders suffering from the failure of the late harvest; and that afterwards the said members of the *Fabrique* should, by petition to the Legislature, solicit a loan of one thousand pounds currency, and this was unanimously agreed to, as appears, *Firstly*: By the permission of His Greatness the Lord Bishop of Quebec, written at the foot of the said petition presented to him, and now produced to the Committee (marked with

nière, et j'y réside depuis le mois de septembre mil huit cent vingt-deux. Je reçois en dîme de bled entre cinq à six cens minots annuellement, l'une portant l'autre, et je reçois presque autant en avoine, et environ cent minots de pois; aussi, environ vingt à trente minots d'orge, et quinze à vingt minots de bled sarazin. Il est probable que cette année je ne percevrai pas plus de vingt cinq à trente minots de bled, et peut-être cent minots d'avoine. La paroisse peut contenir trois cens propriétaires, cultivant des terres. Depuis mil huit cent vingt-quatre à mil huit cent vingt-sept, la récolte a toujours diminué, et celle de la présente année annonce une espèce de famine, au dire des plus anciens, qui confessent n'avoir jamais vu des apparences aussi alarmantes de misère pour la plupart des cultivateurs les plus indigens. Je ne connais aucun moyen à ces infortunées familles de se procurer par elles-mêmes aucuns soulagemens. Le nombre de propriétaires cultivant leurs terres, qui cette année n'ont point recueilli suffisamment de grains pour leur subsistance, est de quatre-vingt-trois familles, formant cinq cent quarante-six personnes, qui se trouvent sans moyens de subsister par elles-mêmes, jusqu'au commencement de juillet prochain. Il se trouvent trente-quatre chefs de familles formant deux cent cinquante-neuf personnes, qui n'ont de ce jour aucun moyens de subsistance, et quarante-neuf familles formant deux cent quatre vingt-sept personnes qui n'ont de moyen de subsister, la plus grande partie que pour un mois; quelques-uns pour deux mois; d'autres pour trois mois, et la plus petite partie que pour quatre mois, à compter du premier janvier jusqu'au premier juillet, ainsi qu'il appert par le tableau maintenant produit (sous la Cotte A. et paraphé par le président de ce comité) et dressé par Louis Legendre, écuyer; et d'après l'examen public qui en a été fait, je le crois correct. D'après l'exposition que plusieurs de ces indigens m'ont faite à moi-même dès le mois de novembre dernier, le manque de moissons de la présente année dépend de la volonté de Dieu, et n'est pas de la faute des cultivateurs. En conséquence de la lettre du quatorzième décembre mil huit cent vingt-huit, de la part des marguilliers et de divers notables de la paroisse, (la dite lettre cotté B. est maintenant produite) j'ai convoqué dimanche le vingt-et-un décembre dernier, au prône de la messe, pour être tenue à l'issue de la dite messe, une assemblée générale des paroissiens, dans la salle publique de la paroisse, afin de délibérer sur les moyens de soulager les cultivateurs en détresse, et en outre les pauvres. A cette assemblée tenue suivant l'avis que je venais d'en donner, huit des plus notables ont été nommés pour s'enquérir de l'état de la détresse des plus indigens; et le vingt-huit du dit mois, j'ai convoqué une assemblée des fabriciens, où il a été résolu que les dits fabriciens s'adresseraient à Monseigneur de Québec pour obtenir la permission d'employer le produit de la quête de l'Enfant-Jésus, qui devait se faire prochainement, pour le soutien des indigens sans propriétés susceptibles de culture, et le revenu de la fabrique pour secourir les paroissiens propriétaires qui sont en détresse par la mauvaise récolte; et qu'alors les dits fabriciens s'adresseraient à la législature pour solliciter un emprunt de mille livres courant; ce qui a été unanimement accordé, ainsi qu'il appert; Premièrement par la permission de sa grandeur Monseigneur l'évêque de Québec, au bas de la susdite requête à lui présentée, et à l'instant produite au comité (sous la cotte C. et paraphée par le président.); Secondement par acte des dits fabriciens assemblés, constituant pour leurs députés et procureurs, aux fins de présenter les dites pétitions, tant à Monseigneur l'évêque qu'à la législature, Messire J. B. Daveli, curé du lieu, Louis Legendre, T. N. Lemay, marguillier en charge d'alors, et David Toussignan, écuyers, copie duquel acte je transmettrai au comité d'ici à mardi prochain.

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with the letter C, and the initials of the Chairman.)
Secondly :—By the *acte* of the said members of the *Fabrique* at a meeting thereof, constituting as their attorneys and agents, for the purpose of presenting the said petitions, as well that to the Lord Bishop as that to the Legislature, the Reverend J. B. Davelui, Rector of the place, Louis Legendre, T. N. Lemay, acting Church Warden for the time, and David Toussignan, Esquires, a copy of which *acte* I shall transmit to the Committee between the present time and Tuesday next. I am willing, as being one of the above-mentioned agents, to become for my share security for the payment of such sum as the Legislature may advance for the purpose of preventing the evils, which I can assure the Committee must result from the misery and wretchedness to which so great a number of my parishioners are exposed; it would be desirable that a small sum should be promptly granted to relieve the wants under which a number of the poor are at this moment suffering. I have conjointly with the other agents before mentioned, made many efforts to obtain a loan of one thousand pounds in the City of Quebec for the said purposes, offering all the security that could be desired, but on every occasion we have experienced a formal refusal.

As Rector, and as first Church Warden, I am, with the other Church Wardens, prepared to sign any *acte* or obligation for the said Sum for the said purposes, to hypothecate the Property and revenue of the *Fabrique* as security for the payment of the said sum in six years, and this in consequence of the before mentioned permission from the Lord Bishop of Quebec. And in case any doubt should arise respecting the legality of such hypothecation of the revenues of the *Fabrique*, I am willing (so strong is my desire to bear my part in relieving my unfortunate and indigent parishioners) to become security for the payment of one-fourth of the said sum, provided the Legislature will give the securities an *hypothèque* on the property of those to whom any part of the said sum shall have been advanced. The yearly revenue of the *Fabrique* amounts to one hundred and twenty-five pounds currency in ordinary years. The general expense amounts to about twenty-five pounds in ordinary years. There are arrears now due to the *Fabrique* to the amount of about three hundred pounds.

Louis Legendre, Esquire, Landholder and Store-keeper in the Parish of Lotbinière, then appeared before your Committee, and gave the following information :—I have resided at Lotbinière for the last thirty-eight years. I am one of the elder Church Wardens of the *Fabrique*. The lands in Lotbinière generally bear a sufficient crop of grain,—they are of very fair quality and generally speaking well tilled. Since the year one thousand eight hundred and twenty-four, there have been many bad harvests, particularly that of one thousand eight hundred and twenty-seven; and that of one thousand eight hundred and twenty-eight completely failed. About eighty-three families, the number of persons composing which, is from five hundred and forty to five hundred and fifty, have not raised crops sufficient for the support of their families. About thirty-five of these families, consisting of two hundred and fifty-nine persons, are at this time without any means of subsistence, and of the other forty-nine families, consisting of two hundred and eighty-seven persons, there are fifteen families which have not sufficient provisions for five months, twelve which have not sufficient for four months, seventeen for three months, and four for two months, and is shewn in the statement I drew up now before the Committee, under the mark A, and which I certify to be correct and true. The hay crops were generally good, but the families above mentioned have not much land in meadow, and are

Je suis disposé, comme un des députés sus-mentionnés, à me porter pour ma part garant et caution pour sûreté du remboursement de telle somme, que la législature pourrait avancer pour prévenir les maux, que j'assure devoir résulter de l'état de misère auquel sont exposés un si grand nombre de mes paroissiens; il serait à désirer qu'une modique somme fut promptement accordée pour subvenir aux maux que souffre dès à présent un nombre d'indigens sus-mentionnés. J'ai conjointement avec les autres députés susdits, fait plusieurs tentatives dans la cité de Québec, pour pouvoir obtenir l'emprunt de mille louis pour les fins susdites, en offrant toutes sûretés à désirer, et nous avons éprouvé partout un refus formel.

Comme Curé de la Paroisse et premier Marguillier, je suis conjointement avec les autres Marguilliers, prêt à signer tous actes d'emprunt de la dite somme pour les fins susdites, à obliger et hypothéquer les biens et revenus de la fabrique pour garant du dit emprunt, remboursable en six ans; et ce d'après l'autorisation de Monseigneur de Québec ci-dessus citée; et dans le cas où il s'éleverait quelques difficultés sur la légalité d'affecter et hypothéquer les revenus de la fabrique, je consens, tant je désire participer au soulagement de ces infortunés indigens mes paroissiens, à me porter personnellement garant et caution pour un quart de la dite somme, pourvu que la Législature accorde aux garants et cautions une hypothèque sur les biens de ceux à qui telle partie de cette somme aura été avancée aux fins susdites. Le revenu annuel de la fabrique se monte à cent vingt-cinq livres courant, année commune. La dépense ordinaire est d'environ vingt-cinq louis, année commune. Il est dû des arrérages à la fabrique d'environ trois cents louis.

Louis Legendre, Ecuyer, Propriétaire et Marchand de la Paroisse de Lotbinière, a ensuite paru devant votre Comité, et a donné l'information suivante : Je réside à Lotbinière depuis trente-huit ans; je suis un ancien marguillier de la dite Fabrique. Les terres de Lotbinière produisent généralement assez de grains; elles sont d'une assez bonne qualité, et sont généralement bien cultivées. Depuis l'année mil huit cent vingt-quatre, il y a eu plusieurs récoltes mauvaises, particulièrement celle de mil huit cent vingt-sept, et celle de mil huit cent vingt-huit a manqué totalement. Environ quatrevingt-trois familles qui forment un nombre de cinq cent quarante à cinq cent cinquante personnes, n'ont pas suffisamment recueilli pour la subsistance de leurs familles. Environ trente-cinq de ces familles, composées de deux cent cinquante-neuf personnes, sont à présent sans aucuns moyens de subsistance, et des quarante-neuf autres familles, composées de deux cent quatrevingt-sept personnes, il y a quinze familles qui manquent de provisions pour cinq mois, douze qui en manquent pour quatre mois, dix-sept pour trois mois et quatre pour deux mois, ainsi qu'il est constaté par le tableau par moi dressé, produit sous la cote A. que je certifie correct et véritable. La récolte a été généralement bonne en foin, mais les familles en question n'ont pas beaucoup de prairies et manquent aussi de fourrage; la plus grande partie ont quelques pièces d'animaux, mais ils en ont tué et vendu le plus

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are in want of forage also. The greater number have some cattle, of which however they have killed or sold the greater part for their subsistence. The price of hay is from six to eight dollars. The parishioners alarmed at the state of real distress in which their fellow parishioners were, desired (by the Letter marked B, also before the Committee) that a general meeting might be held to consider the means of relieving the great number of families in such distress. The meeting unanimously resolved to appoint eight persons to make enquiries for the purpose of ascertaining the number of persons so suffering, and the Report of the said eight persons having been communicated to a meeting of the members of the *Fabrique* called for this purpose, it was unanimously resolved at the said meeting that the several Reports of those persons should be united in one statement, such as that filed; and after this a general meeting of the whole Parish was called and held on the first of January, to sign a petition to the Lord Bishop of Quebec, for the purpose of obtaining his authority for employing the Christmas offerings which were then about to be made, to the relief of indigent poor who had no land under cultivation, and also his authority for employing the yearly Revenue of the *Fabrique* for the relief of indigent landholders, whose grain crops had proved insufficient for the support of their families; and also for the purpose of signing a petition to the Legislature, praying for the loan of one thousand pounds currency to provide for the relief of the said distressed families, to be repaid out of the revenues of the *Fabrique*. I am ready to sign any *acte* binding me to the payment of one-fourth part of the said sum, provided the Legislature will give the joint securities for the payment thereof a privileged *hypothèque* on the property of those to whom the money shall have been advanced, and provided also that the yearly revenues of the *Fabrique* be given up to the said securities until the whole sum shall have been paid; notwithstanding any priority of the *hypothèque* which I might have on the property of the said debtors; and in case any doubts should arise concerning the legality of such hypothecation of the revenues of the *Fabrique* for the repayment of the said sum, I offer to sign as an individual, and in my own private name as such, for one-fourth, or even for the whole of the said sum, provided the Legislature will give me a privileged *hypothèque* on all the property of those to whom any part of the said sum may have been advanced. I know personally that every means has been taken, as well by several individuals as by Mr. Noël and myself, for the relief of the growing wretchedness of those families, by advancing them money to buy flour, vegetables, &c., and this on account of work to be afterwards performed; and these advances are now lost by the inability of those to whom they had been made, to perform work to the amount of the said advances. If a very moderate sum be not promptly advanced to a certain number of persons, they will be unable to bear the weight of their present wretchedness, and will be exposed to certain death. The *Fabrique* have now no money in their hands, but there are about three hundred pounds due as arrears. The yearly revenue of the *Fabrique* amounts in ordinary years to about one hundred and thirty pounds, and the expenses to about twenty-five or thirty pounds.

François Xavier Lemai, Farmer in the Parish of St. Louis de Lotbinière, acting Church Warden for the last year, and *David Noël Toussignan*, Farmer, Storekeeper, and Captain of Militia, appeared separately before Your Committee, and after having heard and comprehended the information above written, given by Mr. Legendre, and having read the same, they severally confirmed it; and severally and in their own names, offer

grand nombre pour leur subsistance. Le prix du foin est de six à huit piastres. Les Paroissiens alarmés de l'état réel de détresse où étaient leurs co-paroissiens, ont demandé par la lettre, cottée B., aussi produite, une assemblée générale pour aviser aux moyens de soulager un si grand nombre de familles en telle détresse. L'assemblée a unanimement résolu de nommer huit personnes pour faire une enquête pour constater le nombre des familles ainsi souffrantes, et le rapport des dites huit personnes ayant été communiqué à une assemblée de fabriciens pour ce convoquée, la dite assemblée a résolu unanimement que tous les différens rapports de ces personnes fussent réunis dans un seul tableau, tel que celui filé; et ensuite il a été convoqué et tenu une assemblée pour le premier Janvier pour toute la paroisse, pour souscrire une requête à Monseigneur l'Evêque de Québec, pour obtenir son autorisation à employer le produit de la quête de l'Enfant-Jésus, qui devait se faire prochainement, au soulagement des pauvres indigens qui n'avaient aucune culture de terre, et aussi son autorisation pour employer le revenu annuel de la *Fabrique* au soulagement des propriétaires indigens qui n'avaient point recueilli suffisamment de grains pour la subsistance de leurs familles, et aussi pour signer une requête à la Législature pour solliciter un emprunt de mille livres courant, pour subvenir au soulagement des susdites familles en détresse, à rembourser par le revenu de la *Fabrique*. Je suis prêt à souscrire tout acte qui m'obligerait pour un quart au remboursement de la dite somme, pourvu que la Législature donne aux garants conjoints du remboursement d'une hypothèque privilégiée sur les biens des personnes auxquelles il aurait été ainsi avancé, et aussi que le revenu annuel de la *Fabrique* leur fût abandonné jusqu'au parfait paiement, nonobstant la priorité des hypothèques que je pourrais avoir sur les biens des dits débiteurs, et dans le cas où il s'élèverait quelque difficulté sur la légalité d'affecter le revenu de la *Fabrique* pour remboursement de cette somme, je m'offre à souscrire comme individu en mon propre et privé nom, pour un quart et même pour le total de la dite somme, pourvu que la Législature me donne hypothèque privilégiée sur tous les biens de ceux à qui portion de cette somme pourrait être avancée. A ma connaissance, il a été pris tous les moyens possibles, tant par plusieurs individus que par Mr. Noël et moi, pour subvenir à la misère naissante des dites familles, en avances d'argent pour se procurer l'achat des farines, légumes, &c., et ce en avancement et en à compte des ouvrages qu'ils devaient leur faire, lesquelles avances se trouvent maintenant perdues par l'incapacité où se trouvent ceux à qui il a été ainsi avancé de pouvoir se nourrir pour effectuer telle part de leurs entreprises au montant de telles avances. Si une modique somme n'est promptement avancée un certain nombre de personnes sont incapables de soutenir la dureté de leur détresse actuelle, et sont exposées à une mort certaine. La *Fabrique* n'a maintenant aucun argent devant elle, mais il lui est dû environ trois cens louis d'arrérages. Les Revenus actuels de la *Fabrique*, année commune, sont d'environ cent trente louis, et ses dépenses annuelles d'environ vingt-cinq à trente louis.

Par devant le Comité sont comparus séparément *François-Xavier Lemai*, Cultivateur de la dite Paroisse de Saint-Louis de Lotbinière, Marguillier en charge l'année dernière, et *David Noël Toussignan*, Cultivateur, Marchand et Capitaine de Milice; lesquels après avoir entendu et compris toutes les informations ci-dessus données par Mr. Legendre, et lecture leur en ayant donnée, les ont séparément confirmées, et se

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offer to submit to all the terms and obligations by and to which Mr. Lemai has offered to bind himself: The said François Xavier Lemai, declaring, however, that he made no advances last autumn to the distressed inhabitants, although he knows perfectly well that such advances were made.

Your Committee convinced of the reality of the evils to which the forty-nine families who have provisions for a few months only, are exposed, have taken into their serious consideration the deplorable condition of the thirty-five families who have not the present means of subsistence, and have thought it right immediately to make a first report of their proceedings, and to recommend to Your Honorable House the adoption of the most expeditious means of affording prompt and effectual relief to those thirty-five families, who since the first of January have experienced and still feel all the ills which arise from a total want of subsistence, by proposing an Address to His Excellency the Administrator, praying that he will be pleased immediately to advance to the Reverend Jean Bte. Davelui, Rector of the Parish of St. Louis de Lotbinière, and the Churchwardens of the said Parish, or to any one of them, on their security and responsibility, a sum not exceeding two hundred pounds, to be immediately applied to the relief of the thirty-five families so distressed as aforesaid, until such time as the House can provide and determine whether it is expedient to advance the remaining part of the sum of one thousand pounds prayed for in the Petition of the agents for the said Parish.

Ordered, That the Chairman do leave the Chair and report.

The whole humbly submitted.

Is. BOURDAGES,
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soumettent séparément à toutes les offres et obligations offertes par Mr. Legendre, le dit François-Xavier Lemai, néanmoins déclarant n'avoir fait aucune avance l'automne dernier aux habitans en détresse, mais il a parfaite connaissance que telles avances ont eu lieu.

Votre Comité, convaincu de la réalité des maux auxquels sont exposées les quarante-neuf familles qui n'ont des alimens que pour quelques mois, a pris en sa sérieuse considération l'état déplorable des trente-cinq familles qui se trouvent maintenant sans aucuns moyens de subsistance, et a cru de son devoir de faire immédiatement le premier rapport de ses procédés, et de recommander à cette Honorable Chambre le moyen le plus expéditif de procurer promptement le secours efficace à ces trente-cinq familles, qui depuis le premier Janvier présent éprouvent tous les maux du manque total de subsistance, en proposant une Adresse à Son Excellence l'Administrateur, le suppliant de vouloir avancer immédiatement à Messire Davelui, Curé de la Paroisse de Saint Louis de Lotbinière, et aux Marguilliers de l'Œuvre et Fabrique d'icelle, ou à aucun d'eux, sous leur garantie et responsabilité, une somme n'excédant pas deux cens louis pour être immédiatement employée au soulagement des trente-cinq familles en telle détresse, en attendant que cette Chambre pourvoit et détermine s'il est expédient d'avancer la balance des mille livres courant demandées par la requête des députés de la paroisse.

Ordonné, Que le Président laisse la Chaire et fasse rapport.

Le tout humblement soumis.

Is. BOURDAGES,
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(A.)
STATEMENT of Persons who solicit an aid from the Fabrique.
TABLEAU des Personnes qui demandent une aide à la Fabrique.

No.	NAMES OF FAMILIES. NOMS DES FAMILIES.	Number of Persons Nomb. de Personnes.	Period for which sustenance is required. Tems pour le manque de nourriture.						Number of Days, Montantdes Journées	Rate per Day. Tant par Jour.	Amount. Montant.
			January. Janvier.	February. Février.	March. Mars.	April. Avril.	May. Mai.	June. Juin.			
Report of Jos. Coté and Jean Bte. Moraud.											
1	Noël Houle,	5	1	2	3	4	5	6	900	sd.	£ 11 5 0
2	Joyeux Hamel	2				1	2	3	180		2 5 0
3	Richard le Portier,	10	1	2	3	4	5	6	1800		22 10 0
4	Charles Dupont,	3	1	2	3	4	5	6	1440		18 0 0
5	Joseph Durand,	3				1	2	3	270		3 7 6
6	Louis Frs. Hamel,	9	1	2	3	4	5	6	1620		20 5 0
7	Julien Boisvert	3	1	2	3	4	5	6	540		6 15 0
8	Joseph Lamond,	7				1	2	3	630		7 17 6
9	Louis Corbeille,	7			1	2	3	4	840		10 10 0
10	Louis Alexis Hamel,	9	1	2	3	4	5	6	1620		20 5 0
11	Antoine Boisvert,	2	1	2	3	4	5	6	360		4 10 0
12	George Martel,	8	1	2	3	4	5	6	1440		18 0 0
13	Bapt. Derusseau,	4			1	2	3	4	480		6 0 0
14	Pierre Blais,	10	1	2	3	4	5	6	1800		22 10 0
15	Clement Houle,	4		1	2	3	4	5	600		7 10 0
Report de P. Tanguay and Ls. Lemay.											
16	François Soucy,	6				1	2	3	540	6 15 0	
17	Jos. Bapt. John Hamel,	4				1	2	3	360	4 10 0	
18	François Blais,	9				1	2	3	810	10 2 6	
19	Henry Traibert,	6				1	2	3	360	4 10 0	
20	Jean Bapt. L'Abbée,	7			1	2	3	4	840	10 10 0	
21	Marcel L'Abbée,	6				1	2	3	360	4 10 0	
22	Germain Souci,	7	1	2	3	4	5	6	1260	15 15 0	
23	Joseph Chabot,	2			1	2	3	4	240	3 0 0	
24	Augustin Boucher,	8	1	2	3	4	5	6	1440	18 0 0	
25	Xavier Boucher,	6		1	2	3	4	5	900	11 5 0	
26	Antoine Normand,	3			1	2	3	4	360	4 10 0	
27	Jean Luc Brown,	10	1	2	3	4	5	6	1800	22 10 0	
28	Amable Guimond,	4			1	2	3	4	480	6 0 0	
29	Batoche Blanchet,	3		1	2	3	4	5	450	5 12 6	
30	Joseph Rousseau,	6			1	2	3	4	720	9 0 0	
31	Pierre Dery,	10	1	2	3	4	5	6	1800	22 10 0	
32	Benj. Blanchet,	4	1	2	3	4	5	6	720	9 0 0	
33	Joseph Gagné,	12	1	2	3	4	5	6	2160	27 0 0	
34	Charles Lord,	5			1	2	3	4	600	7 10 0	
35	Isai Baudet,	3	1	2	3	4	5	6	540	6 15 0	
36	Charles Blanchet	8	1	2	3	4	5	6	1440	18 0 0	
37	François Nadeau,	7				1	2	3	630	7 17 6	
38	Firmin Blanchet,	6				1	2	3	540	6 15 0	
39	Jean Louis Hamel,	10	1	2	3	4	5	6	1800	22 10 0	
40	Louis Blanchet,	4		1	2	3	4	5	600	7 10 0	
41	Joseph Blanchet,	2	1	2	3	4	5	6	360	4 10 0	
42	Julien L'Abbée,	3				1	2	3	270	3 7 6	
43	Antoine Poudrier.	3				1	2	3	270	3 7 6	
44	Ambroise Lord,	8				1	2	3	720	9 0 0	
45	Joseph Blais,	7	1	2	3	4	5	6	1260	15 15 0	
46	Pierre Castonguay,	12				1	2	3	1080	13 10 0	
47	Michel Blais,	10				1	2	3	900	11 5 0	
48	Jean Mailhot,	11			1	2	3	4	1320	16 10 0	
49	Bapt. Blais,	7		1	2	3	4	5	1050	13 2 6	
50	Pierre Hamel,	3				1	2	3	270	3 7 6	
51	François Gagné (St. Charles.)	9	1	2	3	4	5	6	1620	20 5 0	
52	Joseph Coteau,	6	1	2	3	4	5	6	1080	13 10 0	
53	Augustin Dubée,	5	1	2	3	4	5	6	900	11 5 0	
54	Louis Tousignant,	5	1	2	4	4	5	6	900	11 5 0	
55	Joseph Terrien,	4				1	2	3	360	4 10 0	
Rap. du Sr. Xav. Lemay.											
56	Joseph Poudrier,	5	1	2	3	4	5	6	900	11 5 0	
57	Bapt. Poudrier,	4				1	2	3	360	4 10 0	
58	Veuve Fify. Math. Lemay,	7				1	2	3	420	5 5 0	
Rap. de P. B. Baudet.											
59	François Guimond,	12	1	2	3	4	5	6	2160	27 0 0	
60	Supplien Belanger,	6			1	2	3	4	720	9 0 0	
61	Augustin Blanchet,	9		1	2	3	4	5	1350	16 17 6	
62	Baudet Jos. Michel,	10	1	2	3	4	5	6	1800	22 10 0	
63	Louis Franc. Ig. Lemay,	9	1	2	3	4	5	6	1620	20 5 0	
Carried forward		404							57960	724 10 0	

Appendix
(R. R. R.)
9th Jany.

Appendice
(R. R. R.)
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No.	NAMES OF FAMILIES. NOMS DES FAMILIES.	Number of Persons. Nomb. de Personnes.	Period for which sustenance is required. Tems pour le manque de nourriture.						Number of days. Montant des Journées.	Rate per day. Taut par Jour.	Amount. Montant.
			January. Janvier.	February. Février.	March. Mars.	April. Avril.	May. Mai.	June. Juin.			
	Brought forward, Rap. du Capt. Auger.	404						57960		£ s. d. 724 10 0	
64	Garion Michel Lemay,	8	1	2	3	4	5	6	1440	18 0 0	
65	Bt. Joseph Baudet,	8			1	2	3	4	960	12 0 0	
66	Louis Baudet,	6		1	2	3	4	5	900	11 5 0	
67	Jean Miclon,	9	1	2	3	4	5	6	1620	20 5 0	
68	Pierre Miclon,	10	1	2	3	4	5	6	1800	22 10 0	
69	Pierre Jambette,	7	1	2	3	4	5	6	1260	15 15 0	
70	Timothé Bergeron,	4		1	2	3	4	5	600	7 10 0	
71	Joseph Miclon,	10	1	2	3	4	5	6	1800	22 10 0	
72	Antoine Pérusse,	5		1	2	3	4	5	1050	13 2 6	
73	Antoine Bergeron,	7				1	2	3	630	7 16 6	
74	Henry Auger,	7		1	2	3	4	5	1050	13 2 6	
75	J. Bt. Jean Louis Auger,	5			1	2	3	4	600	7 10 0	
76	Frédéric St. Onge,	10		1	2	3	4	5	1500	18 15 0	
77	Joseph Bte. Auger,	5		1	2	3	4	5	750	9 7 6	
78	Isaie Lemay,	9	1	2	3	4	5	6	1620	20 5 0	
79	Paul Ducap,	8				1	2	3	720	9 0 0	
80	Joseph Mercier,	5		1	2	3	4	5	750	9 7 6	
81	Auguste Habel,	7		1	2	3	4	5	1050	13 2 6	
82	Joseph Poudrier,	4		1				5	600	7 10 0	
		540							78660	at 3d. 983 5 0	

LIST of Poor not in a state to refund to the *Fabrique*, viz.:
LISTE des Pauvres incapables de remettre à la *Fabrique*, savoir :

1	Louis Jos. Ig. Lemay,	2	16	Roc Laliberté,	8
2	Pierre Bernier,	6	17	Xavier Beaudet,	8
3	Abraham Deruisscau,	8	18	Marie Frs. Ig. Lemay,	1
4	William Askel,	4	19	François L'Allemant,	2
5	François Grimouche,	5	20	Charles Blanchet,	5
7	Charles Langlois,	5	21	Henry Montpas,	7
8	Veuve Ignace Goudreau,	2	22	Michel Marcot,	5
9	Louis Bossé,	4	23	Job. Lemay,	6
10	Joseph Chenard,	7	24	Augustin Pérusse,	6
11	Edouard Lemay,	8	25	Basile Langlois,	6
12	Louis Courteau,	7	26	Veuve Antoine Lamonde,	3
13	Isaie Auger,	7	27	Etienne Perrault,	7
14	Louis Péruse, fils,	6	28	Fra. Gagné (à Normand)	6
15	Prosper Lamonde	6			
		75			151

(B.)

Rev. Mr. Davelui, Priest and Curate of Lotbinière.

Messire Davelui, Prêtre et Curé de Lotbinière.

Sir,

The undersigned respectively request you after the Sermon on Sunday next, to call a General Meeting of the principal Inhabitants of this Parish, for the purpose of deliberating and consulting upon the measures which should be taken for the relief of the poor families of this Parish, who now, and unquestionably will be, until the ensuing harvest, in the most extreme indigence.

Lotbinière, 14th December 1828.

François Xavier Le May, Churchwarden,
A. C. De Lachevrotière,
J. Filteau,
Pierre L'heros,
Jean Baptiste Augé,
Ambroise Augé,
Narcisse Augé,

Joseph Augé,
M. Pagé,
J. B. Augé,
David Noël,
Amable Paré,
Ls. Legendre.

Monsieur,

Les Soussignés vous prient respectueusement de convoquer Dimanche prochain au Prone de la Messe paroissiale, une Assemblée Générale des notables de cette Paroisse, à l'effet de délibérer et aviser les moyens qui doivent être pris pour soulager les pauvres familles de cette Paroisse, qui sont maintenant et vont être indubitablement jusqu'à la récolte prochaine, dans la plus extrême indigence.

Lotbinière le 14e Décembre 1828,

François Xavier Le May, Marguillier,
A. C. De Lachevrotière,
J. Filteau,
Pierre L'heros,
Jenn Baptiste Augé,
Ambroise Augé,
Narcisse Augé,

Joseph Augé,
M. Pagé,
J. B. Augé,
David Noël,
Amable Paré,
Ls. Legendre.

Appendix
(R.R.R.)
9th Jany.

To the very Illustrious and very Reverend Bernard Claude Panet, Bishop of Quebec.

May it please your Lordship,

My Lord,

WE, the undersigned, the Priest and Rector of the Parish of St. Louis de Lotbinière, the Senior and Junior Churchwardens of the Œuvre and Fabrique of Lotbinière, and the principal Inhabitants of the said Parish, beg leave to tender to your Lordship our most respectful homage and to represent humbly, That the unfruitfulness of the late seasons, followed as it has been by the unproductiveness of the present, has caused your faithful Petitioners, the Inhabitants of the Parish of Lotbinière in general, and a great number of them more especially, to feel already the effects of the famine with which they must inevitably be visited. The oldest inhabitants declare that so great distress was never before felt in this Parish. Under these alarming circumstances, the Senior and Junior Churchwardens of the said Fabrique, at a Meeting held on Sunday last, (and at which their Rector presided) received and read the Certificate of eight of the principal Inhabitants of the place, who had been appointed at a meeting of the Parishioners held on the preceding Sunday to visit the indigent in person, each in the Concession in which he resided; and the persons so appointed made a faithful report in writing, shewing that the number of indigent families possessing land under cultivation is eighty three; and the number of individuals, including men, women and children five hundred and forty six. In consequence of this Report, my Lord, your Petitioners, hoping to receive your Lordship's express approbation, which they now respectfully solicit, have determined to present a Petition to the Provincial Parliament now sitting, for the purpose of obtaining a Loan of one thousand pounds currency, to be repaid in three years out of the funds of the Fabrique. The distressed Inhabitants receiving Loans are to give a mortgage on their Lands in favor of the Fabrique for the security of the sum lent; and the Loan asked from the Province is prayed for expressly privileged. The Fabrique of Lotbinière stand forward on this occasion and address your Lordship, out of gratitude for the liberality they have experienced on the part of the Parish, and more especially because the Parishioners of Lotbinière have been under the necessity, within the last few years of supporting the expense of building a Church, Sacristy, Rectory, and other appurtenances, the whole being of Stone and erected at great cost; and because the Churchwardens, with the permission of their late Bishop, Monseigneur Plessis, of happy memory, lent out the sum of three hundred pounds currency, one half only of which has been repaid, by reason of the non-occurrence of abundant harvests. The coffers of the Fabrique are empty, owing to the expense incurred in putting up an Altar piece of the value of three hundred pounds currency, executed by Mr. Thomas Baillargé, Sculptor, residing at Quebec. The whole truth being thus set forth, your Petitioners, my Lord, hope to receive your sanction on the subject of the Loan above spoken of, and while they await the honor of your Lordship's answer, will never cease to pray, &c.

Lotbinière 1st January 1829.

(On the back.)

In pursuance of the prayer of the petition within written, we consent that the Fabrique of the Parish of Lotbinière borrow the sum of One thousand pounds currency for the purpose of affording relief to such of the Parishioners as are in distress from the badness of the crops; on condition that a sufficient sum shall be reserved every year by the Fabrique, to meet the ordinary and annual expenses of the Church.

† BERN. CL. Bishop of Quebec,

(C.)

A sa grandeur Monseigneur l'Illustrissime et Révérendissime Bernard Claude Panet, Evêque de Québec.

Qu'il plaise à Votre Grandeur,

Monseigneur,

NOUS soussignés, Prêtre et Curé de la Paroisse de St. Louis de Lotbinière, nous les Marguilliers anciens et nouveaux de l'Œuvre et Fabrique de Lotbinière, avec les notables de la Paroisse, assurons Votre Grandeur de nos hommages les plus respectueux, et lui exposons humblement que la disette des années dernières, à laquelle vient se joindre la stérilité de la présente, a réduit vos fidèles et supplians, les paroissiens de Lotbinière en général, et en particulier un grand nombre d'entr'eux à sentir déjà les effets d'une famine, qui sera pour eux inévitable par la suite; d'après les plus anciens, jamais misère ne s'est déclarée telle en cette Paroisse. Dans ces circonstances alarmantes, les Marguilliers anciens et nouveaux de cette Fabrique, assemblés Dimanche dernier, sous la présidence de leur Curé, ont vu et lu les certificats de huit notables du lieu, chargés par les paroissiens assemblés, le Dimanche précédent, chargés de faire par eux mêmes la visite des indigens, chacun dans sa concession; et les notables ont rapporté, avec fidélité et par écrit, que le nombre des familles dans l'indigence, possédant des terres en culture, était quatre-vingt trois; comprenant, hommes, femmes et enfans, cinq cent quarante six individus. D'après le rapport, Monseigneur, vos requérans se sont écriés, sous l'espoir de l'approbation expresse de Votre Grandeur, qu'ils sollicitent respectueusement, à faire une pétition au Parlement Provincial actuellement assemblé, à l'effet d'obtenir un emprunt de mille Livres courant, à remettre, dans trois ans, sur les revenus de cette Fabrique; l'emprunteur en détresse hypothéquera sa terre, pour assurer aux Fabriciens son emprunt; et l'emprunt demandé à la Province est sollicité expressément privilégié. La Fabrique de Lotbinière se met en avant aux yeux de Votre Grandeur, et par reconnaissance pour les libéralités reçues de la part de la Paroisse, et surtout parce que les Paroissiens de Lotbinière ont été obligés, depuis peu d'années, de supporter les frais de bâtisses d'Eglise, Sacristie, Presbytère et autres dépendances, le tout en pierre et à gros frais; et parce que les Marguilliers ont prêté, avec la permission de feu Monseigneur Plessis, leur Evêque d'heureuse mémoire, la somme de trois cens Livres courant, dont moitié seulement est rentrée au coffre, et ce par faute de moisson abondante, les coffres de la Fabrique sont vuides, à raison de la position d'un retable de la valeur de trois cens livres courant, exécuté par le Sieur Thomas Baillargé, Sculpteur résident à Québec.

Lotbinière, 1er Janvier 1829.

(Au dos.)

En conséquence de la requête des autres parts, nous consentons que la Fabrique de la Paroisse de Lotbinière emprunte la somme de mille livres courant, pour secourir les paroissiens qui sont en détresse par la mauvaise récolte, à condition néanmoins qu'il restera chaque année à la dite Fabrique ce qui est nécessaire pour la dépense ordinaire et annuelle de l'Eglise.

† BERN. CL. Evêque de Quebec.

(D.)

ON the first of January one thousand eight hundred and twenty nine, the late and present Churchwardens being lawfully met in the Vestry, with the principal Inhabitants, pursuant to notice given after the Sermon, saw the proceedings from the twenty first of December to this day, and heard read the Petition addressed to His Lordship the Bishop of Quebec, and the Petition addressed to His Excellency the Administrator and to the two other branches of the Legislature, for a Loan, which Petitions were not only approved and signed by the Churchwardens, but also by the principal Inhabitants of the Parish. The Reverend the Curate was appointed, together with Messrs. Louis Legendre and David Toussignant, Esquires, and François Xavier Le May, Churchwarden, and consented to carry to Quebec the Petitions, to deliver the same according to the respective addresses. These presents being duly read, we have signed,

(Signed) Ls. Legendre, F. X. Le May, David Toussignant, J. B. Augé, Nicolas Leclerc, P. Beaudet, M. Pagé, Jos. Filteau, Amable Paré, J. B. Davelui, Priest and Curate;

Jacques

LE premier Janvier mil huit cent vingt neuf, Messieurs les Marguilliers, anciens et nouveaux, étant légalement assemblés dans la Sacristie avec les notables, d'après un avertissement fait au Prône de la Messe paroissiale, ont vu les procédés depuis le vingt-un Décembre jusqu'à ce jour, et entendu lire la requête adressée à Sa Grandeur Monseigneur l'Evêque de Québec, et la requête adressée à Son Excellence l'Administrateur et aux deux autres branches de la Législature, et ce pour un emprunt, lesquelles requêtes ont été approuvées et signées, non-seulement par les Marguilliers, mais aussi par les notables de la Paroisse; Mr. le Curé a été nommé avec Messrs. Louis Legendre, David Toussignant, Ecuyers, et François Xavier Le May, Marguillier, lesquels ont consentis à porter à Québec les requêtes pour les remettre chacune à leur adresse respective. Les présentes étant dûment lues, nous avons signé.

(Signé) Ls. Legendre, F. X. Le May, David Toussignant, J. B. Augé, Nicolas Leclerc, P. Beaudet, M. Pagé, Jos. Filteau, Amable Paré, J. B. Davelui, Prêtre et Curé;

Jacques

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Jacques Jacques, Joseph Coté, George Tancrede, Pierre Godette, declared in the presence of the undersigned they could not write.

Amable Beaudet, Augustin Augé,
Jos. Augé, Isaac Augé,
Ambroise Beaudet, J. B. Daveluy, Priest.

The undersigned certifies that the above is a true Copy of the Original.
Lotbinière 11th January 1829.

Witnesses { L. GRENIER,
Jos. FILTEAU.

J. FILTEAU, N. P.

Jacques Jacques, Joseph Coté, George Tancrede, Pierre Godette ont déclaré ne savoir signer, en présence des soussigné,

Amable Beaudet, Augustin Augé,
Jos. Augé, Isaac Augé,
Ambroise Beaudet, J. B. Daveluy, Ptre.

Le soussigné, certifie que la susdite copie est conforme à l'original.
Lotbinière, le 11 Janvier 1829.

Témoins. { L. GRENIER,
Jos. FILTEAU.

J. FILTEAU, N. P.

Appendice
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(E.)

EXTRACT of Deliberations from the Register of l'Œuvre et Fabrique of the Parish of Saint Louis de Lotbinière.

ON the twenty eighth day of December one thousand eight hundred and twenty eight, the late and present Churchwardens being lawfully met in the Vestry, pursuant to notice given after the Sermon, for the purpose of adopting measures to relieve the poor and the cultivators of this Parish in distress. unanimously resolved to apply, by Petition, to His Lordship, Bernard Claude Panet, Bishop of Quebec, and requested Mr. Daveluy, their Curate, to draw up the petition upon these deliberations; and further consented, upon being expressly authorized by His Lordship, to obtain a Loan of one thousand pounds from the Province, to mortgage the annual revenues of the Fabrique of Saint Louis de Lotbinière, and in consequence to make application to His Excellency the Administrator and the two other branches of the Legislature.

In witness whereof, have signed, with us, these presents first duly read.

(Signed.) Ls. Legendre, M. Pagé,
Frs. X Le May, Pierre Baudet,
Nicolas Leclerc, J. Bte. Augé.
J. B. Daveluy, Priest and Curate.

The six following Churchwardens declared they could not write, viz.:

Joseph Coté, Michel Le May,
J. B. Rivard, George Tancrede,
Jacques Jacques, Antoine Houde.

In presence of F. X. LEMAY,
J. B. DAVELUY, Priest and Curate.

The undersigned certifies that the above is a true Copy of the original.
Lotbinière, 11th January 1829.

Witnesses { L. GRENIER,
Jos. FILTEAU.

J. FILTEAU, N. P.

DELIBERATIONS, extraites du Régistre de l'Œuvre et Fabrique de la Paroisse St. Louis de Lotbinière.

Le vingt huit Décembre mil huit cent vingt-huit, Messieurs les Marguilliers anciens et nouveaux, étant légalement assemblés dans la Sacristie, d'après un avertissement fait au Prône de la Messe Paroissiale, afin de prendre les moyens de soulager les pauvres et les Cultivateurs en détresse de cette Paroisse, ont résolu unanimement, de s'adresser par requête à Sa Grandeur Monseigneur Bernard Claude Panet, Evêque de Québec, et ont prié Monsieur Daveluy, leur Curé, de faire la requête sur ces délibérations, et de plus ont consenti, d'après l'autorisation expresse de Sa Grandeur à un emprunt de la Province, de mille livres courant, à affecter les revenus annuels de la Fabrique de St. Louis de Lotbinière, et en conséquence à s'adresser à Son Excellence l'Administrateur, et aux deux autres branches de la Législature.

En foi de quoi ont signé avec nous, lecture faite.

(Signé) Ls. Legendre, M. Pagé,
F. X. Le May, Pierre Baudet,
Nicolas Leclerc, J. Bte. Augé.
J. Bte. Daveluy, Ptre. et Curé.

Les six Marguilliers suivans ont déclaré ne savoir signer, savoir:

Joseph Coté, Michel Le May,
J. Bte. Rivard, George Tancrede,
Jacques Jacques, Antoine Houde.

En présence de F. X. LEMAY,
J. Bte. DAVELUY, Ptre. et Curé.

Je soussigné certifie que la susdite copie est conforme à l'original.
Lotbinière, 11 Janvier 1829.

Témoins { L. GRENIER,
Jos. FILTEAU.

J. FILTEAU, N. P.

HOUSE OF ASSEMBLY.

Tuesday 25th November, 1828.

Appendix
(S.)
10 Jany.

RESOLVED, That the Petition of James Ellice Campbell, and Oliver Wait of the City of Montreal, be referred to a Committee of five Members, to examine the contents thereof, and to report thereon with all convenient speed, with power to send for persons, papers and records.

Ordered, That Mr. Leslie, Mr. Cuivillier, Mr. Valois, Mr. Heney and Mr. Quesnel, do compose the said Committee.

Ordered, That the Petition of William Belin of the District of Montreal, be referred to the said Committee.

Ordered, That Mr. R. Nelson be added to the said Committee.

Attest,
WM. B. LINDSAY,
Deputy Clerk House of Assbly.

Friday, 12th December, 1828.

Ordered, That it be an instruction to the said Committee to enquire

CHAMBRE D'ASSEMBLÉE,

Mardi, 25 Novembre 1828.

RESOLU, Que la Pétition de J. E. Campbell et O. Wait, de la Cité de Montréal, marchands, soit référée à un Comité de cinq membres, pour en examiner le contenu et en faire rapport avec toute la Dépêche convenable, avec pouvoir d'envoyer querir personnes, papiers et records.

Ordonné, Que Mr. Leslie, Mr. Cuivillier, Mr. Valois, Mr. Heney et Mr. Quesnel composent le dit Comité.

Ordonné, Que la Pétition de Wm. Belin soit référée au même Comité.

Ordonné, Que Mr. R. Nelson soit ajouté au dit Comité.

Attesté.
J. ANT. BOUTHILLIER,
Greff. Affr.

Vendredi, 12 Décembre, 1828.

Ordonné, Qu'il soit une Instruction au dit Comité de s'enquérir

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10th Jany.

quire into the amount of tolls collected at the Turnpike on the Lachine Road, and into the manner in which the amount collected since the establishment of the said Turnpike, has been employed.

Attest

WM. B. LINDSAY,
D. C. House Assbly.

Friday, 19th December, 1828.

Ordered, That the Petition of divers inhabitants of Longue Pointe, Pointe aux Trembles and Rivière des Prairies, be referred to the said Committee.

Attest,

WM. B. LINDSAY,
D. C. House of Assbly.

Monday, 22nd December, 1828.

Ordered, That the Petition of divers inhabitants of the Parishes of Lachenaye and of Saint Henri de Mascouche, be referred to the said Committee.

Attest,

WM. B. LINDSAY,
D. C. House of Assbly.

Wednesday, 24th December 1828.

Ordered, That the Petition of divers inhabitants of the City and Vicinity of Montreal, be referred to the said Committee.

Attest,

WM. B. LINDSAY,
D. C. House of Assbly.

HOUSE OF ASSEMBLY.

COMMITTEE ROOM.

Tuesday 9th December, 1828.

In Committee on the annexed Order of Reference.

PRESENT :—Messrs. Leslie, Heney, Cuvillier and Valois.

Mr. Leslie called to the Chair.
Read the Order of Reference.
Read the Petitions referred.

Mr. James Ellice Campbell, called in and examined :—

It is the intention of the Petitioners to macadamize that part of the Road from the Town limits to the landing place of the Horse Boat, and to make a solid foundation of pebbles on the remainder of the road, and gravel the same during the first year; and to macadamize one half of the road from the Horse Boat landing place to Longue Pointe during the second year, and the remainder during the third year. The macadamized part of the Road is to be twenty feet broad, rounded sufficiently to carry off the water, with drains on each side, and across when necessary. They are prepared to give security for the performance of the undertaking in the manner above specified, to whatever extent may be required. They will not break up more than from 100 to 150 feet of the road at a time, and that only one half of the breadth of the road, leaving the other half unencumbered, and free for carriages; and they will consent to give up the road to the public whenever the Revenue shall exceed twelve per cent., upon being reimbursed all expenses, or reduce the tolls.

Adjourned to the call of the Chair.

Saturday, 13th December 1828.

PRESENT :—Messrs. Cuvillier, Heney, Quesnel and Leslie.

Mr. Leslie in the Chair.

Ordered, That Henry Griffin, Esquire, Treasurer to the Trustees of the Lachine Turnpike Road, do lay before this Committee the accounts relating to the said Road.

Adjourned to the call of the Chair.

Saturday,

Quantum des Droits de Péage perçus à la Barrière sur le Chemin de La Chine, et l'emploi des Droits perçus depuis l'établissement de la dite Barrière.

Attesté.

J. ANT. BOUTHILLIER,
Greff. Asst.

Vendredi, 19 Décembre 1828.

Ordonné, Que la Pétition de divers Habitans de la Longue Pointe, Pointe aux Trembles et Rivière des Prairies soit référée au dit Comité.

Attesté.

J. ANT. BOUTHILLIER,
Greff. Asst.

Lundi, 22 Décembre 1828.

Ordonné, Que la Pétition des Francs-Ténanciers des Paroisses de Lachenaye et de St. Henry de Mascouche, soit référée au dit Comité.

Attesté.

J. ANT. BOUTHILLIER,
Greff. Assst.

Mercredi, 24 Décembre 1828.

Ordonné, Que la Pétition de divers Habitans de Montréal et de ses environs, soit référée au dit Comité.

Attesté.

J. ANT. BOUTHILLIER,
Greff. Assst.

CHAMBRE D'ASSEMBLEE,

BUREAU DU COMITE'.

Mardi, 9 Décembre 1828.

En Comité sur l'Ordre de Renvoi ci-annexé.

PRESENS :—Messrs. Leslic, Heney, Cuvillier et Valois.

Mr. Leslic au Fautueil.
Lu l'Ordre de Renvoi.
Lu la Pétition renvoyée.

Mr. James Ellice Campbell appelé et examiné :—

Les Pétitionnaires ont intention de macadamiser la partie du chemin qui s'étend depuis les limites de la ville jusqu'à la place de débarquement du Bateau à manège, et de faire sur le restant du chemin des fondemens solides de petits cailloux, et de le couvrir de gravier pour la première année; et de macadamiser la moitié du chemin entre la place de débarquement du Bateau à manège et la Longue Pointe, dans la seconde année, et le restant dans la troisième. La partie macadamisée du chemin sera de vingt pieds de largeur, assez arrondie pour donner de l'égoût à l'eau, avec des fossés chaque côté, et en travers s'il en est besoin. Ils sont prêts à donner caution, pour le montant qu'on désirera, d'exécuter l'entreprise de la manière ci-haut spécifiée. Ils ne dérangeront pas plus de cent à cent cinquante pieds de chemin à la fois, et cela sur la moitié de la largeur du chemin seulement, laissant l'autre sans embarras et libre pour le passage des voitures; et ils consentent à abandonner au Public le chemin, aussitôt que les revenus excéderont douze par cent, remboursement fait de toutes leurs dépenses, ou à réduire le peage.

Le Comité l'ajourne à l'Appel du Président.

Samedi, 13 Décembre 1828.

PRESENS :—Messrs. Cuvillier, Heney, Quesnel et Leslic.

Mr. Leslic au Fautueil.

Ordonné, Que Henry Griffin, Ecuyer, Trésorier des syndics du chemin de Barrière de Lachine, mette devant ce Comité les Comptes relatifs au dit Chemin.

Le Comité l'ajourne à l'Appel du Président.

Samedi,

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Saturday, 3rd January 1829.

PRESENT:—Messrs. Heney, Quesnel and Leslie.

Mr. Leslie in the Chair.

Henry Griffin, Esquire, called in and examined:—

I produce the accounts relating to the Lachine Turnpike Road, as requested by the Committee on the 13th ultimo.

[The said accounts are preserved among the files of the present Session.]

Q. 1. Were you Treasurer to the Trustees of the Lachine Turnpike, and since when?

A. Yes, since 1812.

Q. 2. By whom were you appointed?

A. By the Trustees.

Q. 3. Who were the Trustees?

A. The Honble. John Richardson, and I. W. Clarke, I. Tough, G. Garden, E. St. Dizier, J. M. Mondelêt, Esquires.

Q. 4. Were Mr. Richardson and Mr. Mondelêt, the only surviving Trustees at the period the Act expired in 1825?

A. Yes.

Q. 5. Were the tolls leased annually, and at public sale?

A. Yes, generally, but there may have been exceptions.

Q. 6. Was security taken for the due payment of the rents?

A. Yes.

Q. 7. To whom were the Tolls leased from the year 1812 to 1821, inclusively, and from 1823 to 1825, also inclusively?

A. To John McKercher, Thomas Barlow and Thomas Fingland.

Q. 8. Were the Lessees obliged to keep the Road in repair?

A. Sometimes.

Q. 9. Can you state the years in which the Lessees were to keep the road in repair.

A. Since 1820 inclusive.

Q. 10. Do you know what induced the Trustees to make a deduction in the rent for the years 1812, 1813, and 1814.

A. In consequence of the war, which reduced the receipts of the road, as there were comparatively few goods sent up, and the Lessee being obliged at his own expense to keep the road in repair, which was much worn by the transportation of Government stores.

Q. 11. Why is the sum of £209 9 1 deducted from the rent in 1821, as due by J. McKercher?

A. Because it was then due by him, but of which he paid in the following year £50.

Q. 12. He still owes, then, £159 9 1?

A. Yes.

Q. 13. Who were his securities?

A. There were two, but I only recollect Lenoir Rolland of the Tannery.

Q. 14. Have any legal proceedings been taken either against J. McKercher, or his securities, for the payment of the debt?

A. None.

Q. 15. There appears a sum of £168 17 11½ stated as due by Thomas Fingland in 1822, has the whole or any part been since paid?

A. The whole is still due.

Q. 16. Who were Thomas Fingland's securities?

A. I do not at present recollect.

Q. 17. Have any legal proceedings been taken against Thomas Fingland or his securities for the payment of the debt?

A. None.

Q. 18. Were the rates of toll reduced or augmented during the period you were Treasurer?

A. They were reduced in 1823, 1824 and 1825, one third.

Q. 19. Was there any allowance received from the City Funds in 1822, 1824 and 1825?

A. None, for three years; it was not applied for.

Q. 20. It appears by the account you have rendered that a balance of £253 17 9 has been in your hands since December 1825; have you ever been called upon by the Trustees, or any other person, to pay over that money?

A. No

Q.

Samedi, 3 Janvier 1829.

PRESENS:—Messrs. Heney, Quesnel et Leslie.

Mr. Leslie au Fauteuil.

Henry Griffin, Ecuyer, appelé et examiné :

Je produis les Comptes relatifs au Chemin de Barrière de La Chine, tel que l'a demandé le Comité le treize du mois dernier.

[Les dits Comptes sont conservés parmi les records de la présente Session.]

Q. 1. Avez-vous été Trésorier des Syndics du Chemin de Barrière de La Chine, et depuis quand?

R. Oui, depuis mil huit cent douze.

Q. 2. Qui vous a nommé?

R. Les Syndics.

Q. 3. Qui étaient les Syndics?

R. L'Honble. John Richardson et J. M. Clarke, I. Tough, G. Garden, E. St.-Dizier, J. M. Mondelêt, Ecuyers.

Q. 4. Mr. Richardson et Mr. Mondelêt n'étaient-ils pas les deux seuls Syndics survivans, lorsque l'Acte expira en mil huit cent vingt-cinq?

R. Oui.

Q. 5. Le péage était-il loué annuellement, et vendu au rabais?

R. Oui, généralement; mais il peut y avoir eu des exceptions.

Q. 6. Prenait-on des cautions pour le paiement fidèle du Loyer?

R. Oui.

Q. 7. A qui ont été loués les péages depuis l'année mil huit cent douze jusqu'à mil huit cent vingt-et-un inclusivement, et depuis mil huit cent vingt-trois jusqu'à mil huit cent vingt-cinq, inclusivement?

R. A John McKercher, Thomas Barlow et à Thomas Fingland.

Q. 8. Les amodiateurs étaient-ils obligés d'entretenir le chemin?

R. Quelquefois.

Q. 9. Pouvez-vous mentionner les années où les amodiateurs étaient tenus de réparer le chemin?

R. Ils l'ont été depuis mil huit cent vingt, inclusivement.

Q. 10. Savez-vous ce qui a induit les Syndics à faire une déduction dans le Loyer pendant les années mil huit cent douze, mil huit cent treize et mil huit cent quatorze?

R. Ce fut à cause de la guerre qui réduisit la recette du chemin, vu qu'il montait bien peu de marchandises, et l'Amodiateur ou Locataire étant obligé de réparer le chemin à ses propres frais; dans un tems où il était fort détérioré par le transport des provisions du Gouvernement.

Q. 11. Pourquoi déduit-on la somme de deux cent neuf livres neuf shelings et un denier sur le loyer de mil huit cent-vingt-et-un, tel que dû par J. McKercher?

R. Parce qu'il la devait alors, mais l'année suivante, il paya sur cet arrérage cinquante louis.

Q. 12. Il doit donc encore cent cinquante neuf livres neuf shelings-et-un denier?

R. Oui.

Q. 13. Qui étaient ses cautions?

R. Il y en avait deux, mais je ne me rappelle que Lenoir Rolland des Tanneries.

Q. 14. A-t-on recouru à quelques procédés légaux contre J. McKercher ou ses cautions, pour recouvrer cette dette?

R. Non.

Q. 15. Il paraît y avoir une somme de cent soixante huit livres dix-sept shelings-et-onze pence et demi au crédit de Thomas Fingland, en mil huit cent vingt-deux. Cette somme a-t-elle été depuis payée en tout ou en partie?

R. Le tout est encore dû.

Q. 16. Quelles sont les cautions de Thomas Fingland?

R. Je ne me rappelle pas pour le moment.

Q. 17. A-t-on exercé quelque recours legal et judiciaire pour le recouvrement de cette dette, soit contre Thomas Fingland, soit contre ses cautions?

R. Non.

Q. 18. Le taux du péage a-t-il été réduit ou augmenté, durant le tems que vous avez été Trésorier?

R. Il a été réduit d'un Tiers en mil huit cent vingt-trois, mil huit cent vingt-quatre et mil huit cent vingt-cinq.

Q. 19. N'a-t-il pas été donné quelque chose sur les fonds de la Cité en mil huit cent vingt-deux, mil huit cent vingt-quatre et mil huit cent vingt-cinq?

R. Il n'a rien été donné; on ne l'a pas demandé.

Q. 20. Il paraît par le Compte que vous avez rendu que depuis le mois de Décembre mil huit cent vingt-cinq, il est resté entre vos mains une balance de deux cent cinquante trois livres dix-sept shelings et neuf deniers. Les Syndics ou autres personnes ne vous ont-ils jamais demandé de rendre cet argent?

R. Non.

Q.

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Q. 21. Have the Trustees a knowledge of the balance above mentioned being in your hands?

A. I believe not.

Adjourned to the call of the Chair.

Friday, 9th January, 1829.

PRESENT:—Messrs. Leslie, Cuvillier, Valois, Heney, and Quesnel.

Mr. Leslie in the Chair.

Your Committee have maturely considered the Petitions of the parties applying for permission to make a Turnpike Road between the Church of Longue Pointe and the City of Montreal, and also the Petitions in favor of and against the measure, and cannot perceive in the latter any sufficient reasons why permission prayed for should not be granted.

Your Committee therefore recommend that the prayer of the Petition of James Ellice Campell and Oliver Wait, be granted, on the condition of making the road in the manner described in the evidence of James Ellice Campbell, and subject to a reduction of toll when the Revenue of the road shall exceed twelve per cent; and also on the further condition that the said road be given up to the County of Montreal at any time, if so required, upon paying to the Petitioners the expenses incurred in making it.

Your Committee have also in consequence of the instruction of the 12th December last, "to enquire into the amount of the tolls collected at the Turnpike on the Lachine road, and into the manner in which the amount collected since the establishment of the said Turnpike has been employed," examined Henry Griffin, Esquire, the late Treasurer to the Trustees, and also the accounts submitted by him, and find that the tolls from the passing of the Act to 1825, amounted (including a sum of £425, received from the City of Montreal for keeping in repair a part of the road within the limits of the City,) to

Of which sum there was expended in making and keeping in repair the said road, £5215 1 4

As wages and salaries to Toll Gatherers, Overseers, and the Treasurer's percentage, 715 16 0

Interest on £1300, borrowed at different periods, 158 12 11
Incidental expenses, 53 11 2½
6143 1 5½

Leaving a sum of £582 4 9½ to be accounted for by the Trustees.

It appears that £253 17 9 of the above balance have been in the hands of the Treasurer to the Trustees, since the 31st December 1825, and that £328 7 0½ remains due by two persons who have been Lessees of the tolls, and against whom and their securities no legal proceedings have been instituted by the Trustees for the recovery of their respective debts.

Mr. Valois dissents from that part of the Report which recommends the granting the permission to make the road from Longue Pointe to Montreal.

Ordered, That the Chairman do leave the Chair and report.

The whole nevertheless humbly submitted.

J. LESLIE,
Chairman

Q. 21. Les Syndics savent-ils que la balance sus-mentionnée reste entre vos mains?

R. Je ne crois pas.

Le Comité Pajourne à l'Appel du Président.

Vendredi, 9 Janvier 1829.

PRÉSENTS:—Messrs. Leslie, Cuvillier, Valois, Heney et Quesnel.

Mr. Leslie au Fauteuil.

Votre Comité a mûrement considéré les Pétitions des parties qui demandent la permission de faire un chemin de Barrière entre l'Eglise de Longue Pointe et la Cité de Montréal, et aussi les Pétitions en faveur et en opposition à la mesure, et votre Comité quand à cette dernière Pétition ne voit aucune raison suffisante pour que la permission demandé ne soit pas accordée.

Votre comité en conséquence recommande que la demande de la Pétition de Jas. Ellice Campbell et Oliver Wait soit accordé, sous la condition de faire le chemin de la manière expliquée dans le témoignage de Jas. Ellice Campbell, et sujet à la réduction du péage dès que les Revenus du chemin excéderont douze pour cent; et aussi à cette condition ultérieure que le dit chemin soit cédé au Comté de Montréal, dans aucun tems à venir, si cela est demandé, en remboursant aux Pétitionnaires les dépenses qu'ont occasionné sa confection.

Votre Comité a aussi, en conséquence de l'Instruction du douzième de Décembre dernier qui lui enjoint "de s'enquérir du Quantum des Droits de Péage perçus à la Barrière sur le chemin de Lachine, et de l'emploi des dits Droits perçus depuis l'établissement de la dite Barrière," examiné Henry Griffin, Ecuyer, le ci-devant Trésorier des Syndics, et aussi les Comptes qu'il a produits, et Votre Comité trouve que depuis la passation de l'Acte en mil huit cent cinq jusqu'à mil huit cent vingt-cinq où il a cessé d'être en force, que les taux (y compris une somme de quatre cent vingt-cinq louis reçue de la Cité de Montréal pour entretenir la partie du chemin qui se trouve dans les limites de la Cité) se sont élevés à la somme de

De laquelle somme il a été dépensé pour la confection et l'entretien du dit Chemin, £5215 1 4

Comme gages et salaires aux percepteurs des taux, inspecteurs, et le droits pour cent de commission du Trésorier, 715 16 0

Intérêt sur £1300 empruntés à différents tems, 158 12 11
Dépenses incidentes, 53 11 2½
6143 1 5½

Laissant une somme de £582 4 9½ Pour laquelle les Syndics ont à rendre compte.

Il paraît que la somme de deux cent cinquante trois livres dix-sept shelings et neuf deniers de la balance ci-dessus se trouve entre les mains du Trésorier des Syndics depuis le trente-et-unième de Décembre mil huit cent vingt-cinq, et que la somme de trois cent vingt-huit livres sept shelings et un demi denier reste due par deux Individus auxquels les péages avaient été affermés, et contre lesquels de même que leurs cautions, les syndics n'ont adopté aucunes mesures judiciaires pour le recouvrement de leurs dettes respectives.

Mr. Valois n'a pas concouru dans cette partie du Rapport qui recommande que l'on accorde la demande de faire le chemin depuis la Longue Pointe jusqu'à Montréal.

Ordonné, Que le Président laisse le Fauteuil, et fasse rapport;

Le tout néanmoins humblement soumis.

J. LESLIE,
Président.

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HOUSE OF ASSEMBLY,

Monday, 22nd December 1828.

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

Ordered, That Mr. J. Neilson, Mr. Stuart, Mr. Viger, Mr. Heney and Mr. Borgia, do compose the said Committee.

Attest,

WM. B. LINDSAY,

D. C. H. of Assby.

HOUSE OF ASSEMBLY,

COMMITTEE ROOM,

Wednesday, 31st December 1828.

In Committee on the above order of reference.

PRESENT:—Messrs. Heney, Borgia and Neilson.

Mr. Neilson called to the Chair.

Read the Order of Reference.
Read the Petition Referred.

The Chairman submitted the four papers, marked A. B. C. D. which are annexed to this Report.

Ordered, That the Chairman do apply to the Secretary of the Province for copies of the different Commissions held at any time by Judge Bedard, as a Judge.

Ordered, That Elzear and Isidore Bedard, do appear before this Committee on Monday next, at ten o'clock in the forenoon.

Ordered, That Thomas A. Young, Esquire, Auditor General of Public Provincial Accounts, do appear before this Committee on Monday next, at ten o'clock in the forenoon.

Adjourned till Monday next, at ten o'clock, A. M.

Monday, 5th January 1829.

PRESENT:—Messrs. Heney, Borgia and Neilson.

Mr. Neilson in the Chair.

Thomas A. Young, Esquire, Auditor General of Public Accounts, called in and examined: Warrants were regularly issued for the full salary of Judge Bedard during the time that he was absent in 1827; as to 1828 he cannot say, they are not yet issued for the last half year. Judges Uniacke and Fletcher acted for him during his absence, under Commissions of Provincial Judge for the District of Three Rivers. These gentlemen received their usual salaries in full as Judges for their respective places; but no allowance from acting there instead of Judge Bedard. Mr. Justice Uniacke received his usual circuit allowance for going to Montreal to attend the Court there; he would have received the same if at Montreal, for coming to Three Rivers to attend the Superior Term in that District.

Elzear Bedard, Esquire, of Quebec, Advocate, called in and examined: He is a son of Judge Bedard; Judge Bedard was twice absent from Three Rivers on account of ill health, first in 1827, at Saratoga, in the United States, and afterwards at Kamouraska. In 1828, he was absent, under a leave, for three weeks only; that leave was not prolonged, but he was so ill as not to be able to return till after five months. He applied for an extension of leave of absence, but it was refused; he saw the letter from Mr. Secretary Cochran to that effect; it stated that if Judge Bedard's illness continued more than three weeks, the Governor would be compelled to make a permanent arrangement. Judge Fletcher had then a Commission instead of Judge Bedard at Three Rivers; he was informed that Judge Fletcher had agreed with Judge Bedard that he would remain till Judge Bedard's health would allow him to return, or till late in October; Judge Fletcher did in fact remain, and performed the duties till Judge Bedard returned about the end of that month. In 1827, he has been informed that Judge Uniacke was lodged and provided for at Judge Bedard's house, during the time he (Judge Uniacke) remained at Three Rivers. He does not think Judge Bedard made any allowance to Judge Fletcher, excepting perhaps paying for his Commission. The general state of Judge Bedard's health during the last two years has been very bad, and he believes it is made worse by the assiduity and labour of his office; he appeared to be much afflicted by the difficulties attending his leave of absence, and the revocation and renewal of his Commission.

Isidore Bedard, Law Student in Quebec, called in and examined:—He is a son of Judge Bedard. There are two of Judge Bedard's children whose education is not finished, namely, Isidore and Zoel. Zoel is the youngest; he is about seventeen years old; he is at present at School; he was formerly sent to school at Sorel. Isidore had his education at Nicolet, and his two other brothers at Quebec and Montreal. The general state of Judge Bedard's health has been bad for the last two years; the Doctors have said that he was afflicted with *Dyspepsia*, and he has had a swelling of the legs to his knowledge, for upwards of ten years, and he has been informed that it has returned annually in the spring and summer, more or less since he was in prison at Quebec in 1810 and 1811.

CHAMBRE D'ASSEMBLEE,

Lundi, 22 Décembre 1828.

RESOLU, Que la pétition de l'Honorable Juge Bedard soit référée à un Comité de cinq membres, pour en examiner le contenu et en faire rapport avec toute la diligence convenable, avec pouvoir d'envoyer querir personnes, papiers et records.

Ordonné, Que Mr. J. Neilson, Mr. Stuart, Mr. Viger, Mr. Heney et Mr. Borgia compose le dit Comité.

Attesté,

J. A. BOUTHILLIER,

Greffier Assst.

CHAMBRE D'ASSEMBLEE,

CHAMBRE DE COMITE,

Mercredi, 31 Décembre 1828.

En Comité sur l'ordre de référence ci-dessus.

PRESENS:—Messieurs Heney, Borgia et Neilson.

Mr. Neilson appelé au Fauteuil.

Lu l'ordre de référence.
Lu la pétition référée.

Le Président a produit les papiers suivant marqués A. B. C. et D. qui sont jointes à ce rapport.

Ordonné, Que le Président s'adresse au Secrétaire de la Province pour obtenir de lui copies des différentes Commissions que M. le Juge Bedard peut avoir eu en sa qualité de Juge.

Ordonné, Que Elzear Bedard et Isidore Bedard paroissent devant ce Comité Lundi prochain, à dix heures du matin.

Ordonné, Que Thomas A. Young, Ecuyer, Auditeur Général des Comptes Publics de la Province, paroisse devant ce Comité Lundi prochain, à dix heures du matin.

Ajourné à Lundi prochain, à dix heures du matin.

Lundi, 5 Janvier 1829.

PRESENS:—Messieurs Heney, Borgia et Neilson.

Mr. Neilson au fauteuil,

Thomas Ainslie Young, Ecuyer, Auditeur Général des Comptes Publics de la Province, a été appelé et examiné: Il a été régulièrement émané des Warrants pour les appointemens en entier du Juge Bedard pendant le tems qu'il a été absent en 1827. Quant à l'année 1828, il n'en peut rien dire, vu qu'ils n'ont pas encore émanés pour les derniers semestres. Les Juges Uniacke et Fletcher ont rempli ses devoirs durant son absence, et cela en vertu de commissions de Juge Provincial pour le District des Trois Rivières. Ces Messieurs ont reçu leurs appointemens accoutumés en entier comme Juges pour leurs droits respectifs; mais il ne leur a été fait aucune allowance par le gouvernement pour avoir tenu la place de Juge Bedard. M. le Juge Uniacke a reçu son allowance accoutumée de Cour de tournée pour avoir été tenir la Cour à Montréal; il eut reçu la même allowance si étant à Montréal il fut descendu aux Trois Rivières pour y siéger au Terme Supérieur de ce District.

Elzear Bedard, Ecuyer, Avocat de Québec, a été appelé et examiné: Il est un des fils du Juge Bedard; le Juge Bedard s'est absenté deux fois des Trois Rivières, rapport au mauvais état de sa santé; la première il a été en 1827, à Saratoga, dans les Etats Unis, et ensuite à Kamouraska. En 1828, il s'est absenté en vertu d'une permission qui ne lui accordoit seulement que trois semaines d'absence, ce terme ne fut pas prolongé; mais il étoit tellement malade, qu'il ne put être de retour que plus de cinq mois après. Il demanda que le terme d'absence fut prolongé, mais cela fut refusé. Il a vu la lettre de M. Cochran, le Secrétaire, à cet effet, elle portoit: que si la maladie de M. le Juge Bedard duroit plus de trois semaines, que le Gouverneur se trouveroit forcé de faire un arrangement permanent. Le Juge Fletcher avoit alors une Commission au lieu de Juge Bedard aux Trois Rivières. Il a été informé que le Juge Fletcher s'étoit entendu avec le Juge Bedard pour rester jusqu'à ce que la santé du Juge Bedard put lui permettre de revenir, ou jusqu'à la fin d'Octobre. Le Juge Fletcher est resté en effet et a rempli les devoirs jusqu'au retour du Juge Bedard, qui a eu lieu vers la fin de ce mois là. En 1827, il a été informé que le Juge Uniacke demeureroit, et étoit nourri dans la maison du Juge Bedard durant le tems qu'il (le Juge Uniacke) restoit aux Trois Rivières. Il ne pense pas que le Juge Bedard ait fait aucune allowance au Juge Fletcher, excepté peut être pour les honoraires de sa commission. La santé du Juge Bedard, pendant les deux dernières années, a été en général, très mauvaise, et il croit qu'elle est devenue pire par l'assiduité et le travail de sa charge; il paroissoit être très affligé des difficultés qui ont eu lieu lorsqu'il a fallu obtenir un congé d'absence, et lors de la révocation et du renouvellement de sa commission.

Isidore Bedard, de Québec, Etudiant en Droit, a été appelé et examiné: Il est un des fils du Juge Bedard. Le Juge Bedard a deux enfans, dont l'éducation n'est pas encore finie, savoir: Isidore et Zoel. Zoel est le plus jeune; il est âgé d'environ dixsept ans; il est maintenant aux écoles; il a été ci-devant placé dans une école à Sorel. Isidore a reçu son éducation à Nicolet, et ses deux autres frères à Québec et à Montréal. La santé du Juge Bedard depuis deux ans, a été généralement mauvaise. Les médecins ont dit qu'il étoit attaqué de la *Dyspepsie*; il a eu une enflure aux jambes; depuis plus de dix ans, à sa connoissance; et il a été informé que cela se renouvelloit les printems et l'été plus ou moins, depuis qu'il a été emprisonné à Québec en 1810 et 1811.

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Dominick Daly, Esquire, Provincial Secretary of this Province, called in and examined: Judges Uniacke and Fletcher took out no new Commissions for their respective situations in Montreal and St. Francis, when they were replaced by Judge Bedard as Provincial Judge of Three Rivers. The whole amount of fees on a Judge's Commission is £3 5s, viz:—10s. for the Attorney General, and 25s. to the Secretary. Judge Fletcher took up his Commission at Quebec on the 6th June last, and paid the fees. Judges Fletcher and Thompson stand now senior, by the date of their Commissions, to Judge Bedard. Judge Pyke's Commission issued last month; there is a reservation in his favor of his seniority according to his former Commissions.

The Secretary of the Province laid before the Committee, in conformity to its order of the 31st ultimo, three copies of Commissions appointing Pierre Bedard, Esquire, Provincial Judge of Three Rivers. They are marked E. F. G. and annexed to this Report.

Adjourned to the call of the Chair.

Saturday, 10th January 1829.

PRESENT:—Messrs. *Borgia*, *Neilson* and *Heney*.
Mr. *Neilson* in the Chair.

Your Committee after having taken the petition of Mr. Justice Bedard into consideration, are of opinion, that this gentleman does not formally announce a wish to retire from, and to give up the office of Judge, and that he prays only that the retired pension to be allowed him in case of his being obliged to resign his seat may be determined. That in 1823, a bill which afterwards became a Law, was passed by the House of Assembly, by which there was allowed to a Chief Justice of the District of Montreal and to a Puisné Judge of the same Court, who had long filled their respective offices, only one half their salaries, as a full compensation.

That since that time a more general bill was passed by the House of Assembly, establishing the *quantum* of retired allowances; under which bill the Judges throughout the whole Province were to receive a retired allowance proportioned to their age and length of service.

That the House, it is true, did not forbid itself the right of separately fixing the retired allowance of any particular Judge, according to the reasons and circumstances which should appear to make his case an exception to the general rule.

That your Committee, however, considering the bad state of the Petitioner's health, think it their duty to recommend that a retired allowance be granted him on his retiring from his seat.

Your Committee are convinced that much inconvenience has arisen from the necessity under which the Provincial Judge of Three Rivers has been placed, as he alleges, in cases of necessary absence from the seat of his Jurisdiction, of procuring at his own expense another Judge to fulfil his functions, and of procuring a Commission for such Judge also at his own expense, and from his having been himself obliged at his return to take out a new Commission.

Your Committee believe that the surest means of preventing the recurrence of this inconvenience would be to enact, that the Court for the District of Three Rivers should be erected, (like those of the two other great Districts,) into a Court of King's Bench, and that it should be lawful to and for all the Judges of the said three Districts to sit without distinction in cases of necessity in one or the other of the said Districts.

Ordered, That the Chairman leave the Chair and report.
The whole nevertheless humbly submitted.

J. NEILSON,
Chairman.

(A.)

Extracts taken from the Registers of the Court of King's Bench holding criminal jurisdiction for the District of Three Rivers, shewing the order of precedence of the Honorable Judges of the said Court and the Provincial Judge of the said District, from the year 1803 to the year 1828.

SEPTEMBER TERM, 1803.

Honble. Chief Justice Monk, Mr. Justice Dunn, Mr. Justice Foucher.

MARCH TERM, 1804.

Honble. Chief Justice Monk, Mr. Justice Panet, Mr. Justice Foucher.

SEPTEMBER TERM, 1804.

Honble. Chief Justice Elmsly, Mr. Justice Dunn, Mr. Justice Foucher.

MARCH TERM, 1805.

Honble. Chief Justice Monk, Mr. Justice Davidson, Mr. Justice Foucher.

SEPTEMBER TERM, 1805.

Honble. Chief Justice Monk, Mr. Justice Ogden, Mr. Justice Foucher.

MARCH TERM, 1806.

Honble. Chief Justice Monk, Mr. Justice Panet, Mr. Justice Foucher.

SEPTEMBER TERM, 1806.

Honble. Chief Justice Alcock, Mr. Justice Davidson, Mr. Justice Foucher.

MARCH TERM, 1807.

Honble. Chief Justice Monk, Mr. Justice Ogden, Mr. Justice Foucher.

SEPTEMBER TERM, 1807.

Honble. Chief Justice Alcock, Mr. Justice Foucher, Mr. Justice Reid.

MARCH TERM, 1808.

Honble. Chief Justice Monk, Mr. Justice Foucher, Mr. Justice Reid.

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Dominick Daly, Ecuyer, Secrétaire de la Province, a été appelé et examiné: Les Juges Uniacke et Fletcher ont obtenu de nouvelles commissions pour leurs charges respectives à Montréal et à St. François, lorsqu'ils ont été remplacés par le Juge Bedard comme Juge Provincial pour le District des Trois Rivières. Le montant en entier des honoraires pour une commission de Juge est de £3 5s, savoir, 40s. pour le Procureur Général, et 25s. pour le Secrétaire. Le Juge Fletcher a pris sa commission à Québec le 6 Juin dernier, et en a payé les honoraires. Les Juges Fletcher et Thompson se trouvent maintenant d'après la date de leurs commission, plus ancien en date que le Juge Bedard. La commission du Juge Pyke est sortie dans le mois dernier; il y a une réserve en sa faveur de son droit d'ancienneté d'après ses commissions précédentes.

Le Secrétaire de la Province a produit devant le Comité, en conformité à son ordre du 31 du mois dernier, trois copies de commissions nommant Pierre Bedard, Ecuyer, Juge Provincial du District des Trois Rivières. Elles sont cotées E. F. et G. et sont jointes à ce rapport.

Ajourné à l'appel du Président.

Samedi, 10 Janvier 1829.

PRESENS:—Messieurs *Borgia*, *Neilson* et *Heney*.
Mr. *Neilson* au fauteuil.

Votre comité après avoir pris en considération la requête de M. le Juge Bedard, est d'avis, que ce monsieur ne témoigne pas formellement le désir de se retirer et d'abandonner sa situation de Juge, et qu'il ne demande qu'on lui fixe une pension de retraite que dans le cas où il se trouveroit obligé de laisser son siège.

Que la Chambre d'Assemblée a passé en 1823, un bill qui est devenu loi ensuite, et qui n'allouait à un ancien Juge en Chef du District de Montréal, et à un ancien Juge Puisné de la même cour, qu'une demie paye pour toute compensation.

Que depuis la Chambre d'Assemblée a passé un bill plus général, qui fixoit le taux de la pension, sur lequel les Juges de toute la Province devoient recevoir un pension proportionnée à leurs âges et à la durée de leurs services.

Que la Chambre, il est vrai, ne s'est pas par là interdit le droit de fixer isolement des pensions à tel ou tel Juge en particulier sur des raisons et dans les circonstances qui paroissent devoir faire exception à la règle générale.

Que votre comité cependant, vu l'état de maladie du pétitionnaire, croit devoir recommander qu'il lui soit allouée une pension, en par lui se retirant du siège.

Votre comité s'est convaincu qu'il y avoit de l'inconvénient à ce que le Juge Provincial des Trois Rivières, dans le cas d'absence nécessaire du siège de sa juridiction soit obligé, comme il l'allègue, de pourvoir à ses frais, à ce qu'un autre Juge remplisse ses fonctions, et de procurer une commission à tel Juge à ses frais, et qu'il soit de plus tenu de prendre lui même à son retour une commission nouvelle.

Votre comité croit que le moyen le plus facile de faire cesser cet inconvénient seroit de statuer que la Cour du District des Trois Rivières fut érigée comme celles des deux autres grand Districts, en Cour du Banc du Roi, et qu'il devint loisible à tous les Juges des dits trois Districts de siéger indistinctement dans l'un ou dans l'autre, dans les cas de nécessité.

Ordonné, Que le Président laisse la Chaire et fasse rapport.
Le tout néanmoins humblement soumis.

J. NEILSON,
Président.

(A.)

Extraits pris des Régîtres de la Cour du Banc du Roi de juridiction criminelle, pour le District des Trois Rivières, montrant l'ordre de préséance des Honorables Juges de la dite Cour, et Juge Provincial du dit District, depuis l'année 1803 à l'année 1828.

TERME DE SEPTEMBRE 1803.

Honble. Juge en Chef Monk, Mr. le Juge Dunn, Mr. le Juge Foucher.

TERME DE MARS 1804.

Honble. Juge en Chef Monk, Mr. le Juge Panet, Mr. le Juge Foucher.

TERME DE SEPTEMBRE 1804.

Honble. Juge en Chef Elmsly, Mr. le Juge Dunn, Mr. le Juge Foucher.

TERME DE MARS 1805.

Honble. Juge en Chef Monk, Mr. le Juge Davidson, Mr. le Juge Foucher.

TERME DE SEPTEMBRE 1805.

Honble. Juge en Chef Monk, Mr. le Juge Ogden, Mr. le Juge Foucher.

TERME DE MARS 1806.

Honble. Juge en Chef Monk, Mr. le Juge Panet, Mr. le Juge Foucher.

TERME DE SEPTEMBRE 1806.

Honble. Juge en Chef Alcock, Mr. le Juge Davidson, Mr. le Juge Foucher.

TERME DE MARS 1807.

Honble. Juge en Chef Monk, Mr. le Juge Ogden, Mr. le Juge Foucher.

TERME DE SEPTEMBRE 1807.

Honble. Juge en Chef Alcock, Mr. le Juge Foucher, Mr. le Juge Reid.

TERME DE MARS 1808.

Honble. Juge en Chef Monk, Mr. le Juge Foucher, Mr. le Juge Reid.

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SEPTEMBER TERM, 1808.

Honble. Chief Justice Sewell, Mr. Justice Williams, Mr. Justice Foucher.

MARCH TERM, 1809.

Honble. Chief Justice Monk, Mr. Justice Ogden, Mr. Justice Foucher.

SEPTEMBER TERM, 1809.

Honble. Chief Justice Sewell, Mr. Justice Foucher, Mr. Justice Kerr.

MARCH TERM, 1810.

Honble. Chief Justice Monk, Mr. Justice Panet, Mr. Justice Foucher.

SEPTEMBER TERM, 1810.

Honble. Chief Justice Sewell, Mr. Justice Debonne, Mr. Justice Foucher

MARCH TERM, 1811.

Honble. Chief Justice Monk, Mr. Justice Foucher, Mr. Justice Reid.

SEPTEMBER TERM, 1811.

Honble. Chief Justice Sewell, Mr. Justice Williams, Mr. Justice Foucher

MARCH TERM, 1812.

Honble. Chief Justice Monk, Mr. Justice Ogden, Mr. Justice Foucher.

MARCH TERM, 1813.

Honble. Chief Justice Monk, Mr. Justice Foucher, Mr. Justice Bedard.

SEPTEMBER TERM, 1813.

Honble. Chief Justice Sewell, Mr. Justice Kerr, Mr. Justice Bedard.

MARCH TERM, 1814.

Honble. Chief Justice Monk, Mr. Justice Foucher, Mr. Justice Bedard.

SEPTEMBER TERM, 1814.

Honble Chief Justice Monk, Mr. Justice Kerr, Mr. Justice Bedard.

MARCH TERM, 1815.

Honble Chief Justice Monk, Mr. Justice Reid, Mr. Justice Bowen, Mr. Justice Bedard.

SEPTEMBER TERM, 1815.

Honble. Chief Justice Monk, Mr. Justice Foucher, Mr. Justice Bedard.

MARCH TERM, 1816.

Honble. Chief Justice Monk, Mr. Justice Reid, Mr. Justice Bedard.

SEPTEMBER TERM, 1816.

Honble. Chief Justice Sewell, Mr. Justice Foucher, Mr. Justice Bowen, Mr. Justice Bedard.

MARCH TERM, 1817.

Honble. Chief Justice Monk, Mr. Justice Reid, Mr. Justice Bowen, Mr. Justice Bedard.

SEPTEMBER TERM, 1817.

Honble. Chief Justice Sewell, Mr. Justice Perrault, Mr. Justice Bedard.

MARCH TERM, 1818.

Honble. Chief Justice Monk, Mr. Justice Bowen, Mr. Justice Bedard.

SEPTEMBER TERM, 1818.

Honble. Chief Justice Sewell, Mr. Justice Reid, Mr. Justice Bedard.

MARCH TERM, 1819.

Honble. Chief Justice Monk, Mr. Justice Kerr, Mr. Justice Bedard, Mr. Justice Pyke.

SEPTEMBER TERM, 1819.

Honble. Chief Justice Sewell, Mr. Justice Reid, Mr. Justice Perrault, Mr. Justice Bedard.

MARCH TERM, 1820.

Honble. the Chief Justice, Mr. Justice Foucher, Mr. Justice Bedard.

SEPTEMBER TERM, 1820.

Honble. the Chief Justice, Mr. Justice Foucher, Mr. Justice Perrault, Mr. Justice Bedard.

MARCH TERM, 1821.

Honble. the Chief Justice, Mr. Justice Kerr, Mr. Justice Bedard.

SEPTEMBER TERM, 1821.

Honble. the Chief Justice, Mr. Justice Reid, Mr. Justice Perrault.

MARCH TERM, 1822.

Honble. the Chief Justice, Mr. Justice Bowen, Mr. Justice Bedard.

SEPTEMBER TERM, 1822.

Honble the Chief Justice, Mr. Justice Reid, Mr. Justice Perrault, Mr. Justice Bedard.

MARCH

TERME DE SEPTEMBRE 1808.

Honble. Juge en Chef Sewell, Mr. le Juge Williams, Mr. le Juge Foucher.

TERME DE MARS 1809.

Honble. Juge en Chef Monk, Mr. le Juge Ogden, Mr. le Juge Foucher.

TERME DE SEPTEMBRE 1809.

Honble. Juge en Chef Sewell, Mr. le Juge Foucher, Mr. le Juge Kerr.

TERME DE MARS 1810.

Honble. Juge en Chef Monk, Mr. le Juge Panet, Mr. le Juge Foucher.

TERME DE SEPTEMBRE 1810.

Honble. Juge en Chef Sewell, Mr. le Juge Debonne, Mr. le Juge Foucher.

TERME DE MARS 1811.

Honble. Juge en Chef Monk, Mr. le Juge Foucher, Mr. le Juge Reid.

TERME DE SEPTEMBRE 1811.

Honble. Juge en Chef Sewell, Mr. le Juge Williams, Mr. le Juge Foucher.

TERME DE MARS 1812.

Honble. Juge en Chef Monk, Mr. le Juge Ogden, Mr. le Juge Foucher.

TERME DE MARS 1813.

Honble. Juge en Chef Monk, Mr. le Juge Foucher, Mr. le Juge Bedard.

TERME DE SEPTEMBRE 1813.

Honble. Juge en Chef Sewell, Mr. le Juge Kerr, Mr. le Juge Bedard.

TERME DE MARS 1814.

Honble. Juge en Chef Monk, Mr. le Juge Foucher, Mr. le Juge Bedard.

TERME DE SEPTEMBRE 1814.

Honble. Juge en Chef Monk, Mr. le Juge Kerr, Mr. le Juge Bedard.

TERME DE MARS 1815.

Honble. Juge en Chef Monk, Mr. le Juge Reid, Mr. le Juge Bowen, Mr. le Juge Bedard.

TERME DE SEPTEMBRE 1815.

Honble. Juge en Chef Monk, Mr. le Juge Foucher, Mr. le Juge Bedard.

TERME DE MARS 1816.

Honble. Juge en Chef Monk, Mr. le Juge Reid, Mr. le Juge Bedard.

TERME DE SEPTEMBRE 1816.

Honble. Juge en Chef Sewell, Mr. le Juge Foucher, Mr. le Juge Bowen, Mr. le Juge Bedard.

TERME DE MARS 1817.

Honble. Juge en Chef Monk, Mr. le Juge Reid, Mr. le Juge Bowen, Mr. le Juge Bedard.

TERME DE SEPTEMBRE 1817.

Honble. Juge en Chef Sewell, Mr. le Juge Perrault, Mr. le Juge Bedard.

TERME DE MARS 1818.

Honble. Juge en Chef Monk, Mr. le Juge Bowen, Mr. le Juge Bedard.

TERME DE SEPTEMBRE 1818.

Honble. Juge en Chef Sewell, Mr. le Juge Reid, Mr. le Juge Bedard.

TERME DE MARS 1819.

Honble. Juge en Chef Monk, Mr. le Juge Kerr, Mr. le Juge Bedard, Mr. le Juge Pyke.

TERME DE SEPTEMBRE 1819.

Honble. Juge en Chef Sewell, Mr. le Juge Reid, Mr. le Juge Perrault, Mr. le Juge Bedard.

TERME DE MARS 1820.

L'Honble. Juge en Chef, Mr. le Juge Foucher, Mr. le Juge Bedard.

TERME DE SEPTEMBRE 1820.

L'Honble. Juge en Chef, Mr. le Juge Foucher, Mr. le Juge Perrault, Mr. le Juge Bedard.

TERME DE MARS 1821.

L'Honble. Juge en Chef, Mr. le Juge Kerr, Mr. le Juge Bedard.

TERME DE SEPTEMBRE 1821.

L'Honble. Juge en Chef, Mr. le Juge Reid, Mr. le Juge Perrault.

TERME DE MARS 1822.

L'Honble. Juge en Chef, Mr. le Juge Bowen, Mr. le Juge Bedard.

TERME DE SEPTEMBRE 1822.

L'Honble. Juge en Chef, Mr. le Juge Reid, Mr. le Juge Perrault, Mr. le Juge Bedard.

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MARCH TERM, 1823.
Honble. the Chief Justice, Mr. Justice Bowen, Mr. Justice Foucher, Mr. Justice Bedard.

SEPTEMBER TERM, 1823.
Honble. Chief Justice of the Province, Mr. Justice Reid, Mr. Justice Perrault, Mr. Justice Bedard.

MARCH TERM, 1824.
Honble the Chief Justice of the Province, Mr. Justice Bowen, Mr. Justice Bedard.

SEPTEMBER TERM, 1824.
Honble. the Chief Justice of the Province, Mr. Justice Perrault, Mr. Justice Bedard.

MARCH TERM, 1825.
Honble. the Chief Justice of Montreal, Mr. Justice Bowen, Mr. Justice Pyke, Mr. Justice Bedard.

SEPTEMBER TERM, 1825.
Honble. the Chief Justice of the Province, Mr. Justice Kerr, Mr. Justice Bedard.

MARCH TERM, 1826.
Honble. Chief Justice Reid, Mr. Justice Bowen, Mr. Justice Pyke.

SEPTEMBER TERM, 1826.
Honble. Chief Justice Reid, Mr. Justice Perrault, Mr. Justice Foucher, Mr. Justice Bedard.

MARCH TERM, 1827.
Honble. Chief Justice Reid, Mr. Justice Bowen, Mr. Justice Uniacke.

SEPTEMBER TERM, 1827.
Honble. Chief Justice Sewell, Mr. Justice Bowen, Mr. Justice Foucher, Mr. Justice Uniacke.

MARCH TERM, 1828.
Honble. Chief Justice Reid, Mr. Justice Kerr, Mr. Justice Uniacke, Mr. Justice Bedard.

SEPTEMBER TERM, 1828.
Honble. Chief Justice Sewell, Mr. Justice Foucher, Mr. Justice Fletcher.

I, the subscribing Clerk of the Crown of the Court of King's Bench for the District of Three Rivers, do hereby certify the foregoing extracts of the order of precedence of the Judges of the Court of King's Bench and Provincial Judge for the said District, to be a true and faithful Copy from the Registers of the said Court.
Three Rivers, 18th December 1828.
W. C. H. COFFIN, Clk. Cr.

TERME DE MARS 1823.
L'Honble. Juge en Chef, Mr. le Juge Bowen, Mr. le Juge Foucher, Mr. le Juge Bedard.

TERME DE SEPTEMBRE 1823.
Honble. Juge en Chef de la Province, Mr. le Juge Reid, Mr. le Juge Perrault, Mr. le Juge Bedard.

TERME DE MARS 1824.
L'Honble. Juge en Chef de la Province, Mr. le Juge Bowen, Mr. le Juge Bedard.

TERME DE SEPTEMBRE 1824.
L'Honble. Juge en Chef de la Province, Mr. le Juge Perrault, Mr. le Juge Bedard.

TERME DE MARS 1825.
L'Honble. Juge en Chef de Montréal, Mr. le Juge Bowen, Mr. le Juge Pyke, Mr. le Juge Bedard.

TERME DE SEPTEMBRE 1825.
L'Honble. Juge en Chef de la Province, Mr. le Juge Kerr, Mr. le Juge Bedard.

TERME DE MARS 1826.
Honble. Juge en Chef Reid, Mr. le Juge Bowen, Mr. le Juge Pyke.

TERME DE SEPTEMBRE 1826.
Honble. Juge en Chef Reid, Mr. le Juge Perrault, Mr. le Juge Foucher, Mr. le Juge Bedard.

TERME DE MARS 1827.
Honble. Juge en Chef Reid, Mr. le Juge Bowen, Mr. le Juge Uniacke.

TERME DE SEPTEMBRE 1827.
Honble. Juge en Chef Sewell, Mr. le Juge Bowen, Mr. le Juge Foucher, Mr. le Juge Uniacke.

TERME DE MARS 1828.
Honble. Juge en Chef Reid, Mr. le Juge Kerr, Mr. le Juge Uniacke, Mr. le Juge Bedard.

TERME DE SEPTEMBRE 1828.
Honble. Juge en Chef Sewell, Mr. le Juge Foucher, Mr. le Juge Fletcher.

Je, Soussigné, Greffier de la Couronne de la Cour du Banc du Roi pour le District des Trois-Rivières, par ces présentes certifie les Extraits ci-dessus de l'ordre de préséance des Juges de la Cour du Banc du Roi, et Juge Provincial pour le dit District, être une vraie et fidèle Copie des Régîtres de la dite Cour.
Trois-Rivières, 18 Décembre 1828.
W. C. H. COFFIN, Greff. Cour.

(B.)

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EXTRACTS taken from the Registers of the Court of King's Bench for the District of Three-Rivers, shewing the order of precedence of the Honorable Judges of the said Court, and the Provincial Judge of the said District, from the year 1803 to the year 1828.

MARCH TERM, 1803.
Honorable Isaac Ogden, L. C. Foucher.

SEPTEMBER TERM, 1803.
Honorable Thomas Dunn, L. C. Foucher.

MARCH TERM, 1804.
Honorable P. L. Panet, L. C. Foucher.

SEPTEMBER TERM, 1804.
Honorable Thomas Dunn, L. C. Foucher.

MARCH TERM, 1805.
Honorable Arthur Davidson, L. C. Foucher.

SEPTEMBER TERM, 1805.
Honorable I. Ogden, L. C. Foucher.

MARCH TERM, 1806.
Honorable P. L. Panet, L. C. Foucher.

SEPTEMBER TERM, 1806.
Honorable A. Davidson, L. C. Foucher.

MARCH TERM, 1807.
Honorable I. Ogden, L. C. Foucher.

SEPTEMBER TERM 1807.
Honorable L. C. Foucher, James Reid.

MARCH

Extraits pris des Régîtres de la Cour du Banc du Roi pour le District des Trois-Rivières, montrant l'ordre de préséance des Honorables Juges de la dite Cour et du Juge Provincial du District susdit, depuis 1803 jusqu'à l'année 1828.

TERME DE MARS, 1803.
Honorables Isaac Ogden, L. C. Foucher.

TERME DE SEPTEMBRE 1803.
Honorables Thos. Dunn, L. C. Foucher.

TERME DE MARS 1804.
Honorables P. L. Panet, L. C. Foucher.

TERME DE SEPTEMBRE 1804.
Honorables Thos. Dunn, L. C. Foucher.

TERME DE MARS 1805.
Honorables Arthur Davidson, L. C. Foucher.

TERME DE SEPTEMBRE 1805.
Honorables I. Ogden, L. C. Foucher.

TERME DE MARS 1806.
Honorables P. L. Panet, L. C. Foucher.

TERME DE SEPTEMBRE 1806.
Honorables A. Davidson, L. C. Foucher.

TERME DE MARS 1807.
Honorables I. Ogden, L. C. Foucher.

TERME DE SEPTEMBRE 1807.
Honorables L. C. Foucher, James Reid.

TERME

MARCH TERM, 1808.

Honorable James Monk, L. C. Foucher, James Reid.

SEPTEMBER TERM, 1808.

Honorable J. Williams, L. C. Foucher.

MARCH TERM, 1809.

Honorable I. Ogden, L. C. Foucher.

SEPTEMBER TERM, 1809.

Honorable L. C. Foucher, James Kerr.

MARCH TERM, 1810.

Honorable Chief Justice Monk, Justice Panet, Justice Foucher.

SEPTEMBER TERM, 1810.

Honorable Mr. Justice Debonne, Mr. Justice Foucher.

MARCH TERM, 1811.

Honorable Chief Justice Monk, Mr. Justice Foucher, Mr. Justice Reid.

SEPTEMBER TERM, 1811.

Honorable Mr. Justice Williams, Mr. Justice Foucher.

MARCH TERM, 1812.

Honorable Mr. Justice Ogden, Mr. Justice Foucher.

SEPTEMBER TERM, 1812.

Honorable Mr. Justice Foucher, Mr. Justice Perrault, Mr. Justice Bowen.

MARCH TERM, 1813.

Honorable Chief Justice Monk, Mr. Justice Foucher, Mr. Justice Bedard.

SEPTEMBER TERM, 1813.

Honorable Mr. Justice Kerr, Mr. Justice Bedard.

MARCH TERM, 1814.

Honorable Chief Justice Monk, Mr. Justice Foucher, Mr. Justice Bedard.

SEPTEMBER TERM, 1814.

Honorable Chief Justice Monk, Mr. Justice Kerr, Mr. Justice Bedard.

MARCH TERM, 1815.

Honorable Mr. Justice Reid, Mr. Justice Bowen, Mr. Justice Bedard.

SEPTEMBER TERM, 1815.

Honorable Mr. Justice Foucher, Mr. Justice Bedard.

MARCH TERM, 1816.

Honorable Chief Justice Monk, Mr. Justice Reid, Mr. Justice Bedard.

SEPTEMBER TERM, 1816.

Honorable Mr. Justice Foucher, Mr. Justice Bowen, Mr. Justice Bedard.

MARCH TERM, 1817.

Honorable Mr. Justice Reid, Mr. Justice Bowen, Mr. Justice Bedard.

SEPTEMBER TERM, 1817.

Honorable Mr. Justice Perrault, Mr. Justice Bedard.

JANUARY TERM, 1818.

Honorable Mr. Justice Bowen, Mr. Justice Bedard.

MARCH TERM, 1818.

Honorable Mr. Justice Bowen, Mr. Justice Bedard.

SEPTEMBER TERM, 1818.

Honorable Mr. Justice Reid, Mr. Justice Bowen, Mr. Justice Bedard.

JANUARY TERM, 1819.

Honorable Mr. Justice Reid, Mr. Justice Bowen, Mr. Justice Bedard.

MARCH TERM, 1819.

Honorable Mr. Justice Kerr, Mr. Justice Pyke, Mr. Justice Bedard.

SEPTEMBER TERM, 1819.

Honorable Mr. Justice Reid, Mr. Justice Perrault, Mr. Justice Bedard.

JANUARY TERM, 1820.

Honorable Mr. Justice Bowen, Mr. Justice Pyke, Mr. Justice Bedard.

MARCH

TERME DE MARS 1808.

Honorable James Monk, L. C. Foucher, J. Reid.

TERME DE SEPTEMBRE 1808.

Honorable J. Williams, L. C. Foucher.

TERME DE MARS 1809.

Honorable J. Ogden, L. C. Foucher.

TERME DE SEPTEMBRE, 1809.

Honorable L. C. Foucher, James Kerr.

TERME DE MARS 1810.

Honorable Juge-en-Chef Monk, Juge Panet, Juge Foucher.

TERME DE SEPTEMBRE 1810.

Honorable M. le Juge Debonne, M. le Juge Foucher.

TERME DE MARS 1811.

Honorable Juge-en-chef Monk, M. le Juge Foucher, M. le Juge Reid.

TERME DE SEPTEMBRE 1811.

Honorable M. le Juge Williams, M. le Juge Foucher.

TERME DE MARS 1812.

Honorable M. le Juge Ogden, M. le Juge Foucher.

TERME DE SEPTEMBRE 1812.

Honorable M. le Juge Foucher, M. le Juge Perrault, M. le Juge Bowen.

TERME DE MARS 1813.

Honorable M. le Juge-en-Chef Monk, M. le Juge Foucher, M. le Juge Bédard.

TERME DE SEPTEMBRE 1813.

Honorable M. le Juge Kerr, M. le Juge Bédard.

TERME DE MARS 1814.

Honorable Juge-en-Chef Monk, M. le Juge Foucher, M. le Juge Bédard.

TERME DE SEPTEMBRE 1814.

Honorable Juge-en-Chef Monk, M. le Juge Kerr, M. le Juge Bédard.

TERME DE MARS 1815.

Honorable M. le Juge Reid, M. le Juge Bowen, M. le Juge Bédard.

TERME DE SEPTEMBRE 1815.

Honorable M. le Juge Foucher, M. le Juge Bédard.

TERME DE MARS 1816.

Honorable M. le Juge-en-Chef Monk, M. le Juge Reid, M. le Juge Bédard.

TERME DE SEPTEMBRE 1816.

Honorable M. le Juge Foucher, M. le Juge Bowen, M. le Juge Bedard.

TERME DE MARS 1817.

Honorable M. le Juge Reid, M. le Juge Bowen, M. le Juge Bedard.

TERME DE SEPTEMBRE 1817.

Honorable M. le Juge Perrault, M. le Juge Bedard.

TERME DE JANVIER 1818.

Honorable M. le Juge Bowen, M. le Juge Bedard.

TERME DE MARS 1818.

Honorable M. le Juge Bowen, M. le Juge Bedard.

TERME DE SEPTEMBRE 1818.

Honorable M. le Juge Reid, M. le Juge Bowen, M. le Juge Bedard.

TERME DE JANVIER 1819.

Honorable M. le Juge Reid, M. le Juge Bowen, M. le Juge Bedard.

TERME DE MARS 1819.

Honorable M. le Juge Kerr, M. le Juge Pyke, M. le Juge Bedard.

TERME DE SEPTEMBRE 1819.

Honorable M. le Juge Reid, M. le Juge Perrault, M. le Juge Bedard.

TERME DE JANVIER 1820.

Honorable M. le Juge Bowen, M. le Juge Pyke, M. le Juge Bedard.

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MARCH TERM, 1820.
Honbles. Mr. Justice Kerr, Mr. Justice Foucher, Mr. Justice Bedard.
SEPTEMBER TERM, 1820.
Honbles. Mr. Justice Foucher, Mr. Justice Perrault, Mr. Justice Bedard
JANUARY TERM, 1821.
Honbles. Mr. Justice Reid, Mr. Justice Bowen, Mr. Justice Bedard.
MARCH TERM, 1821.
Honbles. Mr. Justice Kerr, Mr. Justice Pyke, Mr. Justice Bedard.
SEPTEMBER TERM, 1821.
Honbles. Mr. Justice Reid, Mr. Justice Perrault.
JANUARY TERM, 1822.
Honbles. Mr. Justice Foucher, Mr. Justice Kerr, Mr. Justice Bedard.
MARCH TERM, 1822.
Honbles. Mr. Justice Bowen, Mr. Justice Pyke, Mr. Justice Bedard.
SEPTEMBER TERM, 1822.
Honbles. Mr. Justice Reid, Mr. Justice Perrault, Mr. Justice Bedard.
JANUARY TERM, 1823.
Honbles. Mr. Justice Kerr, Mr. Justice Pyke, Mr. Justice Bedard.
MARCH TERM, 1823.
Honbles. Mr. Justice Bowen, Mr. Justice Foucher, Mr. Justice Bedard.
SEPTEMBER TERM, 1823.
Honbles. Mr. Justice Reid, Mr. Justice Perrault, Mr. Justice Bedard.
JANUARY TERM, 1824.
Honbles. Mr. Justice Kerr, Mr. Justice Foucher, Mr. Justice Bedard.
MARCH TERM, 1824.
Honbles. Mr. Justice Bowen, Mr. Justice Pyke, Mr. Justice Bedard.
SEPTEMBER TERM 1824.
Honbles. Mr. Justice Reid, Mr. Justice Perrault, Mr. Justice Bedard.
JANUARY TERM, 1825.
Honbles. Mr. Justice Kerr, Mr. Justice Foucher, Mr. Justice Bedard.
MARCH TERM, 1825.
Honbles. Mr. Justice Bowen, Mr. Justice Pyke, Mr. Justice Bedard.
SEPTEMBER TERM, 1825.
Honbles. Mr. Justice Kerr, Mr. Justice Perrault, Mr. Justice Bedard.
JANUARY TERM, 1826.
Honbles. Mr. Justice Kerr, Mr. Justice Foucher, Mr. Justice Bedard.
MARCH TERM, 1826.
Honbles. Mr. Justice Bowen, Mr. Justice Pyke, Mr. Justice Bedard.
SEPTEMBER TERM, 1826.
Honbles. Mr. Justice Perrault, Mr. Justice Foucher, Mr. Justice Bedard.
JANUARY TERM, 1827.
Honbles. Mr. Justice Kerr, Mr. Justice Uniacke, Mr. Justice Bedard.
MARCH TERM, 1827.
Honbles. Mr. Justice Bowen, Mr. Justice Uniacke.
SEPTEMBER TERM, 1827.
Honbles. Mr. Justice Bowen, Mr. Justice Foucher, Mr. Justice Uniacke.
JANUARY TERM, 1828.
Honbles. Mr. Justice Pyke, Mr. Justice Taschereau, Mr. Justice Bedard.
MARCH TERM, 1828.
Honbles. Mr. Justice Kerr, Mr. Justice Uniacke, Mr. Justice Bedard.
SEPTEMBER TERM, 1828.
Honbles. Mr. Justice Bowen, Mr. Justice Foucher, Mr. Justice Fletcher.

TERME DE MARS 1820.
Honorables M. le Juge Kerr, M. le Juge Foucher, M. le Juge Bedard.
TERME DE SEPTEMBRE 1820.
Honorables M. le Juge Foucher, M. le Juge Perrault, M. le Juge Bedard.
TERME DE JANVIER 1821.
Honorables M. le Juge Reid, M. le Juge Bowen, M. le Juge Bedard.
TERME DE MARS 1821.
Honorables M. le Juge Kerr, M. le Juge Pyke, M. le Juge Bedard.
TERME DE SEPTEMBRE 1821.
Honorables M. le Juge Reid, M. le Juge Perrault.
TERME DE JANVIER 1822.
Honorables M. le Juge Foucher, M. le Juge Kerr, M. le Juge Bedard.
TERME DE MARS 1822.
Honorables M. le Juge Bowen, M. le Juge Pyke, M. le Juge Bedard.
TERME DE SEPTEMBRE 1822.
Honorables M. le Juge Reid, M. le Juge Perrault, M. le Juge Bedard.
TERME DE JANVIER 1823.
Honorables M. le Juge Kerr, M. le Juge Pyke, M. le Juge Bedard.
TERME DE MARS 1823.
Honorables M. le Juge Bowen, M. le Juge Foucher, M. le Juge Bedard.
TERME DE SEPTEMBRE 1823.
Honorables M. le Juge Reid, M. le Juge Perrault, M. le Juge Bedard.
TERME DE JANVIER 1824.
Honorables M. le Juge Kerr, M. le Juge Foucher, M. le Juge Bedard.
TERME DE MARS 1824.
Honorables M. le Juge Bowen, M. le Juge Pyke, M. le Juge Bedard.
TERME DE SEPTEMBRE 1824.
Honorables M. le Juge Reid, M. le Juge Perrault, M. le Juge Bedard.
TERME DE JANVIER 1825.
Honorables M. le Juge Kerr, M. le Juge Foucher, M. le Juge Bedard.
TERME DE MARS 1825.
Honorables M. le Juge Bowen, M. le Juge Pyke, M. le Juge Bedard.
TERME DE SEPTEMBRE 1825.
Honorables M. le Juge Kerr, M. le Juge Perrault, M. le Juge Bedard.
TERME DE JANVIER 1826.
Honorables M. le Juge Kerr, M. le Juge Foucher, M. le Juge Bedard.
TERME DE MARS 1826.
Honorables M. le Juge Bowen, M. le Juge Pyke, M. le Juge Bedard,
TERME DE SEPTEMBRE 1826.
Honorables M. le Juge Perrault, M. le Juge Foucher, M. le Juge Bedard.
TERME DE JANVIER 1827.
Honorables M. le Juge Kerr, M. le Juge Uniacke, M. le Juge Bedard.
TERME DE MARS 1827.
Honorables M. le Juge Bowen, M. le Juge Uniacke.
TERME DE SEPTEMBRE 1827.
Honorables M. le Juge Bowen, M. le Juge Foucher, M. le Juge Uniacke.
TERME DE JANVIER 1828.
Honorables M. le Juge Pyke, M. le Juge Taschereau, M. le Juge Bedard.
TERME DE MARS 1828.
Honorables M. le Juge Kerr, M. le Juge Uniacke, M. le Juge Bedard.
TERME DE SEPTEMBRE 1828.
Honorables M. le Juge Bowen, M. le Juge Foucher, M. le Juge Fletcher.

Appendice
(T.)
10 Jany.

I, the subscribing Prothonotary of the Court of King's Bench for the District of Three-Rivers, do hereby certify the foregoing extracts of the Order of Precedence of the Judges of the Court of King's Bench and Provincial

Je, Soussigné, Protonotaire de la Cour du Banc du Roi pour le District des Trois-Rivières, certifie par ces présentes, que les extraits ci-dessus de l'ordre de préséance des Juges de la Cour du Banc du Roi, et Juge Provincial pour

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10th Jany.

Appendice
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vincial Judge for the said District, to be a true and faithful Copy from the Registers of the said Court.
Three-Rivers, 18th December, 1828.

pour le dit District, est une vraie et fidèle copie des registres de la dite Cour.
Trois-Rivières, 18 décembre 1828.

W. C. H. COFFIN,
P. K. B.

W. C. H. COFFIN,
P. B. R.

In the Plumitifs of the Terms of Murch 1819, January 1820 and March 1821, from which the precedents of the precedence of the Judges are taken, the names of the Judges are not placed at the commencement of the proceedings of each day: but the precedents of these terms are taken from notes written on the blank sheets at the end of the Plumitifs subsequent to the index of each Plumitif.

Dans les plumitifs des termes de Mars 1819, Janvier 1820 et Mars 1821, desquels les précédentes de la préséance des Juges sont pris, les noms des Juges ne sont pas placés au commencement des procédés de chaque jour mais les précédents de ces termes sont pris de notes écrites sur des feuilles blanches à la fin des plumitifs, subséquemment à l'Index de chaque plumitif.

W. C. H. COFFIN,
P. K. B.

W. C. H. COFFIN,
P. B. R.

(C.)

CASTLE OF ST. LEWIS.
Quebec, 2nd March 1822.

CHATEAU SAINT-LOUIS.
Québec, 2 mars 1822.

(Circular)

GENTLEMEN,

His Excellency the Governor in Chief having had under consideration the statement of the different Judges, on the question of precedence lately raised in the Court of King's Bench at Three-Rivers, I am directed by His Excellency to inform you that he is of opinion that the Judges of the Courts of King's Bench for the Districts of Quebec and Montreal are entitled to precedence over the Provincial Judge of the District of Three-Rivers without any reference to the dates of their respective Commissions, therefore a Provincial Judge being appointed to be Judge of the Court of King's Bench for either the Districts of Quebec or Montreal, can only take precedence in the Court at Three-Rivers according to the date of his Commission as Judge of the King's Bench.

(Circulaire)

MESSEIERS,

Son Excellence le gouverneur en chef ayant eu sous sa considération l'exposé de différents juges sur la question de préséance, qui s'est élevée dernièrement dans la cour du banc du roi aux Trois-Rivières; il a été ordonné par Son Excellence le gouverneur en chef, de vous faire savoir que son avis est, que les juges des cours du banc du roi du district de Québec et de Montréal ont droit à la préséance sur le juge provincial du district des Trois-Rivières, sans avoir aucunement référence aux dates de leurs commissions respectives; et qu'ainsi un juge provincial qui est nommé juge de la cour du banc du roi, soit pour l'un ou l'autre des districts de Québec et de Montréal, ne peut seulement prendre la préséance dans la cour aux Trois-Rivières, que d'après la date de sa commission comme juge de la cour du banc du roi.

I have the honor to be,

Gentlemen,

Your most obedt. Servant.

(Signed) J. READY.

J'ai l'honneur d'être,

Messieurs,

Votre très obéissant serviteur.

(Signé) J. READY.

The Honorable

The Chief Justice

and Justices of the Courts of

King's Bench and the Provincial

Judge—District of Three-Rivers.

A true Copy of the Original letter filed in the

Prothonotary's Office.

W. C. H. COFFIN, P. B. K.

(On the back.)

Ordered to be deposited among the Records,

the 13th March 1822.

(Signed)

TH. & FR., P. B. R.

Aux honorables

Le juge en chef,

aux juges de la cour du banc du roi,

et aux juge provincial

du district des Trois-Rivières.

Vraie copie de l'original de la lettre déposé

dans le bureau du prothonotaire.

W. C. H. COFFIN, P. B. R.

(Au dos.)

Ordonné d'être déposée de record,

ce 13e. mars 1822.

(Signé)

TH. & FR., P. B. R.

(D.)

District of }
THREE RIVERS. }

KING'S BENCH, 12th January 1822.

District des }
Trois-Rivieres. }

BANC DU ROI, 12 Janvier 1822.

Messrs. Justices Foucher and Kerr, consent that (without prejudice to the right of precedence in contest between them, the decision on which, as well upon the merit as upon the possession of rank, ought to be given by His Majesty or His Representative) their names be inscribed upon the Register in the following order: The said Justice Foucher maintaining that by the ancientness of his Commission as Judge of the Court of King's Bench for the District of Three Rivers, he has always had precedence over the Judges of Montreal and Quebec, whose Commissions are posterior to his, bearing date in the month of December one thousand eight hundred and two.

Messieurs les Juges Foucher et Kerr consentent que (sans préjudice aux droits de préséance en conteste entr'eux, dont la décision, tant sur le mérite que sur la possession de rang, doit être donné par Sa Majesté ou son Représentant) leurs noms soient inscrits sur le Régistre dans le rang suivant; le dit Juge Foucher, prétendant que par l'ancienneté de sa Commission, comme Juge de la Cour du Banc du Roi du District des Trois-Rivières, il a toujours eu préséance sur les Juges de Montréal et de Québec, dont les Commissions sont postérieures à la sienne en date du mois de Décembre mil huit cent deux.

The Hon. LOUIS CHARLES FOUCHER,
" JAMES KERR,
" PIERRE BEDARD.

L'Hon. LOUIS CHARLES FOUCHER,
" JAMES KERR,
" PIERRE BEDARD.

Wednesday, 20th March 1822.

Mercredi, le 20 Mars 1822.

PRESENT:—The Hon. Edward Bowen, George Pyke and Pierre Bedard.

PRESENS:—L'Hon. Edward Bowen, George Pyke et Pierre Bédard.

Mr. Justice Bedard presented a paper, of which the following is a Copy:—

Mr. le Juge Bedard a présenté un Papier, dont ce qui suit est une Copie:—

In conformity to the Civil Secretary's Letter of the second instant, by order of His Excellency the Governor in Chief, I give the precedence to Mr. Justice Pyke during the present Term, reserving to myself to make representations to His Excellency on the subject.

En conformité à la Lettre du Secrétaire Civil, du deux du courant, de la part de Son Excellence le Gouverneur en Chef, je cede la préséance à Mr. le Juge Pyke pour le présent Terme, me réservant de faire des Représentations à Son Excellence à ce sujet.

Three Rivers, 20th March 1822.

Trois Rivières, 20 Mars 1822,

(Signed) P. BEDARD, J. P.

(Signé) P. BEDARD, J. P.

I certify that the above Extracts are true Copies taken from the Register of the Court of King's Bench for this District.
Three Rivers, 18th December 1828.

Je certifie que les Extraits ci-dessus et des autres parts sont des vraies Copies, prises du Régitre de la Cour du Banc du Roi pour ce District.
Trois Rivières, 18 Décembre 1828.

W. C. H. COFFIN, P. K. B.

W. C. H. COFFIN, P. B. R.

Appendix (T.) 10th Jany.

Province of Lower Canada.

(Signed) GEORGE PROVOST.

Commission appointing Pierre Bedard, Esquire, to be Provincial Judge in and for the District of Three Rivers.

GEORGE the Third by the Grace of God of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, To our trusty and well beloved Pierre Bedard, Esquire, and to all others whom these Presents may concern— GREETING.

Fiat, Recorded in the office of enrollments at Quebec the 12th day of December, 1812, in the fourth Register of Letters Patent and Commissions, folio 40.—(Signed.) J. Taylor, Dep. Reg.

KNOW YE, that we have taken into our Royal consideration, the loyalty, integrity and ability of you the said Pierre Bedard, of our especial grace, certain knowledge and mere motion, have assigned, constituted and appointed, and by these presents do assign, constitute and appoint you the said Pierre Bedard, our Provincial Judge for the District of Three Rivers, in our Province of Lower Canada, and also one of our Judges of our Court of King's Bench to be holden in our said District of Three Rivers, in the room, stead and place of Louis Charles Foucher, appointed one of the Justices of His Majesty's Court of King's Bench for the District of Montreal, in the room, place and stead of Pierre Louis Panet, Esquire, deceased.—To have, hold, exercise and enjoy the said office and place unto you the said Pierre Bedard for and during our pleasure and your residence in our said Province of Lower Canada, together with all and singular the rights, profits, privileges and emoluments unto the said place and office belonging, with full power and authority to hold our Provincial Court of the said District of Three Rivers, at such times and places, and all Civil Pleas to hear and determine, where by law the same may be or ought to be done; and all and every the rights, duties and functions of our Provincial Judge of the District aforesaid, to exercise, perform and fulfil.

In testimony whereof, we have caused these our Letters to be made Patent, and the Great Seal of our said Province to be hereunto affixed.

Witness our trusty and well-beloved Sir George Prevost, Baronet, our Captain General and Governor in Chief, in and over the Provinces of Lower Canada, Upper Canada, Nova Scotia, New Brunswick and their several Dependencies, Vice Admiral of the same, Lieutenant General and Commander of all our Forces in the said Provinces, and in the Island of Newfoundland, Prince Edward, Cape Breton and Bermuda, &c. &c. &c. At our Castle of Saint Lewis, in our City of Quebec, in our said Province, the eleventh day of December, in the year of our Lord Christ, one thousand eight hundred and twelve, and of our reign the fifty third.

(Signed) Jno. TAYLOR, Dep. Secy.

(Signed) G. P.

I do hereby certify the foregoing to be a true copy of Entry as on Record in the Registrar's Office of the Records at Quebec, in the Fourth Register of Letters Patent and Commissions, folio 40.

Provincial Secretary's Office, Quebec, 31st December 1829.

D. DALY, Sec. and Reg.

Province du Bas-Canada.

(Signé) GEORGE PROVOST.

Commission nommant Pierre Bedard, Ecuyer, comme Juge Provincial pour le District des Trois-Rivières.

GEORGE Trois par la Grace de Dieu, Roi du Royaume Uni de la Grande Bretagne et d'Irlande, Défenseur de la Foi.

A notre Fidèle et bien-aimé Pierre Bédard, Ecuyer, et à tous ceux qui ces présentes peuvent intéresser... Salut :

Fiat Enregistré au Bureau du Secrétaire des Archives à Québec, le 12e jour de Décembre 1812, dans le Quatrième Régistre des Lettres Patentes et Commissions, folio 40.—(Signé.) J. Taylor, Dep. Sec.

SACHEZ que nous avons pris en notre considération Royale la loyauté, l'Intégrité et la capacité des vous le dit Pierre Bédard, et que de notre grace spéciale, science certaine et propre mouvement, nous vous avons commis, constitué et nommé, et par ces présentes vous commettons, constituons et nommons le dit Pierre Bedard, notre Juge Provincial pour le District des Trois-Rivières, dans notre Province du Bas-Canada, et aussi l'un de nos Juges de notre Cour du Banc du Roi siégeante dans notre District des Trois Rivières; au lieu et place de Louis Charles Foucher nommé l'un des Juges de la Cour du Banc du Roi de Sa Majesté pour le District de Montréal, en remplacement de Pierre Louis Panet, Ecuyer, décédé: Pour par vous le dit Pierre Bedard avoir, posséder, exercer et jouir du dit office et de la dite charge pour et durant notre bon plaisir et pendant votre résidence dans notre dite Province du Bas Canada: ensemble, avec tous et chacun les droits, profits, privilèges et emolumens qui appartiendront à la dite charge; avec plein pouvoir et autorité de tenir notre Cour Provinciale du dit District des Trois-Rivières, à tels tems et lieux, et d'entendre et de décider de toutes matières Civiles, dans tous les cas où la Loi le veut ainsi et permet de le faire; Et d'exercer, user et remplir tous les droits, devoirs et fonctions de notre Juge Provincial du District susdit.

En Foi de quoi nous avons fait rendre Patentes nos présentes Lettres, et y avons fait apposer le Grand Secan de notre dite Province du Bas Canada.

Témoin notre fidèle et bien-aimé Sir George Prevost, Baronet, notre Capitaine Général et Gouverneur en Chef dans nos dites Provinces du Bas-Canada, Haut-Canada, Nouvelle Ecosse, Nouveau-Brunswick et leur différentes dépendences, Vice-Amiral d'icelles, Lieutenant-Général et Commandant de toutes nos Forces dans les dites Provinces, et dans l'Isle de Terre-Neuve, du Prince Edouard, du Cap-Breton et de Bermude, &c. &c. &c. à notre Chateau Saint Louis, dans notre Cité de Québec, dans notre dite Province, le onzième jour de Décembre, dans l'année de notre Seigneur Jesus Christ, mil-huit cent douze, et dans la cinquante-troisième de notre Regne.

(Signé) Jno. TAYLOR, Dep. Sec.

(Signé) G. P.

Je certifie par le présent que ce qui précède est une vraie Copie de ce qui est enregistré dans le Bureau du Secrétaire des Archives, à Québec, au quatrième Régistre des Lettres Patentes et Commissions, folio 40.

Bureau du Secrétaire de la Province, Québec, 31 Décembre 1829.

(Signé)

D. DALY,

Sec. et Achr.

(F.)

Province of Lower-Canada.

(Signed) DALHOUSIE, Governor.

Commission appointed Pierre Bedard, Esqr. to be Provincial Judge for the District of Three-Rivers.

George the Fourth by the Grace of God of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, To all to whom these presents shall come or whom the same may concern, Greeting.

Fiat. Recorded in the Registrar's office of the Records at Quebec, the 11th day of Oct. 1827, in the ninth Register of Letters Patent & Commissions, folio 297.—(Signed) Ls. MONTIZAMBERT.

Actg. P. Reg.

Whereas by our Letters Patent under the Great Seal of our Province of Lower-Canada, bearing date at our Castle of Saint-Lewis in our City of Quebec, in our said Province, the twenty fourth day of May in the year of our Lord one thousand eight hundred and twenty seven, and in the eight year of our Reign, We did assign, constitute and appoint our Beloved and Faithful Norman Fitzgerald Uniacke, Esquire, to be our Provincial Judge for our District of Three-Rivers in our said Province, and also as such Provincial Judge to be and act as one of the Justices of our Court of King's Bench to be holden at our Town at Three-Rivers; to have, hold, exercise and enjoy the said Office unto him the said Norman Fitzgerald Uniacke for and during pleasure, and the residence of the said Norman Fitzgerald Uniacke in our said Province of Lower-Canada, as in and by our said Letters Patent, reference being thereunto had, may more fully appear.

Now know ye, that for divers good causes and considerations us thereunto moving, we have thought fit to revoke and annul, and hereby do revoke and annul our said Letters Patent to be and remain from henceforward null and void to all intents and purposes whatsoever; and know ye further that reposing trust and confidence in the loyalty, knowledge, integrity and ability of our beloved and faithful Pierre Bedard of our said Town of Three-Rivers in our said District of Three-Rivers, Esquire, We of our especial grace, certain knowledge and mere motion have assigned, constituted and appointed, and by these presents do assign, constitute and appoint the said Pierre Bedard in the room and stead of the said Norman Fitzgerald Uniacke to be our Provincial Judge of and for our said District of Three-Rivers, and also as such Provincial Judge to be and act as one of the Justices of our said Court of King's Bench to be holden at our said Town of Three-Rivers in and for our said District of Three-Rivers according to the Law and Laws in this behalf made and provided, to have, hold, exercise and enjoy the said offices with all and singular the powers, rights, privileges, profits and emoluments thereunto appertaining unto the said Pierre Bedard for and during our

Province du Bas-Canada.

(Signé) DALHOUSIE, Gouverneur.

Commission nommant Pierre Bedard, Ec. pour être juge provincial du district des Trois-Rivières.

George quatre par la grace de Dieu, roi du Royaume Uni de la Grande-Bretagne et d'Irlande, défenseur de la foi.

A tous ceux qui ces présentes venant ou peuvent intéresser, salut :—

Fiat. Enregistré dans le bureau du secrétaire des archives, à Québec, ce 11e jour d'octobre 1827, au neuvième registre des lettres patentes et commissions, folio 297.—(Signé) Ls. MONTIZAMBERT.

Actg. P. Reg. faisant fonctions de sec. prov.

Et que par nos lettres patentes sous le grand secan de notre province du Bas-Canada, datées au Château Saint-Louis, dans notre cité de Québec, dans notre dite province, le vingt-quatrième jour de mai dans l'année de Notre Seigneur mil huit cent vingt-sept, et dans la huitième année de notre règne, nous avons commis, constitué et nommé notre bien-aimé et fidèle Norman Fitzgerald Uniacke, écuyer, pour être notre juge provincial pour notre district des Trois-Rivières, dans notre dite province, et aussi comme tel juge provincial pour être et agir comme l'un de nos juges de la cour du banc du roi siégeante dans notre ville des Trois-Rivières: Pour par le dit Norman Fitzgerald Uniacke, avoir, exercer et jouir du dit office, pour et durant notre bon plaisir, et la résidence du dit Norman Fitzgerald Uniacke dans notre dite province du Bas-Canada, tel qu'il appert plus amplement en ayant recours à nos dites lettres patentes.

Sachez-donc maintenant que pour diverses bonnes causes et considérations à ce nous mouvant, nous avons jugé nécessaire de révoquer et d'annuler, et par ces présentes nous révoquons et annulons nos dites lettres patentes lesquelles demeureront dès ce jour nulles et de nul effet, à toutes fins et intentions quelconques; Et sachez en outre que reposant une entière confiance dans la loyauté, science, intégrité et capacité de notre bien-aimé et fidèle Pierre Bedard, écuyer, de notre dite ville des Trois-Rivières, dans notre dit district des Trois-Rivières, nous de notre grace spéciale, science certaine et propre mouvement, avons commis, constitué et nommé, et par ces présentes commettons, constituons et nommons le dit Pierre Bedard au lieu et place du dit Norman Fitzgerald Uniacke pour être notre juge provincial pour notre dit district des Trois-Rivières, et aussi comme tel juge provincial pour agir comme l'un des juges de notre dite cour du banc du roi siégeante dans notre dite ville des Trois-Rivières, pour notre dit district, selon la loi et les loix faites et pourvues à cet égard: Pour par le dit Pierre Bedard, posséder, exercer et jouir des dits offices avec tous et chacun les pouvoirs, droits, privilèges, profits et émolumens qui leur appartiennent, et pendant et durant notre

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our pleasure, and the residence of the said Pierre Bedard in our said Province of Lower-Canada in all things according to Law. In testimony whereof We have caused these our Letters to be made Patent and the Great Seal of our said Province of Lower-Canada to be hereunto affixed. Witness our trusty and well beloved George Earl of Dalhousie, Knight Grand Cross of the most Honorable Military Order of the Bath, our Captain General and Governor in Chief in and over our said Province of Lower-Canada, Vice Admiral of the same, &c., &c., &c. at our Castle of Saint-Louis in our City of Quebec, in our said Province, the eleventh day of October, in the year of our Lord one thousand eight hundred and twenty seven, and in the eighth year of our Reign.

(Signed) D.
gr.

I do hereby certify the foregoing to be a true Copy of an entry as on Record in the Registrar's Office of the Records at Quebec in the ninth Register of Letters Patent and Commissions, folio 293.

Provincial Secretary's Office.

Quebec, 31st December 1828.

D. DALY, Secr. & Regr.

notre bon plaisir, et la résidence du dit Pierre Bedard dans notre dite province du Bas-Canada et en toutes choses suivant la loi: En foi de quoi nous avons fait rendre patentes les lettres, et y avons fait apposer le grand sceau de notre dite province du Bas-Canada. Témoin notre fidèle et bien-aimé George Comte de Dalhousie, Chevalier Grande Croix du Très Honorable ordre militaire du Bain et gouverneur en chef de la province du Bas-Canada, vice-amiral d'icelle, &c., &c., &c. A notre Château Saint-Louis, dans notre dite cité de Québec, dans notre dite province, le onzième jour d'octobre, dans l'année de Notre Seigneur mil huit cent vingt-sept, et dans la huitième année de notre règne.

(Signé) D.
gr.

Je certifie par le présent que ce qui précède, est une vraie copie de ce qui est enregistré dans le bureau du secrétaire archiviste à Québec, au neuvième registre des lettres patentes et commissions, folio 293.

Bureau du secrétaire provincial.

Québec, 31 décembre 1829.

D. DALY, Secr. et Arche.

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(G.)

Province of }
LOWER CANADA. }

(Signed) JAMES KEMPT.

Commission appointing Pierre Bedard, Esquire, to be Provincial Judge for the District of Three Rivers.

GEORGE the Fourth by the grace of God of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith:

To all to whom these Presents shall come, or whom the same may concern, Greeting:—

Fiat,
Recorded in the Registrar's Office of the Records at Quebec the second day of October 1828, in the tenth Register of Letters Patent and Commissions.—Folio 148.

(Signed) D. Daly,
Regr.

WHEREAS by our Letters Patent under the Great Seal of our said Province of Lower Canada, bearing date at our Castle of Saint Louis in our City of Quebec, in our said Province, the sixth day of June in the year of our Lord one thousand eight hundred and twenty eight, and in the ninth year of our reign.—We did assign, constitute and appoint our Beloved and Faithful John Fletcher, of Sherbrooke, in our District of Three Rivers, Esquire, to be our Provincial Judge of and for our said District of Three Rivers, and also as such Provincial Judge to be and act as one of the Justices of our Court of King's Bench to be holden at our Town of Three Rivers in and for our said District of Three Rivers, to have and to hold the said office unto him the said John Fletcher for and during our pleasure and the residence of the said John Fletcher in our said Province of Lower Canada, as in and by our said Letters Patent reference being thereunto had, may more fully appear.

NOW KNOW YE, That, for divers good causes and considerations us thereunto moving, We have thought fit to revoke and annul and hereby do revoke and annul our said Letters Patent, to be and remain henceforward null and void to all intents and purposes whatsoever.—And Know Ye further, that reposing trust and confidence in the loyalty, knowledge, integrity and ability of our beloved and faithful Pierre Bedard of our Town of Three Rivers, in our said District of Three Rivers, Esquire, We of our especial grace, certain knowledge and mere motion, have assigned, constituted, and appointed, and by these presents do assign, constitute and appoint the said Pierre Bedard, in the room and stead of the said John Fletcher, to be our Provincial Judge of and for our said District of Three Rivers, and as such Provincial Judge to be and act as one of the Justices of our said Court of King's Bench to be holden at the Town of Three Rivers, in and for our said District of Three Rivers, according to the Law and Laws in this behalf made and provided.—To have, hold, exercise and enjoy the said Office, with all and every the powers, rights, privileges, profits and emoluments thereunto appertaining unto the said Pierre Bedard, for and during our Royal Pleasure, and the residence of the said Pierre Bedard, in our Province of Lower Canada, and in all things according to Law. In testimony whereof we have caused these our Letters to be made Patent and the Great Seal of our said Province of Lower Canada to be hereunto affixed.—Witness our trusty and well-beloved Sir James Kempt, Knight Grand Cross of the Most Honorable Military Order of the Bath, Lieutenant General and Commander of all His Majesty's Forces in the Provinces of Lower Canada and Upper Canada, &c. &c. &c., and Administrator of the Government of the said Province of Lower Canada, at our Castle of Saint Lewis in our City of Quebec, in our said Province, the second day of October in the year of our Lord one thousand eight hundred and twenty-eight, and in the Ninth Year of Our Reign.

(Signed) J. K.

(Signed) D. DALY, Secy.

I do hereby certify the foregoing to be a true Copy of an entry as on Record in the Registrar's Office of the Records at Quebec, in the tenth Register of Letters Patent and Commissions, folio 148.

Provincial Secretary's Office, }
Quebec, 31st. December 1829. }

D. DALY,
Sec. & Regr.

Province du }
BAS-CANADA. }

(Signé) JAMES KEMPT,

Commission nommant Pierre Bedard, éc., pour être Juge Provincial du District des Trois Rivières.

Fiat,
Enregistrée au bureau du secrétaire des archives à Québec, le 2e jour d'octobre 1828, au dixième registre des lettres patentes et commissions.—Folio 148.

(signé) D. Daly,
Arche.

VU que par nos Lettres Patentes sous le Grand Sceau de notre Province du Bas-Canada, datées de notre Château Saint-Louis en notre Cité de Québec, dans notre dite Province du Bas-Canada, le sixième jour de juin, dans l'année de notre Seigneur mil huit cent vingt-huit, et dans la neuvième année de notre règne, nous avons commis, constitué et nommé notre bien-aimé et fidèle John Fletcher, Ecuyer, de Sherbrooke, dans notre district des Trois-Rivières, pour être notre Juge Provincial pour notre District des Trois-Rivières, et aussi comme tel Juge Provincial d'être et agir comme l'un de nos Juges de notre Cour du Banc du Roi siégeante dans notre Ville des Trois-Rivières, pour notre dit District des Trois-Rivières; Pour par le dit John Fletcher avoir et tenir le dit Office pour et durant notre bon plaisir, et la résidence du dit John Fletcher dans notre dite Province du Bas-Canada, ainsi qu'il appert plus amplement en ayant recours à nos Lettres Patentes.

SACHEZ donc maintenant que pour diverses bonnes causes et considérations à ce nous mouvant, nous avons jugé nécessaire de révoquer et d'annuler, et par ces présentes nous révoquons et annulons nos dites Lettres Patentes, lesquelles demeurent dès ce jour nulles et de nul effet quelconque.—Et sachez en outre que reposant une pleine et entière confiance dans la loyauté, science, intégrité et capacité de notre bien-aimé et fidèle Pierre Bédard, Ecuyer, de notre Ville des Trois-Rivières, dans notre dit District des Trois-Rivières, nous de notre grâce spéciale, science certaine et propre mouvement, avons commis, constitué et nommé, et par ces présentes commettons, constituons et nommons le dit Pierre Bédard, au lieu et place du dit John Fletcher, pour être notre Juge Provincial pour notre dit District des Trois-Rivières, et comme tel Juge Provincial d'être et d'agir comme l'un de nos Juges de notre dite Cour du Banc du Roi, siégeante dans la Ville des Trois-Rivières, pour notre dit District des Trois-Rivières, selon la loi et les loix faites et pourvues à cet égard; Pour par le dit Pierre Bédard, posséder, exercer et jouir des dits offices, avec tous et chacun les pouvoirs, droits, privilèges, profits et émolumens qui leur appartiennent, et pour et durant notre plaisir royal, et la résidence du dit Pierre Bédard dans notre dite Province du Bas-Canada, et en toutes choses suivant la loi. En foi de quoi nous avons fait rendre Patentes les présentes Lettres, et y avons fait apposer le Grand Sceau de notre dite Province du Bas-Canada.—Témoin notre fidèle et bien-aimé Sir James Kempt, Chevalier Grand-Croix du Très-honorable Ordre Militaire du Bain, Lieutenant-Général et Commandant de toutes les Forces de Sa Majesté dans les Provinces du Bas-Canada et Haut-Canada, &c. &c. &c., et Administrateur du Gouvernement de la dite Province du Bas-Canada, à notre Château Saint-Louis, dans notre Cité de Québec, dans notre dite Province, le deuxième jour d'Octobre de l'année de notre Seigneur mil huit cent vingt-huit, et dans la neuvième année de notre règne.

(Signé) J. K.

(Signé) D. DALY, Sec.

Je certifie par le présent que ce qui précède est une vraie copie de ce qui est enregistré dans le Bureau du Secrétaire Archiviste à Québec, au dixième Registre des Lettres Patentes et Commissions, folio 148.

Bureau du Secrétaire Provincial, }
Québec, 31 Décembre 1829. }

D. DALY,
Sec. & Arche.

Appendix
(U.)
10th Jany.

HOUSE OF ASSEMBLY,

Wednesday, 3d December 1828.

Resolved, That the Petition from the City and County of *Quebec*, be referred to a Committee of five Members, to examine the contents thereof and to report thereon with all convenient speed, with power to send for persons, papers and records.

Ordered, That Mr. *Stuart*, Mr. *Vallières*, Mr. *Louis Lagucux*, Mr. *Neilson* and Mr. *Clouet* do compose the said Committee.

Monday, 29th December 1828.

Ordered, That Mr. *Lee* be added to the said Committee.

Saturday, 3d January 1829.

Ordered, That it be an instruction to the said Committee to enquire and report on the state of the other principal thoroughfares within the same limits, particularly the *Sainte Claire* road, the Road North of *Scott's* Bridge along the Little River, the *Misère* Road and the *Cap Rouge* road.

Attest

Wm. B. LINDSAY,
D. C. H. Assbly.

HOUSE OF ASSEMBLY.

COMMITTEE ROOM.

Wednesday, 10th December 1828.

In Committee on the Petition from the City and Suburbs of *Quebec*, relating to Roads.

PRESENT :—All the Members.

Mr. *Blunchet* called to the Chair.

Read the Order of Reference.

The Committee have prepared a series of Questions, to be sent to divers Persons whose Answers will be found hereafter, which Questions are as follows :

Q. 1. Have you resided any and what length of time at *Quebec*?

2. What is the general State and Condition of the Roads in the Neighborhood of *Quebec*? Describe the same particularly.

3. What are the disadvantages arising from this State of the Roads?

4. What in your opinion is the best mode of improving these Roads?

5. Does it lie within the private means of the Proprietors of the Lands lying upon these Roads to make and keep them in good repair?

6. What is the usual number of Ships coming from Europe and the other British Colonies to the Port of *Quebec* annually, and what the annual augmentation of Population in the City and Port of *Quebec* arising from this cause?

7. From what parts or places are Provisions supplied to this transient Population?

8. Are you acquainted with any other matter or things which you think useful for the Committee to know with reference to the Petition before the Committee?

9. What is the average price of Land at four Miles from *Quebec*?

10. Could the preparations for macadamising by breaking Stones be carried on in Winter?

11.

CHAMBRE D'ASSEMBLEE,

Mercredi, 3 décembre 1828.

Résolu, Que la Pétition de la Cité et Comté de *Québec*, soit référée à un Comité de cinq membres, pour en examiner le contenu et en faire rapport avec toute la diligence convenable, avec pouvoir d'envoyer querir personnes, papiers et records.

Ordonné, Que M. *Stuart*, M. *Vallières*, M. *Louis Lagucux*, M. *Neilson* et M. *Clouet* composent le dit Comité.

Lundi, 29 décembre 1828.

Ordonné, Que M. *Lee* soit ajouté au dit Comité.

Samedi, 3 janvier 1829.

Ordonné, Qu'il soit une instruction au dit Comité de s'enquérir et faire rapport de l'état des autres Chemins principaux dans les mêmes limites, particulièrement le chemin de *Sainte-Claire*, le chemin au nord du Pont de *Scott* le long de la *Petite-Rivière*, la route de la *Misère* et le chemin du *Cap-Rouge*.

Attesté

J. ANT. BOUTHILLIER,
Greffr. Asst.

CHAMBRE D'ASSEMBLEE,

BUREAU DU COMITE,

Mercredi, 10 décembre 1828.

En Comité sur la pétition de la cité et des faubourgs de *Québec*, relative aux chemins.

PRESENS :—Tous les membres.

Mr. *Blunchet* appelé au fauteuil.

Lu l'ordre de renvoi.

Le Comité a préparé une série de Questions pour être envoyées aux diverses personnes, dont les Réponses se trouvent ci-après, lesquelles Questions sont comme suit :

Q. 1. Résidez-vous à *Québec* et depuis combien de tems?

2. Quel est généralement l'état et la condition des chemins dans le voisinage de *Québec*; Donnez-en une description détaillée?

3. Quels sont les désavantages qui résultent de cet état des chemins?

4. Quel est, selon vous, le meilleur mode d'amélioration pour ces chemins?

5. Est-il au pouvoir individuel des propriétaires des terres situées sur les dits chemins, de faire les dits chemins et de les tenir en bon état de réparation?

6. Quel est le nombre ordinaire de vaisseaux qui vient d'Europe et des autres colonies britanniques au port de *Québec* dans chaque année, et de combien cette circonstance peut-elle faire augmenter annuellement la population de la cité et du port de *Québec*?

7. De quelles parties ou places cette population passagère tire-t-elle ses provisions de bouche?

8. Connoissez-vous quelque autre chose qu'il soit utile pour le comité de savoir, à l'égard de la pétition renvoyée au comité?

9. Quel est le prix commun des terres à quatre milles de *Québec*?

10. Seroit-il possible d'y effectuer le système de *Macadam*, en cassant des pierres, pendant l'hiver?

11.

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11. Is there any considerable number of Persons in the City and Suburbs who might be advantageously employed in this way?

12. What is the number of destitute Paupers in the City and Suburbs of *Quebec*?

13. What is their State and Condition?

14. Are there any Public or other works going on during the Winter sufficient to supply an adequate Market of labour? For what number of destitute persons is such a Market required?

15. What would be the whole number of Persons who would be relieved by the Establishment of such an adequate Market?

16. What sum would be requisite to support those destitute persons during Winter?

17. What number of them would be employed during winter in breaking Stones for the purpose of Macadamising Roads?

18. What are the daily wages generally paid during winter for such work, and what daily wages would be requisite to support them?

19. What is the quantity of broken Stones requisite to macadamise a mile of Road?

20. What are the daily wages or prices usually paid to people employed in breaking Stones for the purpose of Macadamising?

Tuesday, 16th December 1828.

PRESENT:—All the Members.

Mr. *Stuart* called to the Chair.

Louis Flavien Dufresne, Esquire, appeared and answered to the Questions as follows; to the

1. I am a native of *Quebec*, and I have resided at *L'Ancienne Lorette* since the year one thousand eight hundred and twenty five.

2. Very bad and almost impracticable Spring and Autumn, in consequence of the heavy rains:—they have been impracticable the greatest part of last Summer.

3. The disadvantages are that the Country people cannot come to market with loads, that they are obliged to make three loads instead of one, the State of the Roads being such that they cannot carry above one third of an ordinary load, and that Agriculture suffers in general.

4. It would be to macadamise them; it would be the least expensive means, and the only one I know of to improve these Roads.

5. No.

6. Between five and six hundred, and that augments the transient population about four thousand.

7. From all the Parishes in the Neighborhood of *Quebec*.

8. I believe my answers comprise all I have to say on this subject.

9. About twenty Shillings an Acre in superficies for good Land.

Jacques Fluet, Farmer at *L'Ancienne Lorette*, appeared, and said, I was born at *L'Ancienne Lorette*, and Mr. *Dufresne's* answers are mine.

Jean Robitaille called in and examined—I am a native of *L'Ancienne Lorette*, and I reside there, cannot answer the sixth Question, but concur in all the others with the exception of the ninth, to which I answer that the Lands are worth about thirty Shillings per square Acre, for those that are the least valuable, and ten pounds for those that are the best. The Roads on the South side of the River *Saint Charles*, should be Macadamised in preference to that on the North side.

Jean Guillet Tourangeau, called in says: I was born in the Suburbs of *Saint Vallier*, and I reside there. I give the same answers as Mr. *Robitaille*, with the exception that I value the Land at thirty Shillings per square Acre.

John

11. Y a-t-il dans la ville et les faubourgs un nombre de personnes qu'on pourroit employer avantageusement de cette manière?

12. Quel est le nombre de personnes indigentes dans la ville et les faubourgs de *Québec*?

13. Quel est leur état et leur condition?

14. Y a-t-il pendant l'hiver assez de travaux publics ou autres pour les employer suffisamment? Combien de personnes pauvres auroient besoin de l'emploi?

15. Quel nombre de pauvres soulageroit l'établissement d'une pareil source de travail?

16. Quelle somme d'argent faudroit-il pour soutenir ces personnes indigentes, durant l'hiver?

17. Combien en pourroit-on employer durant l'hiver à casser des pierres pour les chemins?

18. Quels gages journaliers paye-t-on généralement pour un pareil ouvrage, et quel salaire faudroit-il leur payer par jour pour les faire vivre?

19. Quelle est la quantité de pierres cassées nécessaire pour macadamiser un mille de chemins?

20. Quel salaire ou prix paye-t-on par jour aux gens ainsi employés à casser des pierres pour macadamiser?

Mardi, 16 décembre 1828.

PRESENS:—Tous les membres.

M. *Stuart* appelé au fauteuil.

Louis Flavien Dufresne, écuyer, comparait et répond aux questions, comme suit:

1. Je suis natif de *Québec*, et j'ai résidé à *L'Ancienne-Lorette* depuis l'année mil huit cent vingt-cinq.

2. Très-mauvais et presque impraticables le printemps et l'automne, par suite de grosses pluies. Ils ont été impraticables la plus grande partie de l'été dernier.

3. Les désavantages qui en résultent sont, que les habitans de la campagne ne peuvent venir aux marchés avec des charges, qu'ils sont obligés de faire trois voyages au lieu d'un; l'état des chemins étant tel qu'ils ne peuvent mettre plus du tiers d'une charge ordinaire, et que l'agriculture en souffre généralement.

4. Ce seroit de les macadamiser; ce seroit le moyen le moins dispendieux et le seul qui je crois capable d'améliorer ces chemins.

5. Non.

6. Entre cinq et six cents, et cela augmente la population passagère d'environ quatre mille.

7. De toutes les paroisses aux environs de *Québec*.

8. Je crois que mes réponses comprennent tout ce que j'ai à dire sur ce sujet.

9. Environ vingt chelins l'acre de bonne terre en superficie.

Jacques Fluet, cultivateur, de *L'Ancienne-Lorette* comparait et dit: Je suis né à *L'Ancienne-Lorette*, et mes réponses sont les mêmes que celles de M. *Dufresne*.

Jean Robitaille, est appelé et examiné: Je suis natif de *L'Ancienne-Lorette*, et j'y réside; je ne puis répondre à la sixième question, et je concours dans les réponses données aux autres questions, à l'exception de celle faite à la neuvième question, à laquelle je réponds, que l'acre carré de la plus pauvre terre vaut trente chelins, et de la meilleure dix louis. Les chemins qui se trouvent au sud de la Rivière *Saint-Charles* devraient être macadamisés de préférence à ceux qui sont au nord d'icelle.

Jean Guillet Tourangeau, est appelé et dit: Je suis né dans le faubourg *Saint-Vallier*, et j'y réside. Je donne les mêmes réponses que M. *Robitaille*, à l'exception de celle où il fixe la valeur de la terre à trente chelins l'acre carré.

John

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John Cady of Quebec, Keeper of a Livery Stable,—
answers to the

1. Question—I have resided seventeen years in Quebec.
2. They are in a very bad state; in the Summer season they are very bad and more particularly in the Spring and Autumn—in the Winter they are bad on account of Cradle Holes, (*Cahots*) and Slides; the soil of the Roads about Quebec, particularly the *Lorette* and *Saint Foi* Roads and part of that to *Beauport*, is generally dry: the rains cause them to become muddy to a great depth, making them almost impassable, so that at those times a Horse can only carry one third of his ordinary Load. I suppose that Horses cannot carry ordinary Loads on these Roads for more than three Months in the Summer season in common years.
3. This is answered by the preceding answer.
4. Macadamising them would be the surest mode.
5. I think not.
6. I cannot answer that Question.
7. From all the Parishes about *Quebec* to a great distance.
8. I think the Roads might be much improved in winter by taking the shafts from under the winter carriages.
9. I cannot say exactly.
10. Certainly.
11. There are a great many poor people who are now supported by Charity who might earn a living in this way.

Friday, 19th December 1828.

PRESENT:—All the Members.

Mr. *Stuart* in the Chair.

Joseph Jones, Esquire, of Beauport, called in and examined, answers to the

1. About forty years.
2. In general by no means good, several parts in the Spring and Autumn being almost impassable, owing in some degree to the soil in low ground being clay and high grounds springy, and by the general mode of filling up the Holes, which is done by throwing the liquid mud from the ditches in them.
3. An excessive wear and tear of Cattle Furniture and Carriages and also a loss of time.
4. To be Macadamised with Stone at least four or six Inches in thickness, and to be well drained by keeping the ditches clean on each side.
5. I do not think that the proprietors generally have the means of making their Roads, but when made they might keep them in repair.
6. Six to seven hundred, navigated by about seven thousand men, besides ten or twelve thousand Emigrants, being almost one hundred and twenty vessels per month, and an augmentation of two thousand five hundred strangers per month during six months.
7. Salt meat and fine Flour from the District of *Montreal*, coarse Flour from the Lower District of *Quebec*, Fresh Meat partly from the Butchers, the remainder fodder and vegetables from the Farmers of the surrounding Parishes.
8. The Bridges required should have strong cedar Beams covered with plank at least three or four inches thick, to be fourteen or sixteen feet wide, and wherever the ground is found springy, trenches should be cut across the road to draw off the water and securely covered.
9. This depends much upon the situation and quality of the Land, at the present depreciation of landed Property it may not be worth more than two to three pounds per Acre.
10. I am of opinion it could and on moderate Terms.
- 11.

John Cady, de Québec, qui garde des chevaux de Appendix
louage à la (U.)

1. Question—J'ai résidé dix-sept ans à *Québec*. 10 Jany.
2. Ils sont très-mauvais dans l'été, et surtout le printemps et l'automne, ils le sont l'hiver à cause des cahots et des pentes; le terrain des chemins aux environs de *Québec*, surtout de ceux de *Lorette*, de *Sainte-Foi* et d'une partie de celui de *Beauport*, est généralement humide: les pluies les rendent boueux, jusqu'à une grande profondeur, de sorte qu'ils deviennent impraticables et qu'alors un cheval n'y peut transporter que le tiers d'une charge ordinaire. Je crois qu'en année commune les chevaux ne peuvent porter sur ces chemins leurs charges ordinaires pendant plus de trois mois de l'été.
3. Répondue par ma réponse précédente.
4. Le moyen le plus sûr seroit de les macadamiser.
5. Je ne crois pas.
6. Je ne puis répondre à cette question.
7. De toutes les paroisses à une grande distance autour de *Québec*.
8. Je crois qu'on amélioreroit beaucoup les chemins en autant les menoires de dessous les voitures d'hiver.
9. C'est ce que je ne puis dire avec exactitude.
10. Sans aucun doute.
11. Il y a beaucoup de pauvres gens, soutenus par la charité publique, qui pourroient gagner leur vie de cette manière.

Vendredi, 19 décembre 1828:

PRESENS:—Tous les membres.

M. *Stuart* au fauteuil.

Joseph Jones, Ecuyer, de Beauport, est appelé et examiné, et répond comme suit:

1. Environ quarante ans.
2. En général ils ne sont nullement bons, et dans quelques parties ils sont, le printemps et l'automne, presque impraticables, ce qui est dû en partie à la nature du sol qui est d'argile, et à celle des hauteurs qui sont remplies de sources, et en même-tems à la coutume que l'on a généralement de remplir les trous avec la terre boueuse des fossés qui les bordent.
3. La ruine des voitures et des bestiaux, et une perte considérable de tems.
4. De les macadamiser avec des pierres, à l'épaisseur de quatre à six pouces au moins, et de les faire bien égouter en tenant les fossés nettoyés de chaque côté.
5. Je ne pense pas que le commun des propriétaires aient les moyens de faire leurs chemins, mais je pense qu'une fois faits ils pourroient les tenir en bon état.
6. Six à sept cents vaisseaux et environ sept mille hommes, outre dix à douze mille émigrés, ce qui fait environ cent vingt vaisseaux par mois et une augmentation de deux mille cinq cents étrangers par mois, pendant l'espace de six mois.
7. La viande salée et la farine fine du district de *Montreal*, la farine commune du district inférieur de *Québec*, la viande fraîche, partie des bouchers, et les autres provisions de bouche des cultivateurs des paroisses aux environs de *Québec*.
8. Les ponts nécessaires devoient avoir de fortes poutres de cèdre couvertes de madriers de trois ou quatre pouces au moins d'épaisseur sur quatorze à seize pieds de largeur, et partout où le sol est humide on devoit couper des fossés de travers, bien couverts pour tirer l'eau.
9. Cela dépend beaucoup de la situation, et de la qualité du sol: dans l'état de dépréciation ou en est aujourd'hui la propriété foncière, elle ne peut pas valoir plus de deux à trois livres l'acre.
10. Je suis d'opinion qu'on le pourroit et à bas prix.
- 11.

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11. Yes, there is no doubt but that there are a number of men and boys in and about the City and Suburbs, who would be glad of employment to break the Stones during Winter.

Thomas Stott, Esquire, called in and examined, answers :—

1. Seventeen years ; for the last six years, I have resided upon the *Saint Foi* Road, about a Mile and a half from *Quebec*.

2. The general state and condition of the Roads in the Neighborhood of *Quebec*, I consider to be very bad, and since my time growing worse every year from the circumstance of their being generally speaking formed of a soft clayey material, they are subject after rain to become full of ruts and holes, and frequently to such an extent as to obstruct and impede the progress of Horses and Carriages, and endanger the Property, and even the Lives of the Public.

3. The disadvantages arising from the State of the Roads are many and obvious, in as much as they render the transport of Provisions and Merchandise difficult and unsafe, retard the progress of travellers and tend generally to obstruct that free intercourse between the Inhabitants of the different parts of the Province with *Quebec*, and in case of illness requiring immediate medical aid the roads at particular Seasons are so bad, as sometimes to prevent its being procured in time.

4. I am decidedly of opinion that the mode adopted and found to answer so well in *England*, viz: the plan laid down by Mr. *McAdam*, is the best, and if properly put in execution will ultimately prove the least expensive.

5. I am unable to speak correctly of the private means of the Proprietors of Lands lying upon these Roads or their ability to make and keep the same in good repair, but whatever may be the means of these proprietors I think it would be extremely unfair to expect they would apply them exclusively in the making of roads, which the Public at large enjoy the advantage of, and are therefore upon every principle of equity and justice to furnish the means of making and repairing.

6. The number of Ships which arrived at *Quebec* during the present year was seven hundred and one, in the year one thousand eight hundred and twenty seven, there were upwards of six hundred.

The average proportion of men in each Ship exclusive of Passengers and Emigrants, I should conceive to be about fifteen, which would average for the last two years, nine thousand seven hundred and fifty annually.

7. At present, principally from the vicinity of *Quebec*, because from the badness of the Roads, farmers and others who have surplus Provisions at any distance are prevented bringing them to market, and particularly those at *Val Cartier*, and on *Craig's* Road, whence a large augmentation of the daily and weekly supply of Provisions might be procured.

8. I should state generally in answer to this Query, that in consequence of the State of the Roads, farmers and others residing at a distance from *Quebec*, are prevented bringing provisions to market, the result of which is that at some seasons of the year the *Quebec* market is badly supplied, the prices demanded for provisions are extravagantly high, and there is no inducement to Emigrants to settle on Waste Lands, that might otherwise be brought into cultivation with advantage, were it possible for them to transport produce to a good market. It is a fact of which the Committee cannot be ignorant, as it is established by the experience of every Country in *Europe*, that the formation of good Roads is one of the steps towards the improvement of a Country, and although in the first instance it may be attended with expense, still it is an expenditure which will ultimately, nay very shortly, be attended with the best consequences, and which it is particularly desirable in a new and improving Country, like that of *Lower Canada*, to commence as early as possible and to pursue

11. Oui, il y a dans la ville et les faubourgs nombre d'hommes et d'enfans qui seroient bien-aises d'être employés à casser des pierres durant l'hiver.

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Thomas Stott, Ecuyer, est appelé, examiné et répond :

1. Depuis dix-sept ans, et les six années dernières, j'ai résidé sur le chemin de *Sainte-Foi*, à environ un mille de *Quebec*.

2. Je trouve en général très-mauvais l'état et la condition des chemins aux environs de *Quebec*, et chaque année je les ai vus devenir de plus en plus mauvais, ce qui est dû à la qualité molle et argileuse du sol, qui, à la suite de la pluie, se remplit d'ornières et de trous, souvent au point d'obstruer et d'empêcher la marche des chevaux et des voitures, et de mettre en danger la propriété et même la vie des habitans.

3. Les désavantages qui résultent du mauvais état des chemins sont nombreux et manifestes ; c'est de rendre difficile et dangereux le transport des provisions et des marchandises, et de causer du retardement aux voyageurs, et généralement de tendre à gêner la facilité des communications entre la capitale et les habitans des différentes parties de la province ; en certaines saisons de l'année les chemins sont si mauvais, que, si l'on se trouve avoir besoin des secours d'un médecin dans un cas pressé, on ne peut souvent se le procurer à tems.

4. Je suis décidément d'opinion que la méthode adoptée en *Angleterre* et qui y a si bien réussi, savoir, celle qu'à inventée M. *Macadam*, est la meilleure et celle que l'on trouvera la moins dispendieuse à la fin, si on la met à exécution d'une manière convenable.

5. Je ne puis parler avec exactitude des moyens particuliers des propriétaires des terres situées sur ces chemins, ni de leur capacité à les faire ou à les tenir en bon état, mais quelques soient les moyens de ces propriétaires, je crois qu'il seroit extrêmement injuste d'attendre d'eux qu'ils appliquassent ces moyens à faire des chemins dont tout le public retire l'avantage, et que par conséquent, d'après les principes de l'équité et de la justice, doit fournir les moyens pour les faire et pour les réparer.

6. Le nombre de vaisseaux venus à *Quebec* cette année est de sept cent un, en mil huit cent vingt-sept il fut de plus de six cens. Je crois que le nombre moyen de l'équipage de chaque vaisseau, sans compter les passagers ni les émigrés, est composé d'environ quinze hommes, ce qui pour les deux années dernières donneroit un nombre moyen de neuf mille sept cent cinquante, par chaque année.

7. A présent des environs de *Quebec* principalement, parceque le mauvais état des chemins empêche les cultivateurs et autres, situés à une distance, d'apporter aux marchés le surplus de leurs provisions, entre autres surtout ceux de *Valcartier* et du chemin de *Craig*, d'où l'on pourroit tirer une grande quantité de provisions, tous les jours ou toutes les semaines.

8. Je répondrai généralement à cette question, que par suite du mauvais état des chemins les cultivateurs et autres éloignés de *Quebec* ne peuvent apporter aux marchés aucunes denrées, ce qui fait qu'en certaines saisons de l'année le marché de *Quebec* est mal pourvu, et qu'on y demande pour les provisions des prix exorbitans, et qu'il n'y a aucun encouragement pour les émigrés d'aller s'établir sur les terres incultes, qu'on pourroit cultiver avec avantage s'il étoit possible d'en porter les produits sur un bon marché. C'est un fait que le comité ne peut ignorer, puisqu'il est constaté par l'expérience de tous les pays européens, que la formation de bons chemins est le premier pas vers l'avancement d'un pays, et quoiqu'il en coûte beaucoup d'abord, c'est une dépense qui dans le tems et même assez promptement sera suivie des résultats les plus avantageux. Et dans un nouveau pays, en train d'amélioration comme est le *Bas-Canada*, il est particulièrement à désirer qu'on commence aussitôt que possible et qu'on poursuive cette entreprise avec toute la vigueur

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pursue with every possible exertion commensurate with its means. At certain seasons of the year, the high Public Roads are scarcely passable, as may be demonstrated by the fact, that frequently in the spring and fall of the year, the Post from *Montreal* to *Quebec*, takes upwards of seventy hours to perform a Journey of about one hundred and eighty miles, whereas the same distance is travelled by the Mail in *England*, at all seasons of the year in less than twenty four hours,—and as to the Roads in the vicinity of *Quebec* in the spring and fall of the year, they are so much out of order that the Mail Carriage takes three hours to travel the last eight miles, and a Cart with one Horse cannot transport more than three hundred weight and that only at the rate of about two miles per hour, whence it may be easily seen that the prices of Forage, Provisions and Merchandise, are considerably enhanced to the consumers without any corresponding advantage to the sellers.

9. I conceive the average price of Land within four miles from *Quebec* to be five or six pounds per Acre.

10. The preparation of macadamising by breaking Stones could be advantageously carried on in winter: I should think there are a very considerable number of persons in the City and Suburbs of *Quebec*, who might be advantageously employed in this way during the winter, by which means employment would be afforded to a numerous Class of Individuals who have heretofore been supported by the Public: besides I see no good reason why a numerous class of depredators who are constantly infesting the Jails of the Country, and frequently sentenced to hard labor, should not be thus advantageously employed; and to stimulate those culprits to exertion a certain portion of the proceeds of their labor might be allowed them for comforts.

Collin McCallum, Esquire, called in and examined, answers

1. I am twenty nine years of age, I was born at *Quebec*, where I have continued to reside; my Father before me, and I now, have an extensive Flour Mill, and Oil and Barley Mill at *Beauport*, about six miles from *Quebec*.

2. The Roads within the Neighbourhood of *Quebec*, with the exception of *Saint Lewis* Road are and always have been to my recollection very bad, and in wet weather and rainy seasons from the nature of the soil become almost impassable.

3. The disadvantages arising to any populous and rapidly increasing City such as *Quebec* now is and becoming daily, from bad roads within the neighbourhood from whence the chief supplies are derived, must be evident as tending to prevent at certain periods, more especially in the spring and fall, the bringing in those supplies to our markets so necessary as well for the Inhabitants as the numerous Emigrants daily arriving in the summer season—tending to discourage the manufactures already established as well as prevent the erection of others, for which the neighbourhood is by nature so well adapted, tending to discourage agriculture and ruinous to man and beast. These are but very few of the evils arising from bad roads.

4. The best mode of improving the Roads within the neighbourhood of *Quebec*, would in my opinion be by macadamising them in a proper manner, first by laying down a good bed or foundation of large flat stone (the refuse of building stone which can be had in large quantities at the *Beauport* Quarries, and covering the same with small stones and making ditches sufficient to carry off the water, especially on the Lower Roads.

5. I consider it generally speaking beyond the means of Proprietors of Lands lying on these Roads to make them good or sufficient, a great deal has already been done by them but from the inadequacy of their funds

rigueur que peuvent permettre ses moyens. En certains tems de l'année les grands chemins sont à peine praticables, comme on peut s'en convaincre, en observant que dans le printemps et l'automne la poste de *Montréal* à *Québec* prend fréquemment soixante-dix heures pour faire une route d'environ cent quatre-vingt milles, tandis que la malle en *Angleterre* et dans toutes les saisons, ne met pas vingt-quatre heures à parcourir la même distance de chemin. Quant aux chemins aux environs de *Québec* ils sont si mauvais l'automne et le printemps que les voitures de poste mettent trois heures à faire les huit derniers milles, et une voiture avec un seul cheval ne peut porter plus de trois cents pesant, et cela à la proportion de deux milles à l'heure, ou à peu près, d'où il s'en suit une augmentation considérable dans le prix du fourrage, des denrées et des marchandises, pour le consommateur, sans que le vendeur ne retire aucun avantage équivalent.

9. Je mets le prix commun de la terre à quatre milles de *Québec* à cinq ou six livres l'acre.

10. On pourroit avec avantage préparer pendant l'hiver les pierres nécessaires au macadamisage; j'ai lieu de penser qu'il y a dans la ville et les faubourgs un bien grand nombre de personnes qu'on pourroit occuper avantageusement de cette manière, durant l'hiver; un pareil emploi feroit vivre une classe nombreuse d'individus, qui jusqu'à présent ont été livrés à la charité publique. D'un autre côté je ne vois pas pourquoi on ne pourroit pas employer utilement à ce genre de travail cette foule de délinquans qui infestent constamment les prisons de ce pays et que l'on condamne si souvent aux travaux forcés. Pour les exciter au travail on pourroit leur accorder une certaine partie du produit de leur labour.

Collin McCallum, Ecuyer, est appelé, examiné et répond :

1. J'ai vingt-neuf ans, je suis né à *Québec*, et j'y ai toujours résidé; mon père avoit avant moi, et j'ai maintenant à *Beauport* à environ six milles de *Québec*, un moulin à farine considérable, et un moulin à huile et à orge.

2. Les chemins aux environs de *Québec* si l'on en excepte celui de *Saint-Louis* sont et ont toujours été à ma connoissance très-mauvais, et la nature du sol en est telle que dans tems humides et les saisons pluvieuses ils deviennent presque impraticables.

3. Il est aisé d'apercevoir les désavantages qui résultent de mauvais chemins dans le voisinage d'une ville qui comme *Québec* croit rapidement en population, et qui doit tirer de ses environs les articles nécessaires à ses besoins journaliers. Les mauvais chemins tendent, en certains tems, surtout l'automne et le printemps à empêcher à nos marchés le transport des provisions nécessaires aux habitans de cette ville et au grand nombre d'émigrés qui arrivent journellement pendant l'été; à décourager les manufactures déjà établies et à prévenir l'établissement de beaucoup d'autres, auxquelles le voisinage est si bien adapté par la nature; enfin à décourager l'agriculture et à causer une perte considérable de tems, et à exposer à des frais continuels; ce sont là quelques-uns des maux qui résultent du mauvais état des chemins.

4. La meilleure méthode à suivre, selon moi, pour améliorer les chemins dans le voisinage de *Québec*, seroit de les macadamiser d'une manière convenable, en posant d'abord un bon lit ou fondation de pierres plates et larges (les rebuts de la pierre à bâtir qu'on pourroit trouver en grande quantité aux carrières de *Beauport*), en couvrant celle-ci avec de petites pierres, et en faisant des fossés capables d'égoutter les chemins, surtout sur les endroits bas.

5. Je considère généralement parlant que cela est au-dessus des moyens des propriétaires des terres situées sur les dits chemins, et qu'ils ne peuvent les faire bon ou suffisans; ils ont déjà beaucoup fait, mais la modicité

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funds it is found out to be money thrown away and labour lost. I am of opinion that if the roads in question were once properly made there would arise no difficulty in keeping them in repair.

6. The number of Vessels coming from *Europe*, and the other British Colonies together with the number of Emigrants appears by the Harbour Master's Books as follows :—

Vessels.	Tons.	Passengers.
1817—306,	77112,	6730.
1818—368,	92936,	6562.
1819—630,	155518,	12907.
1820—576,	146175,	11239.
1821—418,	100646,	8050.
1822—586,	146188,	10468.
1823—542,	131412,	10258.
1824—603,	146581,	6575.
1825—762,	191614,	9007.
1826—694,	176792,	10731.
1827—603,	152764,	16862.
1828—701,	183255,	11697.
6769,	1704993,	123176.

of this number of men women and children, I conceive eight to ten thousand have taken up their abodes in *Quebec*.

7. The supplies of Provisions to the transient population I am of opinion are derived almost exclusively from the neighbouring Parishes.

Anthony Anderson, Esquire, of *La Canardière*, appeared, and answered :

1. I have been in this Country forty five years, out of which time I have resided twenty five years near the *Beauport* and *Charlesbourg* Roads.

2. The Roads in the Spring and Fall are so very bad that it is almost impossible to pass through them.

3. The disadvantages arising from the bad state of the Roads are many viz : Prevents the farmer from attending the Markets with produce, owing to the very great wear and tear of Cattle, Carts, Harnesses, &c.

4. The only mode of improving these roads is the well known system of macadamising.

5. No it does not lie in the power of the proprietors generally.

6. For these twelve years past, about the number of four to seven hundred Ships come to this Port, annually leaving an increase of population from six hundred to one thousand yearly—all of whom reside in and about the vicinity of *Quebec*.

7. From the neighbouring Parishes and Eastern Townships.

8. The present Road Act is insufficient in itself not providing by Law the necessary materials for repairing and keeping up of roads, but if once properly macadamised at Public expence, it is in the power of the Proprietors of Lands to maintain and keep up the same, by passing an Act compelling them to do so under the inspection of a person appointed for that effect.

9. The average price of Land, at four miles from *Quebec*, is worth at the rate of from fifteen to thirty pounds an Acre in the vicinity of *Charlesbourg* and *Beauport*, at which last place I reside ; as to the other parts about *Quebec*, the Gentlemen residing there are more competent to Judge than myself.

10. The preparations for macadamising by breaking Stones can be carried on in the winter to great advantage both to the poor and the public at large.

11. Numbers to whom it would be a source of relief.

Mr. *Anderson* also says, that all suits ought to be without costs before the Captain of Militia and two other

cité de leurs moyens a rendu inutiles leurs dépenses et leurs travaux. Je ne suis pas d'avis que si ces chemins étoient faits une fois, il n'y auroit aucune difficulté à les maintenir en bon état.

6. Ci-suit, d'après les livres du maître de port, le nombre de vaisseaux qui viennent d'*Europe* et des autres colonies britanniques, ainsi que le nombre des émigrés qui ont abordé dans le pays, savoir :—

Années.	Vaisseaux.	Tonneaux.	Passagers.
1817	306	77112	6790
1818	368	92936	8562
1819	630	155518	12907
1820	576	146175	11239
1821	418	100646	8050
1822	586	146188	10468
1823	542	131412	10258
1824	603	148581	6575
1825	762	191614	9097
1826	694	178792	10731
1827	603	152764	16862
1828	701	183255	11697
6789	1704993	123176	

De ce nombre d'hommes, de femmes et d'enfans, je conçois qu'il en est demeuré dix milles à *Quebec*

7. Je suis d'opinion que les provisions nécessaires à la population passagère se tirent presque exclusivement des paroisses des environs.

Anthony Anderson, écuyer, de la *Canardière*, comparait et répond :

1. Je demeure dans ce pays depuis quarante-cinq ans, sur lesquels j'ai résidé vingt-cinq ans près des chemins de *Beauport* et de *Charlesbourg*.

2. Les chemins sont si mauvais, l'automne et le printemps, qu'il est presque impossible d'y passer.

3. Les désavantages qui résultent du mauvais état des chemins sont en grand nombre, car cela empêche les cultivateurs de transporter leurs produits aux marchés, à cause des dommages auxquels sont exposés les bêtes de somme, les voitures, les harnois, &c. &c.

4. Le seul moyen d'amélioration convenable pour ces chemins, c'est d'adopter le système bien connu de *Macadam*.

5. Non, cela n'est pas au pouvoir du commun des propriétaires.

6. Pendant les douze années dernières il est venu à ce port entre quatre et sept cents vaisseaux, chaque année, ce qui pouvoit produire dans la population une augmentation annuelle de six cents à mille âmes, dont le tout réside dans la ville ou dans les environs de *Quebec*.

7. Des paroisses des environs et des Townships de l'Est.

8. L'acte présent des chemins est insuffisant en lui-même, en ce qu'il ne contient pas de disposition sur les matereaux à mettre en usage dans la réparation des chemins, mais s'ils étoient une fois macadamisés d'une manière convenable, aux frais du public, les propriétaires pourroient les tenir en bon état, si l'on passoit une loi pour les obliger à le faire, sous la surveillance d'une personne nommée à cet fin.

9. A quatre milles de *Quebec*, dans le voisinage de *Charlesbourg* et de *Beauport*, où je réside, le prix commun de la terre est de quinze à trente louis ; quant aux autres endroits aux environs de *Quebec* les Messieurs qui y demeurent sont plus à portée d'en juger que moi-même.

10. On peut péparer pendant l'hiver les pierres nécessaires au macadamisage, et cela tourneroit autant à l'avantage du public qu'à celui des pauvres qu'on emploieroit à cet ouvrage.

11. Ce seroit une source de soulagement pour un grand nombre d'entre eux.

M. *Anderson* dit aussi que toutes les poursuites pour les chemins doivent être faites sans aucuns frais, et portées

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other officers, and that the fines should not exceed ten shillings, which should be laid out upon Roads.

Charles Smith, Esquire, examined, answers :

1. I have resided in *Quebec* upwards of thirty years, and in the Neighbourhood of *Quebec*, on the Road leading to the Parish of *Charlesbourg*, upwards of twelve years.

2. The Roads in the neighbourhood of *Quebec* are generally in a very bad state, and so much so in the Spring and Fall of every year as to be nearly impassable.

3. The disadvantages arising from such a state of roads are obvious : they are injurious to the interests of the whole population of the Country, to the Agriculturist as well to the Inhabitant of the City : to the former they present an almost insurmountable obstacle to the constant, easy and ready conveyance of his produce to the City Markets, so essentially necessary to his Interests ; and to the latter, especially the poorer Inhabitants of the City, and evidently the most numerous, such a state of roads is greatly and manifestly prejudicial, inasmuch as the produce conveyed to Market, and of which they are the principal consumers, is there disposed of at a price evidently augmented in proportion to the risk and toil necessarily attendant upon the conveyance of it to Market by the Agriculturist in such a state of roads ; and again this augmentation of the price of produce is no real gain to the farmer altho' an evident loss to the consumer, for to the farmer it is by no means an adequate compensation for the additional wear and tear of Horses and Harnesses, &c. and risk and toil imposed upon him in the conveyance of his produce to Market in such a state of roads.

4. In my opinion the best and almost the only method of improving the roads so much travelled upon as those in the immediate neighbourhood of *Quebec*, is according to the well known plan of *Macadam*.

5. I am quite prepared to say, that is not within the private means of proprietors of the lands lying on these roads, to make them in good repair from the state in which those roads now are ; but I am of opinion that once these roads are made according to the plan of *Macadam*, they might be kept up at the private expence of the proprietors of land adjoining them, provided new Legislative enactments be made to enforce it.

6. For several years past the number of Ships coming from *Europe*, and from the other British Colonies, average from about five hundred and fifty to seven hundred, bringing with them an immense yearly increase of population to the *Canadas*, and of course in a partial degree increasing also the population of the port and city of *Quebec*. The annual augmentation at the Port and City, is very considerable, taking the average of the number of Ships at six hundred and allowing an average of fifteen men to each, nine thousand ; besides these there may be very safely counted ten thousand Emigrant, who although the majority of these make but a short stay at *Quebec*, must be fed whilst here, and who generally leave as a permanent augmentation of the population of the City seven hundred Souls.

7. The Markets of the City are supplied with provisions generally from the Country Parishes in the neighbourhood of *Quebec*, a great proportion of the supply of Cattle is derived from the Eastern Townships and from the *United States*.

8. It seems to me that the division of labour on the public highways or *chemins de front*, is unjustly onerous in a great many cases, and I would suggest that the labour on the roads should be imposed upon each proprietor in proportion to the total number of Acres of Land, possessed by each proprietor on the several roads, and not as at present according to the extent of front of each proprietor's land.

portées devant le Capitaine de Milice et deux autres Officiers, et que les amendes ne devroient pas excéder la somme de dix chelins, applicables aux chemins.

Charles Smith, écuyer, est examiné et répond :

1. J'ai résidé à *Québec* plus de trente ans, et dans le voisinage de *Québec*, sur le chemin qui conduit à la paroisse de *Charlesbourg*, depuis plus de douze.

2. Les chemins dans le voisinage de *Québec* sont généralement dans un très-mauvais état, et l'automne et le printemps ils le sont au point de devenir impraticables.

3. Les désavantages qui résultent d'un pareil état des chemins sont évidens : ils sont nuisibles aux intérêts de la population en entier, aux cultivateurs aussi bien qu'aux habitans de la ville ; aux premiers ils présentent des obstacles presque insurmontables à la facilité et à la promptitude des transports journaliers qu'il a à faire aux marchés de la ville ; ce qui est pour du premier intérêt : quant aux derniers, surtout les classes pauvres de la ville et qui toujours sont les plus nombreuses, un pareil état des chemins leur est grandement et évidemment préjudiciable, en autant que les produits portés aux marchés, dont ils sont les principaux consommateurs, y sont vendus, comme de raison, à un prix plus haut et proportionné aux risques et à la fatigue, auxquels le cultivateur est sujet en les transportant sur le marché par de pareils chemins : encore cette augmentation de prix n'est pas un vrai profit pour le cultivateur, et est une perte certaine pour le consommateur, car pour celui-là ce n'est pas du tout une compensation proportionnée pour les frais additionnels qu'il en coûte en bêtes de somme, en harnois, &c. et pour le risque et la fatigue auxquels il est sujet, dans le transport de ses produits au marché, par de tels chemins.

4. Dans mon opinion la meilleure et la seule méthode d'amélioration à suivre, pour des chemins aussi fréquentés que ceux qui sont dans le voisinage immédiat de *Québec*, c'est le plan bien connu de *Macadam*.

5. Je dis sans hésiter qu'il est hors des moyens des propriétaires des terres situées sur ces chemins de les mettre en bon état de réparation, d'après la condition où ils se trouvent aujourd'hui. Mais je suis d'opinion que s'ils étoient une fois faits sur le plan de *Macadam*, ils pourroient être réparés aux frais des propriétaires des terres qui y sont situés, pourvu qu'il fût passé une loi pour les y obliger.

6. Ces années dernières le nombre commun de vaisseaux venus d'*Europe* et des autres colonies britanniques, a été d'environ cinq cent cinquante à sept cents, amenant avec eux annuellement dans les *Canadas* une immense augmentation de population, et augmentant par conséquent jusqu'à un certain point la population du port et de la cité de *Québec*. L'augmentation annuelle du port et de la cité a du être très-considérable, si l'on prend pour nombre moyen celui de six cents vaisseaux, et pour nombre moyen des personnes celui de quinze, ou neuf mille ; on peut compter en outre, avec sûreté, dix mille émigrés qui pour la plupart, il est vrai, ne font qu'un court séjour à *Québec*, mais qui, pendant le temps qu'ils y demeurent, doivent y être nourris, et qui généralement nous laisse une augmentation permanente de sept cents âmes.

7. Ce sont les paroisses aux environs de *Québec* qui pourvoient généralement de denrées le marché de la cité ; on tire une grande partie de la viande des Townships de l'Est et des *Etats-Unis*.

8. Il me semble que la division du travail sur les grands chemins publics ou chemins de front est onéreuse ou injuste dans un grand nombre de cas, et je suggérerois d'imposer le travail pour les chemins, sur chaque propriétaire à proportion du nombre d'acres de terre que possède chaque propriétaire sur les différens chemins, et non comme c'est le cas présentement d'après l'étendue qu'a en front la terre de chaque propriétaire.

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9. From six to eight pounds per Acre.
10. Undoubtedly.
11. A great number would be happy to be so employed on very moderate terms.

William Holmes, M. D. examined, said: Mr. Chairman, nothing marks the stage of civilization of any Country more than the state of the Roads, the ancient Romans have left theirs as Imperishable monuments of their civilization, probably more lasting than modern ones; the present road law is totally insufficient to keep in repair the roads near *Quebec*, as all the Roads in the Country coming to a nucleus or point at *Quebec*, increase the wear and tear of the said Roads, to the heavy expense and labour of the Individuals living in the vicinity of *Quebec*. That in the Fall and Spring the Citizens of *Quebec* are little better than Prisoners of the King's Bench, obliged from the badness of the roads, to live within certain limits. In my professional avocations for nearly forty years frequently the carriage horses have sunk and lain down in the deep ruts of old *Lorette* and *Beauport* Roads, particularly in the fall and spring, and my opinion is were we to be visited by a well informed observant Foreigner, he from the state of our Roads would consider us as living in the darkest age of Barbarism. Let the Citizens of *Quebec*, in their slow march of Intellect attend to the first degrees of amelioration of their Roads, Turnpikes and Macadamising, leaving the higher degrees of tunnelling and rail ways to our Sister City or others possessing certain localities of situation or more commercial enterprise. So it is now full time that the trammels of rooted prejudices, old customs and usages should be broken through and experienced benefits substituted; our winter roads have and are now experiencing all the evils by the continuation of the prejudices in the structure of our winter carriages; in the *United States* and *Upper Canada*, there are no cahots from the adoption of proper carriages. In a civilized state there is no object or measure of political economy so essential to the public welfare as good roads. Nay they have a moral tendency by facilitating the intercourse of society and the attendance on divine public worship.

Jean Baptiste Larue, Road Surveyor examined, states:

1. I have resided at *Quebec* upwards of forty years.
2. The state of the Roads in the Neighbourhood of *Quebec* is in general very bad, being most commonly of a clayey and muddy soil, they are not firm, and the least rain spoils them, so that in rainy seasons they become almost impassable and sometimes dangerous. The quantity of large stones used to mend them, instead of doing so has made them worse.
3. The disadvantages resulting therefrom are the delays, fatigue and even danger to travellers, the destruction of carriages and harnesses. The discouragement of the Country people from bringing their commodities to Market, not being able frequently to bring more than half a load, and the inevitable consequence of a rise in the prices of these very commodities, and finally the delay occasioned to the public service.
4. There are two different means of improving these roads, first by repairing them thoroughly at the public expense, by Macadamising them, or by establishing Turnpikes, the Tolls of which would be applied to this purpose.
5. There might possibly be some proprietors upon these roads who would have the means of repairing them and upholding them by making great sacrifices, but

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9. De six à huit Louis l'acre.
10. Sans aucun doute.
11. Un grand nombre seraient bien aises d'être employés à des gages très modiques.

William Holmes, M. D. ayant été examiné, dit: M. le Président, il n'y a rien comme l'état des chemins pour marquer le degré de civilisation où en est rendu un pays; les anciens Romains ont laissé dans les leurs des monumens impérissables de leur civilisation, et qui probablement sont plus durables que ceux des modernes. Les lois maintenant en force sont tout-à-fait insuffisantes pour réparer les chemins aux environs de *Québec*, car tous les chemins du pays aboutissant à *Québec* comme à un centre augmente l'usage des dits chemins et les détériore, ce qui expose les habitans du voisinage de *Québec* à des frais considérables et à grand travail. L'automne et le printemps les citoyens de *Quebec* ne sont guère mieux situés que les prisonniers de la Cour du Banc du Roi, et sont obligés, vu le mauvais état des chemins de vivre resserrés en dedans de certains limites. Dans la pratique de ma profession, depuis près de quarante ans, j'ai vu souvent, surtout l'automne et le printemps, les voitures et les chevaux tomber et rester au fond des ornières dans les chemins de l'*Ancienne Lorette* et de *Beauport*, et je crois que si un étranger éclairé et observateur les visitaient, il jugerait que nous vivions encore dans un état de vraie barbarie. Que les citoyens de *Québec*, dans la marche tardive de leur intelligence appliquent à leurs chemins les premiers degrés d'amélioration, les chemins de barrière et le macadamisage, laissant les chemins souterrains (tunnel) et les chemins de fer à leur sœur cité et aux autres qui possèdent certaines localités plus favorables et plus d'esprit mercantile. Ainsi il est grandement temps d'abattre les entraves de préjugés gothiques, et que d'anciens usages et de vieilles coutumes fassent place aux améliorations d'une expérience éclairée. Nos chemins d'hiver font éprouver tous les inconvéniens de l'ancienne manière dont nos voitures d'hiver sont construites. Dans les Etats-Unis et dans le Haut-Canada, on a adopté des voitures d'hiver convenable, et l'on n'y rencontre pas de cahots. Dans l'état civilisé, il n'est objet ni mesure d'économie politique aussi essentiels au bien être public, que de bons chemins. Bien plus, ils sont avantageux aux bonnes mœurs, en facilitant le commerce de la société et la fréquentation du service divin.

Jean Baptiste Larue, Inspecteur des Chemins, est examiné et répond:

1. Je réside à *Québec* depuis quarante ans et plus.
2. L'état des chemins dans le voisinage de *Québec* est en général très mauvais, étant généralement sur un sol glaiseux, vaseux et fangeux; ils n'ont nulle solidité, et la moindre pluie les détériore de manière que dans les saisons pluvieuses ils deviennent presque impraticables et quelquefois même dangereux. La quantité de grosses pierres qu'on y a employé, loin de les améliorer, n'a fait que les rendre encore pires.
3. Les désavantages qui en résultent, sont les retards, fatigues, et même dangers pour les voyageurs, la destruction des voitures et harnois, le découragement des habitans des campagnes d'apporter leurs denrées aux marchés de la ville, ne pouvant porter bien souvent qu'à demi charge; et la conséquence inévitable de la hausse dans les prix de ces mêmes denrées; enfin le retard dans le service public.
4. Deux seuls moyens d'améliorer ces chemins se présentent; l'un de les réparer de fond en comble aux dépens du public en les pierrotant ou macadamisant, ou d'y établir des barrières dont le produit serait appliqué à leur entretien.
5. Il se pourrait bien qu'il y eut quelques propriétaires de terres sur ces chemins en état de les réparer et de les maintenir en faisant de grands sacrifices pécuniaires.

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but besides the injustice of requiring this from them exclusively, I have reason to believe the Public would not much benefit by it. In my opinion all the work done upon Roads should be after some determinate plan.

6. The average number of Vessels arriving annually at the Port of *Quebec*, is about six hundred and fifty, and that of their Crews at about twelve thousand, to which must be added the number of Emigrants which these Vessels bring, which may be about six or seven thousand, so that the increase of the population of *Quebec*, during the navigable season, is two thousand at least.

7. The places from which the greatest supply of provisions is derived for this transient population, are the Parishes on the South side of the River such as *Point Levi, Saint Henri, la Nouvelle Beauce, Saint Nicholas, Saint Antoine* and *l'Île d'Orléans*, excepting however Butchers' meat of which a great quantity is supplied by the Butchers at *Quebec*.

8. I beg to be permitted in answer to this Question to refer the Committee to some general reflexions which I shall take the liberty of submitting hereafter.

9. It would be difficult to answer this, the price of Lands varying according to the nature of the soil: I should however be inclined to think that the average price of land, at four miles from *Quebec*, would be from four to five pounds on Acre.

10. In my opinion the winter would be the most suitable time for making the preparations necessary for so considerable an undertaking as that contemplated.

11. Yes; a great number of persons might be found who would be very glad to have work during the winter, and who would work at a cheaper rate than in summer.

12. The quantity of broken stones required to Macadamise a mile of roads, would be about fifty thousand Bushels.

13. Referred to the following reflexions respectfully submitted:—The bad state of the roads in the neighbourhood of *Quebec*, is not only owing to the quality of the soil, but to several other causes which contribute thereto. And among others the chief causes are the immense number of carriages which are constantly on the Roads; the thinness of the wheels of those carriages which make deep ruts when they are heavily laden or the ground soft: these carriages being only drawn by one single horse; and the bad practice which the conductors of them have of allowing their horses to go as they think proper, so that they naturally follow the track of those which preceded them on all occasions: When the depth of the ruts compel the drivers to go into another track which in time becomes also impassable—and from one day to another become in the worst possible state. I find that in *England* the introduction of broad wheels is much encouraged, and that upon several Turnpike roads a fine is imposed upon every driver who follows the track of his predecessor. But in general in *Europe*, the greatest number of carriages are upon four wheels or are drawn by two, three or four horses. I am induced to believe that the winter would be the best season for making the necessary preparations for the intended work. In that season the stone which may be required can be drawn from the quarries, be taken to the places where they are intended to be used by the horses or carriages of the parties interested, in which are included the Inhabitants of the neighbouring parishes, such as *St. Foy, the two Lorettes, Charlesbourg and Beauport, &c.* from each of whom a *corvée* of two days might be exacted with their carriages and who would all prefer these occasional *corvées* to the obligation of the payment of Toll at the Gates, and this assistance would lessen the expence by about thirty per cent, and would not interfere with the Agricultural labours—The stones being all broken upon the spot, the work might begin early in the spring, and I dare say the expense would not exceed four hundred to four hundred and fifty pounsp

aires, mais outre l'injustice qu'il y aurait peut-être à l'exiger d'eux exclusivement, j'ai tout lieu de croire que le public n'y gagnerait pas beaucoup. A mon opinion, tout l'ouvrage doit être uniforme.

6. On peut prendre pour terme moyen des vaisseaux qui fréquentent annuellement le Port de Québec, 650, et porte à-peu-près à 12,000 le nombre des hommes dont leurs équipages sont composés, à quoi il faut ajouter le nombre des émigrans que ces vaisseaux amènent, se montant à 6 ou 7000, de sorte qu'on peut estimer l'augmentation annuelle de la population de *Québec*, durant le cours de la navigation, à 2000 au moins.

7. Les parties ou places qui contribuent le plus à fournir les provisions nécessaires à cette population passagère, sont les paroisses du sud du fleuve, telles que *la Pointe Lévi, St. Henri, la Nouvelle Beauce, St. Nicholas, St. Antoine* et *l'Île d'Orléans*; si l'on en excepte pourtant la viande de boucherie dont une grande partie est fournie par les bouchers de *Québec*.

8. Je demanderai qu'il me soit permis de référer pour ma réponse à cette question, à quelques réflexions générales que je prendrai la liberté de soumettre au bas de ces réponses.

9. Il meserait difficile de répondre à ceci, le prix des terres variant suivant la nature du sol; je serai pourtant porté à croire que le prix moyen des terres à quatre milles de *Québec*, n'excederait pas de 4 à 5 l'arpent.

10. A mon opinion, l'hiver serait la saison la plus propice pour faire les préparatifs nécessaires à des travaux aussi considérables que ceux en contemplation.

11. Oui; Non seulement on pourrait trouver dans les fauxbourgs de *Québec*, grand nombre de personnes qui se trouveraient bien heureux d'avoir de l'ouvrage durant l'hiver, mais encore qui le feraient à meilleur marché que dans l'été.

12. La quantité de pierres cassées requise pour macadamiser ou pierrotter un mille de chemin, peut se monter à 50,000 minots.

13. Référée aux réflexions suivantes, soumises respectueusement:—

Le mauvais état des chemins dans le voisinage de *Québec* n'est pas seulement dû à la qualité du sol; plusieurs autres causes y contribuent pour beaucoup. Parmi ces dernières, les principales sont le nombre énorme de voitures qui y passent et repassent continuellement; la tenuité des roues de ces voitures, qui pour peu que la terre soit tendre et que la charge soit forte, font des ornières profondes, l'atelage de ces voitures ne consistant qu'en un seul cheval; enfin la mauvaise habitude que les conducteurs de ces voitures ont de laisser aller leurs chevaux comme ils veulent; de manière que ces animaux suivant naturellement la trace de ceux qui les ont précédé, ne la quitte plus que lorsque la profondeur des ornières force enfin ceux qui les guident d'en tracer une autre, laquelle étant pareillement suivie, se trouve bientôt pareillement impassable et d'un jour à l'autre, tel chemin soigneusement réparé la veille est le lendemain dans le plus mauvais état possible. J'apprends qu'en Angleterre on encourage le plus que l'on peut l'introduction des roues larges, et que sur bien des chemins à barrières on impose un amende à tout conducteur de voiture qui suit la piste de celui qui le précède. Mais en général, en Europe le plus grand nombre de voitures portent sur quatre roues ou sont attelées de deux, trois, ou quatre chevaux avec timon. Tout me porte à croire que l'hiver serait la saison la plus favorable pour faire les préparatifs nécessaires aux travaux en vue. Dans cette saison on peut par le moyen des mines tirer des carrières les pierres dont on a besoin; les faire transporter sur les lieux où elles doivent être employées par les chevaux et voitures des intéressés, dans lesquels sont compris les Habitants des Paroisses voisines, telles que *St. Foy, les deux Lorettes, Charlesbourg, Beauport, &c.* de chacun desquels on pourrait exiger deux journées de corvées avec leurs attelages, et que tous préféreraient cette corvée passagère à l'obligation du paiement de péage aux barrières.

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pounds per mile, including the slabs which it might be necessary to use in muddy places as the ground work for laying on the stone—As to the amount of wages allowed to the breakers of stone, it cannot be fixed as they are paid two to three coppers a bushel according to the quality of the stone.

Edward Burroughs, Esquire, examined, says :

1. I have resided within the City and Banlieu of *Quebec*, for the last seventeen years.

2. The state and general condition of the Roads in the neighbourhood of *Quebec* are bad. The nature of the soil is such being generally of a clayey surface that when left exposed to the operation of the rains and subject to the effects of the frost, the clay soon becomes soft and readily yields under the pressure of the animal and carriage, and speedily becomes a soft deep mud, and sometimes of a texture extremely difficult to pass through and particularly so in the larger thorough fares in the vicinity of *Quebec*.

3. The disadvantages arising from the present state of the Roads are the total impossibility there exists in communicating with either vehicle of burden or pleasure between the Country in the vicinity of *Quebec*, and the City of *Quebec*, during the Spring and Autumn, and also during the entire rainy part of the summer months: the consequent inconvenience to all and the great expense attending the bringing to the Markets of *Quebec*, the bulky products of the soil and especially the produce and manufacture of the Farmer and Country Mechanic; operate in a great measure a prohibition to the use of such Articles in the City of *Quebec*, during the seasons above alluded to.

4. I think the best means of ameliorating the Roads will be to Macadamise them effectively.

5. I do not think that the proprietor of lands lying immediately upon the roads within ten or fifteen miles of *Quebec*, is able to support the expense necessary to put the Roads in a proper state of repair. But I am of opinion that if the Roads were once properly macadamised and some legislative provisions made to meet the subject, the entire population of the Parishes through which these Roads may pass taken collectively will be able to keep them in perfect order.

6. I am not so well qualified to answer this question as many gentlemen of this City who are more immediately engaged in commercial pursuits.

7. The same answer as the last.

8. From the constant application of my time to the discharge of my duties as one of the joint Prothonotaries of the Court of King's Bench for the District of *Quebec*, I have not given my attention sufficiently to the subject in Question to hazard any specific answer to so general a question as the present.

9. I cannot say.

10. Certainly and at a much cheaper rate than in the summer season.

11. I think there are a great number of persons in the City and Suburbs of *Quebec*, who may be advantageously employed in breaking stone during the winter season for macadamising the Roads in this vicinity.

Peter Patterson, Esquire, examined, says :—

1. About twenty five years.

2. In rainy weather extremely bad, almost impassable in many places.

3. It prevents a communication between different parts of the Country, it prevents the farmers from bringing in their produce to Market, and it prevents the materials that are wanted for building in the Cities and Towns from being brought in only at a great expence.

4. If the people are able to repair the Roads that lead

et cette assistance diminuerait d'au moins 30 pour cent la dépense, et n'interfererait pas avec les travaux de l'agriculture; les pierres étant toutes cassées sur les lieux, les travaux pourraient se commencer dès le printemps, et j'ose croire que dès lors la dépense n'excéderait pas £100 ou £150 par mille y compris les croutes qu'il serait nécessaire d'employer dans les endroits vasseux pour consolider le fond du pierrotage.

Quant au montant des gages alloués aux casseurs de pierre, il ne peut être fixée, attendu qu'ils sont payés à raison de 2 sols à 3 sols par minot, suivant la qualité de la pierre.

Edward Burroughs, écuyer, étant examiné, dit :

1. Je réside depuis dix-sept ans dans la cité et le banlieue de *Québec*.

2. Dans le voisinage de *Quebec* les chemins sont généralement dans un très mauvais état. La nature argileuse du sol fait que lorsqu'il est exposé à l'action de la pluie et sujet aux effets de la gelée, il perd promptement sa solidité, obéit facilement à la pression des animaux et des voitures, et se convertie en peu de temps en un borbier profond, et quelquefois d'une telle consistance qu'il est extrêmement difficile de s'en retirer, et cela surtout dans les grandes routes aux environs de *Québec*.

3. Les désavantages qui résultent de l'état actuel des chemins, sont l'entière impossibilité qu'il y a de communiquer, soit en voiture de charge, soit en voiture de luxe, entre les campagnes aux environs de *Québec* et la cité elle même, pendant l'automne et le printemps, aussi bien que durant les mois pluvieux de l'été; les inconvénients qui s'en suivent pour tous, et les frais considérables qui accompagnent le transport des gros produits du sol au marché de *Québec*, et surtout des produits et des articles fabriqués par les cultivateurs et les artisans de la campagne; enfin la prohibition qu'ils mettent en grande partie à l'usage de ces articles, dans la cité de *Québec* pendant les saisons dont il a été parlé.

4. Je crois que le meilleur moyen pour améliorer ces chemins, serait de les bien macadamiser.

5. Je ne crois pas que les propriétaires des terres situées sur les chemins, à dix et quinze milles de *Québec*, soient en état de faire les dépenses nécessaires pour mettre les chemins en bon état de réparation. Mais je suis d'opinion que si les chemins étaient une fois macadamisés d'une manière convenable, et que si l'on faisait quelque affectation législative à cette fin, la population entière des paroisses où passent ces chemins, pourrait, prise collectivement, les entretenir en bon état.

6. Je ne suis pas en état de répondre à cette question, comme plusieurs Messieurs de cette ville qui sont engagés dans les affaires de négoce.

7. La même réponse que la dernière.

8. L'application continue que j'ai donnée à l'exercice de mes devoirs, comme un des Prothonotaires de la Cour du Banc du Roi pour le District de *Québec*, ne m'ayant pas permis de donner une attention suffisante au sujet en question, je n'ose faire aucune réponse circonstanciée à une question aussi générale que la présente.

9. Je ne saurais dire.

10. Certainement, et à beaucoup meilleur marché que pendant l'été.

11. Je crois qu'il y a un grand nombre de personnes dans la cité et les faubourgs de *Québec*, qu'on pourrait employer avec avantage pendant l'hiver, à casser de la pierre pour macadamiser les chemins dans ces environs.

Peter Patterson, écuyer, étant examiné, dit :

1. Depuis environ vingt-cinq ans.

2. Extrêmement mauvais dans les temps pluvieux, et presque impraticables en quelques endroits.

3. Cela empêche la communication entre les différentes parties du pays le transport des produits du cultivateur aux marchés, et fait que les matériaux nécessaires pour bâtir dans les villes n'y peuvent être transportés qu'à grands frais.

4. Si les gens sont capables de réparer les chemins qui

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lead to the Cities and Towns which many I believe are not, it is a very unjust tax upon them to keep these roads in repair.

5. Between six and seven hundred.

6. I am but little acquainted with this subject, I should suppose that about two thirds of the supplies of Provisions and Cattle come from the Townships and by way of the Townships.

Mr. Joseph Gagné, of St. Rock's, Suburbs answers :

1. I have resided in the Suburbs of St. Roc, for the last thirty years.

2. Very bad, muddy, soft and often impassable and even dangerous.

3. The result is that travelling is impeded and that the horses cannot draw more than half a load, employing double the time that would be required if the roads were good—I have a farm at Gros Pin, and I have often been prevented from going thither by the badness of the Roads.

4. I think the best means would be to macadamise them, by putting slabs in the parts that are swampy under the stones. The Roads should not be above twenty feet wide between the ditches—where they are wider they cannot be drained properly.

5. That is not possible ; it would be the ruin of the farmers, and the farms hardly produce sufficient to keep the Roads in repair.

6. No answer.

7. All the Parishes near Quebec.

8. If the Roads were good the commodities would be cheaper, and the bad state of the Roads at certain times of the year increases the price of commodities without the farmer benefitting thereby, for the wear and tear of carriages and harnesses, and the time lost absorbs more than the additional price obtained.

9. I cannot say.

Mr. J. B. Denis, appeared, and said :

1. I have resided at the Gros Pin, for the last fifteen years.

2. I have been six years and am still Sous Voyer, the Roads are always bad whenever it rains, especially at La Canardière and Charlesbourg—As Sous Voyer, I have had an opportunity of perceiving that there has been a great deal of negligence, and that it is impossible to have the ditches made.

3. Travelling becomes difficult and costly, frequently the carriages are broken.

4. It would be first to keep the ditches in proper repair, and then to raise them in the middle and to have them covered with broken stone.

5. Certainly not, they could only assist.

6. No answer.

7. All the Parishes near Quebec.

8. There are Inhabitants as far as Lake Duchesnay, who are bound to keep up their share of these Roads,—the expense of coming to Town is very high for them.

9. I cannot say.

Jean Baptiste Renaud, Captain of Militia, examined, answered :

1. I have resided at Charlesbourg, for the last thirty five years.

2. Very bad—I think this is owing in a great measure to a defect of the Law, which does not give the power of compelling the proprietors to cover them with stone, the only effectual means of improving them.

3. That greatly augments the price of commodities, because it is only those who are provided with proper carriages who can come at all times.

4. To have them covered with broken stone after the ditches are properly made and the ground prepared to receive them.

qui conduisent aux villes, et je crois qu'un grand nombre ne le sont pas, c'est leur imposer une taxe et une charge bien injuste que de les obliger à entretenir ces chemins.

5. Entre six à sept cents.

6. C'est ce que je connais guère ; je suis pourtant porté à croire que deux tiers des denrées et des bestiaux viennent des Townships, et par la voie des Townships.

M. Joseph Gagné du faubourg St. Roch, répond :

1. Je réside dans le faubourg St. Roch depuis trente ans.

2. Ils sont bien mauvais, boueux, moux, souvent impraticables, et même périlleux.

3. Le résultat en est qu'on n'y peut voyager, et que les chevaux n'y peuvent trainer plus qu'une demi charge, et emploient le double du temps qu'il faudrait si les chemins étaient bons. J'ai une terre au Gros-Pin, et les mauvais chemins m'ont souvent empêché d'y aller.

4. Je crois que le meilleur moyen serait de les macadamiser, en ayant le soin de mettre des dosses (croutes) sous les pierres dans les endroits marécageux. Les chemins ne devraient pas avoir plus de vingt pieds de largeur entre les fossés—où ils sont plus larges il est impossible de les égouter d'une manière suffisante.

5. Cela n'est pas possible ; ce serait la ruine des cultivateurs, et les terres produisent à peine ce qu'il faudrait pour entretenir les chemins en bon état.

6. Point de réponse.

7. De toutes les paroisses aux environs de Québec.

8. Si les chemins étaient bons les commodités de la vie seraient à meilleur marché, et en certaines saisons de l'année le mauvais état des chemins fait hausser le prix des commodités, sans que le cultivateur en retire aucun gain, car ce qu'il use et brise de haras et de voitures, sans compter la perte de temps, absorbe plus que le prix qu'il obtient au surplus.

9. Je ne saurais dire.

M. J. B. Denis, comparut et dit :

1. Je réside au Gros-Pin, depuis quinze ans.

2. J'ai été sous-voyer six ans, et je le suis encore. Les chemins deviennent mauvais toutes les fois qu'il pleut, surtout ceux de la Canardière et de Charlesbourg. Comme sous-voyer, j'ai eu occasion de m'apercevoir qu'il y avait beaucoup de négligence, et qu'il est impossible de faire faire les fossés.

3. Il devient difficile et coûteux de voyager, et souvent les voitures se brisent.

4. Il faudrait commencer par bien entretenir les fossés, élever les chemins du milieu et les couvrir de pierres cassées.

5. Assurément non ; ils ne pourraient qu'aider.

6. Point de réponse.

7. De toutes les paroisses aux environs de Québec.

8. Il y a des habitants jusu'au Lac Duchesnay, et ils sont obligés de contribuer leur part à la réparation de ces chemins. Il leur en coûte beaucoup pour se rendre à la ville.

9. Je ne saurais dire.

Jean-Baptiste Renaud, Capitaine de Milice, étant examiné, répondit :

1. Je réside à Charlesbourg depuis trente-cinq ans.

2. Ils sont très-mauvais. Je crois que cela est dû en grande partie aux défauts de la loi, qui ne donne pas le pouvoir de forcer les propriétaires à les couvrir de pierres, ce qui est le seul moyen de les améliorer.

3. Cela augmente de beaucoup le prix des commodités de la vie ; car il n'y a que ceux qui sont pourvus des voitures convenables, qui puissent venir en tous temps.

4. Ce seroit de les couvrir de pierres cassées, après avoir fait de bons fossés et bien préparé la terre à recevoir ces pierres.

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5. They have not the means of making them, they could only keep them in repair after they have been made as they ought to be.

6. No answer.

7. From all the Parishes near *Québec*.

8. One of the causes which prevents the Roads being kept in repair arises in a great measure from the enormous expense which is incurred at the Prothonotaries' office, when it is found necessary to prosecute those who neglect or refuse to perform their duty upon these Roads, the *Sous Voyer* being unwilling to expose them to this heavy expense.

9. I cannot say.

William Sheppard, Esquire, appeared and answered :

1. I have resided the last sixteen years in the parish of *Quebec*.

2. The state and condition of the Roads in the neighbourhood of *Quebec* are in general bad ; particularly in such parts of them as lead through land of a clayey nature : such as on the *Ste. Foi* Road as far as the Church : the greater part of the Road leading to *Ancienne Lorette* on both sides of the River *St. Charles*, from *Scott's Bridge* to the high land in *St. Ambroise*, from *Dorchester Bridge* towards *Charlesbourg* about four Miles ; on the *Beauport* Road, as far as *McCallum's Mills*, and on such part of *Sillery* Road, as far as Mr. *McNider's*, which has not been substantially made by the proprietors, &c. The conditions of the existing Laws are supposed to be fulfilled, in occasionally filling up the deepest ruts with any materials nearest hand, such as soft earth, weeds, chips, turf and other such substances totally unfit for the purpose.

3. The disadvantages principally are that in the Spring and Autumn and in rainy seasons such as the last, the Roads get into a state nearly impassable : causing the Markets at such times to be ill supplied, consequently dearer than they otherwise would be. This must naturally act in a manner detrimental to commerce, causing supplies of provisions to the transient population visiting this Port, to be more costly than they would be were the roads in a constantly passable condition.

4. The Roads would best be rendered permanently good and fit for constant travel, by forming them on the principle recommended by *Macadam* : they should be laid dry and flat in the breadth of the road, and coated to the thickness of eight or ten inches of hard stone broken small, the pieces not over six ounces in weight.

5. It does not lie within the means of the adjoining proprietors generally to form the roads on that system, it being too expensive, but they probably might be required to contribute a portion of personal and cart labour according to the extent of their property on the road. The proprietors are supposed to be equal to the subsequent repairs of the roads after being properly formed : the repairs should be made with similar small stones, and not with other unfit materials.

6. The number of ships annually arriving at this Port may be estimated at an average of six hundred : the augmentation of population in the City and Port from this cause will be about nine thousand : there is also a transient increase of population occasioned by the arrival of Timber at this Market, to the extent of about five thousand men. These remain on an average each a month in *Quebec*.

7. The transient population is principally supplied with provisions from the neighboring Parishes, and by the settlements on the south shore of the *St. Lawrence*, some supplies of Beef come from the Eastern Townships.

8. Good Roads would advance the Interests of the agriculturist, and improve the value of Land in the District of *Quebec*, north of the *St. Lawrence*.

9.

5. Ils n'ont pas les moyens de les faire, seulement ils pourraient les entretenir après qu'ils auraient été faits, comme ils doivent l'être.

6. Point de réponse.

7. De toutes les paroisses aux environs de *Québec*.

8. Une des causes qui empêchent les chemins d'être bien entretenus sont, en grande partie les frais énormes qu'il faut payer au Greffe, lorsqu'il est nécessaire de poursuivre ceux qui refusent de remplir leurs devoirs sur les chemins ; les *Sous-voyers* ne veulent pas les exposer à payer de si grands frais.

9. Je ne saurais dire.

William Sheppard, écuyer, comparut et répondit :

1. Je réside dans la paroisse de *Québec* depuis seize ans.

2. Les chemins aux environs de *Québec* sont généralement mauvais, surtout dans les endroits où ils passent par un sol argileux, telle est la partie du chemin de *Ste.-Foi* à aller jusqu'à l'église, et la plus grande partie du chemin qui conduit à *l'Ancienne-Lorette*, chaque côté de la rivière *St.-Charles* ; depuis le Pont *Scott* jusqu'aux terres hautes dans *St.-Ambroise* ; depuis le Pont *Dorchester* jusqu'à *Charlebourg*, dans une distance de quatre milles ; sur le chemin de *Beauport* jusqu'aux moulins de *McCallum*, et le chemin de *Sillery* à aller jusque chez M. *McNider*, lequel n'a pas été solidement fait par les propriétaires, &c. On croit remplir les conditions des lois existantes, en comblant les plus grands trous avec les matériaux les plus à la main, comme de la terre molle, des branches, des copeaux, du gazon et telles autres substances aussi peu propres à cet objet.

3. Les principaux désavantages sont que le printemps et l'automne et dans les saisons pluvieuses, telles que la dernière, les chemins deviennent presque impraticable, ce qui empêche les marchés d'être bien pourvus pendant ces temps, et fait conséquemment hausser les prix bien plus qu'il n'en seroit sous d'autres circonstances. Tout naturellement cela doit être nuisible au commerce, en obligeant la population passagère qui visite ce port à payer les provisions plus cher qu'elle les payerait si les chemins étaient toujours praticables.

4. Le meilleur moyen de rendre les chemins bons et durables, capables de résister à un charriage continu, seroit de les faire sur le plan de *Macadam* ; il faudroit les assécher et les applaquer au milieu, et les couvrir d'une couche de pierres cassées de huit à dix pouces d'épaisseur ; chaque morceau de pierre ne devant pas peser plus de six onces.

5. Il est hors des moyens du commun des propriétaires de faire les chemins sur le plan de *Macadam*, étant beaucoup trop coûteux, mais on pourrait, peut-être, les obliger à contribuer au travail manuel et au charriage, à proportion de l'étendue de leurs terres sur les chemins. Il est à supposer que les propriétaires devront travailler également aux réparations subséquentes, lorsque les chemins auront été une fois faits d'une manière convenable. Les réparations devront être faites avec des petites pierres semblables, et non pas avec d'autres matériaux nullement convenables.

6. On peut estimer à six cents le nombre moyen des vaisseaux qui viennent annuellement à ce port ; et l'augmentation de population que cela opère dans la cité et au port peut être de neuf mille : il y a aussi une autre source d'accroissement pour la population passagère, c'est l'arrivée des bois de commerce, qui amène environ cinq mille hommes, et on peut calculer à un mois le temps que chacun d'eux demeure à *Québec*.

7. La population passagère tire la plus grande partie de ses provisions des paroisses aux environs de *Québec*, et des établissemens au sud du *St.-Laurent* ; il vient aussi de la viande des *Townships de l'Est*.

8. Les bons chemins avanceraient les intérêts des cultivateurs, et augmenteraient la valeur des terres dans le district de *Québec* au nord du *St.-Laurent*.

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9. The average price of Land at the distance of four miles from *Quebec* is about ten pounds per arpent.

10. The preparatory step of breaking stones for macadamising could very well be carried on in the winter season.

11. There is a considerable number of persons in *Quebec*, who have constant employment only in the summer among the shipping and lumber: these might with advantage be employed in breaking stones in winter: they would then earn a subsistence for themselves and families during winter; a great part of these would otherwise be a burden on the City.

Louis Montizambert, Esquire, called in and examined, states:

1. I have resided at *Quebec* many years.

2. The Roads in the neighbourhood of *Quebec* are generally bad, and particularly so during the wet seasons: The *Ste. Foi* road, of which I can speak more particularly, because I pass part of the Summer and Autumn at a farm on that Road, at the distance of about two miles and a half from Town, and travel over it at least twice every day, is during the Spring and Autumn, and in wet weather in Summer, almost impassable owing to the very deep ruts of which there is an almost uninterrupted succession throughout; indeed at times last Summer I did not on that account think it safe to pass it at night.

3. The disadvantages arising from such a state of the Roads are all that are incident to a want of easy communication.

4. In my opinion the best and only mode of improving these roads is by making them on the system recommended by Mr. *Macadam*.

5. In my opinion the expense of putting these roads in a proper state of repair is beyond the means of most of the proprietors of land lying along the same.

6. I cannot tell what number of ships resort to this Port annually, but I know they amount to several hundreds, and that the augmentation of the transient population arising from that cause is considerable.

7. The *Quebec* Markets are supplied during the Summer months from different parts of the District both by land and by water conveyance. I have nothing to add with reference to the subject before the Committee.

John Davidson, Esquire, examined, answered:

1. Many years.

2. During the Spring and Autumn, and also after a continuance of wet weather in the Summer months, the *St. Foi* and *Beauport* Roads are so bad as to render it barely possible to travel over them with ordinary loads.

3. An increased expense to the farmers in the vicinity especially.

4. By adopting the system recommended by Mr. *Macadam*.

5. Not generally; the probable expense being from twenty five to thirty pounds per arpent.

6. The Journals of the Commons House of Assembly, must furnish more correct information than I can pretend to offer. The number of Vessels this year has exceeded seven hundred.

7. The Markets are well supplied during the Summer months from all parts of the District by Land and by water conveyance.

8. I have nothing to offer.

John George Irvine, Esquire, examined, said:

1. I am a native of *Quebec* and have resided in that City, upwards of twenty three years.

2. The general state and condition of the roads in the neighbourhood of *Quebec*, are extremely bad, and in wet seasons dangerous, and in the Spring and Fall of the year almost impassable: the Road with which

9. Le prix commun de la terre à quatre milles de *Québec* est d'environ de dix louis l'arpent.

10. La mesure préparatoire au macadamisage, le cassement des pierres, pourrait fort bien s'exécuter en hiver.

11. Il y a dans *Québec* un grand nombre de personnes qui ne trouvent de l'emploi que pendant l'été, auprès des vaisseaux et pour le commerce des bois. On pourrait avantageusement employer ces personnes pendant l'hiver, à casser des pierres; elles gagnerait par la de quoi subsister avec leurs familles, pendant l'hiver, et sans cela la plupart seraient un fardeau pour la cité.

Louis Montizambert, écuyer, appelé et examiné, dit:

1. Je réside à *Québec* depuis plusieurs années.

2. Les chemins des environs de *Québec* sont généralement mauvais, et cela surtout pendant les saisons pluvieuses. Le chemin de *Ste.-Foi* dont je puis parler plus particulièrement, parceque je passe une partie de l'été et de l'automne sur une terre que j'ai sur ce chemin à environ deux milles et demi de la ville, et que j'y passe pour le moins deux fois le jour, est presque impraticable le printemps, l'automne et pendant les temps pluvieux de l'été, à cause du grand nombre d'ornières profondes qui se suivent presque sans interruption tout le long du chemin; aussi en certains temps, l'automne dernier, je n'ai pas cru prudent d'y passer de nuit.

3. Les désavantages qui résultent de cet état des chemins sont tous ceux qui naissent du manque de facilités dans les communications.

4. Dans mon opinion le meilleur et le seul moyen d'améliorer ces chemins, est de les faire sur le plan recommandé par M. *Macadam*.

5. Dans mon opinion les frais nécessaires pour mettre ces chemins en bon état, sont au-delà des moyens de la plupart des propriétaires de terre sur ces chemins.

6. Je ne puis dire combien de vaisseaux abordent à ce port chaque année, mais je sais que le nombre en est de plusieurs centaines, et qu'il en résulte une augmentation considérable dans la population passagère.

7. Les marchés de *Québec* sont approvisionnés pendant les mois d'été par les différentes parties du district, tant par le transport de terre que par eau. Je n'ai rien à ajouter à l'égard du sujet qui est devant le Comité.

John Davidson, examiné, répond:

1. Depuis plusieurs années.

2. Pendant le printemps et l'automne et aussi dans l'été après quelques jours de pluie, les chemins de *Ste.-Foi* et de *Beauport* sont assez mauvais pour empêcher d'y passer avec une charge ordinaire.

3. Un surcroi de dépenses pour les cultivateurs du voisinage surtout.

4. Ce seroit d'adopter le système recommandé par M. *Macadam*.

5. Pas généralement; la dépense probable étant de vingt-cinq à trente louis par arpent.

6. Les Journaux de la Chambre d'Assemblée doivent fournir des renseignements plus corrects que ceux que je prétendrais offrir. Le nombre de vaisseaux cette année a excédé sept cents.

7. Les marchés sont bien approvisionnés pendant l'été de toutes les parties du district, tant par le transport de terre que par eau.

8. Je n'ai rien à dire.

John George Irvine, Ecuyer, étant examiné, dit:

1. Je suis natif de *Québec*, et j'y ai résidé plus de vingt-trois ans.

2. Les chemins aux environs de *Québec* sont généralement très-mauvais, dans les temps pluvieux dangereux, et dans le printemps et l'automne presque impraticables. Le chemin que je connois le mieux est celui

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I am more particularly acquainted is that of *St. Foi*; and that part of it especially which lies between the end of *St. John's* Suburbs, and the Church of the said Parish, is at all times bad, with little exception; the nature of the soil is such that the least rain causes it to be cut up, and the manner in which the repairs are so ineffectually attempted by the proprietors and occupiers of property along the road, tend in my opinion more to injure than to improve them, the materials used for such repairs being generally weeds, rubbish, and chips and sometimes broken bottles, and covered with earth in such a manner that upon the least rain, the Road in many parts actually becomes a mire and impassable—very large stones are sometimes laid into the holes, which do not at all answer the desired end, but add much to the danger of the traveller.

3. As nothing tends more towards the rapid improvement of any Country, particularly of those depending chiefly on their agricultural and commercial interests, than a ready communication from the principal Towns to the interior by good Roads, so by an increase and a double ratio, bad roads retard, and in fact prevent due progress in improvements of all kinds, and the disadvantages arising from the general state of the roads around *Quebec*, are almost innumerable. The Markets during a wet season are inadequately supplied, particularly at those times when the population of the City is much increased by the Crews of vessels trading to this Port, and the number of Emigrants who arrive at *Quebec*—for, at such times the Farmer cannot venture to travel in such roads with a tolerable load without risking his personal safety, as well as almost certain destruction to his carts, horses and harnesses: during several periods last season, the state of the *St. Foi* road was such that no pleasure carriage could possibly pass that way, and the road never having been properly formed and made, all attempts at repairs as practised, prove ineffectual.

4. The best mode of improving the Roads in question would in my opinion be to apply the mode so successfully adopted and now universally practised throughout *Great Britain*, known by the term "*Macadamizing*" and I beg for a full detail of that system to refer to a Treatise on the subject which I had the honor to lay before the Honorable Chairman of this Committee.

5. In my opinion it most certainly does not lie within the private means of the Proprietors generally of the Lands lying upon these Roads, to make and keep them in good repairs under the existing law; but the road if once made in a proper and complete manner at the public expense, the proprietors might I think be obliged to keep them in repair. At the time the Farmer is most wanted to attend his farm, he is called away to repair his Road, which he could not possibly undertake to perform in an adequate manner without the greatest sacrifice of his time and agricultural labours, and the farmer who resides within a few miles of the Town upon the principal great Roads has much more labour to perform than those who live at a greater distance, as the Road is constantly cut up within nine or ten miles of the Town from the passing of carts from all adjacent parts of the Country whenever possible to travel, which throw a double duty and expense upon those residing near the Town.

6. The average number of vessels arrived at *Quebec* for the eight years from one thousand eight hundred and nineteen, to one thousand, eight hundred and twenty six inclusive, was six hundred and twenty two, measuring, one hundred and fifty one thousand and twelve tons, and having six thousand, eight hundred and seventy eight men, and to this transient population may be added about fifteen thousand Emigrants annually.

7.

celui de *St. Foi*, et la partie située entre le faubourg *St.-Jean* et l'église de *St. Foi*, est en tout temps mauvaise, à très-peu d'exception; la nature du sol est telle que la moindre pluie les brisent; et la manière défectueuse dont les propriétaires et ceux qui demeurent le long du chemin, font les réparations, est plus propre, selon moi, à les détériorer qu'à les améliorer; les matériaux employés à ces réparations étant généralement des mauvaises herbes, des ordures, des copeaux et quelquefois des bouteilles cassées; on couvre cela de terre, et il arrive qu'à la moindre pluie, le chemin en beaucoup d'endroits, devient un vrai borbier impraticable. On jette quelquefois dans les ornières des grosses pierres, qui bien loin de remplir l'objet désiré, ne peut que rendre le passage plus dangereux.

3. Comme rien n'avance plus rapidement les améliorations d'un pays, surtout de ceux qui attendent presque tout de leur agriculture et de leur commerce, qu'une communication facile des principales villes à l'intérieur par le moyen de bons chemins, de même en raison inverse et contraire, les mauvais chemins retardent du double et de fait empêche le cours naturel des améliorations de toutes espèces, ainsi on ne saurait presque calculer les désavantages qui résultent du mauvais état des chemins. Dans les saisons pluvieuses les marchés sont insuffisamment approvisionnés, et cela surtout dans les temps où la population de la ville est beaucoup augmentée par les équipages des vaisseaux qui commercent à ce port, et le nombre des émigrés qui arrivent à *Québec*, car dans ces temps le cultivateur n'ose se hasarder à voyager sur de pareils chemins, avec une charge ordinaire, sans s'exposer lui-même, et sans risques de ruiner ses voitures, ses chevaux et ses harnois: en certaines parties de l'été dernier, le chemin de *St. Foi* était dans un tel état, qu'aucune voiture de luxe n'y pouvoit passer, et les chemins n'ayant jamais été faits et formés d'une manière convenable, tous les efforts que l'on fait pour les réparer se trouvent inefficaces.

4. Le meilleur moyen pour améliorer les chemins en question, serait dans mon opinion d'y appliquer le système si heureusement adopté et maintenant en usage dans toute la *Grande-Bretagne*, je veux dire le système connu sous le nom de "*macadamisage*," et pour les détails de ce système, je prends la liberté de renvoyer à un traité sur le sujet, que j'ai eu l'honneur de mettre devant l'Honorable Président de ce Comité.

5. Dans mon opinion il n'est très-certainement pas dans les moyens privés du commun des propriétaires de terre le long de ces chemins, de les faire ni de les entretenir en bon état, sous les lois existantes, mais si les chemins étaient une fois faits d'une manière convenable et parfaite, aux dépens du public, je crois qu'on pourroit obliger les propriétaires de les entretenir en bon état. Dans le temps que le cultivateur est le plus impérieusement appelé à sa terre, on l'arrache pour aller travailler à son chemin, qu'il ne pourrait assurément pas séparer d'une manière convenable sans faire le sacrifice le plus coûteux de son temps et de ses travaux champêtres, et le cultivateur qui réside à quelques milles de la ville sur les principaux grands chemins, a beaucoup plus à faire que ceux qui vivent à une plus grande distance, vu que le chemin est constamment brisé, à neuf ou dix milles de la ville, par le charriage continu de toutes les parties adjacentes du pays, dans tous les temps où il est possible de voyager, ce qui impose un double fardeau et des frais plus considérables sur ceux qui résident près de la ville.

6. Le nombre moyen de vaisseaux qui sont venus à *Québec*, pendant les huit années qui ont commencé en l'année mil huit cent dix-neuf, à venir jusqu'à l'année mil huit cent vingt-six, inclusivement, fut de six cent vingt-deux, mesurant cent cinquante-un mille et douze tonneaux, et ayant six mille huit cent soixante et huit hommes, et à cette population passagère on peut ajouter environ quinze mille émigrés, par chaque année.

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7. The chief supplies of Provisions towards the maintenance of this transient population are derived from the Country Parishes around *Quebec*.

8. I have nothing further to add to the foregoing answers :

Answers to three additional questions put since the foregoing.

1. There can be no doubt that where stones can be had of proper quality that they may be broken up during winter for the purpose of making and repairing the Roads under Mr. *Macadam's* system; here I would beg leave to remark to the Committee, that as far as my observation has gone to the stones used for that purpose around *Quebec*, they have in no case been broken sufficiently so as readily to unite when laid upon the Road. The stones used in *Great Britain*, are all of hard grey stone and granite, none to weigh more than six ounces or such as would pass through an inch mash.

2. Judging from the number of pauper's children as well as adults, who are to be seen going round the streets, I think a large number of persons might be found in the City and Suburbs, who might be advantageously employed in this way during winter; along the Roads throughout *Great Britain*, persons of all ages from seven years and upwards are to be seen so employed.

3. I am not sufficiently acquainted with the value of Lands to answer this Question with correctness, but sales of arable Lands about the distance stated have I believe been made at from seven to ten pounds an Acre—the wretched state of the *Ste. Foi* road tends greatly to depreciate the value of landed property in that vicinity.

John William Woolsey Esquire, examined, answered :

1. Upwards of sixty years.
2. In wet weather very bad, spring and fall almost impassable; it is to be attributed to the nature of the soil.
3. It retards travelling and impedes the transporting of Country produce, it also materially injures the cattle, harnesses and carriages.

4. The improvement of these Roads would require a coating of broken stone, not less than eight inches in depth and eighteen feet broad on the centre of the Road.

5. It is not within the private means of Proprietors to make the Roads, but they might keep them in repair after they are macadamised.

6. From the year one thousand seven hundred and sixty four until one thousand seven hundred and eighty six, the number of ships entered at the Custom House was on an average about sixty six vessels annually; since that period they have gradually increased to about six hundred for a few years past; in the year one thousand, seven hundred and eighty four, there only arrived thirty two vessels. I cannot say what is the annual augmentation of the population from this cause.

7. This Province does not furnish sufficient provisions for the present population, the deficiency is supplied from the neighbouring states.

8. In repairing the Roads, the construction of Bridges should be attended to over the drains crossing the high ways; they should embrace the whole breadth of the same, to be constructed of stone or cedar, covered from end to end with the same material applied on the Roads. The Proprietors of Land within four miles of *Quebec*, under the present Road Act are very much oppressed from the number of carriages daily cutting up the Roads, which does not affect those who are at a greater distance from the City.

7. Les provisions nécessaires à la subsistance de cette population passagère, se tirent en très-grande partie des paroisses aux environs de *Québec*.

8. Je n'ai rien à ajouter d'avantage aux réponses précédentes.

Réponses à trois Questions additionnelles posées depuis les précédentes :

1. Il n'y a aucun doute que là où l'on peut se procurer des pierres d'une bonne qualité, on ne pût les casser pendant l'hiver, pour faire et réparer les chemins d'après le système de *Macadam*. Ici je demanderais de faire remarquer au Comité, qu'en autant que j'ai eu occasion d'observer les pierres dont on fait usage pour cet objet aux environs de *Québec*, elles n'ont en aucun endroit été cassées assez menues pour s'incorporer, après qu'elles étaient mises sur le chemin. Les pierres dont on fait usage en *Angleterre* sont toutes d'une pierre grise extrêmement dure et de granite, et dont aucune ne pèse plus de six onces, et est assez menue pour passer à travers une maille d'un pouce.

2. A juger d'après le nombre d'enfants et d'adultes pauvres, qu'on voit errer dans nos rues, je crois qu'on pourroit trouver un grand nombre de personnes dans la ville et dans les faubourgs de *Québec*, à employer avantageusement de cette manière pendant l'hiver; en *Angleterre* on voit ainsi employées le long des chemins des personnes de tout âge depuis sept ans et au-dessus.

3. Je ne suis pas assez au fait de la valeur des terres, pour répondre à cette question avec exactitude, mais, dans la distance mentionnée, les terres arables se sont vendues, je crois, depuis sept jusqu'à dix louis l'acre. Le mauvais état des chemins de *Ste. Foi* tend fortement à diminuer la valeur de leur propriété foncière, dans ce voisinage.

John William Woolsey, écuyer, étant examiné, répondit :

1. Depuis plus de soixante ans.
2. Dans les temps pluvieux très mauvais, le printemps et l'automne presque impraticables; cela est dû à la nature du sol.
3. Cela retarde les voyageurs, et empêche le transport des productions de la campagne, et nuit aussi considérablement aux bêtes de somme, aux harnois et aux voitures.

4. L'amélioration de ces chemins demanderait une couche de pierres cassées, de pas moins de huit pouces d'épaisseur et de dix-neuf pieds de largeur, sur le milieu du chemin.

5. Le commun des propriétaires ne sont pas dans les moyens de faire ces chemins, mais ils pourraient les entretenir, s'ils étaient une fois macadamisés.

6. Depuis l'année mil sept cent soixante-quatre, jusqu'à celle de mil sept cent quatrevingt-huit, le nombre de vaisseaux entrés à la Douane fut, terme moyen, d'environ soixante-six annuellement; depuis ce temps il a augmenté graduellement jusqu'à environ six cents, depuis ces années dernières; dans l'année mil sept cent quatrevingt-quatre, il ne vint que trente vaisseaux. Je ne puis dire quelle est de cette source l'augmentation annuelle de la population.

7. Cette province ne fournit pas assez de provisions pour la population présente—ce qui en manque sort des états voisins.

8. Dans la réparation des chemins, les ponts devraient être assez large pour couvrir les égouts qui traversent les grands chemins, et s'étendre dans toute la largeur du chemin; être faits de pierre ou de cèdre, et couverts d'un bout à l'autre des mêmes matériaux dont le sont les chemins. Sous la loi actuelle des chemins les propriétaires de terre à quatre milles de *Québec* sont accablés par la fréquence des charriages qui brisent leurs chemins; inconvenient que n'éprouvent pas ceux qui sont à une plus grande distance de la ville.

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9. The average price of Land may be estimated at twenty pounds per superficial Acre, if by forced sale, but it materially depends on the quality of the Land and Buildings, also the distance from the Town.

10. Yes; the stones used for repairing Roads at *La Canardière*, were broken in the winter at the *Beauport* Quarries.

11. Assuredly—when the stones were broken for the *Canardière* Road, men, women and children come out to *Beauport* to be employed.

William Phillips, Esquire, examined, answered :

1. I have resided in *Quebec*, twenty five years, and upwards.

2. The general state and condition of the Roads in the neighbourhood of *Quebec* is very bad, particularly in the Spring and Fall of the year; owing to the effect produced by the frost on a deep clayey soil, the Roads become nearly impassable, and accidents frequently occur, by overturning of carriages in the deep ruts formed by the great concourse of carts coming to Market with provisions, fuel, hay, &c. and returning. After heavy rain in Summer they are equally bad, so that we have seldom the advantage of travelling over them with safety and comfort.

3. Short supplies to our Markets, high price of provisions in consequence, and great injury to the Farmer in the destruction of his carriages and ruin of his cattle, loss of time, &c. &c.

4. Levelling those portions of the Roads that have lime stone for a foundation such as *Beauport* Road, levelling also those portions of the Roads leading to *Ste. Foi* Church, and *Ancienne Lorette*, having a sandy soil for a bed, the expense of which would be very trifling—the remainder of these great Roads, as well as the Roads leading to *St. Ambroise*, *Indian Lorette*, *Charlesbourg* and *Canardière* having clayey soils for a foundation, would require to be macadamised in the most efficacious manner and with the best materials which are to be found generally in the neighbourhood of the Roads in Question.

5. I do not think it lies within the private means of twenty out of the whole proprietors of the land lying upon these Roads to make them effectually, but every Proprietor can and may be made to keep them in good repair afterwards.

6. From seven to eight hundred ships annually; the augmentation of population in consequence during the Summer months may be fairly estimated at from twenty one to twenty four thousand persons, including Seamen, Emigrants and Raftsmen.

7. Provisions for this transient population are chiefly supplied by the Parishes adjacent to *Quebec*, namely *Ste. Foi*, *Lorette*, *Charlesbourg*, *Beauport* and the Parishes beyond them communicating with the City through these great Roads.—Our Markets are also supplied from the Parishes on the other side of the *St. Lawrence*.

8. I know of nothing more useful for the advancement of the Country, the comfort of its Inhabitants, cheap markets and the benefit of all strangers who resort to *Quebec* during summer, than good and efficient Roads, practicable at all times during the season that wheel carriages are in use.

9. Yes, the breaking of stones preparatory to macadamising could be carried on during the winter months, with as much facility and at a cheaper rate than during any other season.

10. Yes there are a number of Emigrants, *Canadian* labourers, even mechanics out of employment, and a number of boys, in the City and Suburbs of *Quebec*, who might be advantageously employed in breaking stone, and would thereby be enabled to earn an honest livelihood.

11. I am not sufficiently acquainted with the value of Land to answer this Question.

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9. Le prix commun de la terre peut être estimé à vingt-cinq louis l'acre en superficie, si c'est par vente forcée; mais il en dépend beaucoup de la qualité de la terre et des édifices, aussi bien que de la distance où elle est de la ville.

10. Oui, les pierres employées à la réparation du chemin à la *Canardière*, furent cassées pendant l'hiver aux carrières de *Beauport*.

11. Assurément—lorsque les pierres du chemin de la *Canardière* furent préparées, hommes, femmes et enfans se rendirent à *Beauport* pour avoir de l'emploi.

William Phillips, écuyer, étant examiné, répondit :

1, J'ai résidé à *Québec* vingt-cinq ans et plus.

2. Les chemins aux environs de *Québec* sont généralement très mauvais, surtout le printemps et l'automne, par suite de l'action de la gelée sur un sol profond d'argile; les chemins deviennent alors presque impraticables, et il y arrive des accidens fréquens, par les voitures qui versent dans les ornières formées par le grand concours de voitures qui viennent aux marchés avec des provisions, du bois, du foin, &c. et qui s'en retournent. Dans l'été, la pluie les rend aussi mauvais, de sorte que nous avons rarement l'avantage d'y voyager avec sûreté et aisance.

3. Un approvisionnement insuffisant dans nos marchés, la cherté des provisions, et de grands dommages au cultivateur par la ruine de ses voitures et de ses bêtes, par la perte de temps, &c.

4. Il faudrait niveler les endroits de ces chemins qui ont un fondement de pierre chaux, comme dans le chemin de *Beauport*, et niveler aussi les parties des chemins qui mènent à l'église de *Ste. Foi* et à l'*Ancienne Lorette*, où le sol est sablonneux, et y mettre une couche qui ne coûterait que peu de chose. Le restant de les grands chemins aussi bien que ceux qui conduisent à *St. Ambroise*, à la *Jeune Lorette*, à *Charlesbourg* et à la *Canardière* ayant pour fondemens un sol profond d'argile, demanderait à être macadamisé de la manière la plus soigneuse et avec les meilleurs matériaux, qu'on trouve généralement aux environs des chemins en question.

5. Je ne voit pas qu'il soit dans les moyens de vingt propriétaires, entre tous ceux qui ont des terres le long de ces chemins, de les faire d'une manière convenable, mais après, chaque propriétaire devraient les entretenir en bon état, et y être obligé.

6. Entre sept et huit cents vaisseaux annuellement. On peut estimer de vingt-un à vingt-quatre mille personnes, y compris les matelots, les émigrés, et les hommes de cages (radeaux,) l'augmentation que cette cause produit dans la population pendant les mois d'été.

7. Cette population passagère reçoit la plus grande partie de ses provisions des paroisses aux environs de *Québec*, savoir, *St. Foi*, *Lorette*, *Charlesbourg*, *Beauport*, et des paroisses au-delà de celles-ci, et qui se rendant à la ville par les grands chemins des marchés sont aussi pourvues par les paroisses de l'autre côté du *St. Laurent*.

8. Je ne connais rien de plus utile pour l'avancement du pays, à la commodité de ses habitans, de plus propre à maintenir les bas prix dans les marchés et de plus avantageux aux étrangers qui visitent *Québec* pendant l'été, que de bons chemins, praticables durant toute la saison, où l'on fait usage des voitures à roues.

9. Oui; le cassement des pierres nécessaires au macadamisage pourrait se faire pendant l'hiver avec beaucoup plus de facilité et à plus bas prix que pendant toute autre saison.

10. Oui; il y a dans la cité et dans les faubourgs de *Québec*, un grand nombre d'émigrés, de journaliers *Canadiens*, d'enfans et même d'ouvriers, qu'on pourrait employer avantageusement à casser des pierres, et qui par là gagneraient une honnête subsistance.

11. Je ne connais pas assez la valeur des terres pour répondre à cette question.

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Charles Gray Stewart, Esquire, examined, answered:1. Thirty eight years and upwards in the Town of *Québec* and *Banlieue*.2. The state of the Roads in the neighbourhood of *Québec*, is generally very bad particularly in the Spring and Fall of the year—I reside on the *Ste. Foi* Road, and it was often with difficulty I could get into Town with a carriage, especially after a heavy fall of rain.

3. The disadvantages are many, say the wear and tear, the loss of time to the farmer taking his produce to market, and injury to the public by the smaller quantity taken than otherwise would have been the case had the Road been good.

4. Macadamising as in *Europe*.5. Very few of the Proprietors in the Parish of *Ste. Foi*, have the means of making the Road in the first instance, many might assist, and I believe when once made in an efficient manner that the Proprietors would afterwards keep up the same in repair in front of their respective properties.

6. The number may be taken from seven hundred to seven hundred and fifty annually, and navigated by nine thousand men at least, together with many thousands of emigrants that arrive in the shipping.

7. From the parishes at some distance and in the neighbourhood of *Québec*.*William Torrance*, Esq., examined, answered:1. I have resided in the city of *Québec* upwards of eighteen years.2. The general state of the roads in the neighbourhood of *Québec* is extremely bad, particularly spring and fall, in consequence of the want of substance or metal, being principally of a soft or clay soil, and it is my opinion that the only effectual means to establish good Roads would be to macadamise, which when once effectually done would be easily maintained by the Inhabitants residing on such Roads. The means to effect this object would be considerable and consequently too great a burden for the occupiers of lands through which such Roads pass.

3. Indifferently supplied Markets particularly Spring and Fall, much to the disadvantage of the Farmer, at seasons when provisions are most in request in consequence of the greater number of vessels being in Port. The Farmer through excessive bad Roads both Spring and Fall, when he could obtain something like a reasonable price for his commodity cannot come to Market in consequence.

4. Macadamizing the only effectual method.

5. To make the Roads is not within the means of proprietors on the Roads, but when once made would be easily kept good by them.

6. The number of vessels arriving at the Port of *Québec*, annually may be averaged at about six hundred and the population for the time being, is augmented by seamen to about six thousand, and Emigrants to about ten thousand, most of whom remain in *Québec*, but for a short period.7. From the vicinity of *Québec* principally.*Narcisse Duchesnay*, Esquire, examined, answered:1. I was born, and have always lived in *Québec*.2. The Roads are bad and almost impracticable in the Fall and Spring, more particularly from *Québec* to *Beauport*.

3. Because the Country people meet with much more difficulty in bringing their commodities to Market, and spend more time than would be required if the Roads were good.

4. The best manner of improving these Roads would be to follow the system of Mr. *McAdam*, that is by giving them a coat of broken stone.

5.

Charles Gray Stewart, écuyer, étant examiné, répondit:1. Depuis plus de trente huit ans dans la ville et dans la banlieue de *Québec*.2. Dans le voisinage de *Québec* les chemins sont généralement dans un très mauvais état, surtout le printemps et l'automne. Je réside sur le chemin de *Ste. Foi*, et c'a été souvent avec difficulté que j'ai pu me rendre à la ville dans une voiture, surtout après une forte pluie.

3. Les désavantages sont nombreux; par exemple, la ruine des voitures, des chevaux, &c.; la perte de temps que cela occasionne au cultivateur qui mènent ses produits au marché, et le dommage qui en résulte au public par la moindre quantité qui y est amenée, ce qui n'aurait pas lieu si les chemins étaient bons.

4. Ce serait de les macadamiser comme en *Europe*.5. Dans la paroisse de *Ste. Foi*, il se trouve très peu de propriétaires en état de les faire d'abord; un grand nombre pourraient contribuer, et je crois que s'ils étaient une fois faits d'une manière suffisante, les propriétaires pourraient les entretenir en front de leurs propriétés respectives.

6. On peut en calculer le nombre entre sept cents et sept cent cinquante annuellement, dont les équipages se composent de neuf mille hommes au moins, sans compter plusieurs milliers d'émigrés qui arrivent sur ces vaisseaux.

7. Des paroisses aux environs et à quelques milles de *Québec*.*William Torrance*, écuyer, étant examiné, répondit:1. J'ai résidé dans la cité de *Québec* plus de dix-huit ans.2. Les chemins aux environs de *Québec* sont en général dans un très mauvais état, surtout l'automne et le printemps, à cause du manque de solidité, le sol étant principalement d'une nature molle et argileuse; et je suis d'opinion que le seul moyen de faire de bons chemins, serait de les macadamiser; et lorsqu'une fois ils auraient été faits convenablement, ils seraient aisément entretenus par les habitans qui résident le long de pareils chemins. Les frais nécessaires pour atteindre cet objet seraient considérables et par conséquent trop forts pour pouvoir être portés par les possesseurs des terres, à travers lesquelles passent ces chemins.

3. Des marchés mal pourvus, surtout le printemps et l'automne; beaucoup d'inconvéniens pour le cultivateur, et dans des saisons où il y a le plus grand besoin de provisions, par le grand nombre de vaisseaux qui sont dans le port. Le cultivateur ne peut venir au marché dans le temps où il aurait un prix raisonnable pour ses produits, à cause du mauvais état des chemins, dans l'automne et dans le printemps.

4. Le macadamisage est la meilleure méthode.

5. Il est hors des moyens des propriétaires, le long des chemins, de les faire, mais s'ils étaient une fois faits, ils pourraient les entretenir facilement.

6. On peut mettre à six cents le nombre moyen des vaisseaux qui viennent annuellement à *Québec*, et la population en est pour lors augmentée par les matelots d'environ six mille et par les émigrés d'environ dix mille, dont la plupart restent à *Québec*, mais pour peu de temps.7. Des environs de *Québec* principalement.*Narcisse Duchesnay*, écuyer, est examiné et répond:1. Je suis né et j'ai toujours vécu à *Québec*.2. Les chemins sont mauvais et presque impraticables le printemps et l'automne, et plus particulièrement pour aller de *Québec* à *Beauport*.

3. Il en résulte que les habitans de la campagne rencontrent beaucoup plus de difficultés à apporter leurs denrées au marché, et perdent beaucoup plus de temps qu'ils ne feraient si les chemins étaient bons.

4. La meilleure manière d'améliorer ces chemins serait de suivre le système de M. *Macadam*, c'est-à-dire, de les couvrir d'un lit de pierres cassées.

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5. No, it is impossible for them.
 6. I do not know exactly.
 7. From the neighbourhood of *Quebec*, in a great measure.
 8. No.
 9. A good Farm of two Arpens in front by twenty in depth, may be worth, without any buildings, about three hundred pounds currency.
 10. Yes.
 11. Yes, a great number.

Michel Sauvageau, Esquire, examined, answered:

1. For the last twenty years, I have resided in the *Banlieue* of *Quebec*, on the Road leading to *Ancienne Lorette*.

2. The state of the Roads in general in the neighbourhood of *Quebec* is extremely bad, Fall and Spring, it is only a part of the Summer that they are tolerably good if the Summers are dry, for last Summer the Roads were bad all the time.

3. The disadvantages resulting from this state of the Roads, is the encrease of the price of commodities on the *Quebec* Markets, the travelling in the Parishes in the neighbourhood of the Town rendered difficult, the ruin of the Horses and Carts of the Country people.

4. The best means in my opinion of improving these Roads and keeping them always in good repair, would be the establishment of Turnpikes.

5. Some of the proprietors of lands in the neighbourhood of *Quebec*, have the means of making and keeping their Roads in good order, but the generality have not.

6. The number of vessels arriving annually from *Europe*, and the British Colonies at the Port of *Quebec*, is from six to seven hundred, and the encrease of population whilst they remain at *Quebec*, may be from six to seven thousand.

7. The Parishes in the neighbourhood of *Quebec*, generally supply the greatest quantity of Provisions that is required for this transient population.

8. I know of no better means for the improvement of the Roads near *Quebec*, than that which I have already mentioned.

9. The average price of Lands within four miles of *Quebec*, is from ten to twelve pounds per arpent.

Q. In which of the *Beauport*, *Charlesbourg*, *Ste. Foi* or *Lorette* Roads is to be found the greatest number of carriages?

A. I believe in that of *Beauport*.

Q. What is the average number of carriages to be found daily upon each of these Roads?

A. *Beauport* about seventy carriages, *Charlesbourg* fifty, the *Little River* Road which communicates with the two *Lorettes*, from the place where these two Roads join the *Little River* Road to *Quebec*, I think there may be about eighty.—That of *L'Ancienne Lorette* on the South side of the *Little River* about thirty that on the North side about sixty,—that of *Ste. Foi* fifty.

G. A. *Eliot*, Esquire, called in and examined, answered:

1. I have lived at and in the immediate neighbourhood of *Quebec*, for the last six years.

2. With the exception of about two and a half miles between the *Lewis Gate* and *Spencer Wood*, the Roads in the immediate vicinity of *Quebec*, are as bad as it is well possible to conceive, and strangers who visit the Town generally remark that it is a great reflexion upon the Inhabitants of this Country, that their Roads are so extremely bad, but more particularly those forming the approaches to the capital, for which there appears to be no excuse. Having resided the two last Summers on the *Ste. Foi* Road, at the distance of about two and

5. Non, cela est impossible pour eux.
 6. Je ne peut pas dire exactement.
 7. De le voisinage de *Québec* principalement.

8. Non.

9. Une bonne terre de deux arpens de front sur vingt de profondeur, sans bâtimens, peut valoir environ trois cents livres courant.

10. Oui.

11. Oui, un grand nombre.

Michel Sauvageau, écuyer, étant examiné répondit:

1. Je réside depuis vingt ans, dans la *Banlieue* de *Québec*, sur le chemin qui conduit à l'*Ancienne-Lorette*.

2. En général les chemins aux environs de *Québec* sont dans un très-mauvais état, le printemps et l'automne. Ce n'est que pour une partie de l'été qu'ils sont passablement bons, encore faut-il que l'été soit sec, car l'été dernier les chemins ont toujours été mauvais.

3. Les désavantages qui résultent du mauvais état des chemins, sont l'augmentation dans le prix des commodités de la vie sur les marchés, la difficulté de voyager dans les paroisses à la proximité de la ville, la ruine des chevaux et des voitures des gens de la campagne.

4. Le meilleur moyen selon moi, pour améliorer ces chemins et les avoir toujours en bon état, serait d'y mettre des barrières.

5. Quelques-uns des propriétaires de terre dans le voisinage de *Québec* ont les moyens de faire de bons chemins et de les entretenir, mais la généralité ne les ont pas.

6. Le nombre de vaisseaux qui viennent au port de *Québec* d'*Europe* et des colonies britanniques est de six à sept cents, et l'augmentation de la population, durant tout le temps qu'ils restent à *Québec* peut être de six à sept mille.

7. Ce sont les paroisses à la proximité de *Québec* qui approvisionnent en très-grande partie cette population passagère.

8. Je ne connais aucun meilleur moyen d'améliorer les chemins aux environs de *Québec* que celui que j'ai déjà mentionné.

9. Le prix commun de la terre à quatre milles de *Québec*, est de dix à douze louis l'arpent.

Q. Quel est celui des chemins de *Beauport*, de *Charlesbourg*, de *Sainte-Foi* et de *Lorette*, qui est le plus fréquenté?

R. Je crois que c'est celui de *Beauport*.

Q. Quel est le nombre moyen de voitures passant journellement sur chacun de ces chemins?

R. *Beauport*, environ soixante-dix; *Charlesbourg*, cinquante; la *Petite-Rivière*, dans le chemin qui communique avec les deux *Lorettes*, à l'endroit où les deux chemins joignent celui qui mène à *Québec*, je crois qu'il peut y en avoir autour de quatre-vingt. Celui de l'*Ancienne-Lorette* au sud de la *Petite-Rivière*, environ trente; celui au nord d'environ soixante; celui de *Ste.-Foi*, cinquante.

G. A. *Eliot*, écuyer, appelé et examiné, répondit:

1. Je réside à *Québec* et dans les environs depuis six ans.

2. A l'exception d'environ deux milles et demi, entre la porte *St.-Louis* et le bois de *Spencer*, les chemins aux environs de *Québec* sont aussi mauvais qu'on peut le concevoir, et les étrangers qui visitent cette ville, remarquent généralement que c'est un grand reproche à faire aux habitans de ce pays, que leurs chemins sont extrêmement mauvais, et surtout ceux qui forment les avenues de la capitale, pour lesquels il ne paraît y avoir d'excuse.

Ayant demeuré, les deux dernières étés sur le chemin de *Ste.-Foi*, à la distance d'environ deux milles et demie

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a half miles from the *St. John's Gate*, and having been obliged to pass and repass to and from *Quebec*, at least once every day; I am better qualified to describe that portion of it, than that of any of the other approaches to the Town. Leaving my residence (at *Lee's Farm*) for Town, the first mile is so extremely bad, that in a light *American Waggon* with a strong Horse, I can scarcely ever venture to trot; and it consequently takes me about twenty five minutes to get to Mr. *Stewart's Farm House*, at the end of the Cross Road leading to the *Marchmont Gate*, the remainder of the *Ste. Foi Road*, to the commencement of the *St. John's Suburbs*, being much in the same state as that already described, and about an equal distance I almost invariably go by the Cross Road, which having been a little improved this Summer enables me to go something quicker, and I find no difficulty in getting from the *Marchmont*, to the *Louis Gate* in ten minutes, which being about half the distance between my residence and Town is thus accomplished in one third of the time which it takes to get over the other half. Such a difference existing on so short a distance, the consequences to the Farmer who has to convey his produce, ten, fifteen or even twenty miles over such Roads, are every evident, he can only bring about half a load into the Market, and is detained for hours on the Road which ought to be devoted to the cultivation of his land: an evil of great magnitude in this Country, where the season for working the land is so very short, and the natural consequence is that the Markets are not so abundantly supplied as they might be, and the consumer has to pay in proportion: The abuse of Horses, wear and tear of vehicles, &c. &c. are no trifling addition to the loss of time.

3. Answered in No. 2.

4 & 5. The advantages of forming Roads by *McAdam's system* in preference to any other are too evident to require comment, and the necessity of the work on the present occasion being also evident, the only question which arises is from whence the funds should be obtained to carry so desirable an object into operation. Having rented a small Farm on the *Ste. Foi Road* the last two Summers, the experience I have acquired on the subject convinces me, that it is a very great tax upon the occupiers of the land to keep the Road in even a passable state, as they are at present required by the Law; and also that it is not within the means of the proprietors of the land to make the Road as it ought to be for the convenience of the public. Should the Provincial Parliament not see fit to grant the request contained in the Petition now before them, the desired object might still be attained by their granting an aid in the shape of a Loan from the public Funds; with the necessary permission to Turnpike all the approaches to the Town, with the usual privileges of demanding a small Toll on each for the purpose of paying the Interest as well as redeeming the principal, and indeed this appears to be by far the most equitable method, as by so doing every one would then pay in proportion to the use they made of the Roads, instead of either calling on those at a distance to pay for the formation of Roads they never use, or requiring the occupiers of the Land to bestow more labour upon them than they can possibly afford.

6. The average number of Ships which arrive annually in the Port of *Quebec*, from *Europe*, &c. &c. is about six hundred and fifty, which being navigated by (11 Souls) eleven Souls each, amounting to seven thousand, one hundred and fifty may be said to require about ten weeks each, or one million, eighty eight thousand Rations of Provisions; In addition to these persons there is an average arrival of from twelve to thirteen thousand Emigrants, ten thousand of whom may be said to require not more than four days provisions each for their stay in Port, and Passage to *Montreal*, fifteen hundred more remain in and about *Quebec*,

de la *Porte St.-Jean*, et ayant été obligé d'aller à *Québec*, et d'en revenir au moins une fois par jour, je suis plus à portée de parler de cette partie, que d'aucun autre chemin aux environs de *Québec*.

Après avoir laissé le lieu de ma résidence (à la terre de *Lee*) pour se rendre à *Québec*, le premier mille est si mauvais que dans un léger *waggon* américain traîné par un fort cheval, je n'ose pas même trotter; et je mets environ vingt-cinq minutes à me rendre à la ferme de M. *Stewart*, au chemin de travers qui conduit à la *Porte Marchmont*. Le restant du chemin de *Ste.-Foi* jusqu'au commencement du faubourg *St.-Jean* est à peu près dans le même état que la partie que je viens de décrire, et dans une distance à peu près égale. Je vais presque toujours par le chemin de traverse, qui ayant été un peu amélioré l'été dernier, me permet d'aller un peu plus vite, et je me rends aisément de *Marchmont* à la *Porte St.-Louis* en dix minutes, ce qui formant à peu près la moitié de la distance entre l'endroit de ma résidence et la ville, ne prend que le tiers du temps qu'il faut pour passer l'autre moitié. Une si grande différence sur une si petite distance, fait voir de quelle importance devient la chose pour le cultivateur qui est obligé de transporter ses produits dix, quinze et vingt milles sur de pareils chemins; il ne peut guère apporter au marché plus d'une demi-charge, et consume sur le chemin des heures qui devraient être consacrées à la culture de sa terre. Cela est un mal des plus sérieux dans ce pays, où la saison pour travailler à la terre est si courte; la conséquence en est que les marchés ne sont pas aussi abondamment pourvus qu'ils le seraient, et le consommateur paye à proportion. En outre, ce n'est pas peu de chose à ajouter à la perte du temps, la fatigue des chevaux, la ruine des voitures, &c. &c. &c.

3. Répondu dans la réponse No. 2.

4 et 5. Il n'est besoin d'aucun commentaire pour démontrer les avantages qu'il y a à faire les chemins d'après le système de *Macadam*, ils sont trop évidens; et la nécessité de l'ouvrage, dans le cas présent, étant aussi évidente, la seule question qui résoudra c'est de décider, de quelle source on tirera les fonds nécessaires pour mettre cet objet désirable à exécution.

Ayant loué une petite terre sur le chemin de *Ste.-Foi*, l'expérience m'a appris, les deux étés derniers, que c'est une taxe onéreuse sur les possesseurs de terre, que d'entretenir les chemins dans un état passable, selon que la loi le requiert à présent, et aussi qu'il est au-delà des moyens des propriétaires de terre de faire le chemin, comme il le faudrait pour la commodité du public.

Si le Parlement Provincial ne juge pas à propos d'accorder la demande contenue dans la pétition maintenant devant lui, on pourrait encore attendre l'objet désiré, en accordant, sous forme de prêt, une aide au fonds des chemins publics, avec la permission nécessaire de mettre des barrières dans tous les grands chemins aux approches de la ville, avec le privilège ordinaire de demander un léger péage sur chacun, pour payer l'intérêt et rembourser le principal. En vérité ceci paraît être la méthode la plus équitable; car de cette manière chacun payerait à proportion de l'usage qu'il ferait du chemin, au lieu de faire payer pour la confection des chemins des gens éloignées qui n'y passent jamais, et d'obliger les possesseurs de terre de travailler aux chemins plus qu'ils ne peuvent véritablement.

6. Le nombre moyen des vaisseaux qui viennent annuellement au port de *Québec* est de six cent-cinquante, dont les équipages étant de onze personnes, formant un total de sept mille cent cinquante, qui peuvent demander durant environ dix semaines, un million quatrevingt-huit mille rations de provisions: en addition à ces gens, il arrive entre douze à treize mille émigrés dont dix mille au moins demandent des provisions pour quatre jours, qu'il demeurent dans le port et pour leur passage à *Montréal*; quinze cents de ces personnes restent à *Québec* ou dans les environs pendant à peu près quatre mois, et alors montent en haut avant que

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bec, for about four months, and then go up the Country before the setting in of the winter; and the remaining thousand may be considered as a permanent addition to the population; the number of persons therefore to be added to the population of *Quebec*, may be said to be about three thousand as per statement.

Ships.	Persons.	Days.	Rations.
650	11	70	500,500
	10,000	4	40,000
	1,500	122	183,000
	1,000	365	365,000
Total			1,088,500

$$\frac{1,088,500}{365} = \text{Persons. } 3,000 \text{ nearly.}$$

7. Provisions, Fuel, &c. &c. are brought in from all parts of the Country.

8. Since writing the above, I have been informed from every good authority, that the settlers in the new Township of *Guelph* are so well convinced of the advantages of having good roads, that they twelve hundred and fifty in number) have prepared a Petition to be submitted at the next Session of the Legislature, in *Upper Canada*, praying for the Establishment of Turnpikes in their neighbourhood.

9. Certainly.

10. I have no doubt but there are, and it would materially relieve the charitable funds to find them employment.

11. I cannot say.

Louis Massue, Esquire, examined, answered to the question:

12. I find it very difficult to ascertain the number of destitute paupers in this City and Suburbs; from the information I have been able to obtain I should reckon them at about one hundred and fifty men and women and one hundred children—by destitute I understand persons reduced to the necessity of having recourse to public charity for support.

13. Their state and condition most miserable.

14. I should calculate the sum requisite to support them and the children during winter, allowing four months at four hundred and twelve pounds ten shillings, on the very limited scale of half a pound of Beef, and one pound of Bread a day for an adult, and half the quantity for a child, with the small allowance of one cord of fire Wood for each adult, calculating the Beef, at two pence the pound, the Bread at same price and the Firewood at fifteen shillings the Cord.

15. I do not know any public or private works going on this winter sufficient to supply an adequate Market for labour.

16. A Market for labour would be required I should suppose for at least three hundred persons thought to be now destitute of employment, though not more than half may be in a state of mendicity.

17. The whole number of persons relieved by such an adequate Market, I should reckon in the above estimate at six hundred; supposing one third to be married and each family to have on an average two children.

18. About three hundred persons of the foregoing number I think would be able to work at the breaking of stones for the purpose of macadamising the roads. The daily wages paid this winter for such a work I understand to average about one shilling and three pence, which I do not think sufficient to support them, one shilling and eight pence, being considered extremely low.

J. Charlton Fisher, Esquire, examined, answered to the

12. Question. It is impossible to come to a perfect

que l'hiver se déclare; et l'on peut regarder les mille qui restent comme une addition perpétuelle à la population. Ainsi le nombre de personnes ajoutées à la population peut être mis à trois mille ou environ—Voyez le tableau ci-dessus:—

Vaisseaux.	Personnes.	Jours.	Rations.
650	11	70	500500
	10000	4	40000
	1500	122	183000
	1000	365	365000
total			£1,088,500

$$\frac{1088500}{365} = \text{Personnes. } 3000 \text{ près.}$$

7. Les provisions, le bois, &c., sont apportées de toutes les parties du pays.

8. Depuis que j'ai écrit ce qui précède, j'ai été informé de bonne autorité, que les colons du nouveau Township de *Guelph* sont si fortement convaincus des avantages d'avoir de bons chemins qu'ils ont (au nombre de douze cent cinquante) dressé une pétition, pour être soumise à la prochaine session de la législature du *Haut-Canada*, demandant qu'il soit établi des chemins de barrières dans leur voisinage.

9. Assurément.

10. Je ne doute pas qu'il n'y en ait un grand nombre, et que cela soulagerait fortement les fonds charitables.

11. Je ne saurais dire.

Louis Massue, écuyer, étant examiné répond à la question:

12. Je trouve qu'il est bien difficile de connaître le nombre des indigens de cette ville et des faubourgs; d'après les renseignements que j'ai pu me procurer, j'en mettrai le nombre à cent-cinquante hommes et femmes et cent enfans. Par indigens, je veux dire des personnes qui n'ont aucun autre moyen de subsistance que la charité publique.

13. Ils sont dans l'état et la condition la plus misérable.

14. Je calcule à quatre cent-douze louis et dix chelins, la somme nécessaire pour les supporter eux et les enfans, durant l'hiver, en accordant quatre mois, sur le plan très-limité d'une demi-livre de bœuf et une livre de pain par jour pour un adulte, et de la moitié pour un enfant, avec la quantité modique d'une corde de bois de chauffage pour chaque adulte, en supposant le bœuf à deux deniers la livre, le pain au même prix et le bois à quinze chelins la corde.

15. Je ne sache pas qu'il y ait aucun ouvrage public ou privé, capable de fournir, cet hiver, autant d'ouvrage qu'il en faudrait.

16. Je crois qu'il faudrait de l'ouvrage pour au moins trois cents personnes, qui sont sans emploi, quoiqu'il n'y en ait pourtant guère plus de la moitié qui soient réduits à la mendicité.

17. Je suppose qu'un pareil emploi soulagerait au moins six cents personnes, en parlant du calcul ci-dessus, et en supposant le tiers de mariés et donnant à chaque famille le nombre moyen de deux enfans chacune.

18. Je pense que du nombre de personnes ci-dessus trois cents seraient capables de travailler à casser des pierres pour macadamiser les chemins. J'apprends que cet hiver les gages communes, pour semblable ouvrage, sont d'un scheling et trois deniers, ce que je crois n'être pas suffisant pour faire vivre; un scheling et huit deniers étant considérés extrêmement bas prix.

J. Charlton Fisher, écuyer, étant examiné, répond à la question:

12. Il est impossible d'en venir à une conclusion tout-à-fait

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fectly accurate conclusion as to the number of destitute paupers. The opinion of practical men differs on this point, because it is not easy to establish, who ought in a charitable and economical view to be termed paupers. By the terms used in the question, I understand, merely persons whom age, infirmity or moderate habits, have rendered incapable of earning subsistence. Very few persons indeed if able and willing to work, are or ought to be destitute in this Country; although improvidence, during the working season, too frequently brings on want during the winter. Distress then, is the consequence of the difficulty of procuring work, owing to the interruption of the Summer labor by the inclemency of the season.—A family where there is one able bodied person employed ought not in my opinion to be considered destitute.

I think the number of really destitute paupers, such as neither in winter or in summer have any other reliance than on individual charity and alms giving, to be about three hundred.—At the Soup Kitchen lately established after one week's operation about two hundred persons exclusive in many instances of women and children, have applied for relief as destitute paupers; of persons, who cannot procure work, but who are able and willing to labor, the number may be about two hundred. The safest returns on both these points can however be easily obtained from the respective clergy and ministers of the various denominations. The work committee of the Quebec charitable Institution has only employed paupers during the last ten days, and sixty more are now at work, breaking stones for the purpose of macadamising. They earn one shilling and four pence a day, and I understand are content and thankful. Many more will doubtless apply as the system becomes generally known. There are some Theorists who underrate the pauperism of Quebec, but in answer to the first question of this Committee, I think five hundred is nearly the number of the destitute poor during the winter months. In the summer the pauperism is diminished as the work is more plentiful. There are at present about sixty sailors in the Lower Town, left here in consequence of the late shipwrecks, but these will be taken care of by the liberality of the Lower Town Merchants.

13. The habitually poor or destitute are in a dreadful state of necessity, aggravated by the inclemency of the winter. Indeed it is difficult to imagine how they struggle through it. The charity of individuals, never tired in this country, is their only reliance. By this they are enabled to beg on; further than this they neither hope for, nor ever obtain. The temporarily destitute, by whom I mean the able-bodied who cannot obtain work, are still in a worse condition. Seeking for work which cannot be met with, repenting their past improvidence, and witnessing as may be supposed, with the most acute feelings, the misery and abandonment of their wretched families. In another view, these unhappy persons are in a state of torpidity, existing without energy or utility, as long as the season shall condemn them to be inactive. In a national view, their labour is lost to the advantage of the community; and therefore, it would be the duty of a statesman to rescue them from want, and turn their physical force to useful purposes. The only public works I know of at the present season, may be said to be the winter employment of labourers under the Board of Ordnance in Quebec, working in the new fortifications.

The Ordnance Department has lately, from motives of charity, reduced the rate of wages, with the intention, as a certain sum is only allowed for their expenditure, of affording relief to a greater number of individuals by employing them.

The consequence, however, I fear will fall heavily on those who have families depending upon them; although the intention was doubtless the best. I know of no other works than ship building, which is confined to persons peculiarly qualified.

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tout-à-fait exacte sur le nombre des indigens. L'opinion des hommes pratiques diffère sur ce point, parcequ'il n'est pas aisé d'établir, qui l'on peut appeler pauvres, sous un point de vue charitable et économique. D'après le terme employés dans la question, je n'entend simplement que les personnes que l'âge, les infirmités et la misère ont rendues incapables de gagner leur vie. A la vérité, dans ce pays, parmi les personnes qui peuvent et veulent travailler, il y en a ou doit y en avoir bien peu dans l'indigence; quoique l'imprévoyance, pendant la saison du travail, amène trop souvent le besoin pendant l'hiver. La misère vient donc de la difficulté à trouver de l'ouvrage, par suite de l'interruption que cause dans les travaux l'inclemence de la saison. Dans mon opinion on ne doit pas considérer comme indigente la famille où il y a une personne vigoureuse et capable de travailler.

Je pense que le nombre des personnes réellement indigentes, telles que celles qui, soit en hiver soit en été, n'ont à recourir qu'à l'aumône ou à la charité individuelle, est d'environ trois cents. A la cuisine de la soupe récemment établie, après une semaine d'opération, il ne s'est présenté, les femmes et les enfans exceptés en plusieurs cas, qu'environ deux cents indigens, pour avoir du secours. Il peut y avoir environ deux cents personnes qui peuvent et veulent travailler, mais qui ne trouve point d'ouvrage. Le meilleur moyen pour avoir des retours exacts, sur ces deux points, c'est de s'adresser au clergé et aux ministres des diverses dénominations religieuses. Le comité du travail de l'institution charitable de Québec, n'emploie les pauvres que depuis dix jours, et il y en a encore soixante à l'ouvrage, cassant des pierres pour macadamiser les chemins. Ils gagnent un chelin et quatre deniers par jour, et j'ai appris qu'ils étaient satisfaits et reconnaissans. A mesure que le système deviendra plus connu, il en viendra sans doute un plus grand nombre. Il se trouve quelque théoristes qui mettent le nombre des pauvres moindre qu'il n'est véritablement, mais en réponse à la première question de ce comité, je crois que cinq cents est le nombre des indigens pendant l'hiver. L'été l'ouvrage diminue le nombre des pauvres. Il y a maintenant dans la basse ville environ soixante matelots, qui y sont restés par suite des derniers naufrages, mais ils seront soutenus par la libéralité des marchands de la basse ville.

13. Les pauvres d'habitude ou indigens sont dans un affreux état de misère, augmentée encore par l'inclemence de l'hiver. En vérité il est difficile d'imaginer comment ils le passent. La charité constante des habitans de ce pays est leur unique support. Cela les fait mendier, et ils n'obtiennent et n'espèrent rien au-delà. Les pauvres, qui ne le sont qu'en certain temps, je veux dire les gens capables de travailler, mais qui ne peuvent trouver de l'ouvrage, sont encore dans une situation plus déplorable; cherchant de l'emploi et n'en pouvant trouver; se repentant de leur imprévoyance passée; et envisageant avec les regrets les plus poignans, comme on peut le supposer, la misère et l'abandon de leurs misérables familles. Sous une autre point de vue, leurs malheureuses personnes tombent dans un état de torpeur, qui leur ôte toute énergie et toute utilité; tant que la saison les condamnera à l'inactivité. Sous le point de vue national leur travail est perdu pour la société; et pour cette raison ce serait un acte digne d'un homme d'état que de les retirer de la misère, et de diriger leurs forces physiques à des fins utiles. Les seuls travaux publics que je sache en marche cet hiver, sont ceux du bureau de l'artillerie, qui emploie des journaliers aux nouvelles fortifications.

Le département de l'artillerie a dernièrement, par des motifs de charité, réduit le taux des gages, dans la vue de donner du soulagement à un plus grand nombre d'individus, vu qu'il n'est accordé qu'une certaine somme pour ces dépenses. Cependant la conséquence en sera, je crains, onéreuse à ceux qui ont des familles à supporter; quoique l'intention ait été bonne assurément. Je ne sache qu'il y ait d'autres ouvrages, si ce n'est la bâtisse des vaisseaux, à laquelle ne sont employés que certaines personnes particulièrement quali-
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The making of *metling* and the levelling *cahots*, might employ a number of persons during the winter, but the best and most profitable labor in which the pauper can be employed during this season seems to be breaking stones for Macadamization. I call it the best for them, because experience has shewn that there is scarcely any other practical method of employing them: and most profitable, because, after paying the workmen one shilling and four pence a-day, the advantage to the country from the improvement of our Roads by their labour is too obvious for me to dwell upon here. It may not be improper to mention on the subject of breaking stones, that there would be a considerable profit in using the refuse stone of *Cap Rouge* in preference to the black stone of *Cape Diamond*, or rather of the *Côte d'Abram*. The expence would be much greater on account of the distance and the hardness of the stone, but the advantage to the Roads would be incalculable.

14. In answer to the fourteenth Question, it is evident that the market for labor is only required for the number of persons *able* to work, but destitute of employment. I have already estimated these at about two hundred; upon whom, however, may depend as heads of families perhaps three hundred more. I have stated above, that though poor I cannot consider a family destitute which has an adult able to earn money by work, supposing it can be supplied to him; other destitute persons depend on the charity of this Metropolis in some shape or other.

15. This question has been previously answered; the whole number of persons relieved would be the aggregate of the actual laborers who perform the required work, and of their families who are benefitted thereby.

Such relief would, indeed, be a noble effort of humanity; and, if afforded by Legislative aid, a splendid proof of judgment and benevolence.

16. The whole number able to work, as I have already mentioned, could not I think be more charitably and more advantageously employed than in breaking stones for the improvement of the Roads in spring.

Boys, as I have understood, could be very usefully employed in this work, as their stature gives them facilities in this kind of labour, and their attention is more easily riveted to it.

17. The daily wages generally paid to laborers this winter is one shilling and three pence per day. I am informed a man can earn by breaking stones, and the Work Committee of the new Charitable Institution pay, one shilling and four pence,

The Ordnance have reduced their rate to one Shilling and three pence for the purpose of employing more persons during the winter. I do not know what work they exact, but I suppose mining and breaking stones are the principal. As to what is absolutely necessary to support an individual from any purely charitable fund. I do not think that tenpence a-day would suffice.

I mean for absolute necessities of life, not including the refreshment of drink in this cold season, and the usual wear and tear of clothing in laborious employment. I regret that my inexperience, never having turned my attention to these subjects before this winter, does not permit me to offer any thing more worthy of the attention of this Committee than the foregoing remarks, on which I have not had the advantage of consulting persons better qualified to pronounce.

A. C. Buchanan, Esquire, examined, answered to the

12th Question. The number of destitute paupers in the City of *Quebec* and Suburbs, and who are not able to work or render any material aid towards their support, I compute at about sixty or seventy families, each averaging five persons will give you three hundred and fifty-five souls; but to these I must add a considerable number able to work and who are not quite

On peut employer pendant l'hiver un nombre de personnes à casser des pierres et à abattre les cahots, mais le meilleur travail et celui auquel on pourrait employer les pauvres avec plus d'avantage pendant cette saison, serait la préparation des pierres pour le macadamisage. Je dis le meilleur travail, parceque l'expérience nous a montré qu'il n'y a presque aucune autre méthode praticable de les employer; j'ajoute avec plus d'avantage, parce qu'après avoir payé les ouvriers un chelin et quatre deniers par jour, l'avantage qui résulterait au pays de l'amélioration de nos chemins par leur travail, est trop évident pour que j'appuie là-dessus. Il peut être à propos de mentionner, tandis que nous en sommes sur le sujet du casement des pierres, qu'il y aurait un profit considérable à faire usage des rebuts de la pierre du *Cap Rouge*, en préférence à la pierre noire du *Cap aux Diamans* et de la *Côte d'Abram*. La dépense en serait beaucoup plus considérable, à cause de la distance et de la dureté de la pierre, mais l'avantage qui en retireraient les chemins serait incalculable.

14. En réponse à la quatorzième question, il est évident qu'il n'y a besoin d'emploi qu'autant qu'il y a de personnes capables de travailler, mais qui ne peuvent trouver de l'ouvrage; j'en ai déjà estimé le nombre à deux cents, dont cependant comme chefs de famille, peuvent dépendre trois cents autres. J'ai dit plus haut que quoique pauvre, je ne pouvais considérer comme indigente la famille qui avait un adulte capable de gagner de l'argent par son travail en supposant qu'il ait de l'ouvrage. Les autres pauvres ou indigents dépendent de la charité de cette métropole, d'une manière ou d'une autre.

15. J'ai déjà répondu à cette question; le nombre total des personnes soulagées serait celui de tous les journaliers actuels, qui font l'ouvrage requis, et de leurs familles qui en retirent l'avantage. Un pareil soulagement serait à la vérité un noble effort d'humanité; et s'il venait d'une disposition législative, serait une preuve éclatante de sagesse et de bienveillance.

16. Le nombre entier en état de travailler, comme je l'ai déjà dit, ne pourrait être plus charitablement ni plus avantageusement employé qu'à casser des pierres, pour l'amélioration des chemins, au printemps. J'ai appris qu'on pouvait utilement employer les enfans à ce travail; vu que leur stature leur donne de la facilité dans ce genre de travail, et qu'ils y appliquent plus aisément leur attention.

17. Les gages payés communément, cet hiver, aux journaliers, sont un cheling et trois deniers par jour. J'apprends qu'un homme peut gagner à casser des pierres, et le comité du travail de la nouvelle institution charitable paye un cheling et quatre deniers. L'artillerie a réduit ses prix à trente sous, dans la vue d'employer plus de monde pendant l'hiver. Je ne sais à quels ouvrages on les emploie, mais je suppose que c'est principalement à miner et à casser des pierres. Quant à ce qui est absolument nécessaire pour supporter un individu d'un fond purement charitable, je ne crois pas que vingt sous par jour suffirait. Je veux dire pour les nécessités absolue de la vie, non compris aucune boisson rafraîchissante, dans cette froide saison, et pour l'usage ordinaire des vêtemens dans un emploi laborieux. Je regrette que mon inexpérience, n'ayant jamais, avant cet hiver, tourné mon attention vers de pareilles matières, ne me permette pas d'offrir à ce Comité quelque chose de plus digne de son attention, que les remarques qui précèdent, à l'égard desquelles je n'ai pas eu l'avantage de consulter des personnes mieux qualifiées pour prononcer.

A. C. Buchanan, écuyer étant examiné, répondit à la

12e. Question.—Je calcule le nombre de pauvres ou indigens, dans la cité et les faubourgs de *Québec*, incapables de travailler et de rien faire pour leur subsistance, à environ soixante ou soixante-dix familles, consistant, nombre moyen, de cinq personnes, ce qui donnera trois cent-cinquante âmes. Mais à ce nombre je dois en ajouter beaucoup d'autres, qui sont capables de

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quite destitute of the means of support, and among them are many heads of families now employed at casual and reduced wages, the whole of whom I compute at about one hundred and fifty families of five persons each, say seven hundred and fifty souls, and making an aggregate pauper population of eleven hundred and five, who are *whole and part* dependant for support during the present winter, and in the whole I think the male population capable of work will amount to two hundred persons at least.

13. As to the condition of the paupers in the city and Suburbs of *Quebec*, I am prepared to say that it is by no means so bad as might reasonably be expected, considering that there is no House of Industry or other Asylum for afflicted poor, and added to which has been the indiscriminate plan of giving alms in the City of *Quebec* without investigation, which has brought on it a great load of idleness and imposition, and in the peculiar situation of *Quebec*, requiring so large a supply of hands during the summer, and which have generally fallen short of the demand. The average price of labour in the City of *Quebec* for the last three years in the summer months has been from three to five shillings per day, and for artizans five to seven shillings and six pence, and difficult to be obtained at those rates.

The influx of settlers the last two years, and the total absence of all facilities for their settlement in the country must naturally tend to encrease the number of unemployed poor, in winter particularly, as it is always the most indolent class of emigrants that loiter about the place of landing; however, you will find considerable distress in the habitations of many of those transient poor who are crammed together in lodgings and generally wretchedly provided. I find that there is a very large proportion of widows among the destitute poor Canadians and transient, and there are some male paupers incapacitated from working for want of a sufficiency of warm clothing at this inclement season, and I have remarked many impotent and deformed poor.

14. For the support of the totally destitute poor, including House Rent and Fuel, I compute six hundred pounds, and those requiring partial assistance, seven hundred;—in all, thirteen hundred pounds, judiciously expended, ought in my opinion to support the pauper population of the City and Suburbs of *Quebec*, until the beginning of May.

15. Not any.

16. In point of fact, the laborers employed at the Cape, under the Engineer Department, render very little service, but are kept more with the view of aiding the poor at this season of the year. The Government Works going on will give employment during the winter, at reduced wages, to one hundred and sixty-five laborers and one hundred and thirty artizans; besides many horses drawing stones, and many private individuals employ a vast number of persons, particularly Mr. *Saxton Campbell*; but as this is in the ordinary business of the country, I do not take it into material calculation, and no doubt some of these so employed with large families find it very difficult to support themselves during the present winter from the unusual high price of bread.

17. I am of opinion that every able bodied labouring pauper, sufficiently clothed to stand the cold, might be advantageously employed in breaking stones for Macadamizing the Roads in and about *Quebec*, during the present winter. At present the *Quebec Charitable Institution*, lately formed, give employment to about fifty heads of families, breaking stones, and hopes are entertained that some mode of employing women and children to assist in their support, may ere long present itself, if the funds will permit.

de travailler et qui ne sont pas tout-à-fait sans moyens de subsistance, et de ce nombre sont plusieurs chefs de famille maintenant employés à des gages casuelles et réduites; pouvant former en tout environ cent-cinquante familles de cinq personnes chacune, ce qui fait sept cent-cinquante âmes, et formant une population de pauvres de onze cent-cinq, qu'en tout ou en partie ont besoin de support, durant le présent hiver, et je crois que sur le tout la population mâle capable de travailler se monte à deux cents personnes pour le moins.

13. Quant à la condition des pauvres en cette ville et dans les faubourgs, je suis prêt à dire, qu'elle n'est pas aussi mauvaise qu'on pourrait raisonnablement s'y attendre, en considérant qu'il n'y a pas de maison d'industrie, ni autre asile pour les pauvres affligés, à quoi l'on a ajouté le plan de donner indistinctement et sans examen l'aumône, dans la cité de *Quebec*, ce qui l'a chargée d'un grand nombre de fainéans et d'imposteurs; et surtout si l'on jette les yeux sur la situation de *Quebec*, qui requiert pendant l'été un si grand nombre de bras, qui généralement ne sont pas en demande. Le prix commun du travail dans la cité de *Quebec*, pendant les trois années dernières, durant les mois d'été a varié depuis trois jusqu'à cinq chelings par jour; et pour les artisans depuis cinq chelings jusqu'à sept et demi, et il était même difficile de se les procurer à ce prix.

L'émigration des deux années dernières, et l'absence totale de toutes facilités pour leur établissement dans le pays, doivent nécessairement tendre à augmenter le nombre des pauvres sans emploi, durant l'hiver, surtout vu que c'est toujours la classe la plus indolente d'émigrés, qui errent sur la place de débarquement; cependant vous trouverez beaucoup de misère dans les habitations d'un grand nombre de ces pauvres passagers, qui sont entassés les uns sur les autres dans leurs appartemens, et qui généralement sont très-misérablement pourvus. Je trouve qu'il y a une bonne proportion de veuves, parmi les indigens Canadiens et passagers et il y a quelques hommes incapables de travailler faute de bons vêtemens, dans cette dure saison, et j'ai remarqué beaucoup de pauvres impotens et difformes.

14. Je calcule qu'il faudrait six cents louis pour supporter les indigens, y compris le loyer et le chauffage, et sept cents louis pour ceux qui ne demandent qu'une assistance partielle; faisant en tout treize cents louis, qui s'ils étaient judicieusement appliqués devraient suffire selon moi pour supporter la population pauvre de la cité et des faubourgs de *Quebec*, jusqu'au commencement de mai.

15. Aucun.

16. En point de fait les journaliers maintenant occupés sur le Cap, par le Département du Génie, rendent très-peu de services, mais sont plutôt employés dans la vue de secourir les pauvres, pendant cette saison. Les travaux du Gouvernement en marche donneront de l'emploi, durant l'hiver, à des gages réduites, à cent-trente-cinq journaliers et à cent-trente artisans, outre plusieurs chevaux, qui charrient de la pierre; et plusieurs individus privés emploient un grand nombre de personnes, surtout M. *Saxton Campbell*, mais comme cela est dans le cours ordinaire des affaires du pays, je n'en ferai une des bases principales de mes calculs, et quelques-unes de ces personnes chargées de fortes familles, trouvent très-difficile de les supporter pendant cet hiver, à cause de la cherté extraordinaire du pain.

17. Je suis d'opinion que tout pauvre capable de travailler et assez vêtu pour résister au froid pourrait être avantageusement employé à casser des pierres pour le macadamisage des chemins dans *Quebec* et les environs, pendant l'hiver; à présent l'Institution Charitable dernièrement formée donne de l'emploi à environ cinquante chefs de familles à casser des pierres, et si les fonds le permettent on espère avoir en peu un moyen d'occuper les femmes et les enfans pour assister les pères.

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18. Laborers are now paid at the public works, one shilling and three-pence per day, and artizans three shillings and sixpence. Those persons breaking stones under the direction of the Charitable Institution, get so much per bushel, equal to from one shilling to one shilling and six-pence per day. The rate of wages, I believe, generally paid at this season for the ordinary work of the country, is from two shillings to two shillings and six-pence per day. A single man ought to support himself (even at the present high price of bread) at one shilling per day, but a man with a wife, and averaging three children, if dependant on his earnings, will require one shilling and six-pence per day, and then every exertion must be used by the wife and children to pick up firewood about the Timber Coves when the weather will permit.

Thomas Lee, Esquire, Member of this House, for the Lower-Town of *Quebec*, appeared, and answered to the questions as follows :

1. I was born, and have always resided in *Quebec*, and for the last twenty-five years I have been proprietor of lands in its neighbourhood.

2. The state and condition of the Roads in the neighbourhood of *Quebec* is extremely bad, and impracticable in the Autumn and Spring. Even after heavy rain in the Summer, the Roads in the neighbourhood of *Quebec* are almost impassable. The law respecting roads in the neighbourhood of *Quebec* is oppressive, and cannot be executed unless the Farmer is constantly on the Road with his hoe and shovel to repair it.

3. The advantages are that if we had good Roads, that the country people who come to market from a distance of three leagues in the neighbourhood of *Quebec* with their commodities, instead of spending three or four hours as they do in coming to market, would perform it in an hour's time without ruining their horses, and they would spare their vehicles and harness, the expense of which is very considerable annually. I have made a calculation, that in the distance of three leagues during the time we had bad roads, of the time it took the country people to come to market, and of that which they would take if we had good Roads macadamized, as were the ten acres which I had done with some fellow-citizens upon a part of this Road, in order to give the country people a palpable proof of the advantages of artificial Roads, and it is a calculation that a number of experienced and intelligent Farmers have also made and found correct.

I attribute almost entirely to the want of artificial Roads the poverty of a great number of our farmers in the neighbourhood of *Quebec*, and to the want of good Roads and of the communication at a certain distance from *Quebec*, is owing the slowness of the settlement of lands of the neighbourhood of *Quebec*. But in order to render the advantage of artificial roads and of internal communications more striking, I shall take the liberty of submitting to the Committee a Report of *Mr. Gallatin*, which I shall file, in which will be seen the importance which the Government of the United States have attached for a long time back to the improvement of Roads, and particularly in those States which are our neighbours.

MR. GALLATIN'S REPORT—1808.

TURNPIKE OR ARTIFICIAL ROADS.

A great number of artificial Roads have been completed in the Eastern and Middle States, at an expense varying from less than 1000 to 14,000 dollars a mile.

Fifty-six Turnpike Companies have been incorporated since 1803, in the State of *Connecticut* alone ; and the Roads undertaken by those Companies are all of that description. Thirty-nine of those Roads extending together 770 miles are completed. No particular account

18. Aux travaux publics on paie maintenant les journaliers trente sous par jour, et les artisans trois chelins et demi. Les gens qui cassent des pierres sous la direction de l'Institution Charitable ont tant par minot, ce qui équivaut à la somme d'un chelin à un chelin et demi par jour. Je crois que le taux général des gages, pour les travaux ordinaires de ce pays est de deux chelins à deux chelins et demi par jour. Il faut qu'un homme vive avec un chelin par jour, malgré la cherté présente du pain, mais l'homme qui a une femme et le nombre commun de trois enfans qui dépendent sur ce qu'il gagne, aura besoin d'un chelin et demi par jour, et dans ce cas la femme et les enfans, quand le temps le permettra, devront faire tous leurs efforts pour ramasser du bois de chauffage au Foulon, &c.

Thomas Lee, Ecuyer, membre de cette Chambre pour la Basse-Ville de *Québec*, comparu et répondit aux questions, comme suit :

1. Je suis né et ai toujours résidé à *Québec*, depuis vingt-cinq ans, et j'ai été propriétaire de terre dans les environs de cette ville.

2. Aux environs de *Québec* les chemins sont dans le plus mauvais état, et impraticables le printemps et l'automne—même à la suite des grosses pluies de l'été, les chemins, aux environs de *Québec*, sont presque impraticables. La loi des chemins aux environs de *Québec* est oppressive, et ne peut être mise à exécution, à moins que le cultivateur ne soit constamment avec sa bêche et sa pioche à réparer les chemins.

3. Les avantages en sont, que si nous avions de bons chemins, les gens de la campagne qui viennent au marché d'une distance de trois lieues aux environs de *Québec*, avec leurs denrées, au lieu de mettre trois à quatre heures, comme il le font, à venir au marché, s'y rendraient dans une heure de temps, sans ruiner leurs chevaux, et ils ménageraient leurs voitures et leurs harnais, dont les frais annuels sont très considérables. J'ai fait un calcul, du temps que dans la distance de trois lieues, pendant que nous avons de mauvais chemins, les cultivateurs mettaient à venir au marché, et de celui qu'ils auraient sauvé, si nous avions de bons chemins macadamisés, comme les dix acres que j'ai faits avec quelques-uns de mes concitoyens sur une partie de chemin, afin de donner aux gens de la campagne une idée et une preuve sensible de l'avantage de chemins artificiels, et c'est un calcul que nombre de cultivateurs expérimentés et intelligens ont fait eux-mêmes et ont trouvé correct.

J'attribue presque entièrement au manque de chemins artificiels la grande pauvreté d'un grand nombre de nos cultivateurs, dans le voisinage de *Québec*, et au manque de bons chemins et de communications faciles, à une certaine distance de *Québec*, est due la lenteur avec laquelle se font les établissemens dans le voisinage de *Québec*. Mais pour rendre plus frappant l'avantage de chemins artificiels et des communications intérieures, je prendrait la liberté de soumettre au comité un rapport de *M. Gallatin*, que je produirai, dans lequel on verra l'importance que le gouvernement des Etats-Unis a mis, il y a déjà long-temps, à l'amélioration des chemins, et surtout dans ceux des Etats qui nous avoisinent.

RAPPORT DE M. GALLATIN—1808.

CHEMINS DE BARRIERES ET ARTIFICIELS.

On a confectionné un grand nombre de chemins artificiels dans les Etats de l'est et du milieu, et qui ont coûté au moins de 1,000 à 14,000 dollars le mille.

Il a été incorporé, depuis 1803, dans l'état de *Connecticut* seul, 56 compagnies de Barrières, et tous les chemins entrepris par ces compagnies sont de cette espèce. Trente de ces chemins, formant ensemble 770 milles, sont parachevés.

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count has been received of the Roads in the other Eastern States, but it is known that besides some of a similar description with those of the State of *Connecticut*, several of a more expensive kind have been completed, particularly in *Massachusetts*. A greater capital has been vested on Turnpike Roads in the State of *New York* than in any other. In less than seven years sixty-seven Companies have been incorporated with a nominal capital of near five millions of dollars, for the purpose of making more than three thousand miles of artificial roads; and twenty-one other Companies have also been incorporated, with a capital of four hundred thousand dollars, for the purpose of erecting twenty-one Toll Bridges.

More detailed information has been obtained respecting roads in *New Jersey*, *Pennsylvania* and *Maryland*.

In *New Jersey* a new Turnpike Road has lately been completed from *Trenton* to *Brunswick*. The distance is twenty-five miles, the greatest angle of ascent three degrees, and the Road is nearly in a straight line, the only considerable obstructions being the Sand Hills through which it is necessary to dig at the depth of thirty feet, in order not to exceed the angle of ascent. The Road is thirty-six feet wide, fifteen of which are covered with about six inches of gravel. A few wooden bridges with stone abutments and piers have been erected across the intervening streams,

In *Pennsylvania*, artificial roads of the most substantial kind have been completed or are proceeding from *Philadelphia* in sundry directions. In *Maryland*, Roads, extending from *Baltimore* in various directions, have lately been undertaken by several Companies and are rapidly proceeding. South of the *Potomac* few artificial Roads have been undertaken.

From *Alexandria* one is now progressing in a north-westwardly direction towards *Middleburg*. Another has lately been commenced from *Richmond* to *Ross' Coal Mine*. But the only one which, so far as any accounts have been received, is completed, extends twelve miles from *Manchester* opposite to *Richmond* in a westwardly direction to the coal mines of *Falling Creek*. The greatest progress made in the improvement of Roads in the northern parts of the Union, must be principally ascribed to a more compact population, which renders those improvements more necessary, and at the same time supplies with greater facility the means of effecting them. The same difference is perceptible in the number of Bridges erected in the several States. In the Eastern States, and particularly *Massachusetts*, wooden bridges, uniting boldness to elegance, and having no defect but the want of durability, have been erected over the broadest and deepest rivers. In the lower counties of *Pennsylvania*, stone bridges are generally found across all the small streams.

Both in that State and at some distance westwardly, bridges with stone piers and abutments, and a wooden superstructure, are common over wide rivers.

The want of bridges south of *Pennsylvania*, even on the Union Post Road, is sensibly felt. One lately thrown across the *Potomac*, three miles above the City of *Washington*, and which without any intervening piers, is wholly suspended to iron chains extending from bank to bank, deserves notice on account of the boldness of its construction and of its comparative cheapness.

The general principles of improved Roads seem to be:—1st. The reduction of hills by diminishing the angle of ascent, which ought not to exceed, whenever practicable, three degrees and a half, and under no circumstances five degrees. 2ndly. A sufficient convexity in the bed of the Road, together with ditches and drains, all which are intended to prevent the injury caused by standing water or freshets. 3rdly. An artificial bed of pounded stones or ground, sufficiently substantial to support the weight of the carriages in general use on the Road, either for the conveyance of persons or for the transportation of merchandize. On

On n'a reçue aucun rapport particulier des chemins des autres Etats de l'est, mais il est connu qu'outre quelques-uns de la même espèce que ceux de l'état de *Connecticut*, il en a été fait plusieurs d'une espèce plus couteuse, et en particulier dans le *Massachusetts*. Il a été dépensé, dans l'état de *New York*, aux chemins de Barrières, un capital plus considérable que dans aucun autre état. En moins de sept années il a été incorporé 67 compagnies, avec un capital nominal de près de cinq millions de dollars, dans la vue de faire plus de 3,000 milles de chemins artificiels; et il a été aussi incorporé 21 autres compagnies, avec un capital de 400,000 dollars dans la vue d'ériger 21 ponts de péage.

Il a été reçue des renseignements plus détaillés, à l'égard des chemins de *New Jersey*, de *Pennsylvanie* et de *Maryland*.

Dans le *New Jersey*, il a été dernièrement ouvert un chemin entre *Trenton* et le *Nouveau Brunswick*: la distance est de 25 milles, l'angle d'élévation est de 3 degrés, et le chemin est presque en ligne droite, la seule obstruction considérable étant aux *Côtes de Sable*, à travers lesquelles il est nécessaire de creuser jusqu'à 30 pieds de profondeur, pour ne pas excéder l'angle d'élévation. Le chemin a 36 pieds de large, dont 15 sont couverts d'environ 6 pouces de gravier. Sur les courans d'eau qui se sont rencontrés, on a érigé quelques ponts de bois avec des culées et des piliers de pierre.

Dans la *Pennsylvanie* on a fait ou l'on travaille à faire dans diverses directions, à partir de *Philadelphie*, des chemins artificiels de l'espèce la plus durable. Dans le *Maryland*, plusieurs compagnies ont entrepris dernièrement de faire partir de *Baltimore*, dans diverses directions, des chemins qui avancent rapidement vers leurs confection. Au sud du *Potomac* on a entrepris peu de chemins artificiels.

Il s'en fait un maintenant pour aller d'*Alexandrie* à *Middlebury*, dans une direction nord-ouest, on en a fait dernièrement un autre depuis *Richmond* jusqu'à la mine de charbon de *Ross*. Mais le seul, dont on ait reçu quelques rapports à l'égard de sa confection, s'étend à 12 milles de *Manchester*, vis-à-vis *Richmond*, dans une direction ouest, jusqu'aux mines de charbon de *Falling-Creek*. Les grands progrès qui ont été faits dans l'amélioration des chemins, dans les parties Septentrionales de l'*Union*, doivent être principalement attribués à la densité de la population, qui rend ces améliorations plus nécessaires, et en même temps pourvoit plus facilement aux dépenses que cela demande. La même différence se fait appercevoir dans le nombre de ponts bâtis, dans les différens Etats. Dans les Etats de l'est et surtout dans le *Massachusetts*, on a jeté sur les rivières les plus grandes des ponts de bois, qui réunissent la hardiesse à l'élégance, et dont le seul défaut est celui de la durabilité. Dans les comtés inférieurs de *Pennsylvanie*, on rencontre généralement des ponts de pierre sur tous les petits courans d'eau. Dans cet Etat et un peu vers l'ouest, il n'est pas rare de rencontrer des ponts avec des piliers et des culées de pierre, et une structure en bois sur le dessus, sur les rivières les plus larges.

On sent vivement le manque de ponts au sud de la *Pennsylvanie*, même au chemin de *Union Port*. Celui dernièrement jeté sur la rivière *Potomac*, trois milles au dessus de la cité de *Washington*, et qui sans le moyen d'aucun pilier, n'est suspendu d'un rivage à l'autre que sur des chaînes de fer, mérite l'attention, à cause de la hardiesse de sa construction et du peu qu'il a comparative-ment coûté.

Les principes généraux de l'amélioration des chemins paraissent être, 1^o. L'abaissement des hauteurs pour diminuer l'angle d'élévation, qui partout où cela est praticable, ne doit pas excéder 3 degrés et demi, et jamais 5 degrés. 2^o. Une convexité suffisante dans le lit du chemin, avec des fossés et des égoûts, tout cela pour prévenir le dommage causé par le séjour de l'eau. 3^o. Un lit artificiel de pierres cassées ou de terre, d'une consistance suffisante, pour supporter le poids des voitures généralement en usage dans le chemin, soit pour le transport des voyageurs soit pour celui des marchandises. G Sur

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On the last point it appears, from the facts already stated, or scattered in the communications received on the subject:—1st. That the stones ought to be similar in quality and reduced to the same size, which should not exceed three inches in diameter. 2nd. That the preferable qualities of stone rank in the following order:—Hard black stone, granite flint, or quartz, blue limestone, white ditto. 3rd. That the stratum may be either of pounded stone, ten or twelve inches thick, with two inches of gravel spread over the stones, or entirely of gravel eighteen inches thick. 4th. That when the materials are equally convenient, the expense of these three modes will not materially differ, but that the rate of expense depends principally on the number of hills and bridges, distance of materials, breadth of the Road and price of labour; and 5th, That the general adoption of broad wheels, for the transportation of heavy loads, is necessary to the full enjoyment of the advantages expected from the most substantial artificial Roads. On the degree of convexity and on the proper shape to be given to the natural bed of the Road under the artificial stratum, a diversity of opinions seem to prevail.

4. The best means of improving the Roads is that recommended by *Macadam*.

5. No; because I believe they are generally too poor to make these artificial Roads, which would not cost less, upon an average, than from ten to twelve pounds an acre.

6. About six hundred; and as to the increase of the population arising from this cause, I cannot speak correctly.

7. The parishes in the neighbourhood.

8. I believe that artificial Roads alone, owing to the clayey nature of the soil in the neighbourhood of *Quebec*, can improve the communications.

9. About ten pounds.

10. Yes.

11. Yes.

12. I believe it is considerable.

13. Very bad.

14. I believe that different sorts of work might be procured, but I do not know for what number.

15. A great number.

16. I believe that from fifteen hundred to two thousand pounds, well laid out, would be sufficient.

17. That would depend upon the extent of the Road that might be intended to be made. *Mr. Sinclair* and *Mr. Larue*, Road Inspectors, could give information on that subject.

18. I cannot answer this Question, because the short distance of the Road which I had made, was with stones already broken.

19. No answer.

20. I do not know, because I have used stones already broken.

Robert D'Estimauville, Esquire, examined, said:

Mr. Larue, Inspector of the Roads and Streets of the City and Banlieue of *Quebec*, having communicated to me the answers which he made to the said Committee, to the Questions submitted to him, which are found to be the same as those addressed to me, and not being capable of adding any thing to the most part of these answers, I shall take the liberty of using them as mine upon the same subject, and I shall here bind myself but to those questions submitted to me and not comprised in those of the said *Mr. Larue*, and authorized by the eighth question as well as by the following ones, to which I shall answer to the best of my opinion. I set out on the supposition, that the final result and end is to produce the greatest possible good to the public, at the same time that it will become an assistance to the greatest imaginable number of indigent persons of this City; consequently I shall believe myself justified in entering into these views of public utility and benevolence, by laying before the Committee the means which

Sur le dernier point il paraît d'après les faits déjà avancés, ou épars dans les communications reçues sur le sujet. 1°. Que les pierres doivent être de la même qualité et réduites au même diamètre qui ne doit pas excéder trois pouces. 2°. Que les pierres, sous le rapport de la préférence, sont rangées dans l'ordre suivant: pierre noire et dure de granit ou de quartz, pierre à chaux bleue, même blanche. 3°. Que le lit peut être également de pierres cassées de 12 pouces ou de dix pouces avec 2 pouces de gravier répandu dessus, ou tout de gravier de 18 pouces d'épaisseur. 4°. Que lorsque les matériaux conviendront également, la dépense de ces trois méthodes ne diffère pas de beaucoup, mais que les frais dépendent principalement du nombre de côtes et de ponts, de la distance des matériaux, de la largeur du chemin et du coût de la main d'œuvre; et 5°. Que l'adoption générale de roues larges, pour le transport de charges pesantes, est nécessaire pour pouvoir jouir de tous les avantages qu'on attend des chemins artificiels les plus solides. Il paraît y avoir diversité d'opinion sur le degré de convexité et sur la forme convenable à donner au lit naturel du chemin sous la couche artificielle.

4. Le meilleur moyen d'améliorer les chemins est d'adopter le plan recommandé par *M. Macadam*.

5. Non; parce que je crois qu'ils sont généralement trop pauvres pour faire des chemins artificiels, qui, terme moyen, ne coûteraient pas moins de dix à douze louis l'acre.

6. Environ six cents, mais je ne puis parler correctement, de l'augmentation commune qui, par cette cause, peut arriver dans la population.

7. Des paroisses des environs.

8. Je crois qu'il n'y a que des chemins artificiels qui, vu la nature argileuse du sol dans le voisinage de *Québec*, peuvent améliorer les communications.

9. Environ dix louis.

10. Oui.

11. Oui.

12. Je crois que le nombre en est considérable.

13. Très-mauvais.

14. Je crois qu'on pourrait procurer différentes sortes d'ouvrages, mais je ne puis dire pour quel nombre.

15. Un grand nombre.

16. Je crois que quinze cents à deux mille louis bien dépensés, suffiraient à cet objet.

17. Cela dépendrait de l'étendu du chemin qu'on voudrait faire, *M. Sinclair* et *M. Larue*, Inspecteur des chemins, pourraient donner des renseignements là-dessus.

18. Je ne puis répondre à cette question, car la petite distance de chemin que j'ai faite, l'a été avec des pierres déjà cassées.

19. Point de réponse.

20. Je ne sais pas, parce que j'employa des pierres déjà cassées.

Robert D'Estimauville, Ecuyer, examinée, dit:

Le Sieur *Larue*, Inspecteur des Chemins et Rues de la Cité et Banlieu de *Québec*, ayant bien voulu me communiquer les Réponses qu'il a faites au même Comité, aux Questions à lui soumises qui se trouvent les mêmes que celles à moi adressées, et ne pouvant rien ajouter à la plus grande partie de ces réponses, je prendrai la liberté d'y référer pour les miennes sur les mêmes sujets et je ne m'attacherai ici qu'à ces questions à moi soumises non comprises dans celles du dit *Sr. Larue* et, autorisé par la 8e question ainsi que par les suivantes, je vais tâcher d'y répondre de mon mieux.

Je pars de la supposition que, en dernier résultat, le but est de produire le plus grand bien possible au public, en même temps que de venir à l'assistance du plus grand nombre possible d'indigents de cette Cité. En conséquence je croirai entrer dans ces vues d'utilité publique et de bienfaisance en mettant sous les yeux du Comité les moyens que mon

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which my experience teaches me to believe proper to accomplish this double end ; therefore I answer to the

9th Question—that not only these preparations &c. cannot only, but even ought to be made in winter. It is a particularly dead season for the poor laborers and tradesmen, and it would be rendering them the most essential service by placing in them, even by their work, the power to procure their subsistence and that of their families ; and I would take upon me to say, that the number of individuals to whom such a service is nearly indispensable, does not amount to less than eleven or twelve hundred, comprising children from the age of from twelve to thirteen years old.

Now these children may break stones as well as grown men, and even old men, not infirm, at least six bushels per day, which experience proves, and which makes, at the rate of three half-pence per bushel, a profit of nine-pence, with which they may purchase a portion of soup and some other necessities of life.

As the miners can explode the quarries in winter and in summer, the breakers of stones may be constantly employed. To encourage and to draw them to this work, I think it would be right to cause to be erected near the quarry from which the stones would be drawn, one or two sheds sufficient to contain a thousand persons, in order to shelter them from the wind and snow, the materials of which might be sold at the end of the season, or better even serve upon the roads as hereafter specified. It would be necessary also to furnish them with the first hammer, cautioning them to take care of it as no other would be given.

11. The state of this class of individuals, which is not confined to mendicants, but which contains industrious citizens, who with the reduction of salaries, and the want of work in the short season of employment, is deplorable ; not having been able to gain sufficient during the summer for their maintenance, (the season for laying up for the support of winter,) they are obliged if they find credit, to contract debts which they ought to pay from the profits of the following season, and thus their misery perpetuates, and continually increases until at last they are reduced to beggary, a trade which they then make their children practice at an early age, and which quickly leads them to all the vices. We find then that however moderate may be the profits arising from the work in question, it must be of the greatest utility, even were it but to prevent them from running into debt, or at least to diminish the amount of the debts they would have to pay from the gain of the following summer ; but certainly the greatest good resulting from this employment of children, would be to obviate the necessity in which sometimes parents send them to beg for a morsel of bread to give them.

I have already said, that the number of individuals in need of succour during the winter, does not amount to less than from eleven to twelve hundred ; it is then actually the time to shew the means of employing them usefully to the public and to themselves :—

1st. One party of miners, consisting of two miners and one workman, can explode a cubic fathom of stones per day.

2d. A cubic fathom of stones when broken, produces one hundred and seventy bushels of small stones fit for macadamizing.

3. One breaker, being able to produce six bushels per day, it will need then about twenty-four to break in pieces one cubical fathom, or one hundred and seventy bushels.

4. Fifty thousand bushels are necessary for macadamizing one mile of road, and nine miles may be taken for the smallest number in the Banlieue, which it will be necessary to submit to this operation, so that there

mon expérience me porte à croire propre à remplir ce double but. En conséquence je répondrai à la

9e Question : Que non seulement ces préparations, etc., peuvent non seulement, mais même, doivent être faite, en hiver. C'est une saison particulièrement morte pour la plupart des pauvres journaliers et manœuvres, et on ne peut par conséquent que leur rendre le service le plus essentiel en les mettant à même, par leur travail, de pourvoir à leur subsistance et à celle de leur famille, et j'ose dire que le nombre des individus auxquels un tel secours est presque indispensable, ne se monte pas à moins de 11 à 1200 y compris des enfans de l'âge de douze ou treize ans. Or ces enfans peuvent casser, comme des hommes faits et même des vieillards non caducs, au moins six minots par jour, ce que l'expérience prouve, ce qui fait, à raison de trois sols par minot un profit de dix-neuf sols, avec lesquels ils pourront acheter une portion de soupe et quelques autres nécessité de la vie. Comme le mineur peut exploiter la carrière dans l'hiver comme dans l'été, les casseurs de pierres en pourront être constamment pourvus.

Pour les encourager et les attirer à ce travail, je crois qu'il serait convenable de faire ériger aussi proche de la carrière d'où les pierres seraient tirées un ou deux hangards suffisans pour contenir mille personnes, afin de les mettre à l'abri du vent et de la neige, dont les matériaux pourraient être vendus à la fin de la saison, ou mieux, servir sur les chemins même comme dit ci-après. Il faudrait pareillement leur fournir le premier marteau en les prevenant que c'est à eux à en avoir soin parce que l'on ne leur en donnerait plus.

11. L'état de cette classe d'individus, qui ne se borne pas aux mendiants, mais qui contient des citoyens industrieux qui, vu la réduction des salaires et le manque d'ouvrage dans la courte saison des travaux, est en général déplorable. N'ayant pu gagner suffisamment dans l'été pour leur maintien dans la saison et pour mettre suffisamment de côté pour leur entretien d'hiver, ils sont obligés, s'ils trouvent du crédit, de contracter des dettes qu'ils doivent payer sur leurs profits de la saison suivante, et ainsi leur misère se perpétue et va toujours en croissant jusqu'à ce qu'enfin ils sont réduits à la mendicité, métier qu'ils font alors pratiquer de bonne heure par leurs enfans et qui conduit bientôt à tous les vices. On sent donc que tout modique que puisse être le profit résultant du travail en question, il doit leur être de la plus grande utilité, quand ce ne serait que pour les empêcher de s'endetter ou au moins de diminuer le montant des dettes qu'ils auront à payer sur leurs gains de l'été suivant. Mais certainement le plus grand bien résultant de cet emploi des enfans, serait d'obvier à la nécessité où sont quelque fois les parens de les envoyer quêter pour avoir un morceau de pain à leur donner.

J'ai dit plus haut que le nombre d'individus ayans besoin de secours durant l'hiver, ne se montait pas à moins de 11 à 1200, il est dont à propos actuellement d'indiquer les moyens de les employer utilement pour le public et pour eux-mêmes.

1°. Un jeu de mine consistant en deux mineurs et un manœuvre peut exploiter une toise cube de pierres par jour.

2°. Une toise cube de pierre produit, cassée, 170 minots de pierrotage propre à la macadamisation.

3°. Un casseur pouvant produire 6 minots par jour, il en faudra donc à peu près 24 pour débiter une toise cube ou 170 minots.

4°. Cinquante mille minots sont nécessaires pour la macadamisation d'un mille de chemin, et on peut porter à 9 le moindre nombre de milles dans la banlieue qu'il sera nécessaire de soumettre à telle operation,

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there will be then a need of four hundred and fifty thousand bushels of broken stones for the whole, produced from two thousand six hundred and forty-seven cubical fathoms of stones from the quarry, and from two thousand six hundred and forty seven days mining, which will produce constant work for sixty-three thousand six hundred and twenty-eight days labour to the breakers, which by estimating the months at twenty-four days, two thousand six hundred and forty seven days, or finally, which will furnish an assistance, however light it may be, to nine hundred indigent persons, during three consecutive months.

It has been said above, that one set of miners could furnish daily employment to twenty-four breakers, which would require nearly forty parties of bars men or miners for the nine hundred; so great a number, however, would be subject to inconveniences and even to accidents, being assembled in a single quarry in a circumscribed space, there could be scarcely employed to advantage and without danger more than about twenty at the most, which would furnish constant employment only to five hundred breakers at the outside; but it would be easy to do away with this difficulty by setting the miners to work five or six weeks in advance. I have not yet spoken of the cartage as well of stones not broken to the place of work, as of those along the roads, for the reason that I should believe that it is but too just that those who will receive the greatest profit from the proposed works will be the proprietors of lands in the Banlieue, and the inhabitants of parishes who daily frequent the markets of *Quebec*, by taxing the first with six days statute labour, by and with harness per acre in the front upon the Roads of the said Banlieue, or by purchasing themselves off at the rate of five shillings per day, and the second, namely the inhabitants, proprietors and occupiers of land of the Parishes of *Ste. Foi*, the two *Lorettes*, *Charlesburgh* and *Beauport*, as far as two leagues in depth, beginning from the exterior line of the Banlieue, to two days of the like statute work for each three acres in front upon the said lands; well understood that whoever shall not have lands of three acres may unite themselves to furnish the said statute work.

By recapitulating it will be seen that the expence of these preparations will amount as follows, viz. :—

1. Forty parties, each composed of two miners and one workman, the first at the rate of 2s. 6d. for workmanship, 1s. 6d. for the daily reparation of their bars and for powder, and the latter 2s. per day, £20, and three months of twenty four days each	£480 0 0
2. 450,000 bushels broken stones, at three half pence per bushel	2812 0 0
3. To which must be added for the waste and rough timber for the construction of sheds, the purchase of hammers, the necessary salaries and casualties	1000 0 0
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	£4292 0 0

Observe, that these timbers and carpenters' wood could be usefully employed upon the roads.

Which sum of £4300 divided by nine, the number of miles presumed, gives per mile £470, for the expence of preparations, but if the cartage be paid then it will be necessary to add one-third. The employment of these small stones for the preparation of the Roads in the course of the summer would make it amount in all per mile to £525 or £530. In this manner, with a sum of less

opération, de sorte qu'il sera donc besoin de 450,000 minots de pierres cassées pour le tout, produit de 2,647 toises cubes de pierres de la carrière et de 2,647 journées de jeux de mine, qui produiront de l'ouvrage constant pour 63,628 journées de travail aux casseurs, ou, en estimant les mois à 24 jours, 2,647 mois, où entia qui fourniront une assistance, quelque légère qu'elle soit, à 900 indigens pendant trois mois consécutifs.

Il a été dit ci-dessus, qu'un jeu de mines pouvait fournir journellement de l'emploi à 24 casseurs, ce qui requerrait près de 40 jeux de barres ou mines pour les 900; un aussi grand nombre cependant serait sujet à des inconvénients et même à des accidents, étant rassemblés sur une seule carrière et dans un petit espace de terrain. On ne peut guère en employer avantageusement et sans danger qu'une vingtaine tout au plus, ce qui ne fournirait de constant emploi qu'à 500 casseurs tout au plus; mais il serait aisé de lever cette difficulté en mettant les mineurs cinq ou six semaines d'avance à l'ouvrage.

Je n'ai pas encore parlé du charroyage tant des pierres non cassées au lieu du travail que de celles cassées le long des chemins, par la raison que je croirais qu'il n'est que trop juste que ceux qui tireront le plus grand profit des travaux qu'on se propose, savoir: les propriétaires de terres dans la banlieue et les habitans des paroisses qui fréquentent journellement le marché de *Quebec*, en taxant les premiers à six journées de corvée par et avec harnois par arpent de front sur les chemins de la dite banlieue ou en s'en rachetant moyennant 5 chelins par chaque jour, et les seconds, nommément les habitans propriétaires et occupans de terres dans les paroisses de *Sainte-Foi*, les deux *Lorettes*, *Charlesbourg* et *Beauport*, à deux lieues de profondeur, à partir de la ligne extérieure de la banlieue, à deux journées de pareille corvée par chaque trois arpens de front de dites terres. Bien entendu que ceux qui n'auront pas de terres de trois arpens, pourront se réunir pour fournir la dite corvée.

En récapitulant on verra que les frais de ces préparations se monteront comme suit, savoir :

1. Quarante jeux de barres de mine, chacun composé de deux mineurs et d'un manœuvre, les premiers à raison de 2s. 6d pour la main d'œuvre, 1s. 6d pour la réparation journalière de leurs barres et pour poudre; et le dernier 2s par jour, en tout par jeu 10s par jour chaque, pour les quarante £20 et pour les 3 mois de 24 jours chaque, ci	£480 0 0
2. 450,000 minots de pierres cassées à 3 sols par minot, ci	2,812 0 0
3. To which must be added for the croutes and rough timber, pour la construction des hangards, l'achat des marteaux, les salaires nécessaires et les casuels, ci,	1000 0 0
	<hr/>
	£4,292 0 0

Remarquez que ces croutes et ce bois de charpente seront utilement employés aux chemins.

Laquelle somme de £4,300 divisée par 9, nombre de milles présumés donne par mille £470 de frais de préparation, mais s'il fallait payer pour le charroyage, alors il serait nécessaire d'y ajouter un tiers. L'emploi de ce pierrotage pour la confection des chemins dans le cours de l'été, ferait monter le coût du mille à £525 ou £530.

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less than £5000, there would be accomplished a double public object, in the complete reparation of the Roads of the Banlieue, and giving subsistence to nine hundred breakers, and then to miners composing at least one hundred other individuals. Behold, then, one thousand of the eleven or twelve hundred already provided for, and I have no doubt but that the Public Road Chest would employ another hundred, so that there would remain but few to provide for. In these calculations, founded upon experience, all has been carried to the highest, and I doubt not that this sum of £5000 might be reduced to £4500.

But to that end it would be necessary that the conducting of this work should be confided to a single person of skill and experience, for the inconveniences have been too often felt by the number of pretended directors, more or less tempted to employ their ideal theories in lieu of following the more certain route of experience. If, then, I were here permitted to offer my opinion, I would propose le *Sr. Larue* to be the only conductor of the work, leaving to him the choice of his Asssitants; he is a man of the most integral honesty, he is accustomed to undertake great jobs, he has a consummate practice, the love of his trade, and all the intelligence necessary; and I am sure that all the members of the Committee over whom I have the honor to preside will allow him in this respect the same justice that I do, and will say that all the works that *Mr. Larue* has conducted alone have always been better done, and at from 25 to 30 per cent. cheaper than those conducted by others or given to enterprize: but above all let there be no acting Commissioners, let their functions be limited to assuring and judging the accounts and to authorize the payments required. If there be a gratification allowed to the conductor of these works (which is just), let it not be by the day or the month or upon the footing of a per centage upon the expences, but a sum at once fixed to which may be added the perspective of an extraordinary gratification from the sum that shall be found to have been saved after the completion of the works at a fixed time.

Mr. Larue having already a public salary and less occupation in winter, it truly appears he will be content with a less gratification than any other.

Tuesday, 23d December, 1828.

PRESENT.—All the Members.

A. C. *Buchanan*, Esq. again called in: the following questions were submitted, and his answers taken down at the time.

Q. 1. What is the amount of the funds at the disposal of the Pauper Committee, and from what source derived?

A. At present the total amount of the Subscriptions have not been laid before the Committee. The Treasurer will be able to speak with more certainty upon this subject. The funds are derived from voluntary public contribution.

Q. What is the present price of brown bread, beef and mutton at *Quebec*?

A. Brown Bread, 1s. 2d. for a 6lb. loaf.

Beef, 2d. to 2½d. per lb.

Mutton, from 5s. to 7s. a carcase of 30 to 40 lbs.

Q. 3. You have stated that 1s. a day is sufficient to support a single man, and 1s. 6d. sufficient to support a man, wife and family of three children; would you state to the Committee the premises upon which these conclusions rest?

De cette manière avec une somme de moins de £5,000 on aurait rempli le double objet public de la réparation complète des chemins de la banlieue, et donné la subsistance d'abord à 900 casseurs et ensuite aux mineurs, composans au moins 100 autres individus. Voilà donc 1,000 sur les 11 à 1200 déjà pourvus et je n'ai pas de doute que la caisse des chemins n'en puisse employer encore une centaine, de sorte qu'il n'en restera plus guères à pourvoir. Dans ces calculs fondés sur l'expérience, tout a été porté au plus haut, et je ne doute nullement que cette somme de £5,000 pourrait se réduire à £4,500.

Mais pour cela il faudrait que la conduite de tout l'ouvrage fut confiée à une seule personne entendue et d'expérience, car on n'a que trop souvent éprouvé les inconvéniens du nombre de prétendus directeurs plus ou moins tentés d'essayer leurs idées théoriques, au lieu de suivre la marche plus sûre de l'expérience. Si donc il m'était permis d'offrir ici mon opinion, je proposerai le *Sieur Larue* pour être ce seul conducteur de l'ouvrage en lui laissant le choix de ses assistans. C'est un homme de la probité la plus intègre, il est accoutumé à conduire de grands chantiers, il a une pratique consommée, l'amour de son métier et toute l'intelligence nécessaire; et je suis sur que tous les Membres du Comité auquel j'ai l'honneur de présider lui rendront à cet égard la même justice que moi, et diront que tous les ouvrages que *M. Larue* a conduit seul ont toujours été mieux faits et à vingt-cinq ou trente par cent meilleur marché que ceux conduits par d'autres ou donnés à l'entreprise: mais surtout point de commissaires agissans; que leurs fonctions se bornent à assurer et auditer les comptes et à autoriser les payemens requis.

Si on alloue une gratification au conducteur ou aux conducteurs de ces ouvrages, (ce qui est juste,) que ce ne soit ni au jour, ni au mois, ou sur le pied d'un pourcentage sur les dépenses, mais une somme une fois fixée, à laquelle on pourra ajouter la perspective d'une gratification extraordinaire sur la somme qui se trouvera avoir été épargné après la completion des travaux à une époque fixée. *M. Larue* ayant déjà un salaire public et moins d'occupations dans l'hiver se contentera vraisemblablement d'une gratification moindre que tout autre.

A. As to the single man, I presume he would get his board and lodging for about a dollar a week; the man with the family would require three to four dollars per month for house rent, and as to food, two pounds of beef with herrings occasionally, and two pounds of bread with potatoes, oatmeal or peas should be an ample allowance.

I make no allowance for fuel, as I understand that it is got at the Coves for the mere carrying of it away.

Q. 4. Are the arrangements made by the Pauper Committee of a nature to admit of the employment of children in the breaking of stone, and is the operation performed under shed or other cover?

A. At present there are no arrangements for children being employed, it being confined to adults, and the work performed in the open air.

It is not thought it would be expedient to expose children to the inclemency of the weather at this season, and hopes are entertained by the Committee that some plan ere long will present itself under the auspices of the ladies of *Quebec*, in connection with the Institution, for giving employment to poor females and children, and for which purpose the Committee have voted twenty-five pounds to the Ladies.

Q. 5. Are the paupers generally sufficiently well clad to admit of their working in the open air?

A. Those that have come under my observation have

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have generally been better clad than you would expect people of that class to be, and where I have remarked a want of proper clothing, you could trace it to great indolence and intemperance.

Q. Is there not established a soup kitchen as subsidiary to the objects which the Committee have in view?

A. There is but one opinion on this point, the general disposition of the public, and the want of apparent knowledge of conducting an establishment of that kind with economy, will I fear oblige the Committee to abandon that part of their plan, and substitute in its stead an issue of the raw materials, such as beef, potatoes, bread, oatmeal and fish.

Louis Massue, Esquire again examined, answered to the Questions that were submitted this day to Mr. *Buchanan* :

1st. I understand that the amount will be near six hundred pounds, arising from public voluntary contribution.

4. The present arrangements will not admit of the employment of children in the breaking of stone, owing to their not being generally sufficiently clothed to work in the open air.

5. Paupers are not generally sufficiently well clothed to work in the open air in very cold or stormy days, especially as the breaking of stones does not give sufficient exercise to the body to withstand the cold.

8. There is; but I do not think it will answer the purpose for which it was intended.

Mr. *Antoine Parent*, examined, answered to the questions which were submitted this day.

1. The amount of the Funds at the disposal of the Committee is about six hundred pounds, derived from voluntary public contribution.

2. Brown Bread 1s. 2d. for a 6 lb. Loaf—Beef, 2d. to 2½d per lb.—Mutton from 5s. to 7s. a carcase of 30 to 40 lbs. weight.

3. There are about seventy men employed at this moment, but no children. They work in the open air.

4. That is the mischief, the greatest number is not sufficiently clad to work in the open air.

A letter was received from *Jeffery Hale*, Esquire, of which the following is a Copy :

Quebec, 26th December 1828.

Sir,

I have received your letter of the 17th instant, inclosing the Questions which you were requested by the Committee to whom is referred the Petition from the inhabitants of *Quebec*, relating to Roads, to transmit me; and feel it right, in the first place to state in apology for the tardiness with which I acknowledge its receipt, that the delay of my reply has been occasioned by an expectation of information from which satisfactory answers might be framed. I have not succeeded in procuring this, and can only therefore beg you to convey to the Committee an expression of my regret, that, during an interrupted residence in *Québec*, of only a few months out of the last seventeen years, I have not acquired a knowledge of the number or condition or resources of the Poor, sufficiently complete to enable me to answer these Queries, with safe or serviceable precision. The only certain information which I have it in my power to impart is that of those who are now receiving gratuitous relief in the shape of food from the *Quebec* Charitable Institution, for the suppression of street-begging, and the supply of work to the Poor. The number of male and female adults may be stated at 280 and children at 550: and the number of those employed in breaking stones for roads at 81.

I have the honor to be

Sir,

Your very Obedt. Hble. Servant,

JEFFERY HALE.

E. Glackemeyer Esqr.
&c. &c. &c.

Saturday, 10th January 1829.

PRESENT:—Messrs. *Neilson*, *Clouet* and *Lee*.

Mr. *Lee* in the Chair, in the absence of Mr. *Stuart*.

John Neilson, Esquire, a Member of your Committee, examined:—He states that he is personally acquainted with the truth of the allegations in the Petition which he hands in, delivered to him by the interested in the Roads therein mentioned. That the *Ste.-Claire* Road is a great thoroughfare, and that the Road north of the *Little River* leading to *Lorette* is frequently very bad, as also some part of the *Carouge* Road, although much has been done there, by the Military Government and the proprietors, to introduce the *Macadam* system.

REPORT.

Your Committee have taken the Petitions, referred and the Evidence into consideration, and are fully persuaded of the almost impassable state of these Roads in the Spring and Fall, the great burthen that their present imperfect state of repair throws upon the proprietors to make them fit for the travel, and that it would be of public utility that a sufficient example should be given of an ameliorated system of Road making

Samedi, 10 Janvier 1829.

PRESENS:—MM. *Neilson*, *Clouet* et M. *Lee*.

M. *Lee* au fauteuil, en l'absence de M. *Stuart*.

John Neilson, écuyer, membre de votre comité, examiné et dit: Qu'il a une connaissance personnelle de la vérité des allégués de la pétition qu'il tient à la main et qui lui a été donnée par les personnes intéressées dans le chemin y mentionné. Que le chemin de *Ste.-Claire* est bien passant, et que le chemin au nord de la *Petite-Rivière*, qui conduit à *Lorette* est ordinairement bien mauvais, aussi bien que quelques parties du chemin du *Carouge*, quoique le gouvernement militaire y ait fait beaucoup travailler et que conjointement avec les propriétaires il ait essayé d'y introduire le système de *Macadam*.

RAPPORT.

Votre Comité a pris en considération les pétitions qui lui ont été renvoyées et les témoignages qu'il a reçus, et est pleinement persuadé de l'état presque impraticable de ces chemins, dans l'automne et le printemps, et voit le pesant fardeau qu'on imposerait aux propriétaires en les obligeant d'améliorer leurs chemins dans l'état de détérioration où ils sont actuellement, et que l'utilité publique demanderait qu'en donnât

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making in this Country, with a view to encourage its more general adoption.

On these grounds your Committee recommend that a Grant to aid the Proprietors in putting the Roads near the City into a state of repair, should be made along with any Grants for the purposes of Roads which may be made.

Ordered, That the Chairman do leave the Chair and report.

The whole nevertheless humbly submitted.

THOMAS LEE,
Chairman.

donnât un exemple suffisant d'amélioration pour encourager dans le pays l'adoption générale d'un système efficace.

D'après ces considérations votre comité recommande de faire une affectation de deniers pour aider les propriétaires à améliorer les chemins aux environs de la ville, lorsqu'on votera quelque somme d'argent pour les chemins.

Ordonné, Que le Président laisse le fauteuil et fasse rapport.

Le tout néanmoins est humblement soumis.

THOMAS LEE,
Président.

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REPORT

OF THE COMMISSIONERS FOR

EXPLORING THE SAGUENAY.

To the Honorable the COMMONS of LOWER-CANADA in Provincial Parliament assembled :

THE undersigned Commissioners, appointed in pursuance of an Act of the Sixth Year of His present Majesty, chap. 34, intituled an "Act to appropriate a certain sum of money therein mentioned for exploring the tract of country to the north of the River and Gulf of St. Lawrence, commonly called the King's Posts, and the lands adjacent thereto," have the honor, in obedience to the provisions of the same, to lay before the two Houses of the Provincial Legislature the following Report of their Proceedings.

Soon after the appointment of the undersigned as such Commissioners, a plan for the effecting the survey of this tract of country was submitted to His Excellency the Earl of Dalhousie, Governor in Chief of this Province, which received his Excellency's approbation.

In conformity with this plan, three canoes of the requisite dimensions were hired from Mr. Lampson, the Lessee of the King's Posts, at a stated rate per month, and he engaged also to furnish the canoes men and provisions as well for them as for the whole party. This consisted of one of the undersigned Commissioners, of three Surveyors, viz. Joseph Bouchette, Jun., Esq. Deputy Surveyor General, Mr. Hamel and Mr. Proulx, sworn Surveyors, and of the following Gentlemen, who volunteered for the service:—B. P. Wagner, Esq. of Quebec, Mr. Baddeley, of the Royal Engineers. Mr. Nixon and Mr. Goldie of the 66th Regiment, Mr. Bowen and Mr. Davis.

On the 22d July last, Mr. Bouchette, accompanied by Lieutenant Goldie and Mr. Davis, who volunteered to act as his Assistants, proceeded from Quebec to Three Rivers, and in pursuance of the aforesaid plan, and of the instructions given according to it, ascended the River St. Maurice to the mouth of the River La-Tuque, a distance of fifty leagues, entered the river La-Tuque, and ascended it to its sources, and crossing over the head waters of the Batiscan, entered into the waters in their neighbourhood which empty themselves into Lake St. John, at a point about four leagues above the Post of Metabitchuan, the old Jesuit Establishment upon that Lake.

The remainder of the party left Quebec in a schooner on the sixth of August, arrived at Tadoussac on the ninth; the following day ascended the Saguenay with a party of canoe men, and a boat accompanying the two Canoes attached to this portion of the party, and arrived at Chicoutimi on the fourteenth day of August.

Mr. Proulx was here detached with a small canoe and two men, with instructions to explore the lands lying upon Ha-Ha Bay, and between it and Chicoutimi, and having completed this survey he was directed to cross the River Saguenay at Chicoutimi, and penetrate into the interior on the opposite side by the River des Terres Rompues, and ascertain as far as time and circumstances would permit the nature and extent of the cultivable ground, which there was reason to believe existed in that direction, and having done so, to return by the Saguenay to Tadoussac, obtaining as much information as he could, and to proceed from the latter place with all convenient diligence to Quebec.

This was performed by Mr. Proulx, and the result of his labours will be found in his Journal and Map which accompany this Report.

Of the two canoes thus left at the disposal of the party, one having on board Mr. Baddeley and Mr. Hamel, left Chicoutimi on the seventeenth day of August, and arriving at Lake St. John on the following twenty-second, immediately turned to the right and commenced, pursuant to instructions, the exploring of that portion of the Lake which lies between the mouth of the Koushpigan and that of the Assuapmousoin.

The second canoe, with a small canoe in attendance, upon arriving at Lake St. John on the 22d day of August, proceeded forthwith to the Post of Metabitchuan in the expectation of there meeting and receiving intelligence of the party which had left Three Rivers on the twenty-third of July.

Upon their arrival at Metabitchuan, however, no intelligence was received of that party, but they were soon relieved from their anxiety upon this score, as they were about leaving the Post of Metabitchuan, by the arrival of the Three Rivers party on the 23rd of August. These gentlemen had been delayed by the height of waters occasioned by almost continued rains, and had further to encounter the delays incident to passing through a route altogether new and not without its dangers.

Mr. Bouchette was here directed, after surveying the Lake between the mouth of the Koushpigan and the mouth of the Assuapmousoin on the south-western side of Lake St. John, to explore the country lying on the south-west side of Lake Tsinogomi and Tsinogomishish, and upon

the waters generally of the communication between Chicoutimi and Lake St. John in that direction, and having arrived at Chicoutimi to proceed from that place to Tadoussac by the Saguenay, obtaining such information as was in his power in descending the river to Tadoussac, and to proceed with all convenient diligence from the latter place to Quebec.

The result of the labours of Mr. Bouchette will be seen in the plan accompanying the present Report.

He states that want of provisions and the advanced state of the season prevented him from exploring the country to the south-west of Lake Tsinogomi and Lake Tsinogomishish.

His Journal has not yet been received.

After leaving Metabitchuan on the twenty-fourth of August, that portion of the party which last arrived at Lake St. John from Chicoutimi, rejoined the Canoe having on board Mr. Baddeley and Mr. Hamel at the mouth of the river Koucuatim, which these gentlemen had reached in the progress of their exploring survey, and here Mr. Nixon took the place of Mr. Baddeley in this canoe, and Mr. Hamel was instructed, after completing his survey upon Lake St. John, to explore the Peninsula lying between Lake Tsinogomi and Tsinogomishish on the one side, and the grand outlet to Lake St. John on the other, on his way down to Chicoutimi, and upon arriving at the latter place, to proceed to Tadoussac, obtaining any additional information in his power, and to proceed from Tadoussac with all convenient diligence to Quebec.

The Plan and Journal of Mr. Hamel accompanies this Report.

The undersigned Commissioners beg leave to lay before your Honorable House, a Plan by Mr. Nixon, containing a delineation of the River Assuapmousoin to its source, as also of the waters connecting the remote Post of Shippeshay with the Saguenay, opposite Chicoutimi the sources of the information from which Mr. Nixon has prepared Plans of these portions of the country hitherto known only to Indian Traders, or to Savages, are entitled to the fullest credit. They beg also to subjoin to the Report, certain extracts from Mr. Nixon's Journal, which have relation to the immediate objects of the Mission.

There remaining no further necessity for the presence of a Commissioner, the gentleman who accompanied the party in this capacity, left them at the mouth of the River Koucuatim, and returned with a light canoe to Tadoussac, and thence proceeded to Quebec.

The remaining gentlemen of the party, to wit: Mr. Wagner, Mr. Baddeley, Mr. Goldie and Mr. Bowen, continued their route round the Lake, examining its shores and banks, to the Post of Metabitchuan, and thence to Chicoutimi: Mr. Wagner here joined Mr. Proulx's canoe, with a view of continuing the enquiries respecting the quality of the timber, and the facilities or difficulties of its exportation, to which his attention had been more particularly turned, and of which his long experience enabled him so well to judge.

Mr. Baddeley, Mr. Bowen and Mr. Goldie, having proceeded from Chicoutimi, to St. Paul's Bay, the latter of these gentlemen returned to Quebec.

Mr. Baddeley accompanied by Mr. Bowen, remained at St. Paul's Bay, to continue the mineralogical inquiries to which his attention had in the progress of the expedition been more particularly devoted.

The undersigned Commissioners beg leave to lay before your Honorable House, the highly valuable proofs of his zeal and industry in the Geognostical survey.

For themselves, they beg leave to say that the results of this exploring survey have been more satisfactory than they could have anticipated, and although much yet remains undone, from the smallness of the means at their disposal, yet, that enough appears from the accompanying plans and documents, to demonstrate that this tract of territory could afford habitation and subsistence to vast numbers of men, and thereby add greatly to the military strength of these Provinces, and be conducive to the general interests of the Empire, whereof we have the honor and happiness to form a part.

All which is nevertheless most humbly submitted.

Quebec, 26th December 1828.

(Signed) ANDREW STUART,
DAVID STUART.

Appendix
(V.)
14th Jany.

GEOGNOSTICAL SECTION through a part of the SAGUENAY COUNTRY;

Including a few Topographical and Agricultural Observations;

By Lieut. F. H. BADDELEY, Royal Engineers.

THE materials for forming this geognostical essay were procured while attached to an Exploring Party, which left Quebec in the summer of 1828, on a journey through the Saguenay Country, to collect information as to its capabilities for settlement.

Upon a perusal, it will be found to require much indulgence, partly on account of the inexperience and limited information of the writer, on the subject in general, and partly owing to the short period allotted for observation. This indulgence, it is hoped, will be readily granted by the reader, when he is informed, that it has been written without assistance, and by a person, as he will soon ascertain, totally unpractised in bookmaking.

As this is considered by the writer merely as a sort of appendix to the more important and comprehensive reports of Ensign Nixon, 66th Regt., Messrs. Bouchette, Hamel and Davis, he has omitted as superfluous, most of the distances and courses, &c., retaining only the latitudes of those places where he had reason to think his observations were correctly made for determining them, and referring the reader for the relative position of places, to the accompanying plan.

Without further preamble, he will now proceed with the description of the rocks which were met with in the route, in the order they came under observation, trusting that it may afford the experienced geologist the means of fixing their geological position,—an attempt he has seldom presumed to make himself, and where made, it is with the diffidence and hesitation compatible with his want of experience and knowledge on the subject.

The rocks on the Island of Orleans, wherever we have seen them, are composed of alternating strata of clay slate and grey wacke. At Patrick's Hole, which was reached about 10 A. M. of the 6th of August, these rocks appear alternating with each other, in very distinct strata, the dip of which, when not vertical, is either to the east or west, at an angle of from 60° to 85° . Here the grey wacke predominates, and rising beyond the thin strata of clay slate, owing to the greater resistance the former opposes to the action of weathering, forms on the shore natural low stone walls, parallel to each other. It is probable that a good building material may be procured at this place.

As the term wacke has been applied very loosely to rocks of very different characters, we will here describe the mineral contents, &c. of the one to which we have applied this name:—

Its prevailing colour in the neighbourhood of Quebec, of which it is a characteristic rock, is greenish grey. It possesses a mechanical and granular structure, being composed of rounded grains of quartz, thickly distributed through a base of indurated clay; these are sometimes large enough to render the term pudding stone applicable to it. Small white crystals of felspar and small angular pieces of clay slate are occasionally seen in it. It is almost always characterised by a great degree of solidity and infriability, and could never be mistaken for one of the latest sandstones. The grey wacke of Cape Rouge is an excellent building stone, and has been much employed in the scarps of the new fortifications at Quebec. Although the predominating rock, grey wacke, is comparatively rare among the *debris* or shingle, on the shore, owing to its power of resisting the disintegrating action of the atmosphere, while clay slate, for a contrary reason, covers the shore in angular fragments.

These two rocks continue without interruption, as far to the westward as the Telegraph, from the neighbourhood of which Messrs. Nixon and Bowen brought specimens of the latter, much discolored by the red oxide of iron, and containing small rounded nuclei or nests of magnetic iron. These gentlemen report the soil over which they passed, to be sandy and much neglected, a description that will apply to most of that we saw on this island. A few yards beyond high water mark, the rocks suddenly emerge, and form a bank about fifty feet high, running parallel to the river. Having walked about a mile to the eastward of Patrick's Hole, along the shore, no important geological change was observed.

At river La Fleur, off which, adverse winds obliged us to anchor, the same rocks were observed; we here learnt, however, that limestone is found in the adjoining parishes of St. François, to the eastward, and St. Laurent to the westward, at the latter of which places lime is burnt for the supply of the island. We here made a small excursion inland, for about two miles, on a N. W. course, without observing any thing more remarkable than an isolated ridge of grey wacke, suddenly cropping out and dipping to the S. E.* at an angle of from 50° to 60° . Upon our return, we took the Sun's Meridian Altitude, and found the latitude to be $46^{\circ} 53' 40''$.

* This is the prevailing dip on the northern shore of the St. Lawrence; it is frequently reversed on the southern.

Leaving river La Fleur, we came to anchor again off La Grosse Isle, on which we passed the night. This island we were informed belongs to the Ursulines, and is about three quarters of a league long, by about 550 feet wide, but being almost entirely a bare rock, one farm only, of about 90 acres, is under culture upon it. Having reached this place very late at night, and quitting it very early in the morning, our geognostical observations were necessarily very scanty. The rock we believe is grey wacke. It is covered with a grey lichen, and bears the appearance externally of a solidity it does not possess, at least in the places examined, as it readily broke under the hammer, into tabular pieces, with oxidated surfaces. The obscurity of the weather and time at the period of observation, together with the absence of the specimens collected, which were left behind, will not allow us to describe with confidence. The outline of the island is craggy and irregular.

Passing to the southward of the island, in descending the St. Lawrence, several islands, viz: Marguerite, Cochon, &c. &c., some of them mere isolated rocks, were observed on the left hand, and which have the appearance of being also of grey wacke.

We lay off the mouth of the Saguenay on the morning of the 9th of August, at a conjectured distance of from 9 to 12 miles. The highest point of land on the western side of the entrance into the Saguenay at this distance, subtended an angle of $1^{\circ} 12' 44''$. No approximate height could be expected from calculating with such imperfect data; they were employed, however, and by one calculation, in which 12 miles was assumed as the base, the height was found to be 919 feet; by another, in which the base was $10\frac{1}{2}$ miles, 805 feet were obtained: the former agrees nearly with the result of an observation less liable to prove erroneous which was taken subsequently at the post of Tadousac.

Upon landing at this place (Tadousac) we proceeded immediately to examine a few of the geognostical characters of the country. The only place of residence here is erected on a bank of sandy alluvium, elevated about 50 feet above the river, and forming a flat terrace at the base of the mountain which suddenly emerges at a short distance behind. The rock of which these mountains are composed is granite, either of a red or a grey color, depending upon that of the felspar. It contains very little mica, but sufficient to make it a genuine granite, a rock as will be seen of rare occurrence among those about to be described. It crops out in cuboidal masses, and possesses sometimes the probably fallacious appearance of being stratified. At the foot of this granite, a small stream drains a tolerably deep section of the before mentioned alluvium, which is crowded with water washed fragments of primary rocks. On the shore were seen small deposits of magnetic iron. Here bases were measured, and the requisite angles taken for determining the height of the most elevated land on either side the mouth of the Saguenay, which was found to be 912 feet on the western side, and 588 feet on that to the eastward. These results are approximations only, as the observations from whence they are derived, were not taken with the utmost precision.

Leaving the harbor of Tadousac and proceeding to the eastward round the clayey precipice of Pointe-aux-Vaches, which is the most southern portion of the alluvial plateau before described, we reached a small bay, at the bottom of which the Moulin Baude rivulet enters the St. Lawrence, at the distance of about three miles from the Post. It is here that the bed of white marble is situated, which has already excited much attention. We visited this place late in the evening, and could only spare ten minutes to its examination. It lays in close contact with sienitic gneiss, a rock composed of white felspar, gray quartz and black hornblende; the latter of which minerals it is, that by its arrangement in parallel seams and layers, makes the term gneiss more applicable to it than granite; these seams and layers indeed are sometimes so thick, and always so continuous, as to merit the name of alternating "hornblende schists" of Maculloch, if an aggregate, in other places of the neighbourhood, of so intrusive a character, and on that account agreeing better with one of his "overlying" rocks, can be admitted among that class. The fracture of the rock is effected more readily in the direction of these seams than elsewhere, and the surface thus exposed has a black pseudo metallic brilliancy, resembling some micaceous schists, for which at the first sight it might be mistaken, but the easy fusibility before the blow-pipe, into a black shining globule, of that mineral which sometimes resembles black mica, is a sufficient distinction.

But to return to the marble: At its junction with the gneiss, it is much entangled with it, and it is stained in many places of a greenish color. Conformable to the accompanying strata it dips to the S. W. at a high angle, and crops out in yellowish white water-washed masses on the shore, at the bottom of a precipitous cliff, where alone we saw it. None of the specimens examined could be considered of excellent quality, as they were much stained and bastardised by what was supposed to be either hornblende or epidote; besides they are of a laminar, and not of that granular, structure which bestows on the white Italian marbles their greatest value, by causing them to work freely in any direction. We had no leisure to ascertain the quantity in which this marble occurs, but this

this deficiency of information is fully supplied by the following anonymous communication, which there is reason to think generally correct :—

“TADOUSAC, Sept. 14, 1826.

“We walked this morning along the beach to Moulin Baude, about four miles below this Post, to see the bed of marble there. Pointe Rouge, forming the south-east promontory of the harbour of Tadousac, is chiefly composed of a very hard-grained red granite. The granite alternates for a few paces with, and is then followed as far as Pointe-aux-Vaches, by several varieties of primitive rocks, principally gneiss, &c. until they are there met by a bed of clay, apparently one hundred and fifty feet thick above the level of the river, and cut down nearly perpendicularly by the beating of the waters for a distance of about two hundred yards, which is the whole breadth of the bed. This clay is of the same character as that at Pointe aux-Bouleaux. (*) The primitive rocks of the same description which were found laying against the clay, almost immediately succeed it, and the action of the water discloses to the passenger that fantastic and beautiful intermixture of layers of different colours, so common between Malbay and the Saguenay. The shore is then indented, and a bed of gneiss, stretching out into the St. Lawrence, has been cut off by the water and forms a little island; opposite to it is a bay, and in the dry sand thrown up, the wild oats grow so profusely that they almost appear to be sown by man. A larger bay a little farther on is what is called Moulin Baude; it is about one hundred and fifty or two hundred yards deep; and at its bottom is the bed of marble. This bed is nearly vertical, rising within view to the top of the bank, which is here scantily wooded and about one hundred and fifty feet high, ascending at an angle of about 70°. The direction of the bed is nearly N. (NW ?); the breadth along its whole exposure varies from six to eight or nine feet, disappearing under ground without diminution. In some parts it is interlaced by the adjacent strata, (gneiss), but it is generally pure and solid. A small stream falling down the bank has intersected it, and disengaged a large block or two which have been exposed to the water and frost; they do not appear to have been much affected by this exposure; indeed they have resisted it exceedingly well. Supplies of many thousand tons might be obtained at a trifling expense. As a statuary marble it will be very valuable, for it is generally speaking of a pure white colour, although to the depth of a few inches from the adjacent strata it is often tinged green, and in a few parts of the mass there is a red tinge (†). This muddy bay is dry at low water, affords a protected harbour, and admits at high water vessels drawing six or eight feet. A vessel of the former draught might indeed touch the bed itself with its keel. The entrance from the St. Lawrence is not difficult. It is not more than forty-eight hours' sail from Quebec with a light fair wind. Large sound blocks of the marble of fifteen or twenty feet in length by four or five feet wide, might I think be obtained: these would be fine ornaments as columns, &c. to buildings. As the marble does not take a fine polish, it would not be so much in request for chimney-pieces, &c. It well deserves to be worked. The discovery of marble at this place is not a very new one. Charlevoix, who anchored here in 1720, in the Chameau, a French King's-ship, landed at the small stream at the bottom of the bay, and it is probably in allusion to this very bed, which he could not have failed to see, that he says, in speaking of the place, ‘tout ce pays est plein de marble.’ (‡) The marble in question was long ago known to the North West Company.”

It is a curious fact, that this marble was bought for gypsum; the purchaser, as we are informed, on the most respectable authority, ground it up for cement, and found it to answer very well. If so, he must first have expelled its carbonic acid by means of a powerful heat, for there is no doubt whatever of its being a very pure carbonate of lime, and its association with granite and gneiss places it among the primary marbles. That gypsum has ever been found among primary rocks, so as to indicate its primary origin, is doubted by some geologists. It bears a strong resemblance to alabaster, and probably on that account was mistaken for gypsum.

On the subject of this mistake the following extract of a letter, addressed by us to the Editor of the Quebec Mercury, is given;—

“Two kinds of alabaster only are known,—that formed on the floors of caverns by calcareous depositions from the roof, called stalagmites, and some varieties of gypsum or sulphate of lime. The former it cannot be, and one of the latter it is not for the following reasons:—All the varieties of gypsum except the anhydrous may be scratched by the nail, which this cannot be. None of them effervesce in acid, which this not only does but forms a clear solution in. The gypsums fall to powder with heat—the mineral in question burns to lime. It is therefore a carbonate and not a sulphate of lime.

(*) “The clay at Pointe aux Bouleaux and Pointe aux Vaches, the two outermost tongues of the banks of the Saguenay at its mouth, occurs in immense beds, of which that at the first place is about thirty or forty feet in thickness above ground, and that at the last place probably two hundred feet: both together extending in superficies apparently ten or twelve miles. It is extremely fine in its texture, contains a good deal of lime and some iron. It has the property of crumbling when water is thrown upon it, as unslaked lime does, and might by being merely spread out and exposed to the falls of rain, answer as an excellent manure for a soil having an excess of acid, such as that of swamps, &c.”
Samuel Neilson, Esq.

(†) As a statuary marble it is totally unfit; whiteness alone is not sufficient; it should also possess granular structure. Those marbles are best for that purpose which, like the Carrara marble, resemble the finest white sugar.

(‡) A remarkable instance of exaggeration if he alluded only to the bed in question; but it is probable that, deceived by the whitened surfaces of almost all the rocks in this place, he mistook that for marble which was only the rock it was associated with.

“The translucency of this marble is remarkable, which joined to its colour (in favourable specimens a dazzling white, sometimes slightly shaded with pink) renders it to all external appearance well calculated for ornamental purposes, particularly for the manufacture of vases, lamps, &c.. If its abundance will allow of its being employed as a building stone, the ease with which it may be worked, its solidity and whiteness, would render it at once an economical, a durable and a handsome building material. Some have indulged the hope that it might be made an article of export; but admitting that it is in sufficient abundance, which we doubt, white marbles of a far superior character are found in many parts of Scotland, a full account of which may be found in some papers communicated by Dr. Macculloch to the Geological Society of London, and entered in the 2nd and 3rd Vols. of its Transactions. We here insert an extract from one of these papers which will be found to afford some interesting information respecting the Grecian, Italian and Scottish marbles.

“Few substances in the catalogue of those with which economical mineralogy is concerned, have excited more interest than statuary marble, from its rarity, its beauty and its indispensable necessity in the art of sculpture. It has at different times formed an object of anxious research in this country, and premiums have been held out for it by the Society of Arts. It has consequently been found in various parts of Scotland, as well as in Ireland, but no native specimens have yet been introduced into the arts. As the causes which have impeded their introduction have hitherto been such as may be considered adventitious, being of a commercial nature, and not founded on any experience of their physical defects, it has been hoped that they might by perseverance and time be removed, and that the statuary marbles of this country might at some future day supersede the necessity of importing this article. It will not therefore be a misplaced enquiry to examine the several properties of those marbles which have at different times held a place in the estimation of artists, and to compare them with our own specimens, more particularly with that of Sky, now under review, the most abundant and certainly the most specious of all those which have yet been found in Britain. The enquiry is the more necessary, as the several circumstances in which white marbles differ, do not appear to have been generally attended to, and as an undue value seems in some instances to have been fixed on our own in popular estimation, although not in that of sculptors themselves.

“The value of this substance in those distant periods when the arts of Greece flourished, occasioned an industrious research after a material in which the sublime ideas of its artists could be embodied. . . . Accordingly many quarries have been wrought in ancient times, of which little has descended to us but the names, and a few of the works which were executed from their produce. These marbles were of various qualities, and examples of them are still to be seen in ancient statues, although with regard to many of them a species of evidence often little better than conjectural, has guided sculptors and mineralogists in their attempts to determine the quarries from whence they were derived. Among these, the quarries of Paros afforded a marble, (the often quoted lychnites of Pliny) in which it is asserted that the celebrated Venus was wrought, as well as some others to which we have not access. But there are many specimens of sculpture in the British Museum which seem to have been executed in this stone, or in one at least of analogous character.

“Of the nature of the Parian Marble we are enabled to speak positively, since some blocks of it have been quarried during the last few years, and are now to be found in the shops of the sculptors of this city. The grain of this marble is large and glistening, while at the same time its texture is loose and soft, and its colour of a yellowish and watery white. It possesses considerable translucency on the edges, a quality which, however desirable in statuary marble when of a fine grain, from the softness which it gives to the outline, only increases the disagreeable aspect of the Parian by the angular reflections of light which takes place on the pellucid edge and surface from the innumerable faces of the small plates. It is certain indeed that the Greek sculptors abandoned the marble of Paros after the quarries of Luna and Carrara were discovered, the superior fineness and whiteness of these marbles, which at present cause them to excel any with the places of which we are now acquainted, rendering them also at least equal to the best of those ancient ones of which the native places are now unknown.

“Independently of the injurious effects which the large grain of Parian marble produces on the transparent surface of sculptured works, and the false lights which it thus introduces into the contour, it interferes materially with the requisite correctness of drawing in the lesser works, and is thus inapplicable to the details of small sculptures in relief. It is, nevertheless, susceptible of a good polish, a quality, however, of little value in the eyes of the statuary, and one which in this variety only serves to render the defects of its texture more apparent. . . . It is also said to have been deficient in size, since it was so intersected by fissures as to be incapable of yielding blocks of more than five feet in length. I may add that, in the present state of the public habits with regard to white marbles, there is no demand for modern works executed in Parian marble. Its celebrity is consigned to the metaphors of poets.

“The quarries of Luna produce a compact white marble, susceptible of a high polish, and capable of being wrought with the most minute accuracy. Hence it is preferable for the finer operations of bas-relief either to the Parian, of which the aspect interferes with the delicacy of finish and of surface required in these works, or to the Pentelic, which was subject to accidents from veins of mica and of serpentine

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tine; or to that of Carrara, in which dark veins are of frequent occurrence. It was accordingly preferred by the ancients, and among many other works, the Apollo (Belvidere) is said to have been executed in Luna marble. We have no other knowledge of the marbles of Hymettus and of Arabia than their names.

“Of all the marbles employed in the works of the ancients, and of which many specimens have descended to our days, that of Carrara is almost the only one which is at present held in estimation, or is now accessible to modern sculptors. This marble is of a very fine grain and compact texture; it is also susceptible of a high polish when required, and is consequently applicable to every species of sculpture, except when, as is too often the case, dark veins intrude and spoil the beauty of the work. Notwithstanding the general apparent uniformity of its texture, it offers different varieties of aspect. It is always of a fine granular fracture, yet this fracture is sometimes combined with a slight tendency to the flat splintery, in which case the stone is harder and more translucent than when it is purely granular. When merely granular, it is sometimes dry and crumbly, precisely as if it had been exposed to a high heat; it then loses much of its transparency, and is called woolly by sculptors. Its transparency is various, and in some cases nearly equal to that of alabaster, (granular gypsum.)

“The last of the ancient marbles which I shall describe, is that of Pentelicus of which the quarries are probably still to be found in the vicinity of Athens, although they have not been investigated by modern travellers. This marble is of a loose texture, and moderate sized grain, coarser than that of Carrara but finer than that of Paros; in colour it is exceedingly imperfect, being tinged with grey, brown and yellow, and mottled with transparent parts, which give it the appearance of having been stained with oil. But its most formidable defect is its laminated structure, and the quantity of mica with which it is contaminated; to this we are to attribute the corrosion and almost entire ruin of so many of the specimens, the action of the weather dissolving those parts of the stone where the mica is most abundant, and cutting deep fissures through many parts of the work. It is peculiarly unfortunate, that the two most admirable specimens which are calculated to excite in the minds of artists a mixed feeling of wonder and despair, the horse's head, and the Theseus, should be those which have suffered most. Had they been fortunately executed in the more uniform and durable stone of Carrara, these works might still have been preserved to us in all their original perfection of drawing and surface. Even the hammer of the Turk would have rebounded with little injury from the marbles of this texture, while the micaceous stone of Pentelicus, splitting in the direction of its laminae, has permitted the complete mutilation of many valuable sculptures.

“We have no geological information with regard to the relation of these stones. The great resemblance of the Pentelic to that of Glen Tilt, in aspect and composition, renders it probable, that like this, it lies in mica slate, forming beds parallel to, and interstratified with, that rock: that the others have similar relations to the primary rocks, we should have concluded on general geological principles, had we not already seen that the white marble of Sky, which has given rise to this discussion, belongs to the secondary strata.

“We have now to examine the white marbles which have been discovered in our own islands, for the purpose of comparing their relative properties, and the value which they are likely to possess in sculpture. I am unfortunately unable to give any account of those found in Ireland, neither having seen their places, nor being possessed of any specimens.

“That which has been found at Cape Wrath, in Scotland, is of a grain much larger than even the Parian, and is consequently useless for the purpose of sculpture; and this indeed is by much the most common character of the Scottish specimens. Those of Blairgowrie, of Glenavon and of Balahulish, are all equally characterized by this large sparry texture, and are all equally unfit for sculpture, however applicable to the purposes of architecture. The marble of Iona has been long since exhausted, and consequently requires no particular notice: however, valuable from the purity of its colour and compactness of its texture, yet the uncertainty of its splintery fracture before the chisel, (that tool without which no spirited work was ever finished) combined with its great hardness, would probably have rendered it useless in the arts even if it were still to be procured.

“In a paper on Assynt, I have already described the white marble of that district; it is of a very close texture, and although it contains no earth but lime, is of unusual specific gravity and hardness. It is incapable of being polished, a circumstance, it is true, of no consequence in Statuary, since the polish only gives a false light to the surface, and is not admitted of in modern sculpture; but it labours under the concomitant disadvantage of want of transparency, producing nearly the same dead effect and dry outline as is seen in a plaster cast, a fault in itself sufficient to prevent it from even being adopted as a good material in the arts: its extreme hardness also renders it very expensive to work.

“The marble of Sky, the more immediate object of this discussion, is of a pure white colour, and appears sufficiently extensive and continuous to be capable of yielding large blocks. The purity of its colour is seldom contaminated, its fracture is granular and splintery, and its texture fine, less fine than that of Iona, but more so than that of Assynt; its compactness, hardness and gravity are greater than those of the marble of Carrara, which it in fact resembles in little else than colour. It is apparently well fitted for all the purposes of sculpture, as it can be wrought in any direction, and has sufficient transparen-

cy, while at the same time it assumes even a better polish than is required for statuary. With these good qualities, however, is combined an uncertainty arising from its unequal hardness. While some parts of the stone are nearly as easy to work as that of Carrara, many other specimens turn out so hard as to add a charge of near 50 per cent to the cost of working: this appears to arise from the influence of the syenitic and trap veins which traverse it, as I have before mentioned, but which, however, produce no change in its chemical composition, nor any other effect than that of induration. This addition of price to the current charge of working is sufficient in the harder specimens to counterbalance in a great degree the superior cheapness of the material, and the advantages derived from lower freight, duty and insurance. Such are the difficulties which oppose the introduction of the most perfect marble which has yet been found in Britain, difficulties which, slight as they are, ought, together with the prevalence of established habits, and of a commercial nature, to check the extravagant hopes which have been entertained in this country, of superseding by its own produce, the importation of foreign statuary marble. But it will not be rendering justice to the marble of Sky if I do not add, that it possesses a property not found in that of Carrara, and one of considerable importance, at least in small sculptures. This is, that compactness of texture by which it resists the bruise which so often takes place in marble, at the point where the chisel stops, an effect known to sculptors, by the technical term *stunning*, and of which the result is a disagreeable opaque white mark, generally in the very place where the deepest shade is wanted.”

It is hoped that the foregoing digression will be excused, as it affords information not generally before the public, by which the means of estimating the white marbles of Canada are readily obtained; as well those whose localities are already ascertained as others that will eventually be so.

The rocks on both sides of the Saguenay, as high up as La Boule, (a mountain which stretches out into the river from the north eastern side, in a remarkable manner) are probably granitic, and form a continuation of the same series met with in the more immediate neighbourhood of Tadousac. They have sometimes the appearance of being stratified and of dipping to the S. E. at an angle which is nearly vertical. These rocks rise with almost perpendicular scarps to a considerable height, and their summits are barren, and in some places totally bare, in which latter case, the whitened surface of the rock, owing to the incipient decomposition of its felspar, resembles that of some limestones; they are often also of a smoked or blackened appearance: nearly à *fleur d'eau*, a red ferruginous band characterises these rocks: Their outline is rounded and mamillary, a character they lose as the river is ascended.

It was in the La Boule that we observed for the first time those singular masses of trap, sometimes under the form of veins or dykes, sometimes under the form of interfering and unconformable beds or strata, but most frequently as isolated patches both rounded and angular, the whole so deserving the attention of the geologist. As these trap appearances are characteristic of almost all the rocks we saw, it is necessary to describe the mineral contents of that aggregate to which we have applied this term, particularly as without such a description it is almost unintelligible, owing to the loose and indefinite manner in which it has been used. This term, wherever it may appear in this essay, is meant to imply any rock in which hornblende predominates, without any regard or reference to those theoretical notions which it has been often used to convey. It here more particularly means an aggregate composed of black crystalline hornblende, small grey crystals (or rather scales composed of an assemblage of crystals) of felspar and a little unelastic mica or talc: in short, a substance similar to what has been before described as associated with the white marble at Moulin Baude, but essentially differing from it in the manner in which it occurs. It much resembles also a compound that is found on the Montreal Mountain, to which a volcanic origin has been ascribed. The granite with the trap here associated was of a greyish color. In it we in one place observed nodules of magnetic iron, exhibiting a very iridescent surface resembling some ores of copper, for one of which it was at first mistaken. This ore is very strongly magnetic, apparently as much so as malleable iron. Contrary to the hornblende compound in the gneiss at Moulin Baude, it is not easy to procure a fragment of this trap shewing the two rocks in contact, as upon being struck they separate immediately and it is then perceived that the trap has externally that smooth even surface which a mould bestows on the substance cast in it, shewing generally no appearance of entanglement or conglomeration at the places of contact. On the weathered surface of the trap the felspar is often brown and prominent. This trap is often very magnetic.

The granite of La Boule, for such we call the rock though apparently stratified, is composed of grey quartz, reddish felspar and small points of brown mica. A little above the line of junction of the river and the rock and on its south-eastern side, a thick dyke of trap traverses it nearly horizontally and at right angles to the stratification. It appears to rise out of the water at the western extremity of La Boule, and, with a slight inclination, ascends towards the eastern.

We will now describe more particularly the appearances of these dykes, veins, &c.: they rise at all angles through the accompanying strata; they are frequently parallel to each other, and even to the planes of stratification; they generally either terminate suddenly in the rock at one or both extremities; in the latter case they answer the description of contemporaneous veins; these extremities are either pointed or forked.

The accompanying plate, (fig. 1.) will afford a better idea of what it is intended to describe.

Isolated quarter moonshaped pieces and patches, varying from the size of the hand to that of the body are more common. (see plate, fig. 2.)

It is worthy of observation that the small quarter-crescent shaped pieces occur together by twos and threes in a parallel order, and that the trap, of whatever shape, generally has angular corners, and terminations. Channels and hollows are sometimes seen in the face of the rock, which are owing to the removal of the trap formerly occupying these vacancies.

It is not, however, merely as veins, beds, and distinct concretions that this trap is observed; it occurs, particularly in the higher parts of the Saguenay, in mountain masses bearing little appearance of stratification; sometimes in masses in which its stratification will scarcely admit of a doubt, and sometimes it is rendered so evident by alternating with other stratified rocks, that no uncertainty can exist on the subject.

The La Boule, by projecting so much into the river, occasions, when the tide is falling, a strong current and counter eddy. Not being able to surmount this current, the boat dropped into the eddy, and running along the base of the mountain on its southeastern side, turned into a small cove, where the height of La Boule was found by an observation to exceed two hundred feet, but by how much could not be ascertained in consequence of the contracted nature of the ground we were upon. The rocks on the northeastern side of the Saguenay, in the bay below La Boule, appeared to have a stratification directed east and west, with a high dip to the north, but this geological feature here was, as it was found to be in many places elsewhere, often of a doubtful character, owing to the contradictory appearances which some of the supposed planes of stratification assumed, and which to reconcile would have demanded more time in their investigation than could be afforded. In recording the stratification of those places where these contradictory appearances were observed, care has been taken to give the predominating bearing only. The evidence which arises from consulting alternating strata is, in the Saguenay, often inadmissible, as the trap sometimes assumes an appearance of stratification which is probably fallacious.

While seated on an accumulation of boulders covering the shore of this bay, rocks of a remarkable sterility were seen on the opposite side of the river, associated with others of comparative fertility, the former possessing an appearance of stratification in which the latter were deficient. The known infertility and constant stratification of gneiss, renders it probable that it is here associated with trap, a rock generally unstratified and of a more fertile character. A question here occurs, Is gneiss more infertile than granite? and if so, why is it the case? the only difference between them being in the arrangement of the same minerals of which they are both composed. Is it that the foliated character of the gneiss renders that rock more easily disintegrated and reduced to a state of sand, by which the soil of a country where it predominates is impoverished? The fresh water procured in this bay was strongly impregnated by iron.

Availing ourselves of the tide to pass La Boule, we ascended the Saguenay. In Passepierre Bay, the rocks were observed in the northeastern side of the river to have a bearing north and south, and at Baie St. Etienne a little higher up on the south-western side, they were seen, contrary to their general habits, to retire from the shore and to leave a few acres of clay alluvium, on which wild grass is cut annually. Between Pointe St. Etienne and L'Ance aux Foins (another more extensive alluvial deposit higher up) the rocks are particularly worthy of observation for the numerous dykes and contorted veins of trap by which they are traversed. These rocks are stratified, and dip at a high angle to the south. In some places here the trap dykes, which exactly resemble those we have described in their mineral contents, structure, and generally intrusive or interfering character, have the appearance of alternating in strata with syenite. The opposite shore of the river offers the same appearances, but not having landed there nothing more can be said of them.

In the precipitous cliffs on the north-eastern shore of the Saguenay, in the direction of St. Marguerite's river, these dykes are very conspicuous, and from their blackness bear some resemblance to upright beds of coal. It is noticed here, as it is elsewhere, that where trap most abounds there is always a more dense growth of timber, and this character is sufficiently striking in many places on the shores of the river, as the syenite with which the trap is usually associated, affords often, by its extreme barrenness, a strong contrast. On one of the islands of St. Louis was observed a rock composed of quartz, felspar, and mica, a genuine granite in composition, but in evidently stratified masses, the bearing of which was north and south, with a high dip to the westward.

On ascending the river at Point Comfort Bay, the rocks were of syenite, in which a little quartz was perceptible; externally they had a greenish colour, owing it is believed to the presence of epidote which very wet weather had rendered more distinct and lively than usual. These rocks possessed a very distinct appearance of stratification to the north and north-east, and dipped to the east and south-east; other contradictory planes were however seen. Many of the rocks in this bay possess a porous exterior.

At nine o'clock of the 12th August the temperature in the shade was found to be 71° Far. and in salt or very brackish water 65°. With the conjectured distance of five hundred and fifty feet as a base, and nearly 45°

as an elevation, a height of five hundred and thirty feet was obtained for a mountain on the north-eastern shore. On the opposite or south-western side the summit of a mountain, in a supposed base of two miles, subtended an angle with the horizon of 7° 27' 54", which gives thirteen hundred and sixty feet for its perpendicular height, a result as we think much too considerable, although the land appears to rise from the mouth of the Saguenay as high up as Baie la Trinité, where it is conceived to be highest. The precipitous and indented shores of this river afford few convenient situations for measuring a base upon, in order to insure, by a calculation from true data, the accuracy of this sort of information.

Having landed a little above la Baie des Cascades, a syenite composed of reddish felspar and a black hornblende was found, and a short distance beyond, the same rock characterized by those remarkable imbedded pieces of trap occurs; they have here either the form of a snake or of angular fragments of an irregular figure; contorted dykes of the same substance were also seen. About this place the river was measured by Mr. Proulx, one of the Surveyors, and found to be about fifty chains. The trap in this instance contained no mica; in other respects it was exactly similar to that before described. One of the specimens of syenite procured here, appeared to be principally composed of light brownish compact felspar; its fracture was flatly conchoidal in the large, but uneven and scaly in the small, with a few small glimmering points, arising from the reflection of light from the polished surfaces of minute crystals of common felspar; however, upon submitting it to the blowpipe, it was found to be infusible, but the heat it had been exposed to disclosed its really granular structure, which induced us to suppose it to be an exceedingly intimate aggregate of quartz, felspar, and hornblende, the leading mineral in excess. This has been mentioned merely to hint at the difficulty which sometimes attends an examination into the mineral constituents of rocks.

Having again put on shore in a very convenient bay, opposite Baie la Trinité, syenitic rocks were met with, or mixtures of felspar, hornblende, and very rarely quartz; the felspar was white, grey, red, yellow and greenish; the hornblende always black. These rocks, as elsewhere on the shores of the Saguenay, were in some places much stained by iron, and Mr. Proulx collected a specimen on the north side of the river, in latitude, as he ascertained by observation, 48° 24', which was not only much discoloured, but the rock from whence it was taken affected the needle to the amount of 1° 3". We could perceive magnetism very distinctly in the specimen in question, but it is a very common character here, and was found to exist in many of the specimens brought home, particularly in the trap and some of the syenites abounding in hornblende, to the presence of which mineral it could generally be traced. The rocks had here a dip to the south at a high angle. The fall of the tide was ascertained to be twenty-one feet.

We left the bay about one o'clock, p. m. to avail ourselves of the tide, and coasted along the north-eastern shore all night. In the morning of the 13th of August we landed in a bay on the left shore, called Ance aux Femmes, directly opposite to Haffa Bay. Here we found a rock containing more quartz than usual, and passing into a syenitic granite, the felspar in which is flesh-coloured. This rock was observed to have the same porous exterior as before-mentioned, nor was this character confined to the surface, as a specimen brought from the place exhibits this character of porosity both internally and externally in so perfect a manner as to afford an excellent sample of a millstone; its quantity cannot be stated, but the writer believes it to be abundant. It should be generally known that good millstones are often found among syenitic rocks.

Several rocks in front of the bottom of this bay which by the rising of the tide are converted into islets, were examined. The first met with was syenitic gneiss, having a bearing nearly north and south, and dipping to the west at a high but variable angle. It sometimes loses its character of gneiss and maintains those only of syenite; the usual imbedded masses of trap are present under all the appearances before described, and one additional. Some of the snake-shaped imbedded pieces (See Plate, fig. 3.) were broken through the middle apparently, and the fragments separated from each other, like the well-known shifts in veins, but no corresponding fracture in the rock was seen.

Almost all the rocks examined in this place were of the same description, differing only in their dip which was sometimes reversed. It was here, however, that we observed for the first time regular and conformable strata of the same aggregate as that found imbedded in the syenite, and to which, from its interfering character in other places, we are unable to offer any other name than the general one of trap, using this term here as elsewhere, without the implication of any theory to designate certain aggregates in which hornblende predominates. Water-worn fragments of compact shell limestone were here seen, the color of which was grey and fracture flatly conchoidal and sharp-edged.

Leaving these rocks, others to the southeastward in the same bay were visited; they bore a great general resemblance to the first in all their features; the trap was, however, seen here to interfere with the syenite in broad dykes, and the former was occasionally traversed by veins of felspar; these veins were observed in some instances to form a connecting link between the syenite above and the same rock below, so that it is not possible to say if the vein has been filled from above or beneath; (See plate, fig. 4.) These veins were frequently observed in other places.

The next rock to the last-mentioned was composed of flesh-coloured felspar,

Appendix
(V.)
14th Jany.

light brown quartz, and black points of mica, and in which no imbedded trap was seen. To this, trap, apparently stratified succeeded, and then a syenitic rock holding imbedded large patches of trap, (as represented in the plate, fig. 5.)

Further to the south, a specimen of trap was procured from a wide dyke, the hornblende in which had a remarkably shining semi-metallic lustre; it contains no mica, and is not magnetic. Still further, an immense fragment of rock having fallen, one of its surfaces was observed to be covered with broad laminae of a beautiful felspar of a very pearly lustre, a light green mineral, supposed to be the green carbonate of copper, was associated with it in small quantity. The latitude of Ance-aux-Femmes was made 48° 22' 26."

As observations for latitude were necessary to check our courses they were taken at noon whenever the weather would permit; at the commencement of the journey it was extremely unfavourable. Being the only individual possessed of a sextant among those who visited Lake St. John, our observations have the best claim to be considered accurate.

The predominating rock between Ance-aux-Femmes and Cap à l'Est, about six miles higher up the river, appears to be (for it was not touched) the same trap, but syenite was also seen as usual with imbedded patches of the former. Having crossed the Saguenay opposite to Cap à l'Est, we entered a small bay to which was given the name of Bear's Cove: here granite, gneiss and syenite were seen, but no trap. Coasting up the river on the same side, it was seen frequently again under all the forms before-mentioned. Sometimes the trap, rising in black channeled precipices entirely bare of vegetation, exhibited appearances in which a very distant resemblance to architectural regularity might be traced. Sometimes a part of the rock having broken away from below, black escutcheon-shaped masses were left projecting and frightfully pendant over the fragile canoe paddling beneath near the base of the rock: the latter appearance, however, is more characteristic of the opposite shore. No columnar structure was seen, but in many other places in the Saguenay as well as here, the rocks had a tendency to break into prismatic or cuboidal fragments. We believe the trap is in this place associated with syenitic gneiss, with which or syenite it appears sometimes to alternate. On ascending still further, and within a few miles of Chicoutimi, a whitish looking rock was observed, apparently in horizontal strata; passing at some distance nothing more was ascertained respecting it. To this succeeds an alluvial deposit of a rich marly clay, which continues on the right bank as far as the Post. On the left bank of the river the rocks continue without interruption, and without any geological change, as was ascertained subsequently.

Before we leave the Saguenay a few more observations upon its rock formations, which were entered in our journal while descending the river on our way home, will be here introduced, together with some additional information which Mr. Proulx's politeness has placed at our disposal.

La Baie des Foins, situated on the left bank of the Saguenay, a little below the Post, is a natural meadow of several acres extent, laying at the base of the mountains which here retire for a short distance from the river. The soil is a clayey alluvium, and, as the name of the place indicates, wild hay grows upon it which is annually cut. At Long Point, a little below Rocky Point, specimens of syenite and syenitic gneiss were procured. Imbedded trap was again seen here.

Having encamped a little above Cap à l'Est, on the western side of the river, and somewhere near our former encampment at Bear's Cove, the rocks were again found to be syenitic, and traversed occasionally by veins of red felspar and quartz; sometimes the two were intermixed. Large dykes of trap occur here, and rounded water-worn fragments of limestone. In a bay, distinguished by four semi-isolated mountains, three of which are of a conical form and situated on the left shore a few miles below Cap à l'Est, the rocks were observed to be the same, and the patches of trap very distinct. The surface of the syenite was yellowish brown, and slightly porous, as if baked, and this appearance was observed in many places, both in the Saguenay and afterwards in the St. Lawrence. The three semi-isolated mountains above-mentioned are the more remarkable, because in general both sides of the Saguenay are characterized by a continuous chain of mountains whose longitudinal outline is only slightly undulated, while their precipitous sides are always towards the river, to which the chain is usually parallel.*

* It will not fail to be observed, that this slightly undulated outline, which is characteristic of both sides of the Saguenay, is at variance with the general direction of the mountain chains in this country, and particularly with those in its neighbourhood. There is great reason to believe that at least one wide valley, running nearly parallel to the St. Lawrence, exists in rear of St. Paul's and Malbay. On ascending the Saguenay we saw no sections of vallies, nor any considerable breaks in its lofty and precipitous banks, until the bay was reached. Upon referring to the accompanying map it will be perceived that this bay has a direction about parallel to the St. Lawrence; it is probably, therefore, the outlet on the Saguenay to the valley alluded to. The general course of the mountain chains in this country is, as has been before observed, north-east and south-west, that is, the same as the vallies of the St. Lawrence. The valley of the Saguenay is from the north of west, and nearly at right angles to it; it is therefore a cross valley. That the rocks on either side of this valley were once united there appears very little reason to doubt, but water must have had very little to do with separating them, at least in the first instance. From the slightly undulated character of the sectional outline of this valley, it would seem to have been once filled by a continuous chain which has been severed longitudinally by some violent catastrophe, the nature of which can only be surmised. It is probable, however, that an earthquake has effected this disjunction; the nature of the rocks, the recorded proofs of the violence of earthquakes on the northern shore in former times, and above all their frequent occurrence at the present day, though no longer of an alarming character, are circumstances which favour this opinion. A great wave would not have acted longitudinally but transversely, or in the direction of least resistance. The magnificent streams which enter this noble river had little effect in forming it, and the operation of tides and maritime currents, though more effectual, can have been only partial and secondary.

Between this place and Le Petit Saguenay, on the opposite shore, such a geognostical uniformity prevails as to render the collecting of specimens superfluous; indeed the same remark is so far applicable to the whole of the country we traversed, that a dozen well chosen fragments of rock, with the necessary observations upon them, would convey to the geologist almost as much information as he would acquire by going over the same ground himself. Let it not for an instant be conceived, that our observations are believed to be the necessary ones; the writer knows them to be altogether insufficient to convey any thing more than a very general idea of the geognosy of the country.

In a small stream, a short distance below Le Petit Saguenay, the rocks were observed to be intersected in a remarkable manner by veins of quartz and felspar, sometimes alone, at others united together forming an aggregate. Frequently these veins were divided exactly in the centre by a seam of trap; they have the same bearing generally as the stratified rock they traverse, namely north-east and south west, but they are often much contorted without losing ultimately this character. The trap is seen alternating in thick strata also. The predominating rock here is syenitic gneiss. A deception arises sometimes from a source which is not suspected when attempting to distinguish, as is generally easy, by the external surface of rocks, between the trap and syenite; the syenitic rocks have usually a whitened exterior, but sometimes, though rarely, it is as black as that of the trap, in which case a fragment must be detached before the rock can be known. This sort of deception was experienced between this place and Le Petit Saguenay, and it should intimate the propriety of never naming a rock in general, until at least its fractured surface has been seen; decided trap was however often met with in this interval, either in stratified masses, or intruding among other rocks.

In passing between the St. Louis Islands and the south shore, we were obliged to take refuge from the breakers, which threatened to swamp our canoe, by climbing up a projecting mass of greyish granite, on which the night was passed. The mica of this granite was replaced as usual by hornblende, it was therefore syenitic; the former mineral being in all the rocks of the Saguenay country we have seen, very rare and almost entirely confined to some specimens of the trap, in which it occurs in small quantity and minute scales, and this indeed appears to be rather talc than mica, as it is unelastic. We only remember to have seen very distinct scales of mica twice; in both cases they were isolated hexagonal crystals, and one of them occurred in a vein of graphic granite composed of beautiful large flesh-coloured crystals of felspar and large rounded or rather oval shaped nodules of quartz, traversing the last-mentioned rock. Our observations of the geognosy of the Saguenay river terminated here.

From an inspection of Mr. Proulx's notes, and an examination of the accompanying specimens, the following additional information has been obtained.

The rocks in the neighbourhood of Ha-Ha Bay are counterparts of those already described in the Saguenay, and the same were seen at Point au Fort, Cap à l'Ouest, Petite Pointe, Cap St. Charles, L'Ance François and Baie St. Jean. They are rocks in which felspar and hornblende are always present, in a greater or less proportion, forming syenites and syenitic traps, according as the former or the latter mineral predominates. No instance of the hornblende predominating was seen, except in the black aggregate that has been described, where it not only predominates but in which the felspar is very subordinate. In this aggregate the felspar is always grey and scaly, and bears a great resemblance to quartz, for which it might easily be mistaken, but its fusibility before the blow pipe into a white blebby glass is a sufficient distinction. As might be supposed, when in association with syenite, the trap usually exhibits a striking contrast as to colour, to which the weathered surface of the former rock answers as a sort of foil. No difficulty would be felt in assigning to this rock a place among the "hornblende schists" of McCulloch, were it not for its unstratified appearance in some places, and particularly for its intrusive and interfering character in others; the latter indeed seems to point out the "overlying class" of the same author as its proper position. When quartz enters, as it does rarely among the constituents of syenite, either syenitic granite or syenitic gneiss is produced: it is the latter, when by the arrangement of its hornblende in parallel seams, that peculiar foliated structure which characterises gneiss is the result.

Neither from Mr. Proulx's nor our own observations are we able to state with certainty the prevailing dip of the strata on the shores of the Saguenay, but it lies between the east and the west round by the south. We have before alluded to the difficulty of always determining the stratification, a difficulty which is common to many stratified rocks, but particularly to the masses under consideration which, from their felspar-those structure and association with trap dykes, often sufficiently continuous to resemble strata, present flat even surfaces, and other superficial and linear appearances, by which the hasty or inexperienced examiner may be frequently deceived.

Water-worn pieces of limestone, among the earliest of the secondary class, were noticed in Ha-Ha Bay, and a singular trough-shaped mass, composed almost entirely of a grey carbonate of lime, appears to have been taken from a trap rock situated in the first cove on entering the bay from the north; the length of the trough is about two inches and breadth three quarters of an inch; the sides are indurated, and of a dark brown ferruginous colour, bearing the aspect of having been in contact with trap. This trough is half filled with calcareous spar, the exterior of which is covered with a smooth yellowish silky film, as if water-washed. Professor Cleaveland has the following passage, in his second volume of his System of Mineralogy and Geology, 2nd edit.:—"Real lava

lava does without doubt sometimes resemble basalt, green stone and other trap rocks, but it may be considered as a universal fact that although calcareous spar is often found in green stone and basalt, it is never imbedded in those lavas which have actually flowed on the surface of the earth.*

Several soils collected by Mr. Proulx in different parts of the Saguenay, principally in the neighbourhood of Ha-Ha Bay, having been examined, were found to be as is shewn by the following table:—

No. 1.	Ha-Ha Bay	} A mixture of clay sand and lime, (marly clay)	} Excellent.
2.	Ditto		
3.	Ditto	ditto	ditto.
4.	Ditto	ditto (without lime)	Good.
5.	Ditto	ditto ditto	ditto.
6.	Near Riviere l'Islet	} ditto and lime	} Excellent.
7.	Between Rivers Chicoutimi & Dumoulin		
8.	Ditto	ditto	ditto.
9.	Ditto	ditto, with vegetable matter	ditto.
10.	Ditto	ditto, sand, clay and iron	Bad.
11.	Place not mentioned.	} ditto	} Light but tolerably good.
12.	Ditto		
13.	Ditto	} ditto, sand, iron, a little clay and vegetable matter	} Indifferent.
14.	Ditto		
15.	Ditto	ditto ditto	ditto.
16.	Ditto	ditto ditto	ditto.
17.	Ditto	ditto ditto	ditto.

The rocks at the Post of Chicoutimi, like most of those we have described, are syenitic; the chapel stands upon a syenitic granite, passing sometimes into syenitic gneiss; this rock is traversed in a remarkable manner by veins of felspar and trap. The trap, however, is generally seen in broad bands forking into the adjoining rock, which is either syenitic granite, or syenite having its felspar greatly in excess. Weather acts more readily upon the trap than upon the granite, and in consequence many of the veins or dykes are partially empty near the surface. The same was observed in other places. To this cause are probably owing the numerous bays in the Saguenay, as trap rocks were more generally found where they occur, while syenitic granite and syenitic gneiss occupy its capes and headlands.† A few imbedded nodules of magnetic iron were observed in the rock. Sometimes the quartz is absent when it loses the term of granite, and maintains that alone of syenite, in which the felspar is red and the hornblende greenish black. There is on the shore below the residence at the Post a curiously contorted vein of trap which descends the rocky bank, (as represented in plate, fig. 6.)

Detached pieces of felspar of a very crystalline aspect and of a dark purplish grey colour were frequently seen upon the shore; the faces of the laminae possessed a highly polished vitreous and striated surface. They have much resemblance to a felspar rock subsequently found to occupy a large proportion of the shore of Lake St. John, as also to specimens of felspar brought from the coast of Labrador, where they were observed to be associated with columnar and amorphous basalt. One fragment of a siliceous limestone was also found. It appears that about twenty years ago lime was made at the Post, and the site of the kiln is shewn where specimens of a half-burnt limestone appeared. It is a very good compact shell limestone of a grey colour. Some of the burnt pieces were white, had a splintery fracture, and resembled chert or hornstone. If there be a natural deposit of limestone in the neighbourhood it could neither be heard of nor found; that in question might have been brought for the occasion from Malbay or St. Paul's Bay where limestone abounds.

It has been before mentioned, that a considerable alluvial deposit occurs here. It consists of fine marly clay, which in wet weather is so considerably plastic and adhesive, as to be traversed with difficulty on foot, when covered by no vegetable deposit. Its essential characters are the following: colour, light french gray—structure, earthy, compact—fracture uneven. In water it falls to pieces rapidly and in acid it effervesces slightly. The undermost beds which are not exposed to moisture, assume the appearance of rocks stratified horizontally, and it is probably this formation which we observed, when within a few miles of the Post.

Upon crossing the Saguenay, opposite the Post, syenite and a rock composed of an intimate mixture of hornblende and felspar, the former in excess, were seen; the latter contained a few scales of mica and points of quartz: it was compact, magnetic, and more resembled basalt than any rock we had previously seen. The syenite was composed of flesh coloured felspar and green hornblende. A few imbedded patches of trap were also seen. From the falls of Chicoutimi, a light coloured syenite was brought, composed of light red felspar and black shining crystals of

hornblende. Mr. Nixon returned from a stroll up the river, on its right bank, with specimens of trap, traversed by veins of felspar, and a gneiss, in which hornblende was more abundant than either the quartz or the felspar, and to which the term hornblende gneiss may be affixed: an aggregate of this description was rarely met with. The mean of two observations for latitude, gave 48. 24'. 9".

Leaving the Post of Chicoutimi, and its polite and gentlemanly resident, Mr. Andrews, on our route to lake St. John, a portage of nearly a league in length, was made to the Chicoutimi river, the same syenitic rocks as those seen near the chapel, which are covered with a thin layer of the marly clay of the neighbourhood, surmounted by the usual vegetable deposit; a good soil, but too near the rock to be very productive. The same soil, to appearance, and always accompanied by the same rock, at a greater or less depth, continues as far as the portage de l'Enfant, after which it becomes sandy and indifferent: some good positions for settlement may be expected in this interval. Although the rocks in many places are known to be near the surface, they were seldom seen, the land on either side the Chicoutimi river thus far being very little elevated. At the portage de l'Islet, however, they are much exposed to view, and consist of syenite, in which the felspar is as before flesh coloured, and very predominating. This rock has very little soil upon it, and the whole of the portage is a barren waste. Before reaching the portage de l'Islet, the banks begin to assume a more elevated character and they continue to increase in height as far as lake Kenwagomi, on the southern shores of which lake, and that of Kenwagomichiche, they have attained an extreme height of from three hundred to four hundred feet. The next portage to that of l'Islet is still more rocky, and on that account has obtained the name of portage des Roches: On a rounded mass of syenite in the middle of this portage, an observation for latitude was taken, which gave 48. 14. 31.

At the north eastern extremity of the portage des Roches, lake Kenwagomi commences. No opportunity occurred of examining any of the rocks upon this lake until we had advanced about two miles beyond Sandy Point, when a projecting point of rock afforded more specimens of syenite. A short distance beyond, a fine grained aggregate was met with, composed of gray quartz and gray felspar, slightly freckled by hornblende, of a greenish colour, the felspar being distinguished from the quartz, by the brilliant reflection of light from the polished faces of its minute crystals. Further on rocks were met with in which felspar of a flesh-red, dark grey and greenish colour was in great excess; hornblende was also present, but in a very subordinate degree, chiefly in patches. The felspar was here in beautiful distinct crystals projecting from the rock, under its usual rhomboidal form; these were easily detached, and their laminar structure readily exhibited by the slightest percussion. Magnetic iron was found in some parts of the rock, which strongly affected the compass: much of the hornblende was also magnetic. In one of the rocks here, a mineral was found, which possessed the following characters: colour, a dark greenish brown—opaque—structure indistinctly laminar before the application of heat; occasionally the laminar structure is more distinct, and it then resembles mica.—When pounded in the mortar, small foursided scales are seen, having a semi-metallic lustre. In its aggregated state, its lustre is glimmering and semi-metallic. It is slightly magnetic before the application of heat; when exposed to that of a candle, it expands, opens like a fan and exfoliates, after which it is easily pressed by the fingers into small flexible but unelastic scales of a bright golden colour. The same thing occurred, by submitting it to the exterior flame of the blowpipe, in which it also decrepitates and is difficult to be retained in the forceps. One of the golden coloured scales in the interior flame of the blowpipe fused into a shining black and highly magnetic globule. With borax it forms a transparent glass coloured by iron. The color subsides on cooling.

The rocks in this place have little appearance of stratification; judging from the little which does appear, the bearing is north and south, and dip nearly vertical. The latitude was here found to be 48° - 16' 22" and the approximate variation of the compass was also taken at the same time, viz: sixteen and a half degrees. Being very near the rocks at the time of the observation it was suspected that their magnetic character might affect it, but upon reversing the sights of the instrument upon the same right line, the slightest difference only was observed, which might have arisen from a small degree of inaccuracy in the compass.

Beyond this place a mass of rocks of a very blackened and singular aspect was observed on the northern shore of the lake; and crossing over from the southern, a distance of about two thousand feet, we found these rocks to be almost entirely composed of yellow brown and greenish coloured felspar. In the solid scarp of one of these rocks, resembling that of a martello tower, it was easy, on a near approach, to perceive, notwithstanding its weathered surface, the pearly but subdued lustre of the felspar, and the fibrous aspect which the edges of the laminae presented at the surface of the rock. The stratification of this rock in this place was not very apparent, but a little higher up on the same side it was observed to have a bearing to the north and dip at a high angle to the west.

The imbedded pieces of trap so common on the Saguenay, are again seen here. The land on both sides of Lake Kenwagomi is elevated, but much more on the southern than on the northern. Its course, upwards from Portage des Roches, is at first to the southward of west, but its main course is to the northward of that point. Its length, numerous rocky capes and bays, and its precipitous shores, cause it to resemble the Saguenay, but its mountains are neither so high nor so barren.

About four miles above Sandy Point, a name which has been given to

* By the latter part of this sentence, which is somewhat obscure, we understand those lavas which have been positively ascertained to have flowed, because many geologists assume an igneous origin for all or most of the trap rocks.

† To this cause also may be attributed the unusual fact, that almost the narrowest portion of the Saguenay is at its entrance, where the rocks are more siliceous and less amphibolic.

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to a low bank of sandy alluvium, stretching out into the lake from the northern shore, there is a dry green bay which appears to enter deep into the north shore and to be free from mountains and rocky precipices for some distance. It is the only place we observed between Portage de l'Enfant and that of Kenwangomi, where land fit for farming might be expected to occur in any considerable quantity.

The portage Kenwangomi is generally supposed to separate the waters flowing into Lake St. John (and subsequently into the Saguenay through Lake Kenwangomishish, La Rivière des Aulnets and La Belle Rivière) from those which pass more directly through the Chicoutimi into the Saguenay; but it is said that this is not, strictly speaking, the case, because a small stream falls from Lake Kenwangomishish into Lake Kenwangomi. Although unusual, this is not a physical impossibility, without indeed, as has been asserted, the waters of the latter are higher than those of the former. This portage is about eighteen hundred paces in length, the first half of which is sandy and the other a mixture of sand and clay. On the latter ash was observed for the first time, and it was frequently seen with elm and other woods, which indicate a good soil (though never in abundance) in our descent from this place to Lake St. John.

Shortly after embarking on Lake Kenwangomishish we touched at an angle of a rocky islet and found an aggregate composed of felspar, quartz and hornblende, a syenitic granite. The coast of this lake is generally to the north of west. Its shores are low, interspersed with elm and ash and fit for cultivation, particularly the northern side. On Lake Kenwangomi the prevailing timber was white birch, and neither ash nor elm was seen. Although the immediate shore of Lake Kenwangomishish on its southern side is low, on retiring back from it the lands become ultimately as elevated as those on the northern shore of Lake Kenwangomi, of which they are probably a continuation.

The river of Alders, the outlet from Lake Kenwangomishish, flows through an alluvium composed of layers and mixtures of sand and clay. The course of this river is exceedingly tortuous, a circumstance often characteristic of these alluvial deposits, and being narrow it is much obstructed by fallen trees, and the entanglement and intertwining of the branches of alder, with which both banks are covered, rendering portages sometimes necessary where there is plenty of water and little current. The portage des Aulnets, however, is occasioned by the river tumbling over the rocks, which re-appear in this place. They are composed of flesh-coloured felspar, green hornblende, and a few scales of black mica, forming a beautiful syenite. The felspar on the surface of the rock was, as is usual, observed to be in an incipient state of decomposition. The soil examined in crossing the portages in descending the river of Alders was tolerably good. It consists, beneath the usual layer of vegetable matter which characterizes these woodlands, of clay and sand mixed, or in alternate layers, the latter frequently in excess on the surface. In some places the land is hilly, but few rocks are seen. At the north-eastern extremity of the Portage of Alders, a natural section affording the opportunity, a more particular examination of the soil was made and registered as follows:—1st. Decayed and decaying vegetation; 2nd. A layer of sand one foot six inches in thickness; 3rd. Clay from ten to twenty feet in depth, the whole resting on a rock composed almost entirely of grey felspar, in which were observed patches of hornblende. At this place the river of Alders forks in with La Belle Rivière, passing over a picturesque fall occasioned by the felspathic rock before mentioned; the former river is only indeed a branch of the latter, which is observed to widen immediately after this junction from an average breadth of twenty to that of fifty feet.

On descending La Belle Rivière, the land was found to improve considerably in appearance, the same alluvial soil continued, but forming flat and low shores, unaccompanied by hills. Indicative of this improvement, ash, elm and poplar became more common. While on this subject, it may be observed, that although the presence of timber of a certain description may indicate good soil, its absence does not necessarily imply the reverse; for on this excursion, we met with several places in which the soil was decidedly good, without finding it, and wherever found, it was always in subordinate quantity. On the marly shore of the Saguenay, in the neighbourhood of Chicoutimi, we saw none, and yet a better soil could scarcely be met with. To produce a growth of fine timber, something more is requisite than good soil; the land must be opened to warmth, light and air; it must be disencumbered of that heavy mass of decayed and decaying vegetation, with which our forest lands are loaded. If apparently under all these disadvantages, some lands produce good timber, it is only an exception, and no sufficient argument against what has been advanced, particularly as such exceptions are probably owing to one or more of the favouring circumstances being in operation. It should also be remembered, that good soils have a tendency of themselves, by encouraging a rank and dense vegetation of weeds and underwood, to check the growth of fine timber. To judge of the quality of land by the growth of timber upon it merely, is to be guided by the effect, and to lose sight entirely of the cause; a practice, the inconvenience of which, if generally adopted, would soon be felt in every department of science.

As the shores of lake St. John are approached, the soil gradually becomes sandy, until at Kouispigan, as the mouth of La Belle Rivière is called, it becomes one sheet of fine bright sand.

Leaving Kouispigan, we proceeded on lake St. John, to the northward, in the direction of La Grande Décharge, and touching at two small rocky islets on our way, collected specimens of a rock composed almost exclusively of a highly crystalline felspar, of a dark bluish grey

colour, but in which a little hornblende was present. This rock was observed forming black isolated masses, both on the shore and in the water, on this side of the lake. Having encamped on one of these, at the entrance of La Grande Décharge, we had more leisure to consult the characters of this rock, which are as follows: it possesses no sign of stratification; its surface is remarkably black, particularly when moistened, and often almost semi-metallic; it is frequently flat and tabular; many portions of it attract the needle, although the eye can detect no magnetic iron; its structure is compactly crystalline, in some cases pass into compact, but there are always to be seen some shining, often splendid faces of the laminae, of which it is composed, and they are frequently striated. In many respects it bears a great resemblance to Labrador felspar, but its iridescence is wanting; it is occasionally traversed by veins of red felspar, and rarely small portions of its surface were covered with a brownish red powder, probably an oxide of iron. One of the veins traversing this rock, exhibited a curious phenomenon; the substance of the vein itself, composed of felspar and hornblende, was not magnetic—the sides of the vein composed of the felspathic rock we have described, were strongly so; and Mr. Hamel further ascertained, that the south side of the vein attracted the north pole of the compass, and the north side the south pole. To remove the chances of error, the experiment was repeatedly tried, with success, both by applying the compass to the sides of the vein, and detached fragments to the compass. The vein was about three inches thick, and had a N. W. bearing. When the compass was laid on the centre of the vein, the local attraction was observed in one place, to be equal to ninety degrees; in some parts of the same rock it was still more, even to a complete reversal of the needle: At a subsequent period, the place was again visited by Mr. Hamel in company with Mr. Nixon, and these observations confirmed. Upon our return home, the specimens which had been examined, were re-examined, and found to possess a feeble magnetism, but no polarity. The islet upon which the foregoing observations were made, forms one of a cluster at the mouth of la Grande Décharge, to which the name of Dalhousie was given; none of them appear to be more than twenty feet above the water.

On leaving this place a northerly course was again taken until, reaching a fine sandy shore, we landed for the purpose of measuring a base preparatory to a survey of the lake about to be commenced by Mr. Hamel. These sandy shores are very characteristic of the lake, and add very much in our opinion to its beauty, though nothing to its fertility. Where no rock appears, fine shining yellow sand is substituted, and where they appear together, the former rises through the latter assuming that isolated appearance which has been mentioned. This sandy girdle is not confined to the margin of the lake, but passes a short distance into the interior, bestowing upon the land forming the borders of the lake, an infertility of aspect which vanishes upon passing these sandy limits. The greater portion of this sand is yellowish white, but a dark reddish brown variety was often seen deposited upon it in continuous ridges at different but parallel levels. On examining this sand it was found to be composed principally of magnetic iron and precious garnet. It is an analagous compound to the emery of commerce, and if reduced to a greater degree of fineness, might be employed for the same purposes. The rocks here were found to be the same as at the last place; they have externally often the aspect of old lead, and when broken the faces of the laminae possess a lustre which is at the same time almost splendid and semi-metallic. Upon commencing operations, Mr. Hamel found between twenty and thirty degrees of local attraction, but in one spot, free from it, he determined the magnetic variation to be $16^{\circ} . 40' W.$ On these rocks *tripe de roche* is found in some abundance; it is of a deep copper brown colour, and agrees well with the drawings of it to be seen in the appendix to Franklin's quarto edition of his first Journey to the Arctic Sea. When we first saw them they were mistaken for representations of some of the native copper ores which he met with among the copper mountains. To the taste it has the flavour of mushroom, and although meagre it is not unpalatable. The sandy beach here is enclosed by two rocky points, forming a bay about fifteen or sixteen hundred feet wide, the water in which shoals very gradually. A sand bank about fifteen feet high encloses this bay on the land side, beyond which there is a sandy swamp; and this is descriptive of much of the lake on this side.

On leaving this bay and proceeding again to the north, we doubled the rocky point, which was found to be composed of the same felspar before met with, as was also another we rounded soon after, situated at the entrance of an inlet up which we ascended mistaking it for the Koucouachime river, and where we found a very good soil consisting of a yellowish loam, about one foot six in thickness, resting on plastic clay. As the term loam, like that of marl, is often used without conveying any very distinct idea of what is meant, either to the person who uses it or to the person to whom it is addressed, we will here explain, that wherever it has been used in this report, it has relations to mixtures of clay and sand (the former in excess) generally coloured by iron, but containing no lime; in short an earth of which bricks are made. To avoid misconception, however, the term has not been often introduced. Mere deposits of clay are often called marls, by which an erroneous idea of a country may be conveyed; it should not be forgotten that the presence of carbonate of lime is necessary to constitute a marl or marly clay, which is known by its effervescence in acid; such a soil is of the best quality, whereas clays are proportionably infertile as they approach to a state of purity.

Returning to the mouth of the inlet, our northerly course was resumed, and several hundred yards of a coast, composed of rocky points, jutting out into the lake, and enclosing fine sandy beaches between them, were examined. This, as has been before said, is the character of the lake here. The remarkable uniformity and simplicity of the rocks, hitherto

met with, are worthy of notice. We could only make the following observations which differ from what has been described—viz: kidneys of the rock, coated with the brownish red powder we have before mentioned, were seen imbedded in the rock itself; they were at first mistaken for pieces of magnetic iron—and a bed or broad vein of compact felspar, of a light yellowish green colour, was seen traversing the rock; contrasting strongly with its dark associate. It differed from those minerals which it most resembles, by yielding to the knife and fusing before the blowpipe, into a white blebby glass, like the rest of the felspars. The surface which had been exposed to the atmosphere, was decomposed, carious and of a reddish or yellowish white colour. An observation for latitude was here taken, and gave $48^{\circ} - 37' - 59''$.

On leaving the mouth of the Koucouathime river, which is situated about one mile to the north of the place of our last observation, a fine sandy shore marking the interval, our course was north 70° west to the northernmost point of Koucouathime Bay, where the shores begin to be swampy; but sandy beaches were still occasionally observed, with partial deposits upon them of the same admixture of garnets and magnetic iron before mentioned. Putting on shore in one place we observed low parallel ridges of this sand several inches in width and depth, giving a character to the spot. Embarking again the same course was followed, and the shores became lower and more swampy as we advanced, indeed there appears to be very little difference of level between the lake and the land. In this portion of the former, and from one to two miles from the shore, you are surprised to find no more than three feet of water. This extreme shallowness is common to the lake (the depth of which in no part of it bears any proportion to its extent) and is the cause of the sea-like turbulence its surface assumes after the least wind, occasioning a violent ground swell and lofty breakers, to which, at a distance from the shore the hardiest *voyageur* is frequently unwilling to expose himself. Upon placing the hand in the water on these occasions it felt very decidedly tepid. This shallowness and unusual temperature, by occasioning a more rapid evaporation, may account for a fact which it might otherwise be difficult to do, viz: six tolerably large rivers and several smaller ones fall into lake St. John, while only one of moderate dimensions runs out of it.

Continuing a northerly course the mouth of the Peribonea river was reached, where the latitude was found to be $48^{\circ} - 42' - 37''$, and this was the greatest that was made on the lake.

In about three hours after leaving the Peribonea river we reached a bay, at the bottom of which we encamped, and found a considerable deposit of a very fine admixture of clay, siliceous and lime (an excellent marl) underlying the sand. Finding deep water close to the shore, and a current setting from the northward out of an angle in the bay, it was conjectured that the river Mistassiny lay in that direction, which proved to be the case, and another observation of the sun's meridian altitude having been taken at its mouth, gave for latitude $48^{\circ} - 38' - 55''$.

Ascending the Mistassiny a short distance, the land though sandy appeared to improve, but neither here nor in any part of the lake, nor in the whole of the country we traversed was very good timber, remarkable for its abundance, perceived. Reasons have already been advanced for not considering the absence of fine timber as any proof of a bad soil.

On leaving the Mistassiny we proceeded to the Assuapmousoin on a southerly course. On crossing the mouth of this river we encountered a violent tempest; there was however no danger being near the shore and in shallow water. Upon the tempest abating we landed and encamped. Here we again fell in with rocks which had entirely deserted us since we left the bay to the southward of the Koucouathime river; they are of a different formation, and consist of clay-slate and fetid limestone in conformable strata. The clay-slate which was first met with is composed of an indurated schistose clay, exceedingly fissile, and assuming many of the characters of roofing slate. It occurs on the shores of the lake, and dips beneath its waters to the N. N. W. at an angle of 25° . The laminae of the clay-slate are parallel to the planes of stratification, which is probably the cause of the extreme fissility of the rocks in that direction; but perpendicular to these planes, or nearly so, are others which serve to perplex the examiner when wishing to ascertain the bearing of the stratification of this rock; however their want of continuity and particularly the conformable position of the clay-slate with regard to the limestone, remove the difficulty. The surface of the rock is strewed with its weathered fragments, which exhibit no other change from the rock itself than that weather has rendered its fissile character more apparent; these fragments when slightly struck on their edges break into smooth rectangular slates. Solid slates five feet long, one foot wide, and one or two inches in thickness are seen; fragments of this description are very sonorous when struck.

After traversing this clay-slate for about one quarter of a mile, the fetid limestone before-mentioned was met with underlying the other conformable strata. Much of this limestone contains fossil organic remains, chiefly corallites and encrinites; products were also seen, and a singular fossil similar to a variety found in Drummond's Island, Lake Huron, of which there is a drawing in the sixth volume of the Geological Transactions, plate 30, fig. 5, from which that in question appears to differ chiefly by having the disks of which it is composed obliquely set on, whereas in the figure alluded to they have a rectangular position. That from lake St. John also tapers more than the other. The cross fracture exhibits a structure which is partly compact and partly laminar; the former appears to prevail towards the periphery, and to be composed of chalcedony or of a carbonate of lime passing into chalcedony; the latter occurs towards the centre, which is a calc-spar.

Between the two there is also perceived a tendency to the formation of agate, chalcedonic rings and curves being distinctly visible. Sometimes the centre has nothing of the crystalline aspect whatever, but shews a rounded spot of a reddish-brown and opaque substance, apparently of the nature of the imbedding rock, which is a dull fetid limestone of a dark colour, and full of fossil remains. Close to the one here drawn, but at the back of the specimen, there is a producta. This character of becoming siliceous is common, but in a much greater degree, to the fossils from Drummond's Island, Lake Huron, with the species of which those found on Lake St. John appear to correspond. The fossils however of the former are not only more siliceous, but the limestone itself in which they are embedded has been in some places metamorphosed into a chert or hornstone.

For the accompanying very accurate drawing of this fossil, we are indebted to Lieut. Dittus, 66th Regt., ample justice to which has been done by the engraver, Mr. Smilie.

This limestone appeared to be separated from the clay-slate above it by a thin black shaly calcareous stratum, full of short undulations and rounded concavities occasioned by corresponding projections and spherical knobs in the limestone. These knobs or balls could sometimes be detached, and were found to be composed of a very compact dark grey limestone, having a glimmering lustre arising from the reflection of light from a few crystalline points, and a *water-worn* aspect. In these no vestige of organic remains could be perceived, although a slightly fetid odour indicated their presence originally. The stratum of limestone in which they were imbedded appeared equally free from organic remains, but was of a more earthy texture. The thin black shaly stratum is itself a limestone, as its free effervescence in acid declares, but it appears to contain much clay and to be passing into clay-slate. The position of these balls we conceive is corroborative of the inferior level of the limestone with regard to its planes of stratification.

It is with much hesitation that we have ventured to state our opinion that secondary limestone here underlies clay-slate, because we know that such a position, if not altogether new, is at least of very rare occurrence. But as our province is to describe and not to theorize, we should have advanced still more improbable suppositions if, after the same unprejudiced research, there had been cause in our opinion to entertain them. The knowledge of natural history is very little likely to be extended if her votaries restrict themselves in their reports to what the existing knowledge on the subject may render probable. Having taken the trouble to examine, if an opinion be advanced (with humility proportioned to the degree of information) which is strongly opposed to experience, no censure is justly due though it prove erroneous. Some beautiful specimens of encrinital marble of a fawn colour are found here which would polish well and prove highly ornamental.

The limestone continued in visible strata for above one hundred and fifty feet, after which it appeared only in angular fragments for about a mile and a half further, when it again was seen in regular strata, forming a projecting point in the lake, the intermediate portion of the shore being characterized by a numerous collection of boulders consisting of granite, trap, mica-slate and angular fragments of clay-slate. Having seen no mica-slate before while in the Saguenay country, we may have mistaken trap for it, the pseudo-metallic lustre of which, as we have before said, causing it often to resemble that rock. Two or three semi-rounded masses of the felspathic rock near La Grande Discharge were also seen.

The stratification at the above-mentioned point is obscure, but it appears to dip gently to the east. Much of the limestone had a very conglomerated aspect, or at least it appeared to be made up in a confused manner of pieces of itself, though no distinct imbedded fragments were seen. It contains imperfect fossil remains of corallines and orthocera.

Proceeding beyond this point the shore became gradually crowded to excess with fragments of various rocks principally of limestone. Rocks under the form of boulders were also very common, and as before, angular pieces of clay-slate. The number of these boulders, generally about the size of the head, rendered our walk over them painful in the extreme, the beef-skin mocassin being by no means a sufficient protection in these cases to the foot unaccustomed to wear it.

Embarking and crossing over to a cliff about thirty feet in height, called Pointe Blue, it was found to be composed of the same fetid limestone in distinct horizontal strata. Organic remains are found in this rock, but they are generally indistinct. Embarking again for the south-eastward, the limestone was observed to continue on the shore, and at another point resembling Pointe Blue it forms a similar precipice on the lake. A little beyond this we put on shore, and found the same limestone forming a low beach. A cedar was measured here the girth of which was twelve feet, it was however by no means characteristic of the place, although the soil appeared to be much improved since meeting with the limestone and clay-slate, a circumstance that was to be expected. At the bottom of a bay beyond this place the same horizontal limestone forms the shores and bed of the Little or Outchouanitch river which, as a rapid here falls into Lake St. John.

Running once more to the south-eastward we encamped on a bare limestone point opposite L'Isle des Couleuvres. Some of the *voyageurs* had the greatest disinclination to visit this island on account of the number of snakes which were reported to exist there, and many wonderful stories of their forming festoons, knots, and lying together like a string of

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of sausages, were told; but after traversing the whole island one shrivelled skin only was seen. Pears too (probably under the guardianship of the snakes) were said to be abundant with equal foundation. The shores to the northwestward were abundantly strewn with many fragments of corallites, among which we recognized caryophylliæ, chain coral, madrepores, retepores, millepores, and particularly that corallite so much resembling a bee's hive, and called favosite. The varieties of caryophylliæ resembled those to be seen in the sixth volume of the Geological Transactions. Some of the madrepores might easily be mistaken for the fossil eye-teeth of some animals, but their internal radiated structure distinguishes them. (turbiniolæ?) All these fossils have been probably washed up from the bottom of the lake, the island being apparently a mere sand bank. There is another island near it which, judging from descriptions is probably composed of clay-slate.

On leaving the former island we stretched across to the main, and entering a bay reached the mouth of the Ouitchouan, where another deposit of clay-slate was noticed. This slate differs from the other in the following particulars:—the strata are horizontal or nearly so; it is not observed to be here associated with any other rock: its weathered surface is white, whereas that of the other is black. It effervesces in acid very slightly, and contains slight traces of organic remains, neither of which characters was observed in the other; it is in greater abundance and more easily quarried.

A person unacquainted with the deceptive appearances which rocks sometimes assume, would without hesitation pronounce this rock to be horizontally stratified, and in our judgment he would be correct; but there are other surfaces which have a parallel arrangement among themselves, and which might easily be mistaken for planes of stratification, particularly as their position is vertical and one which agrees better with the high dip the clay-slates so generally exhibit. However upon a closer examination of these planes they are found to suffer constant interruption and not to be continuous. The horizontality of the strata being here assumed as the fact, of which we entertain no doubt, the laminæ of the clay-slate are as before parallel to the surfaces of stratification. This rock is divided often, owing to these counterseams, into cuboidal masses and longitudinal frustra of pyramids, the latter sometimes resembling the blade of a stiletto. Whether you strike the rock on the edges of its laminæ or across the surface, a fracture in the direction of these laminæ is effected, accompanied of course in the latter case by the cross fracture. Above and in immediate contact with the clay-slate, is a remarkably fine bed of compact marly clay, to which cause the slight effervescence of the former is probably owing. Fragments of clay-slate are abundant on the shore in this place, and those of any other rock are rare. The latitude of the Ouitchouan river at its mouth was determined to be 48°-24' 35".

Between the Ouitchouan and the Post of Metabetchouan we observed the same formation to continue for a considerable distance, beyond which we again came upon the limestone, possessing the same characters as before, but dipping to the northward at an angle of 45°. This appears to be a further corroboration of our opinion, and to infer the additional conjecture that the two rocks alternate with each other, otherwise the limestone must suffer a violent contortion to appear in the interval, between the two deposits of clay-slate, in horizontal strata at nearly the same water level, as has been described.

This alternation with fetid limestone suits the habits of the shales far better than those of the clay-slates to which they sometimes bear a striking, and to the eye an indistinguishable, resemblance, a fact which is remarkably exemplified in the present instance if this rock should prove to be a shale, which, after consulting its mineralogical characters, we are strongly of opinion it is not, although it cannot be concealed that the case appears a doubtful one. That the reader may be better able to form his own opinion on this point we here introduce those characters:—Colour, brownish black—opaque—structure really schistose, but apparently compact—cross fracture, uneven, somewhat conchoidal—hardness about the same as clay-slate—color of powder and streak, reddish—odour slightly bituminous when struck—specific gravity 2.4. In water its surface is covered with minute bubbles, but it neither falls to pieces in it nor derives additional weight even after a long immersion. A specimen from the last-mentioned place effervesces very slightly in acid, a character which is supposed to be owing to the proximity of the marly clay. Before the blowpipe it fuses readily into a globule of glass, having a dirty green or brown colour. Experiments alone can determine whether this rock is calculated to answer the purpose of a roofing slate; this must depend upon its possessing a requisite degree of fissility, and upon its power of resisting the action of the atmosphere: our opinion upon both these points is favourable, but it is only derived from a hasty view of the quarry. With regard to our geological dilemma, without wasting more time in the attempt to reconcile apparent contradictions, which a more intimate acquaintance with the *locale* would probably clear away, we will continue to relate facts. The limestone at the last-mentioned place forms a bluff precipice on the shore of the lake, and contains corallites, encrinurites and productæ. The encrinurites were as before in a fawn-coloured variety, well calculated for an ornamental marble; some of it has the conglomerated aspect before described.

Pursuing our route, we reached the post of Metabetschuan, which we found by observation to be in latitude 48°-23'-11". Like the Post of Tadousac, that of Metabetschuan is situated on an alluvial bank, though differing in the materials which compose it. It is here a soil in which clay predominates, but contains sufficient sand to give it fertility. Boulders of the rocks of the neighbourhood, and among them water-worn fragments of the secondary limestone we have just described with their imbedded fossils, are frequent. The fossils are generally of the

same class as those found on the Manitouline chain of islands in Lake Huron, and have been mentioned. The most remarkable of the fossil remains we saw, was a trilobite (*entomolithes paradoxus* of Linnæus.) (See plate.) It is believed to be one of the largest that has ever been seen, and is deserving of notice, belonging as it does to a class of animals with which naturalists are totally unacquainted, and of which Parkinson says, "We must content ourselves, I believe, with allowing that no animal resembling it is known." It is supposed to be a species of crab. A drawing of the same animal, though not precisely of the same variety, may be seen forming the frontispiece to the 3d edition of Bakewell's "Introduction to Geology." Although the trilobite is very characteristic of the limestone in the Lower Province, it is the small species; no other gigantic specimen has been noticed; Dr. Bigsby, however met with it on Lake Huron. Some sections of the pigmy trilobite (if such an expression may be allowed) from Beauport and Montmorenci, bear a strong resemblance in form to moths. We have in our possession an organic remain from the latter place, which appears to represent a trilobite inserted in the siphuncular cavity of a small orthoceratite. If this conjecture be correct, it is worthy of attention, because it agrees with the known habits of the crustaceous tribe of animals which seek their food by entering into shellfish. Univalves have been brought up to Quebec from the Gulf of St. Lawrence, in which when partly mutilated, may be seen small crabs that have probably perished in an ineffectual attempt to retreat. A suitable punishment that should await all murderous intruders who steal upon the privacy of others, whether their object be to destroy life or to kill time.

The accompanying copper-plate impression is by Mr. Smillie, from another accurate drawing with which we were favoured by Lieut. Ditmus. In both cases the engraver had also the advantage of consulting the specimens.

This trilobite is upon very schistose limestone, of a dark grey color internally, and yellowish white weathered surface. The fragment in which it was found is angular and detached; it had been used as a stepping stone to one of the outhouses at the Post, and probably had been brought by the ice to this shore from a place on the lake about three miles to the westward, where we found a limestone very similar to it, having a variable dip to the northward of from 10° to 45°, and underlying a very schistose black limestone containing the impressions of small terebratulæ, and giving out a very fetid odour when struck. Although schistose in the large, this latter rock was very compact in the small, and would probably afford beautiful black slabs of marble. The schistose character, together with its black color, might occasion it to be mistaken for clay-slate, particularly as we have before described that rock as holding a similar position with regard to the limestone; but that position itself, the violent effervescence of the rock in acid, its imbedded organic remains and fetid odour, remove all doubt on the subject. The fawn coloured limestone was again observed here; it appears to be in considerable abundance. A large angular mass of white laminar marble was seen upon the shore; the rock itself must be near but probably at the bottom of the lake, from whence the mass in question has been thrown up.

From the Post of Mitabetschuan, conceived to be the most southerly point of the lake or nearly so, the River Peribonea, about its most northerly point, bore north—La Grande Descharge, N.E., and nearest point to the eastward, E.

We ascended the Metabetschuan River a short distance as far as some rapids; the right bank or that to the eastward, was found to be composed of a mixture of clay and sand, forming an alluvial ridge from fifty to eighty feet high. The western side of the river is low. Wheat, barley, oats, kitchen stuff of various kinds, cucumbers and melons, grow here to perfection; neither soil nor climate can therefore be bad. Having broken the thermometers in the early stage of our journey, all our reports are deficient in thermometrical observations. Judging from our feelings and the agricultural facts above mentioned, there appears to be no difference between the climate on Lake St. John and that at Quebec. Mountains bound the view to southward of the Post, and at no great distance among these, we heard that a large deposit of a mineral, which from the description given of it, must be steatite or soapstone, is found. It probably marks the primary character of the mountains in which it occurs; near them the junction of the primary and secondary rocks may be expected to take place. We did not see it, for the clay-slate, although usually a primary rock, is here, by its alternation with fetid limestone, evidently of the transition or secondary class.

After crossing a turbulent sea, we arrived once more on our way back, at the mouth of La Belle Rivière, having completed the circuit of Lake St. John.

Before we take leave of this lake, we will here introduce a few remarks upon the general fertility of the land in its neighbourhood, which have occurred to us as explanatory of the cause of it.

*When first the reports of the House of Assembly respecting the Saguenay Country came under our observation, we were at a loss to account for this fertility. We imagined Lake St. John and the surrounding country

* With regard to these reports, it is only justice to say, that after having attentively examined them, we think they are as creditable to the individuals who collected them as they are to the persons from whom they were obtained. We have, generally speaking, found them to be correct, and it will be seen that the latest reports rather confirm than afford any new information respecting the fertility of the soil and its capabilities for settling. Both Mr. Tasche's and Mr. Panet's plans also, considering they are mere sketches, are very faithful.

to be, as it really is, a large basin, of which the lake is the lowest portion, with rivers running into it from all points of the compass save one, and bearing with them the drainage of the lands they traversed. Supposing these lands to be composed almost entirely of rocks of the most infertile characters, such as granite and gneiss or aggregates in which silex abounds, they could not be looked to as the sources of the fertility in question. In this dilemma the action of a violent deluge was had recourse to, which by bringing soils from distant quarters, had accumulated here the materials of future fertilization. With this impression we visited the country. It was found to be composed, instead of granite and gneiss, for the most part of rocks which, however infertile some of them may be as such, are made up of minerals almost exclusively, the decomposition of which furnishes the best soils; such are syenite and trap rocks. On casting our eyes over the fine alluvial soils which characterize the country about Lake St. John and Chicoutimi, they exhibited no indication of the action of a violent deluge; on the contrary, they were found to be composed of the finest particles, which could only have been deposited in quiet waters.

On visiting Lake St. John, we found a rock forming a large portion of the shores and of its neighbourhood, the decomposition of which forms the finest clays. A little farther on the same lake, clay-slate and limestone are found to occupy a still larger portion, the former rock almost always associated with fertile soils furnished by its desintegration, while the latter, with few exceptions, need only be named as forming a portion of any country, to convey at once the fertility of that portion.

Examine the limestone: you find it the depository of the exuviae of animals, tenants only of the ocean which now form a part of almost every one of its generally horizontal strata. The inference is obvious:—they and the limestone have been deposited here together, when Lake St. John and the surrounding country were covered by the sea; and it is almost equally obvious to us, that the fine clays and marls, in which this country abounds, are the washings of the decomposing rocks, which being first suspended in the water as an impalpable powder, afterwards subsides at the bases and on the gently sloping sides of the rocks from whence they are derived.

Mr. Nixon, upon his return, kindly furnished the following specimens of Rocks and Earths, with the information as to where they were procured:

ROCKS.

- No. 1.—Of felspar alone, similar to all the rocks from the Grand Décharge to Koucouathime river.—From the second rapid on the Peribonea river this specimen was taken, and Mr. Nixon describes the same rock as extending from the foot of the first rapid to the foot of the third fall, forming rocky banks on both sides; what soil there is in the distance is sandy. This rock was traversed by a vein of granite, the felspar in which was in large crystals and greatly predominating.
- 2.—A detached mass of magnetic iron near No. 1.
- 3.—Like No. 1.—From the great falls on the Peribonea.
- 4.—This is an equable mixture of hornblende and felspar, the latter having a glandular arrangement in the former bearing some resemblance to porphyry. In naming rocks composed of hornblende and felspar, we have invariably in this report called those traps in which the former mineral predominates, while the term syenite has been restricted to those in which the felspar is the most abundant mineral. In the present instance therefore in which there is no predominancy of either, both terms are equally applicable, but we have chosen that of trap because the felspar in it, by its resemblance to quartz, bestows upon the specimen in question a character of coincidence with the trap we have described, which character is wanting in the syenites.—From David River.
- 5.—A mixture of hornblende and felspar, the former predominating—consequently a trap—from the falls of the River Ouitchouan, two hundred and thirty-six feet high, according to Mr. Bouchette.
- 6.—Similar to No. 1.—From La Petite Decharge—a vein of white felspar traverses this rock.

EARTHS.

- No. 1.—A mixture of sand, clay, vegetable matter and iron.—The sand in excess—indifferent soil—River Peribonea.
- 2.—The same as No. 1.—with little or no iron—R. Peribonea.
- 3.—A loam or brick earth—good soil—Lake Nohaduito—taken from under the vegetable matter.
- 4.—Sandy bad soil laying beneath No. 3, a foot deep and resting on No. 5.
- 5.—A good marly clay—same thickness as No. 4, and resting on No. 6.
- 6.—An excellent marly clay.
- 7.—A fine dark vegetable mould, twenty paces from the edge of a rivulet running into Lake Nixon.
- 8.—Mixture of clay and sand—tolerable soil—do.
- 9.—Sand, clay, vegetable earth and iron—light and sandy—do.
- 10.—Ditto ditto ditto—River Baddeley.
- 11.—Sand and vegetable earth—poor soil—ditto.

Upon reaching Tadousac, on our return home, its latitude was made, $48^{\circ} . 6' 38''$ —and immediately afterwards we entered the St. Lawrence, on our way to St. Paul's Bay, passing Pointe-aux-Bouleaux, of which some account was given in the early pages of this report. Between Pointe aux Bouleaux and Echaufaud des Basques, nearly isolated masses of what was considered to be granite, were seen; they are shaped like a dome or rounded hay-cock, but generally the outline of the mountains on the coast, did not differ materially from that of the Saguenay; the former are not however so precipitous. Having landed at Echaufaud-des-Basques, the predominating rock was found to be syenitic granite, in which trap was observed, forming dykes or veins. A vein composed of red felspar, quartz, hornblende and magnetic iron, traverses this rock. Flesh red crystals of felspar, and white masses of quartz, forming large distinct concretions, were seen under the same circumstances. From a detached mass of syenitic granite, large kidneys of a fine black hornblende were taken, and also a beautiful specimen of light blue felspar having the lustre of satin.

The surface of the rock here, was observed to have the same baked and porous aspect as before described. This appearance is not in all cases confined to the surface. A specimen brought from Ance-aux-Femmes, in the Saguenay, has been already described, as possessing the character of porosity, both internally and externally, in so perfect a manner, as to be a fair sample of a mill-stone.

It would prove a mere repetition to be as circumstantial in our description of the rocks, on the north shore of the St. Lawrence, between Tadousac and Mal-Baie, as we have been between the former place and Chicoutimi.—We will therefore confine ourselves to a few remarks which will embrace those striking or important differences observed.

Though trap was occasionally seen, forming dykes, veins and imbedded pieces in the predominating rock (a syenite, syenitic granite, or syenitic gneiss,) no rocky masses of it, whether stratified or unstratified were perceived. It is not meant to assert, however, that they may not be found, but only to imply, that they are by no means so common as in the Saguenay river, particularly in that portion of it between Chicoutimi, and La Buole, from the last of which places, towards the mouth of the Saguenay, the rocks become more quartzose and less amphibolic or hornblendic, and pass from trap and syenite into syenitic gneiss and granite. To this latter cause may be attributed the comparative narrowness of the river at its entrance.

As Mal-Baie is approached, the rocks are observed to be crowded with veins of trap, felspar, quartz and granite, to an excess. These veins are generally parallel to each other, frequently contorted to a degree that is scarcely credible. In some places they are absolutely countless, and being composed of different coloured minerals, as white quartz, black hornblende, red felspar, &c., they bestow on the rock at once a singular and beautiful appearance, to which an artist alone could do justice, as it is totally beyond the power of description to convey.

It is worthy of observation, that the granite veins which have been described as traversing the rocks, both in the St. Lawrence and Saguenay rivers, were found to be composed, whenever examined, of large flesh coloured crystals of felspar, large pieces of grey or white quartz and mica in hexagonal plates, about the size of a farthing, the whole forming a variety of graphic granite, differing widely in appearance from those fine grained granites, which have been described as occurring in apparently stratified masses in the Saguenay and elsewhere, and among the constituents of which it is often difficult to say whether mica or hornblende is to be ranked, or whether they are not both of them present, the small black specks disseminated through the aggregate, resembling either of those minerals. The plates of mica in these veins, were "few and far between:" the rarity of this mineral in the rocks under description has been before alluded to.

A number of recent shells principally echini or sea-eggs are found upon the rocks, and sometimes at an elevation, to occasion a false inference to be drawn as to the height of the spring tides. These are probably brought by birds, as the elevated position they occupy, is far beyond the reach of any tide in the St. Lawrence.

On entering Mal Baie, a rock was observed, forming a long precipitous scarp, which has the appearance of being horizontally stratified. It is of a greyish colour. This we afterwards found to be a limestone and is the same that Dr. Bigsby describes as a calcareous conglomerate full of organic remains, and having gneiss and mica slate abutting against it.

Partaking of the well known hospitality of Mr. and Mrs. McNicol for one day, we had leisure to examine some of the rocks in this place, which are particularly interesting, as it is here that the primary and secondary formations occur together. On the shore near the house we observed black fetid limestone, and we believe gneiss, but this spot was not particularly examined. Crossing a bridge over the Mal Baie river, we proceeded across an alluvial ridge, towards Dr. Fraser's house on the eastern side of this bay. Pursuing our walk on the shore, and down the river, we first came again on the black fetid limestone observed on the other side of the bay. Then examining a block which had fallen from the precipice above (the same noticed on entering the bay) it was found to consist of an indurated limestone of a greyish colour and

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and the conjecture before entertained respecting its horizontal stratification was confirmed. It forms a perpendicular scarp, perhaps one hundred and fifty feet high. Beyond the black fetid limestone, micaceous schist was met with, for the first time, containing veins of quartz, sometimes of a slight rosy hue, and common garnets. We saw none of the beautiful foliated garnet, which is known to occur in this rock. The dip of the mica slate is gently to the west. Continuing our walk, we came upon a rock, which appeared to consist of stratified masses of pure quartz; after which we met with syenitic gneiss. All the baser edges of these rocks, from the black limestone downwards, crop out on the shore, in conformable strata, the dip of which is to the westward. Between the horizontal limestone, which lays over the baser edges of these rocks, and the black limestone, a sort of calcareous sandstone is observed, of a light green colour possessing the compactness of fine grained grey wacke. We do not remember to which of the two rocks it is conformable, but believe it is to the uppermost; its effervescence in acid is slight.

Mal-bay and its neighbourhood have long been remarkable for the frequency of earthquakes; it was not probable therefore that we should omit to make enquiries respecting them, connected as they are with the subject under examination. Through the politeness of Mr. and Mrs. McNicol the following information was obtained. Shocks are most frequent in January and February; their direction appears to be north-west; the duration of the movement is about one minute, and notice of the coming motion is generally given by a noise like a chimney on fire, sometimes accompanied by two distinct blows. The weather is sometimes sultry, previously at others, cold; in the former case, the weather becomes cold after the shock, and in the latter, mild: in short, it is always accompanied by a change of weather. They occur about nine or ten times a year, and are more generally observed in the night than in the day. When they happen in foggy weather it clears up subsequently. About thirty-six years ago shocks were much more violent. Dr. Fraser of Malbay, to whom this account was shown, agrees generally with it, but thinks the number of shocks annually underrated.

Mal-Bay or, Murray Bay, as the inhabitants prefer calling it, enters deep into the north shore, and the greater proportion becomes dry at low water. The land which encloses the bay is rather elevated and rocky, but between it and the high water-mark on the western side, there is a flat or gently undulated alluvial soil. The character of most of this is sandy, but that on which Mr. McNicol's farm is situated is of a superior description, composed of clay, sand, and probably lime derived from its vicinity to limestone. We were informed that the general character of the soil improves on advancing into the interior, and that a broad fertile valley similar to the one which accompanies the St. Paul's Bay River, and with which it is connected by a cross valley, also accompanies the Mal-Bay River in rear of the settlement. Walking through the fields at the back of Mr. McNicol's house, we observed several small cone-shaped hillocks from fifteen to twenty feet high composed of alluvial soil, which from their form and isolated appearance were supposed to be in some way connected with the cause of the earthquakes.

Availing ourselves of the high tide we left this bay, but were detained a few hours at its westernmost point by the roughness of the river. This interval was occupied in examining the limestone rock of which the point consists. Like that on the eastern side of the bay it is one of the oldest of the secondary class, and contains numerous organic remains, principally orthoceratites. The weathering of the rock exhibits many longitudinal sections of these fossil multilocular univalves, giving them something the appearance of fish-bones for which they have been mistaken. It is well known to those who interest themselves on the subject, that the fossil corallines of the *genus huronia*, of which there are some beautifully correct drawing among the plates to the sixth volume of the Geological Transactions, bear a remarkable resemblance to vertebrae, so much so as to have deceived professional men, of these however we saw none. Some of this limestone is of a very siliceous character and appears to pass into sandstone; some again is conglomerated, and holds imbedded rounded fragments of white quartz; in this the fossil organic remains appear most to abound. In the upper portion of this limestone there is a small cavern into which you may descend for a few yards. The sides and roof are in many places coated with a white incrustation, having none of the crystalline aspect of stalactite, but softer and more resembling analogous appearances on the roofs of old brick or stone arches. This cavern descends very rapidly, but we were soon arrested by its narrowing suddenly to a mere crack, through which however the boy who accompanied us said he had passed, and found that the cavern on the other side becomes more spacious, but his fears would not allow him to investigate further. This part of the passage might be excavated at a trifling expence, which might be fully repaid by the extent, beauty and singularity of appearance which these caverns often present. Dr. Fraser has been spoken to on the subject, from whom more information is shortly expected.

The shore between Murray Bay and St. Paul's Bay is by no means so precipitous as that between the former place and the mouth of the Saguenay, although it gradually retires back into lofty hills, over which, on account of the crowded state of the canoe, Messrs. Bowen and Goldie passed. They describe the road as one continued succession of abrupt rise and fall. Some rocks, the surfaces of which are white, were observed forming much of the shore, but as we did not touch them, it remains doubtful whether they were felspathic or limestone. Beyond these, a black rock, traversed by veins of white calcareous spar, was seen; probably the transition limestone of some authors, and the same as that observed at Murray Bay.

On passing Les-Lboulemens, we looked in vain for the cause of that part of the country being so called; Isle aux Coudres also, which Charlevoix represents as having been detached from the main by a violent earthquake, exhibits no other character, on passing, to indicate such a catastrophe, than a whirlpool between it and the main, which at low water becomes dangerous for boats, and causes by the risk they run of being thrown by it on the limestone rocks to the right of the entrance into St. Paul's Bay: appearances indicating some event of the kind are said to be seen, however, in many places on the shore between Port au Persil and St. Paul's Bay, such as the roots and trunks, &c. of prostrate trees, being covered with soil and loose masses of rock.

The limestone mentioned last is of an excellent description; it occurs in dark compact strata, dipping to the westward at an angle of about 45°. It has all the appearance of being an excellent building material, in great abundance and easily quarried.

At the entrance into St. Paul's Bay, the mountains which form the back ground have a very picturesque appearance, rising in cone-shaped peaks and in alpine ranges; they are, however, not very elevated.

It is not perhaps generally known that there exists highly respectable evidence of a volcanic eruption having happened somewhere in the interior in the rear of St. Paul's Bay. No one we think will feel disposed to doubt the fact after perusing the following account of it with which, through the politeness of Mr. Gagnon and Mr. Chaperon, we have been furnished. It is the former gentleman who writes:—

“Au défaut du journal que se trouve écarté, daignez recevoir ce que suit :

“Samedi, 6 Oct. 1791, à la Baie St. Paul, et autre lieu circonvoisin, vers les sept heures et quart du soir, se fit sentir un fort tremblement de terre: toute la nuit fut troublée par de petits repetés, et entre par un tremblement courant dans l'est. Les quarante et un jours suivans tremblèrent, depuis deux coups jusqu'à cinq par jour. Le Lundi 8 Oct. fut d'un bon tiers moins fort que le premier (du 5) les autres furent que des petits, ou brouissemens; le tems toujours obscur. Avant la nuit du 26 au 27, je n'avais pas encore remarqué d'éruption de fumée épaisse, par fois ondoyante de flamme; la température à 7¼ heures du soir était à 11° au dessous de zero du thermometre de Reaumur (plus 7¼ of Fahr.) et le lendemain au matin à 6¼ heures la chaleur se trouve montée à 21° (plus 79¼ of Fahr.) Deux montagnes près de ma demeure ouest-quarante quelques degres-nord laissent un passage à la vue entre elles pour laisser voir loin. C'est par cette passe que je vis une continuelle eruption, mêlée de fumée et de flamme, qui jetoit fort sur l'horizon; d'autres fois se tourmentaient entre elles comme trop gênées dans leur issue. J'ai remarqué plusieurs fois que cette éruption est presque toujours suivie de tremblement pour le même jour; et quand il manque il s'ensuit un jour obscur et jaune. Quand le tremblement arrive, on peut prédire qu'il va être d'autant plus proche que cette agitation de boucanne force pour sortir. Quelques personnes auxquelles j'avais montré ces préparations du tremblement m'ont prevenu à leur tour que dans un moment la terre va trembler, et l'effet le confirma. Enfin cette nuit du 26 au 27 forma un grand spectacle d'admiration, toute l'atmosphère fut en feu, et agitée; la face souffrait de la chaleur, le tems étant fort calme; l'éruption fut continue toute la nuit avec des flammes. L'approche certaine du tremblement se connait quand par la passe entre les deux montagnes, on voit un nuage, ou boucanne, arrêté, ou agité, et qu'à droit et à gauche l'horizon est parfaitement clair.”

This description, as far as it extends, agrees so well with the known phenomena of active volcanoes, that little doubt can be entertained of the flame seen by Mr. Gagnon proceeding from any other source than that of an eruption. Mr. Andrew Stuart was aware of the existence of a similar well founded report when he gave us discretionary authority, upon discharging our canoe, to proceed in search of the volcano, provided after having ascertained particulars, there should exist in our judgment any probability of finding it. We were decided to give up the attempt by the following circumstances:—

1. It might lay at a greater distance than could be reached at so late a period in the season, (12th September.)
2. The known fertility of volcanic countries would, in the interval of thirty seven years of inactivity, have caused those parts once ravaged by its eruption, to be covered by a deep and dense mass of both living and dead vegetable matter, concealing all the rocks, and obliterating all the traces of a crater, by which only an extinct or long inactive volcano could be recognized.
3. We were anxious to examine an extensive deposit of magnetic iron which lay up the river in a different direction.

Upon an examination of the greater portion of the rocks we have attempted to describe, a Vulcanist or follower of Hutton, would we think suspect that the country of which they are characteristic had been the theatre of volcanic activity in very ancient times, and upon finding his conjectures supported by the inferential evidence which these local earthquakes afford, and that of the more direct and positive description contained in Mr. Gagnon's communication, his doubts on the subject would entirely vanish. For ourselves, being neither Neptunian nor Vulcanist, we leave these interesting but often vague enquiries to those who are better qualified to indulge in them, being satisfied

* They are not felt on the southern shore of the St. Lawrence nor at St. Joachim, to the westward, nor Tadoussac to the eastward.

with the more humble, though not less useful task of describing facts.

Although it is believed that no one but Mr. Gagnon himself saw the flames &c., many were witnesses to the comparative violence of the earthquakes of 1791. The first is accounted for by saying that there were few settlers at St. Paul's Bay at the time, and fewer whose habits or education would lead them to take notice of a phenomenon which among the vulgar might be supposed to be merely a fire in the woods, had they seen it.

A fall of ashes covering the snow is also within the remembrance of many, but of this interesting fact we have no further particulars. Earthquakes at St. Paul's Bay do not appear to be so frequent nor so sensibly felt as at Malbay.

Three or four leagues up the St. Paul's Bay river, or la Rivière du Gouffre as it is called, there is at the distance of from one hundred yards to two miles from its banks, an extensive deposit of magnetic iron * of which we are able to afford some information from actual inspection.

The river itself is not easily ascended being full of rapids, but the goodness of a road on its right bank renders this inconvenience lighter. Over the road, composed of a sandy alluvium, we proceeded and entered a beautiful valley through which this river circuitously takes its course. The sandy nature of the soil at the mouth of this river opposes little resistance to the action of the current, which when strongest steals upon the shore contiguous, leaving a proportionable space dry on the opposite side, and in this way one proprietor of lands finds himself possessed of the property of his neighbour. When property in this place becomes more valuable, and this natural encroachment more aggravated, it will probably become a subject of litigation. Mr. Chaperon of St. Paul's Bay will soon have to remove two store-houses which the current threatens to undermine.

On advancing, the river retires from the road to the right, and while the former preserves, as is obvious, the lowest level of the valley, the latter pursues a more direct course over a sandy bank. As we passed this bank and cast our eyes on the valley below, we were reminded of the vale of Clwyd in North Wales. It is however neither so wide nor so long. The mountains on each side are tolerably elevated and of course rocky, but the valley is gently undulated land of a fine quality, being a mixture of clay, sand and probably carbonate of lime which abounds in the neighbourhood. This valley continues for about six or seven leagues, and is perhaps half a league wide. The road (an excellent one) extends about five and a half leagues up this valley, beyond which a pathway leads to the remotest settlements. There is a cross-valley on the left bank of the river which is said to communicate with the valley of the Malbay river.

The parish of St. Urbain is situated towards the upper end of the valley, and it was here that we stopped to examine the deposit of iron. One bed lays westward of Vincent Tremblay's house on the summit of the hill, and about two miles from the river. Having crossed the valley a distance of about a mile, we came to the foot of the hill which rises at an angle of from 100 to 150. Here we found large detached masses of this ore, and ascending the hill for about another mile we reached the summit. When we arrived at this place it was found to be characterized by the total absence of trees, and looked like a piece of cleared land of about three or four acres in extent. Near the centre of this, and where the ground began to fall, the ore was seen cropping out of the ground, in one black metallic mass of considerable size. We traced it without excavation for about sixty yards in length, and perhaps three in width, here and there covered by moss or a few shrubs only. The rock with which the ore is associated is a pale syenite; in it the felspar is very predominating, the weathering of which gives a cream colour to the rock externally. That we saw was not solid but in loose angular rotten pieces, and this we found to be the case upon subsequently probing to ascertain the comparative abundance, of the ore as appears from the following satisfactory account of some work Vincent Tremblay had been instructed to perform during our absence on an excursion to the northward.

No. 1.—Excavated a hole on the north side of the visible iron ore and at about two perches distance, where the same ore was found about two feet below the soil consisting of rotten rock.

2.—A second hole was formed on the south side of the visible ore, and about ninety feet distant, here the same ore was again found at the depth of one foot six inches of the same soil.

3.—About six yards farther to the south of the last, and at the depth of two feet and a half of rotten rock the same ore was found.

4.—North west of the visible ore and about ninety feet distant the same ore was found at the depth of two feet of the same soil.

From this it appears that there is here a considerable supply almost at the surface; indeed we suspect that the whole of the cleared patch be-

* This deposit was known in the time of Charlevoix; for according to that author a miner was engaged by Mr. Talon, the intendant to explore these mines, who reported favourably of them. This man is said to have observed wherever he worked, traces of the earthquake of 1663. We saw nothing of this kind. Previous to our visit to the place, the Surveyor General had brought to Quebec specimens of the ore and information as to its being abundant.

fore mentioned is occasioned by its immediate presence. We were informed that several places in the neighbourhood were equally abundant in ore, and when about to descend the La Gouffre on our return to St. Paul's Bay, Mr. Bowen discovered a deposit of this mineral which appeared abundant; it is situated in the left bank, about a mile below Vincent Tremblay's house, and about two hundred feet from the waters' edge. Having left instructions with Vincent Tremblay to investigate further, we lately received from him the following information accompanied by specimens.

No. 5.—“Ces deux morceaux ont été pris sur les terres de Damase Fortin et de Vincent Tremblay, fils, environ douze arpens plus au nord que la mine que vous avez vue et environ quinze arpens plus près de la rivière du Gouffre. Il se trouve un cap continu du même métal et il est parallèle à l'horizon. Il se trouve environ un pied en terre à l'endroit où je l'ai examiné, mais comme c'est dans un endroit où le terrain est pendant, il doit se trouver à une plus grande profondeur à mesure que l'on avance.

6.—“Ce morceau a été pris au nord-est de la rivière du Gouffre, environ dix arpens au dessus de l'endroit où vous êtes embarqué pour la descendre, et à un arpent de la dite rivière. C'est un cap coupé perpendiculairement de la hauteur d'environ vingt pieds sur une largeur d'environ quarante.

7.—“Ces quatre morceaux ont été pris sur la terre d'Augustin Tremblay au nord est de la rivière du Gouffre vis-à-vis l'endroit où vous êtes embarqué pour la descendre et environ six arpens de la dite rivière. Il sort de la côte un cap de même métal dont j'ai découvert environ trois perches.

8.—“Ces morceaux ont été pris sur la terre d'Antoine Pagé à environ quinze arpens de la rivière du Gouffre, et environ une lieue plus sud que celle que vous avez vue. Il s'en trouve un cap plein.

9.—“Ces morceaux ont été pris entre Moïse Tremblay et Elie Fortin, environ huit arpens plus nord que celle que vous avez vue, et vingt-sept arpens plus près de la rivière du Gouffre. J'ai découvert de ce métal sur environ un demi-arpent carré, mais je crois qu'il y en a un plus grand étendu.”

Before any observations are made upon the foregoing ores, we will here introduce an account of our journey northwards adverted to. The object of this journey was twofold; to see a little more of the interior, and to examine another deposit of magnetic iron. In the first part of our journey we met with tolerable land, although by leaving the valley to our right and ascending the hills we got among the rocks and an inferior soil. These rocks are universally felspathic, and of a cream-coloured external surface. After proceeding about two leagues we came to the rounded brow of a hill which afforded us a beautiful view of a part of the chain of mountains which we had seen on entering the bay, and in which the St. Paul's Bay river has its source. The summits of these mountains were rounded, perfectly bare, whitened and precipitous. We were informed by our guide that after crossing these mountains a wide fertile plain is reached, through which the Malbay river takes its course; he was in the constant habit of crossing this plain with Indian hunters, with whom he was associated. Continuing our route a little further we came to the flat surface of a rock several yards of which were totally bare and whitened. All we had before seen in our route were so covered up with vegetation, presenting only an angle to the eye, that it was not easy to decide with certainty whether they were in place or not, but here no doubt could exist on the subject. It was one of those tabular masses so common in felspathic rocks, composed of brown felspar, quartz and hornblende; the quartz was very distinct on the weathered surface, from which it projected in grey grains, owing to the greater resistance it opposes to the action of the atmosphere.

Distinct concretions of a very laminar hornblende, possessing polar magnetism, were observed in this rock.

We reached our encampment for the night at the foot of the chain, having passed over in the course of the day much tolerably good land, well watered by small brooks and streams issuing from lakes, along the side of one of which we passed. Rising early in the morning we commenced the ascent of the chain, and on the summit of the lowest part of its ridge, we saw projecting from the side of the mountain iron ore similar to that before seen at St. Urbain, but of a purer quality, though not by any means in such abundance. It here occurs in a visible patch about one foot wide and perhaps three feet long. As it is in solid rock it would not be easily extracted if found upon excavation to form a continuous bed or vein. The rock in which this ore is imbedded is as before a pale syenite, in which the felspar only is very distinct. It is worthy of remark that the extensive deposit of iron ore at Marmora, Upper Canada is, according to Dr. Bigsby, in the immediate neighbourhood, though not in contact with a pale syenite. The metallic blackness of this ore contrasts strongly with the whitened surface of the rock in which it is imbedded.

Knowing that the forests in this country are extremely liable to spontaneous or accidental ignition, the whitened exterior of these rocks is often naturally enough attributed to that cause, particularly as was the case here, where other less questionable traces of fire appear; but weather, acting upon the alkali, which the felspar in these rocks contains, causes an incipient decomposition to take place on their surfaces, by which an imperfect

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imperfect kaolin or porcelain clay is formed, and hence arises this whitened aspect. Fire would certainly assist this decomposition, but from the quantity of iron in these rocks their surfaces would we think be rather reddened than whitened by it. Other deposits of iron ore in these mountains were heard of, but they were not visited, satisfied of its abundance in places more conveniently situated. It may be stated, however, that a Canadian of the name of Baptiste Bridet, gave us on our return to St. Urbain, the following information. Between the pass of the mountains and Lake Bicene, about a league asunder, he observed at short intervals great quantities of iron ore jutting out of the rock; also between Lake Bicene and a place called Le Grand Bris, about ten acres further, he saw the same appearance. Being questioned as to its abundance more particularly, he said that it occurs in veins from six inches to two feet wide and in rounded blotches from six to eight feet thick. The highest mountain in that part of the chain where we were, commands a most beautiful and extensive view of the surrounding country.

We will now give the mineralogical characters of that deposit of ore which we first met with at St. Urbain; after doing which, only a few further remarks on the others will be necessary, as they differ from each other principally by being more or less mixed with impurities. They are almost all of them remarkable for the want of the magnetic character, although possessing the metallic blackness, structure, and other points of agreement with the magnetic oxide of iron to which species they undoubtedly belong.

MINERALOGICAL CHARACTERS OF SPECIMENS.

- Nos. 1 to 4.—Colour, iron black, but break into fragments, the surfaces of which are much tarnished by rust; no particular structure could be observed; some parts were indistinctly laminated, but the general mass appears to be compact granular. The fracture when not effected in the direction of a rusty seam is uneven. They cannot be scratched by the knife, but are easily broken, and do not give fire under the hammer; their powder is quite black; specific gravity about 4.5. Some portion of the ore from this deposit had a vitrified and porous aspect on the surface like cast iron. They are not magnetic before the application of heat. Before the blow-pipe they do not alter in any other respect than by becoming magnetic. With borax they fuse into a glass of either a yellow or very light muddy green colour; upon cooling the colour subsides or nearly so. These ores were associated with a mixture of mica, carbonate of lime or iron, and what was conceived to be epidote.
- 5.—These specimens have a very good appearance, and are more free from foreign substances than some of the others; one of them, however, has coccolite of a yellowish brown colour, disseminated throughout it. Their specific gravity varies from 4. to 4.5.
- 6.—This is the same description of ore as that found by Mr. Bowen, and comes nearly from the same place; it is not quite so good an ore as either of the preceding, being more mixed up with foreign substances, particularly epidote, by which its specific gravity is reduced to 4.
- 7.—These four specimens differ much among themselves, and do not bear the aspect of having been taken from the same place; one of them has a crystalline structure, and appears to be composed of octohedral grains, while another is earthy and possesses less of the metallic aspect.
- 8.—Magnetic with polarity; an excellent ore.
- 9.—This is a very good specimen of bog ore, and valuable if abundant. It probably occurs in greater quantity than has been yet ascertained, as generally where there is a large deposit of rock ore (as the magnetic oxide of iron is called) occupying elevated situations, there is also a deposit of bog ore beneath in the low swampy lands, the latter originating with the former.

It does not appear easy to account for the want of the magnetic character in these ores before they have been exposed to heat. Cleaveland says, that "according to the observations of Werner and Gibbs, this oxide of iron is not magnetic while remaining at a considerable depth below the surface of the earth, but soon acquires this property after exposure to air and light." We must seek other causes to account for the magnetic deficiency in the present instance, as the specimens in question were taken from the surface and possess no more magnetism at the present moment than they did at first. It may be owing to one or more of the following causes; the presence of oxygen above 30 per cent, of sulphur above 40, of carbon, of phosphorus, of arsenic, of manganese and of antimony; of these sulphur, phosphorus, arsenic, manganese and antimony injure the ore, by either rendering it difficultly fusible or its cast-iron brittle, often both. Carbon, on the contrary, improves the quality of the cast-iron, renders the ore more easily fusible and diminishes the consumption of fuel. We cannot say to which of these, or if to any of them is owing the magnetic deficiency, we can only

observe that before the blowpipe no fumes of sulphur, arsenic nor of antimony were perceived. From sixty to seventy per cent. of castiron may be expected from the magnetic ores, and from thirty to forty from the bog ore.

The vicinity of limestone as a flux bestows additional value on these deposits. It is probable that the limestone that was seen at the entrance into St. Paul's Bay may extend thus far. We saw two or three varieties of an excellent description near a small kiln in front of the chapel at St. Urbain, which were said to have been taken from the bank on the opposite or left side of the river; some contained organic remains, while others had more the aspect of a compact marble, and were free from them. We were informed that limestone was also to be seen on the summit of the hill opposite the chapel, where indeed it was ultimately found, but our guide took us first to several felspathose rocks deceived by their whitened surfaces.

Wishing to ascertain the capabilities of the river we descended it in an old wooden canoe. This river may be considered as one continued rapid, though of moderate violence; the only obstacles in which to its free navigation arise from an accumulation of boulders in several parts of its channel, over which it is difficult to pass without striking. This we did repeatedly, and once or twice were nearly swamped, but more owing to the unskilfulness of our guide than from any other cause; however the inconvenience of a good ducking would have been the only penalty had the canoe actually filled, for the river is in most places shallow. If there were any sufficient object to warrant the expence, such as the establishment by Government of an iron foundry, there is no doubt that the river might be rendered navigable for batteaux by removing only such of the boulders as are most in the way of the channel; for we believe that no rock in place offers any obstacle. To drown these boulders would not be easy, and would occasion a great loss of excellent land, without expensive banks were formed to retain the waters. This river is very circuitous in its course, surprisingly so, considering the rapidity of its current; it owes this character to the alluvial bed it traverses. By it the river is rendered perhaps one-third longer than the road, between St. Urbain's and the bay, so that whatever capabilities might be given to the river, it is probable that all materials for the supply of an establishment, such as we have named above, would be transported over land from the bay, while the articles manufactured would be sent down by the river. Such is the practice at Mr. Bell's well conducted establishment on the St. Maurice river, up which the returning boats always poll empty. With numerous stoppages we were only five hours descending.

The height of the banks on either side the river varies from one foot to fifty. Rock in place was observed forming the bank in a few places. It was said to be limestone. Our examination of all parts of this river was necessarily hurried, for the expectation we were in every moment of being upset, as we moved rapidly down the stream, would not allow us to improve to the utmost the short period we had to observe at each turn of it. Near the entrance into the bay from the river one small limestone* rock was observed lifting its head above water in mid-channel.

Previously to leaving the bay on our journey into the interior, we had been hospitably received at the house of Mr. Chaperon, and on our return his reception of us was even if possible warmer. But the fear of abusing his civility was an additional motive to depart, which we did the night of our return. Failing in our attempt, however, to reach Quebec by water, on account of contrary winds, we proceeded overland through the *Capes*, which afforded us the opportunity of seeing a country unexpectedly well calculated for settlement, the existence of which a person would have some difficulty in believing who had only seen that barren section of it exposed on the northern shore of the St. Lawrence, between Cape Tourment and St. Paul's Bay. It has already attracted some attention and in our opinion deserves much more; for, independently of its own capabilities, it is connected by an uninterrupted broad band of cultivable land, with Quebec on one side and St. Paul's Bay, Malbay and the still broader tracts behind them on the other. A bounty has lately been offered to induce individuals to settle on this land, and a road has been opened, at the expence of the Colonial Government, connecting St. Joachim with St. Paul's Bay. Over this road we passed, and found a good log hut built or building, with a few acres cleared around it, at every league or thereabout. The land through which the road runs is always tolerably good, in many places excellent, and it is intersected frequently by small rivers and streams, favouring its drainage, the want of which many portions of the road attest, particularly towards St. Joachim.

This road possesses two excellent characters; it is remarkably straight and remarkably level; for, excepting at the two extremities of it, St. Paul's Bay and St. Joachim, at the former where it passes over limestone, and at the latter granite, we do not remember any other rise of any consequence. The first part of the road is over the same alluvial deposit, through which the river du Gouffre passes, and which continues in one level plain to the foot of the limestone ridge. On ascending this the soil becomes more sandy, but it soon after improves and is then a mixture of clay, sand and iron, to the latter of which it owes the yellow or red colour it sometimes possesses. The road is excellent for a distance of four leagues; it then becomes very boggy and in some places

* Specimens of a white granular limestone have been brought to Quebec from St. Paul's Bay, containing threads and seams of a very argentiferous galena. If some of this galena be powdered and dissolved in nitric acid, a bright copper-wire inserted in the solution will after some time be coated with a thick muddy deposit. If this be collected and exposed on charcoal to the blowpipe a bead of pure silver will be obtained.

places quite impassable for carts. It is only, in such places, by sinking up to the knees in a stinking mass of mud, loaded with carburetted hydrogen, that the pedestrian is able to proceed. This character, which continues more or less to the foot of Cape Tourment, is owing to the retentive nature of the soil, and its nearly horizontal position. In a short time the money which has been expended on the road will have been uselessly employed without an additional sum be advanced, to prevent it from being completely broken up.

There was nothing remarkable in the quality of the timber which consisted principally of white birch until we reached the ridge separating St. Joachim from the Cape lands, where we met with some of the finest description that had been seen during the whole journey, among which were some well-grown elms. The granite of Cape Tourment is known to be the depository of large pieces of brown mica, which are dug out the size of the foot from crevices in the rock; some of it is exceedingly contorted. The rarity of mica in most of the rocks described in this essay renders this deposit the more deserving of attention.

Having closed our geognostical observations at the foot of Cape Tourment, we will now introduce a short recapitulation by way of summary which will include some remarks on the geological position of the rocks we have described. The rocks seen on our journey were the following:—

- Nos. 1.—Granite.
- 2.—Micaceous Schist, (Mica Slate.)
- 3.—Quartz rock.
- 4.—Primary limestone?
- 5.—Syenites—including syenitic granite and syenitic gneiss.
- 6.—Trap rocks—or aggregates, in which hornblende predominates
- 7.—Felspar rock—(sui generis.)
- 8.—Magnetic iron.
- 9.—Clay-slate.
- 10.—Grey wacke.
- 11.—Sandstone.
- 12.—Secondary limestone—including the transition of some authors

Of all the granitic rocks we met with, perhaps that of Cape Tourment is the only one, free from an admixture of hornblende; for although we collected some specimens elsewhere, which appeared to be so, it might very well have been present, without our being able to detect it, on account of the smallness of the grain of those specimens, and the resemblance of the hornblende to mica, which latter circumstance may indeed have occasioned one mineral to have been mistaken for the other. We cannot positively assert that the granite of Cape Tourment is free from hornblende, but we think so.

Micaceous schist was met with only at Mal-bay, where it has been already described as dipping to the west, having black fetid limestone above it, and quartz rock and syenitic gneiss below. It is here that the three classes of rocks (admitting the transition to be one) are seen together, and the geologist derives from their inspection assistance in his subsequent researches in the neighbourhood. Micaceous schist being in all cases a primary rock, the syenitic gneiss below it, must also be primary, which it appears necessary to establish, because the same rock was not found elsewhere, to be associated with a similar proof of its superior antiquity; rocks in which hornblende and felspar abound, being common to the "overlying class" of Maculloch, with which many of the rocks in the Saguenay and elsewhere, have other points of agreement besides mere mineralogical identity.

The syenites and traps are the only rocks met with from the mouth of the Saguenay to the falls on La Belle Rivière, and they are likewise most characteristic of the north shore of the St. Lawrence, from Tadouac to Cape Tourment. Mr. Nixon met with syenite on David's River, a branch of the Peribonea, and with trap at the falls of Ouitchouan. A pale syenite is the predominating rock in rear of St. Paul's Bay; with this no trap is associated, and it is the deposite of extensive beds of magnetic iron, all of which is in favor of its primary character; it possesses no traces of stratification.

Quartz rock was seen only at Mal-bay, underlying micaceous schist, and between it and syenitic gneiss.

Primary limestone? associated with syenite gneiss and trap, occurs at Moulin à Baude. A loose mass of a similar description was found on the shore of lake St. John, near and to the westward of the Post of Mitabitschuan: it was angular and of an untravelled aspect.

The felspar rock (sui generis) alluded to, is one, many of those characters resemble those of Labrador felspar from which it differs principally by its want of iridescence. It forms the north eastern shore of Lake St. John, and its islands from the mouth of La Grande Décharge, to within a mile of the Koucouthime river, and was met with by Mr. Nixon in La Petite Décharge; also uninterruptedly forming a rocky bank from the foot of the first rapid in the Peribonea river, to the great falls on the same. We can say nothing of its rock associations, as they were not seen. It will probably fall under the general term syenite, although hornblende is a very rare ingredient in it.

Magnetic iron occurs in such extensive beds in rear of St. Paul's Bay,

as to entitle it to be considered as a rock. It was met with in abundance in no other place.

Clay-slate, in association with grey wacke, was met with on the Island of Orleans. Both are well known to be very abundant in Lower-Canada, particularly in the neighbourhood of Quebec, and from thence towards the mouth of the St. Lawrence, but they are principally confined to the southern side of the river. Clay-slate was also met with on Lake St. John, for we still persist in calling by that name the rock we met with there, apparently alternating with fetid limestone.

Sandstone was met with only at Mal-bay, underlying horizontal limestone. The position of this sandstone answers to that of the old red sandstone, which, if it be, it is another instance among many of the absurdity of affixing such a name to a rock, which in the present instance is of a light greenish colour.

Secondary limestones, among which, for convenience, we include, after the example of Maculloch, the transition class, were found at Mal-bay, St. Paul's Bay and Lake St. John. The fetid limestone which overlies micaceous schist at St. Paul's Bay, we have conjectured to be a transition rock. On Lake St. John, secondary limestone of the carboniferous order, forms, with clay-slate, the southwest portion of the shore of the lake, from Pointe Blue to within three miles of the Post of Metabitschuan.*

It has been before said, that no appearance of the operation of a violent deluge was observed; on the contrary all the soils, in many places very deep, consisting of clays, marly clays and sand, were generally composed of the finest particles, without the trace of a boulder or even a pebble. The surface of the land was so far free from them, that we do not remember to have seen one that was waterworn, and evidently a travelled fragment, the position of which did not point directly to the route by which it came. It must not be omitted to mention, however, that with the exception of the several portages, our observations were confined to the shores of the rivers and lakes, which were met with in the Saguenay Country.

With the exception of those entering among the constituents of the rocks we met with, minerals were rarely seen. We did expect particularly to have found some of the numerous family of zeolites, tenants as usual of amigdoloidal trap; but neither of these nor of that rock, were any traces perceived; the pores of the vesicular syenites that were occasionally observed, being entirely empty. The following are the names of the few minerals we met with.

Calcareous Spar—Principally in the fetid limestone on lake St. John, and more particularly filling original cavities in its fossil organic remains.—The only instance of its being associated with trap, was the one stated while describing the rocks on the Saguenay.

Epidote? (earthy)—Apparently entering into the composition of some of the syenites in the Saguenay. Also associated in some abundance with magnetic iron in St. Paul's Bay.

Augite? probably enters into the composition of some of the traps, but it is not easy to distinguish it from hornblende.

Coccolite—Disseminated through magnetic iron, in rear of St. Paul's Bay.

Garnet (common)—Forming distinct nodules in micaceous schist at Mal-Bay; the beautiful foliated variety of precious garnet, known to occur here, was not seen.

Magnetic Iron—In extensive beds in rear of St. Paul's Bay. Also forming veins and small distinct concretions in the syenites, and disseminated in small grains through some of the traps of the country we traversed.

Green Carbonate of Copper?—In small traces among some of the syenites we met with.

It must be obvious to those instructed on the subject, that an individual rapidly traversing a country, will acquire a knowledge of its geognostical features more readily than he can hope to obtain of its mineralogy, because rocks, unlike minerals, occupy large spaces, and a specimen struck from one place is characteristic of many others; but minerals, with the exception of those which enter among the constituents of rocks, are very partially deposited, and either chance favors the hasty tourist, or they must be very abundant in the places he seeks them, if many be met with.

Passing

* Sir Alexander McKenzie states that the narrowest part of Lake Winipic is not more than two miles broad, at which place the west side is faced with rocks of nearly horizontal limestone about thirty feet high, while the east side is more elevated, and is composed of a dark grey granite. Immediately afterwards, he observes, that all the great lakes of the country are to be found between these extensive ranges of granite and limestone. Keating appears to think it probable, that the excavation of this lake was occasioned by the easier decomposition of the strata at the junction of the two formations. It is certainly deserving of attention that the Lakes, Slave, Bear, Athabasca, Winipic, Superior, Huron, Ontario, St. John and Mississinny, have large deposits of secondary limestone on their shores, whilst some portion of these lakes is either granitic, syenitic or trapose. The limestone of Lake St. John must be either isolated or connected with the same formation at St. Paul's or Murray Bay. A considerable degree of probability is given to the latter conjecture, by the existence of a fine level country at the back of these settlements.

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Passing Cap Pillard, near St. Joachim, Mr. Nixon observed a vein of a green and white substance from three to six inches in thickness traversing the rock. Upon landing, specimens were procured, which being examined subsequently, were found to be mixtures of carbonate of lime, under the form of calcareous spar, and a variety of fluato of lime, denominated chlorophane, the characters of which are given below. The rock it was associated with, has not been examined.

Colour.—A lively light green.

Translucency.—Deeply translucent on the edges.

Structure.—Laminar, sometimes indistinctly so, approaching compact; intimately associated with calcareous spar.

Lustre.—Dull, or none.

Hardness.—About that of fluor.

Powder.—Whitish green, and rough.

Specific Gravity.—3.0.

Effect in Acid.—Throws out a few bubbles, owing probably to the calcareous spar it is associated with; when sulphuric acid is poured upon it, in a state of powder, it gives out white fumes which corrode glass.

Phosphorescence.—Placed on a heated poker it phosphoresces in a dark room with a beautiful green and purple colour. In boiling water it emits a palish light. This phosphorescence was observed after the mineral had been exposed to acid.

Effect of the Blowpipe.—When exposed to its exterior flame it does not decrepitate, but phosphoresces with a beautiful blue colour, like the interior flame of the blowpipe, and becomes white. When exposed to the interior flame it forms a white dull enamel.

EXTRACTS from the Journal of an Exploring Voyage from Quebec to Lake St. John, around the said Lake and thence back to Quebec, kept by Mr. Nixon, 66th Regt. containing such parts of the said Journal as relate to the quality of the soil, the capability of settlements and other objects immediately connected with the Mission, whereof Mr. Nixon formed a part.

AT Tadousac, a chapel, the clerks' house, forge and two stores, together with six huts or barns, form the post, six adults generally reside there; I saw a very fine English bull, two cows, the same number of calves, seven sheep and one horse; for their winter food, hay is brought from La Petite Rivière et Grande Rivière Bergeronne, the former three and the latter three and a half leagues from Tadousac: from Mr. Wagner's account, the former produces a most valuable supply of excellent wild hay for the post, and is capable of producing much more than is at present made; very little is obtained from the latter place, and both are difficult of access. In the harbour of Tadousac, there is a stream of excellent water.

On the left bank of the river Saguenay is a large projecting rock, called La Boule, three miles distant, as is reported, from Tadousac. The banks on each side of this part of the river, are amazingly steep, falling almost perpendicular into the river.

One of the clerks of the post gave me the following information: "The navigation of the river Ste. Marguerite is very rough, accessible only by small canoes, the land on each side covered by various species of timber, which becomes hard wood the higher it is ascended. Ash and a little maple make their appearance now and then. There are occasional patches of good land, running up the distance of twenty miles, interrupted by mountains. The course of the river is the same as that of the Saguenay. The depth of these patches of good land are from three to five acres. The nearest place of cultivable lands is at the *Déscente des femmes*, eleven leagues from river Ste. Marguerite, the extent is about sixty acres upon the river, running back on an ascent of land for two miles. He has not examined the land, but judges from the appearance of the wood. There is a small stream apparently not navigable for canoes. About two or three leagues above this point, the next good land appears continuing up to Checoutimi, it extends back, from what he heard, a good distance. The first good land on the south shore of the Saguenay, after leaving Tadousac, is the river St. John, distance nine leagues, good ground for about one mile square and is equally divided by the river: after this, Trinity Bay, where he conjectures the quantity of good land to be the same as at the last mentioned place. This is twelve leagues from Tadousac, five leagues further up the river, brings you to the commencement of the Ha Ha bay, where the good ground is interrupted occasionally by mountains, running down to the shore: the next piece is within three or four miles of Checoutimi, running back beyond the reach of the eye, and there is also an extensive meadow. The Port of Tadousac is always open, vessels have come in during the month of March, and found it perfectly clear of floating ice; last year the Saguenay was frozen only as far down as the river Ste. Marguerite, as he was informed by the servants of the post at Checoutimi, who came down there the latter end of March. He, himself was at the little Saguenay, a league higher up than the Ste. Marguerite, about the 13th of April last, when there was no ice lower down than that river."

Nearly opposite La Boule, the banks of the Saguenay assume the appearance of a ruined castle, the timber destroyed by fire. On the left side of La Boule is a deep gully, apparently dividing it from the main land.

At the back of our encampment, was a most remarkable perpendicular high rock, running nearly N. E. and S. W. and is a continuation of La Boule, composed of granite and gneiss, with horriblende schist, interstratified. Mr. Baddely, on the shore there, knocked off a specimen of magnetic iron ore from a detached rock. There is sufficient vegetable earth round this encampment, to raise grass for pasture or meadow, to supply Tadousac. Mr. Brownson has sown a small patch of timothy at that post, which has succeeded.

Pointe Passe Pierre is one league distant on the same side of the river of our resting place of last night. At the Bay des Petites isles de Passe Pierre, is a cabin, on the main land, this is the first fishing place of the King's Posts: where is likewise a small river unfit for canoes from the rapids, it is very narrow, being only from 100 to 150 feet wide.

There is a great difference between the waters that run close to the shore, and those of the centre, the former being comparatively tranquil when there is a great swell in mid channel. We arrived in the bay of St. Etienne, distant four leagues from Tadousac, at twelve, where there is a small river running into it, a good harbour and anchorage. The harbour is much larger than that of Tadousac, and is protected from all winds, except the east and N. E.; round this bay, is a small tract of alluvial land, white birch and poplar appear but on the west side of the bay.

The King's Post company have a fishery in Ste. Marguerite's river, in which five or six hundred salmon are caught in a good season: they have a hut and hungard there. In the *Anse au foin* is a small river and plotch of good land. The Ste. Marguerite's river is navigable for canoes, the distance of 20 or 30 miles, it is about an acre broad on an average, and at its mouth about two. It is one of the principal hunting seats of the Indians. The first of the St. Lewis' islands we reached, was covered with fir, poplar, white birch and some spruce, these islands are six leagues from Tadousac. We honored two prominent points on the right bank of the river opposite the St. Lewis' islands, with the names of Victoria and George, and one nearest the smallest of the islands Cape Andrew.

Point Comfort Bay is exactly opposite St. John's, having on its right Point Comfort; it has a sandy beach, a water fall on the right, the timber round it principally red pine.

Ste. Marguerite river, in point of size, is the largest that flows into the Saguenay, next to it St. John's, and then follows La Trinité, resembling the little Saguenay, which ranks next in order. The little Saguenay runs further into the interior, branching off towards Mal-Bay, and is much frequented by the Indians as a hunting ground.

In Half-way Bay, exactly opposite Trinity Bay, on the left, is a fine water-fall of fresh water. In the Bay des descente des Femmes, Mr. Wagner went over the heights and discovered a considerable quantity of red pine, sufficient to indicate, that in different parts of the neighbourhood, timber of that description was to be found of value; he met likewise with some patches of hard wood, such as are found on good lands, the small quantity of low land appeared fit to answer agricultural purposes. Past Cap à l'Est, at half past three, and then came in sight of the Bay de Ha Ha, which certainly is the most magnificent bay I ever saw, running from Cap à l'Est, into the shore of the bay, three leagues. After doubling Cap à l'Est, we stretched across to the southern shore of the Saguenay, and put up for the night in Bear's Cove.

About 6, A. M. reached Rocky Bay, from the great number of rocks that shew themselves above the water, and arrived at Checoutimi at two.

Checoutimi is the chief post of the Company, it being the depot of the interior, there is a small chapel, built by the Jesuits, one hundred and two years ago. The ground about it is very excellent, having the appearance of being composed of great abundance of rich marl, mixed with excellent soil and sand. Mr. Andrews, the clerk of the post, who has resided here six years, has two good patches of potatoes, looking remarkably well, and a bed of cucumbers—last year he cultivated melons in the open air. Every thing that grows in Montreal will here.

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He informs me that were he to settle on a farm in the Saguenay, he would rather do so exactly opposite to the Post on the northern shore or else a quarter of a mile above on the southern. On a question being put by Mr. Wagner he replied, that were a man employed alone on the care of the garden, no garden round Montreal could equal it in produce. In May, in spring tides, the water rises here sixteen feet.

Aug. 19.—Left Chicoutimi and embarked at eleven. The river as far as Lake Kenwangomi or Tzinogomishish is called the Chicoutimi, and in which are seven portages; the timber bordering it consisting of red and white spruce, poplar and black birch. Between the portages of Chicoutimi and Maie, and between Maie and Attim the country is flat and well timbered, and appears well adapted for cultivation; timber, white and black birch, poplar, pine and spruce. On digging in the Portage des Chiens (Attim) the general face of the soil was found for a depth of five inches of vegetable mould upon a stratum of about the same depth of sand; and in another place a sand mixed with loam apparently of a more fertile nature. I dug up the ground in three different places in the Portage de l'Enfant; it appeared to be of a very fertile quality, consisting of a rich black loam intermixed with a dark sand. The country, as far as the eye could reach, seemed highly favourable for settling; no hill to be seen; the timber of the same description as already mentioned. Between the Portage de l'Islet and Portage des Roches the land is very fine; at the end of the last portage, we launched into Lake Kenwangomi (Long Lake.) This lake abounds in beautiful scenery, in fine bays, and is well timbered; there are three islands covered with small willows, they would make excellent meadows when cleared. One of our party shot a fine white rabbit at Pointe aux Sables, with red eyes, small transparent ears, and remarkably small head.

Aug. 21.—At the end of the lake, which is about six leagues in length, we entered thro' a narrow and short channel, Lake Weque; this channel is in general perfectly dry, forming a portage between the two; at the end of it is the Portage de Kenwangomi, or Weque Caputtigan, at least a mile long, particularly well timbered; to it Mr. Wagner gave the name of Isle de Formosa, or Bell's Isle, it is the height of land between Lakes Kenwangomi and Kenwangomishish, the former emptying itself into the River Saguenay by the Chicoutimi; the latter by the River des Aunes into Lake St. John. On digging in several places we found about four inches of vegetable mould on a bed of rich marl and clay. At the end of this portage is Lake Kenwangomishish (the lesser Long Lake), half way over which on our left we entered Lake Kasuskikeomi (the lake of clear water) called by the Canadians Lac Vert, it appeared to be long: the point of junction between the two is called Apelogramah.

The whole of the land in Lake Kenwangomishish near the water is covered with ash and elm; from this lake we entered Rivière des Aunes or Pashi Kasinanishchi-zebe (the Alder river); at the commencement of which the rushes and flags are very fine, from eight to twelve feet long. The land appeared good but low; from the river we fell into one called La Belle Rivière, which flows into the lake. The view as you enter the lake is splendid, and not seeing the opposite shore adds to the effect. We coasted the shore of the lake for four leagues to the Post at the mouth of the River Metabitsuan, Lat. $48^{\circ} 23' 12''$, (the place where the course of the water ends), leaving on our left the small river Knushpygish, where is a small ascent and a grove of maple, where the sugar for the post is made.

Aug. 23.—Formerly the Jesuits had three hundred acres of land cleared, of which there is now only from ten to fifteen at the utmost under cultivation, the rest is fast returning into its original state. In the garden are now growing cabbages, carrots, peas, French and kidney beans, onions, potatoes, pumpkins, indian corn, cucumbers, wheat and barley, together with beet-roots and turnips. Two plum trees were pointed out as those planted by the Jesuits, as likewise some garden currant trees. The residents at this post are the clerk, Mr. Murdoch, two men, a woman and three children, the live-stock a bull, cow and heifer; four buildings, dwelling house, hangard, bakehouse and stable, form the post.

Jacob Duchesne stated, "that the climate here is much superior to that of Chicoutimi, perhaps a difference of twenty days in general; he has lived here four summers and three winters; every autumn the tops of the potatoes are frosted from twenty to twenty-five days earlier at Chicoutimi than at this post. It is now twelve days since the barley was cut, it was sown about the third of May, the wheat between the seventh and tenth. He was engaged in farming operations till the age of sixteen at Malbay. He further stated that they can sow ten days earlier here than at Malbay."

Aug. 24.—During our progress to overtake Messrs, Baddeley and Hamel this day, Jacob Duchesne continued his information. "That he himself has not visited the Peninsula, but the Indians say that it is in general a level fine country, as you get towards the end of the Lake Kenwangomi, and at the foot of the rapids there are some mountains which are not very high. The year before last the old chief Thomas, who was deprived of his rank by the Company for some offence in trading, going in the latter end of December from Lake St. John to Chicoutimi with his family, stopped at the Bay of Cushkouia on Kenwangomi, the ice not having taken lower down, and their not being sufficient snow to walk on snow shoes. He went from that place to Chicoutimi with his two sons, and returned to the Bay of Cushkouia, each of them carrying a sack of

flour, and performed the journey as he was informed, going and returning, in five days, and said it was easy travelling. The present chief, Simeon, is a very great traveller: he will leave the mouth of the Grande Decharge in the morning on snow shoes, travelling on the ice, and reach Chicoutimi at four o'clock in the evening of the same day. The usual route is by La Belle Rivière and the Lakes; it takes them three of the short winter days. Another winter route is the following: to strike off across the island about three quarters of a league from the mouth of La Belle Rivière and come out at the Point du Sable (Opowoka), which is about five leagues of country quite level and very well wooded. Besides the main Decharge of Lake Kenwangomi, there is another commencing a short distance from the Pointe aux Sables and emptying itself into the Grande Decharge more than half way down its course. He has been informed by Mr. Verrault that before reaching the Grande Decharge it passes under a mountain and re-appears on the opposite side. This stream is navigable for canoes in the spring but not in the summer. On entering the bay of Cushkouia, at the distance of ten or fifteen arpents, you reach a small lake, the water of which, after a course of five leagues, empties into Lake Kenwangomishish at the upper part of that lake near the Portage. Last winter two Indians, Simeon and Nicholas were hunting the caribou and beaver in the Presqu'isle, on their return told him they had been down as low as Cushkouia, had met with no lakes but many small streams. Last winter he went a days' march from the Post taking a S. E. course, crossing Knushpygish, travelling a distance of eight or ten leagues and returned the next day; the country was level, the timber consisted of birch, ash and maple, the country beyond it resembling other parts in the neighbourhood of the Post Lake St. John, which have the appearance of mountains at a distance, but when upon them are gentle swells of land, table land, and valleys with different exposures. There is a sugary, one and a half league from the Post on its right, which can produce seven cwt. of excellent sugar on an average annually."

The whole shore of Lake St. John (Kouquatigommi, the low shallow lake) as far as Kouquatimzebi (the dog owl river) Lat. $48^{\circ} 37' 59''$ is a sandy beach of the depth of from half an acre to two acres. I ascended a considerably high sandy hill this morning, and from it had a good view of the country in the interior which improved in appearance; this opinion has been backed by the accounts of Messrs. Hamel and Baddeley.

Aug. 26.—Mr. Baddeley having, at the request of Mr. Stuart, joined Mr. Wagner's party, Mr. Hamel and myself, after wishing them all a bon voyage, at half past ten, A. M. ascended the river Kouacatim, the timber on each side of which was poplar, white birch, ash, spruce and elm; after overcoming several impediments from fallen trees, we succeeded in getting up half a league, when Mr. Hamel thought it useless to ascend any further, we each landed on separate banks and went into the bush about a mile, found the soil sandy. My party came to a swamp, crossed over it, and reached a large rock the boundary of our walk, the timber consisted of white spruce, fir and poplar. On my return to the canoe I found Mr. Hamel had met with the same description of ground: the land on each side of this river, as far as we ascended and could see, appeared flat. On the land from Kouacatim to the mouth of the Peribonea river (the curious river) the timber is in general black spruce, a few poplars, cypress, white birch and pine; the land itself low and swampy, from the waters in spring overflowing the sand banks and remaining in the hollows and becoming stagnant.

Aug. 27.—John Young, one of our voyageurs, has been eighteen months in the employ of the Post at Chicoutimi: this spring, in company with another man, he went to the bay de Ha ha, (signifying prospect opening) and penetrated the woods for about a league and found the ground good; he tells me there are three rivers which fall into the bay at nearly the same spot, also opposite to the post of Chicoutimi there is an old road of about nine miles long, there are no hills, but there is a swamp for about half a league, after which the ground is good; the timber white birch, cedar and spruce.

Aug. 29.—Arrived at half past twelve at the mouth of Musk Rat river, and at half past three the River Peribonea, lat. $48^{\circ} 42' 37''$. We ascended it one-and-twenty miles, during which we had to traverse three portages, of the last two miles the Lake Noh-oui-loo was formed; in general the soil proved to be good. On the right bank of the lake we ascended Rum River, the timber white birch, red and white spruce, and a few pine, the banks low and covered with franc foin in great abundance.

Sept. 7.—Opposite the mouth of Musk Rat river we entered one to the north-west to which we gave the name of David in honor of Mr. David Stuart, one of the Commissioners, and followed the course of it for eight miles and a half, where we were stopped by rapids and a portage. After coasting the shore of the lake, from the mouth of the River Peribonea for about seven miles we entered the River Mistassini, lat. $48^{\circ} 38' 55''$, having on our right a large cluster of islands to which I gave the name of my very excellent and real friend, Thomas Leigh Goldie. We ascended the Mistassini for nine miles; it is beautiful in its width, islands and woods, but wretchedly bad in its soil, being all sand on both sides, and its waters extremely shallow.

Sept. 10.—We crossed over to the Isle aux Couleuvres, Manitou-Ministuki (the Evil Spirit's island) with a bottle for the purpose of preserving one of the snakes, but after a minute search did not even see the

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generally shed in spring. There is another island not far from this called Grosse Isle, and between the two a high yellow sand bank with a solitary tree or two on it. If there are snakes on Manitou-Ministuki, the only reason I can give for not meeting with any is that the sun having nearly reached the horizon they had crept into their holes for the night.

Sept. 11.—Our progress this day was not great, reaching only the mouth of the River Ouiguatshouan, (Do you see the Falls there?) as I wished to take a sketch of the falls, having observed them on the opposite side of the Lake, and from Mr. Hamel having taken three different intersections on them. After a great deal of difficulty and fatigue, ascending and descending hills of no inconsiderable height, we reached their foot, unfortunately on the wrong side to see them from the commencement of their fall. However, we soon forgot our fatigues in admiring the beauty of these falls, which rival Montmorency in height and surpass it far by the distribution of its water over the pending rocks in its descent. The fall is about a mile from the mouth of the river, during which distance no smooth water is to be met with, being one continued rapid; I am told higher up than the great fall at the commencement of the portage there is another nearly one hundred feet high.

Sept. 13.—The fishing season for white fish commences at the mouth of the Ouiguatshouan, about 15th October; last year in one day they caught 300, and in the whole season 1700 and upwards; they were preserved by freezing and subsisted the people of the post and Indians till spring; each fish on an average weighing from one and a half to two pounds. The season for the awenanish is from the 15th May to about the 20th, or latter end of June, they are chiefly taken with the hook, and weigh from two to three pounds.

I obtained the following information from Mr. Murdoch, Clerk at the Post:—

“I do not think that more than ten sail can ride in safety in the harbour of Tadousac; at low water a ship can be brought close in shore, for it descends at once. At spring tides the bank is quite dry, the water rises at the highest eighteen feet in spring and fall tides, but commonly twelve in the summer. In the P'Ance à Catharine there is a distance of three quarters of a league, formed by the point or Battures aux Allouettes and the point of the Saguenay; this forms St. Catharine's Cove, and in it from two to thirty fathom water. Thirty sail can ride in safety from the westerly winds; one-third of the tide out there runs in a pretty tolerable swell with a south-east wind. The reef of rocks that project from Point au Bouleau runs about two miles out and forms a kind of half-moon open to the eastward. In spring-tides these rocks are entirely covered, but there is always a surf about them; at the end of these rocks there is a small sandy island never covered by water, this and the rocks are called Pointe et Battures aux Allouettes. Ships of the line can sail up as far as Rocky Point, which is four leagues from Chicoutimi; at low water they can beat up, although the wind may be contrary, having the flood in their favour, but there are only two places of anchorage for them, between St. Catharine and Rocky Point and St. John's Bay and St. Marguerite; the former six, the latter five leagues from Tadousac. There are many harbours for schooners from sixty to eighty tons, and they can carry their fastenings ashore should they not find anchorage. Vessels of eighty tons can sail up at high water and anchor close to the Big Rock at Chicoutimi; they must tide it up from Pointe aux Roches, owing to the rapids and shoals of that part of the river. The harbour for vessels at Chicoutimi is to the westward of the Big Rock, opposite to the landing place; they can drop their anchors and haul the vessels dry ashore. From St. Marguerite upwards the current of the flood is hardly sensible in high waters in spring and fall. The tide runs up to the foot of the falls of Terres Rompues which is about two leagues further than Chicoutimi; it rises about fifteen feet. The Big Rock is at least twelve feet high, and I have seen the waters three feet above it. I reckon the distance from the House at Chicoutimi to the Post of Lake St. John, canoe route, from twenty-three to twenty-five leagues, and consider the land very good between these two places, excepting the west side of Lake Kenwangomi, which is uneven and rocky; the prevalent timber, fir, spruce, poplar, elm, a good deal of ash, a small quantity of red pine, and scarcely any white—white birch abounding most; a considerable quantity of black or canoe birch, and some scattered maples and cedar are to be met with all along; scarcely any cypress until you arrive at Koushpigan (a place which is ascended). The fish abounding between Chicoutimi and Koushpigan are, red trout, watouche or chub-pike, carp and doré, the two last to be found only as far as the falls of La Belle Rivière: the red trout only to be met with in Lake Kenwangomi and the Portage de l'Islet, and a few in Lakes Weque and Kenwangomish,—chub and carp are in great abundance in the two latter lakes. By report I have heard that there are smelts in Lac Vert, but I have never seen any myself. I think a vessel of sixty tons can sail in Lake Kenwangomi, having every reason to suppose the water to be very deep in the centre and west side of it. Lake St. John is navigable for a flat-bottom built vessel of from thirty to fifty tons. The fish most abounding are, pike, carp, doré, white-fish, awenanish, chub, and a fish called la munie, resembling the eel in colour, the dog-fish in shape, and cod-fish in the head, but much flatter, the average length two feet and a half; the Indians are very fond of it boiled, but the white people make no use of it except the liver, which is considered a delicacy; it is also used for bait during the winter season. I consider the awenanish the best fresh water fish I have ever met with. Lake St. John is much exposed to the north-west and south-west winds, when a heavy swell runs to the opposite bank. I have seen the lake in the fall of the year in such a

state that there would be considerable danger in crossing, indeed almost impossible to do it on account of the broken swells. Under the lee of the land there is no sea for some distance off, according to the point from whence the wind blows; I have seen it one sheet of foam.

“There is a difference in the climate of from fifteen to twenty days between Chicoutimi and Post Lake St. John. I left Chicoutimi last fall about the 23d September, where the potatoe stocks were all frost-bitten, as also all the cabbages and onions, and arrived at Post Lake St. John on the 25th found my potatoes still in blossom; they remained so until about the 12th October, when I dug them up. I conceive this great difference is owing to the low situation of the ground, and the vicinity to salt water at Chicoutimi. Every thing will grow here (Lake St. John) that does in the neighbourhood of Quebec, and even melons; as for the latter I had them, but the worms destroyed the young plants. The ice of the lake is not passable in safety before 10th of January; the first appearance of its forming on the lake is about the 10th November, and begins to form all over about the beginning of January; but in consequence of the prevalent winds is not passable at that time; the first frost last year was on the 17th of October. The lake is navigable all round but not in the centre, about latter end of April, and all over by the 8th or 12th of May. The ground will be in a state of cultivation before the lake is clear; and free from frost at least one foot deep by the first of May, at which period peas were put in the ground this last season. I sowed ten gallons, and gathered better than ten bushels; owing to the wetness of the season about one-third of the crop was lost; they were fit to be taken up on the 1st Sept. The women in cleaning peas for soup collected not quite half a pint of wheat, which as an experiment I sowed about 7th May, cut it down on 8th September, and found it produced a good half Winchester bushel. Mr. Wagner took at hazard two of the ears of wheat, and counted the grains on one 41, on the other 40. The stocks grew about four feet high. On the third or fourth of May I sowed half a bushel of barley, which produced on being reaped, &c. on the 5th of August between five and six bushels. A pint of Indian corn sown on the 10th of May has given me at least ten gallons, a great quantity has been destroyed by worms: all the grain was sowed without manure. I commenced planting my potatoes on the 10th and finished on the 13th May about eight bushels which I have as yet not dug up. Last year about the same time, not quite the same quantity in heaps returned three hundred bushels; in heaps there is not so much seed required as in ridges, this year the potatoes are in ridges; the year itself has been very unfavourable for crops in general.

“The Seigniorie of Port-neuf and Milles Vaches Bay are excellent lands; hay can be cut in the latter for at least one thousand head of cattle, it would be very advantageous to settlers as fodder for their cattle at their first commencing to clear the bush: the land in fact is cleared naturally all around the bay, the timber of a good growth, white pine and spruce. The country on the east side of the bay is level for a considerable distance, at least for nine leagues, and there is a stream of water in the bottom of the bay that will admit of building a mill of six saws and also a grist mill; the bay is very accessible to small craft. Port-neuf Post has an excellent harbour, but it is only to be entered at high water by small craft; the soil is as good as that of Milles Vaches, but it is on higher ground and the timber inferior. The two seigniories are contiguous, and form together six leagues in front by four in depth. There is a river running close by the house forming the harbour, and it is sheltered to the southward by a high bank of sand which is not covered at high water.

Sept. 14.—At the mouth of the Petite Decharge (Cushpetunish) Mr. Hamel struck across the island, whilst John Young and I went down the side of the rapids on the rocks to what we imagine the meeting of the two discharges which join at a very short distance from the mouth of the Petite Decharge; they there form a small lake, the size of Weque at the west end of Lake Kenwangomi. On our return to the canoe, we took a straight course through the bush, found it rocky in almost every part; the timber, pine, epinette, cedar, very small, and some white birch. The island is small, being about the size of the others lying in the mouths of the two discharges, the distance between the extreme points of which is about four miles. All the islands of this part of the lake are rocky, the timber on them is of a mixed description. In fact, the division between the two discharges is a collection of small islands; the whole group occupies a space of about five miles in length; they were honored by Messrs. Baddeley and Hamel in being called the Dalhousie islands.

Sept. 15.—On our return to Chicoutimi we entered a lake on the left of Kenwangomishish, to which Mr. Hamel did me the honor of giving it my name; the country round it level and soil good; timber, fir, black birch, a few white, and some spruce, elm and ash. Entered Prisoners Bay on our left, in Lake Kenwangomi, at half-past three, ascended River Baddeley seven miles, terminating in Lake Young. White black and grey birch, fir and alder on the different shores was the prevalent timber.

During this evening (Sept. 16), I employed myself in taking down the following information of John Young respecting the produce and climate of Chicoutimi:—

Mr. Nicholas Andrews, Clerk of the Post of Chicoutimi, in the early part of May last year, as soon as the frost was out of the ground, planted eleven bushels of potatoes; were dug up the latter end of October

and produced 127 barrels; a great quantity had been destroyed by the pigs getting into the garden. I am told in Mr. M'Leod's time, which is about seven years ago, they tried Indian corn, oats and turnips, and succeeded; cucumbers grow very well. This spring I sowed in the garden, which came to maturity, red-beet, onions, carrots, radishes and cucumbers. It always freezes ten or twelve days sooner at Chicoutimi than at Lake St. John. Last fall, when I started from Chicoutimi in the middle of September for Assuapmousoin, the potatoes were all frost-bitten. I went past the post of Lake St. John, five days after, those there were as green as in the month of June. I account the difference of climate to be in consequence of the proximity of Chicoutimi to the salt water. At Chicoutimi, three or four days after the frost is out of the ground, about the 5th or 6th of May, it will be fit for cultivation, the ground about is excellent for a farm; at the latter end of October the frost regularly sets in. There is no great difference between the seasons of Chicoutimi and Quebec; the Saguenay is frozen down to St. Marguerite, this is in general safe, except opposite to the hay-ground a league and a half from the house: it is dangerous in consequence of the rapids, and a person ought to be cautious in crossing the ice owing to the seal holes. I consider the land between Chicoutimi and Post Lake St. John to be very good, except that on Lake Kenwagomi, which is rocky; spruce, white birch, white and some red pine and fir in that lake until we reach Les Aunes, where there is elm, ash, spruce, fir, and some pine here and there; the best ground I conceive to be on La Belle Rivière.

"In Lake St. John the River Perebonea as far as we ascended is good land for settlement. I have made several trips to the Post of Assuapmousoin, where the land is low and swampy: for the first fifteen leagues there is some middling ground, but from thence to the Post it is mountainous; the river is one rapid, white with foam.

"This spring the Saguenay up to Chicoutimi was navigable on the 18th April, it was counted a late season; the navigation is closed about Christmas, according as the high tides answer."

Sept. 18.—After leaving Sable Point we turned on our left into the River Pastagoutsie, leading us into a series of very beautiful lakes, one of considerable extent, to which I gave Mr. Hamel's name; we pursued our course till we came to the rapids six miles from Lake Kenwagomi, the timber much the same; one river was so blocked up by rushes we could not penetrate far with our large canoe.

This season of the year there is not enough water to float so large a canoe as ours, it was with great difficulty we passed the rapids. I would recommend in all expeditions of this sort a small one to be taken in addition to the larger as easier of portage, as also rendering the facility of research greater.

The soil on the land was good but rocky and in detached masses. Previous to leaving Kenwagomi we passed a considerable outlet from the lake which I am told leads by rivers and lakes to St. Paul's Bay.

Sept. 20.—Started from the Post of Chicoutimi at half past one, and arrived at a place where two rivers meet in sheets of foam at four; here the difficulties of ascending the river with the canoe, or of taking it over the mountain which is exceedingly steep, induced us to consult together and send the canoe back to the Post with the greater part of the provisions and two of the men, whilst Mr. Hamel, Nastash, (the Indian guide), Gill, Young and myself should strike into the woods towards the little river, which runs from Lake Kenwagomi into the Décharge. We ascended the mountain, saw a fine flat of considerable extent; fir, very little, white spruce and white birch and poplar formed the timber, there was fine land on each side of us for colonization as we ascended in the canoe. The rapids as far as this are magnificent, impassable for canoes of any size shape or sort.

Sept. 21.—At ten A. M. we reached the summit of a hill four hundred feet above the level of the water, from whence we perceived a fall, the sound of it we had heard for some time in descending. We first reached six succeeding falls, each on an average ten feet high, at the highest of them the rock is so perpendicular that any person can walk without receiving much damage. From these we ascended to the great falls which are about 240 feet, made a sketch of them. In spring when the waters are high they must be magnificent indeed. The name of the river is Pastagoutsie.

I believe confidently that these falls being heard at a very great distance in spring, their being very near the Saguenay, together with all the Indians affirming there are no great falls in that river but a succession of great rapids, are what gave rise to the famed falls of the Saguenay which every one has heard of but no one seen. The ground over which we passed is rocky, but where soil is it is a fine mould: the timber black and grey birch and a few white pine, epinette, fine cedars, white spruce, and in one place passed through a considerable sized sugary of small maple. Continued our route along the course of the Pastagoutsie till one, when being satisfied with the soil we directed our course towards Beau Portage, passed over a good extent of plain, the soil was tried three times, once in mixed timber, the second time in spruce, and the third in fir ground, and found them all good for cultivation, the spruce ground will require draining. About a quarter of a mile from our present encampment there is an extensive grove of white birch of a very large growth; there the ground was tried and found sandy. Passed over this day fourteen brooks of excellent water.

As yet I have not seen any timber that would prevent a good working axe-man from clearing and preparing it in piles his six or seven acres per month. In speaking to Nastash about the falls of the Saguenay, she said there were none, but only a succession of very great rapids, and that she had never heard any Indian speak of them: she is upwards of fifty. She tells me there are on the same river falls higher than those we saw yesterday, that the Indian name for the lake to which I have given Mr. Hamel's name is Assinigaashtets (a rock that is there) but the whole river from Lake Kenwagomi to its junction with the Saguenay keeps the same name; there are six portages, two very long ones, one of them longer than the other, the other four short. On the left bank of the river are long slants and no hills, where we reached on the 18th was the height of lands, from whence the rapids commence, and are interrupted. At the rate of a white man's travelling it would take six days to walk from Lake Kenwagomi along side of the river to where it falls into the Saguenay.

We tried the soil in a mixed bush, found it sand mixed with yellow earth; an hour after came to an extensive swamp which we passed over and returned to the Post of Chicoutimi at two, passing over during the day fifteen brooks.

Sept. 23.—This evening Mr. Corneau gave me a plan of the country between Chicoutimi and his post at Shippashaw. I have been very minute in taking down his information of the country which I marked on the plan. He likewise gave me the names of several lakes and rivers not put down in the map Mr. Verrault left at the Post Lake St. John for Mr. Stuart.

The house at the Post of Chicoutimi was built in the years 1794 and 1795. At the distance of 170 feet from the banks is a rock 11 feet high, and the tide rises five feet above it: to leap upon it was a favourite amusement of the people of the post a few years ago, this encroachment of the river has been made in these forty years.

(Signed) W. NIXON,

Ensign, 66th regt.

14th Jany

To ANDREW STUART and DAVID STUART, Esquires, Commissioners for exploring the lands in the neighbourhood of the Saguenay, Lake St. John, &c.

Gentlemen,

Having had the honor of being employed as Surveyor, under your orders in the Saguenay Expedition, I hasten to lay before you a Report of the manner in which my time was employed in the several visits and surveys made by me in pursuance of my instructions, on the right bank of Lake St. John and on its tributary streams and outlets, as well as on the Peninsula, formed by the outlet of the Lake on the one side, and by the river Chicoutimi, the Lakes La Belle Rivière and the river Kuspahigan on the other.

I venture to hope that you will forgive the ill-arranged expressions and quotations which will be unfortunately but too frequent in the course of my Journal.—I shall however use my utmost endeavours to make my Report as intelligible as possible, and to recompense your attention by authentic facts, which will, I hope, be confirmed by my two honorable fellow travellers, Messrs. Baddely and Nixon, for whose praise my pen would be too feeble, and I shall therefore abstain from entering into the detail of the pains they took to render themselves of service to the expedition, even by the most minute researches, as will be seen by their Report. Hoping that you will grant me the indulgence I desire, I take the liberty of subscribing myself,

Gentlemen,

Your most devoted, &c.

J. HAMEL, Surveyor.

SAGUENAY EXPEDITION,

LAKE ST. JOHN, &c. &c.

Journal kept by Mr. Joseph Hamel.

WEDNESDAY 6th August 1829.—Having caused our baggage to be carried yesterday evening on board the schooner La Clairisse, capt. Aug. Dechene, of the River Ouelle, of fifty-three tons burthen, and having received orders to be ready to embark early this morning, I was on the wharf at half past five, and found Mr. Baddely waiting there. Messrs. Stuart, Wagner and Bowen arrived very soon afterwards, and then Mr. Nixon, upon whose arrival we went immediately on board, and weighed anchor at three quarters past seven A. M. We found on board five Voyageurs and two canoes, destined for the expedition; the persons composing which were as follows:

Andrew Stuart, Esquire, Commissioner; T. H. Baddely, Esquire, Lieut. R. E.; Mr. W. Nixon, Lieutenant 66th Regt. Benedict Paul Wagner, Esquire; Mr. Edward Bowen and myself.

Voyageurs.

Guillaume Gill,
Grégoire Laneuville,
Alexis Boisvert,
Noel Paquet,
Joseph Beland.

The wind being east, we had to beat down the river, as long as the tide served us, and reached the old ship yard at St. Patrick's Hole, on the Island of Orleans, three leagues below Quebec, where we went on shore at $\frac{1}{4}$ past 11 A. M. Provisions were brought on shore and we dined at 2 o'clock under a shed in the yard, which is now abandoned. At 4 o'clock, P. M. we received orders to embark, which we did, at a $\frac{1}{4}$ past four, the wind continuing foul. At 5 o'clock our schooner was hailed by a boat; the captain immediately rounded to, and the boat coming up, we recognized Mr. Proulx, one of the Surveyors attached to the expedition, whom we had left at Quebec in the morning. At 7 o'clock, as the wind increased, and the schooner was without ballast being opposite the church of St. Jean, on the Island of Orleans, it was considered advisable to bear away for the harbour of the river Laffeur, a mile and a half higher up, where we went ashore about nine o'clock, and lodged at the house of the widow P. Pouliot.

Thursday, 7th August.—The wind in the same quarter, and blowing as fresh as it did yesterday; being in consequence unable to proceed, I piloted Messrs. Baddely and Nixon across the fields, on the property of Lachance and Blouin, in search of minerals and vegetables. We went as far as the wood, a distance of about two miles, we then returned, having met with some success in both our pursuits, and arrived at our

quarters at half past eleven, A. M. At noon, Mr. Baddely and myself took the sun's meridian altitude, at the door of the house (the widow Pouliot's) in which we were lodging, and found the latitude to be $46^{\circ} 53' 40''$ north.—About 4 o'clock, the wind having abated, and the tide beginning to ebb, we went on board and beat down the river as far as the harbour of La Grose Isle, where we went ashore about nine o'clock, P. M. and slept comfortably enough.

Friday, 8th August.—We set sail about 5, A. M. with a fair wind, and came to an anchor a mile and a half to the south west of the Saguenay, about three miles from the shore, where we were obliged to remain for the night.

Saturday, 9th August.—Set sail early in the morning for the harbour of Tadousac, with a very light breeze from the west, and that afterwards failing, we were carried by the currents near to Isle Rouge, where we were obliged to come to anchor in seven fathoms water, and at about twelve miles from the land. A ten A. M. set sail again with a fine breeze from the west, which carried us in two hours to Tadousac, where we arrived too late to take the sun's meridian altitude. Mr. Brownson, the storekeeper there, came alongside before we went ashore, and received us very politely on our arrival at the post. I began immediately to make a plan of the post and harbour of Tadousac, and did not finish my work until after sunset.

Sunday, 10th August.—Busied the whole afternoon in receiving the provisions destined for the canoe No. 2, which being unable to carry the whole, we were obliged to put part on board the boat which was to carry the party attached to the expedition as far as Chicoutimi. At one o'clock the party embarked in the boat commanded by Mr. Brownson, and very much encumbered with baggage; the wind hanging to the eastward, we set sail as soon as we entered the Saguenay, but unfortunately it failed us, when we were about three miles and a half from the mouth of the river, which prevented us from doubling the Cape de la Boule, on the left bank of the Saguenay opposite to which the current is very strong. Our two canoes however succeeded in doubling it, and the men encamped a very short distance beyond it, whilst we were compelled to encamp most uncomfortably in a bay below it, where, as we had only a small axe and green wood, we passed a very bad night, the rain falling abundantly, with the wind at north east.

Monday, 11th August.—The people in the canoes having been uneasy as to what had happened to us, came to us about nine o'clock, and Mr. Proulx went on board one of them. We left our camp without regret at ten A. M. The tide beginning to flow with a light wind from the east. After sailing the whole day we encamped about twenty miles from the mouth of the Saguenay, in a bay, to which we afterwards gave the name of the Bay of Comfort, having found there dry wood enough to keep up a good fire during the whole night.

Tuesday,

Tuesday, 12th August.—The wind was west; we embarked at nine o'clock, and proceeded against both wind and tide; we went ashore at noon, for the purpose of taking a meridian altitude.—At three quarters past twelve we re-embarked, and at two P M we entered a bay on the left bank, opposite Trinity river, which we called Halfway Bay; i. e. thirty-six miles from Tadousac, according to the estimate of the Voyageurs, which distance ought, however, to be reduced at least one fifth, if not one fourth.—Mr. Baddeley and myself were busied in taking different observations until eleven P M we then re-embarked and continued our voyage; and during that tide we reached La Descente de la femme; a distance of about sixteen miles above Half-way Bay.

Wednesday, 13th August.—Before we embarked, Mr. Baddeley and myself took the sun's meridian altitude, and found the latitude to be $48^{\circ} 22' 29''$ north.—At half past three, we doubled the cape on the east; at a quarter past five, the tide having been ebbing for nearly an hour and the current being very strong against us, we entered a bay, (Bear's Cove) on the right bank of the Saguenay, in order to encamp there. At half past seven P M. Mr. Proulx came up with the two canoes. At nine o'clock, while Mr. Baddeley and myself were engaged in making different observations, the sky became clouded, and there fell a violent shower, followed by a steady rain, which continued during the whole night. About eleven we were informed that a little canoe belonging to Mr. Brownson, in which were a barrel of rum and the stand of Mr. Proulx's Theodolite had gone adrift. The other two canoes were sent in search of it but without success.

Thursday, 14th August.—We left this place at half past five A M. and rowed till a quarter past seven, when we set our sail, having a light fair wind:—We took to our oars again about eleven o'clock, and went ashore towards one o'clock P M about one and a half miles below Chicoutimi, intending to proceed thither on foot, being all wet through by the constant rain which had fallen this day.—We arrived there at two P M. and were very well received by Mr. Andrews, the clerk of the Post, to whom in every respect the highest praise is due for the attention the Expedition received from him: every individual attached to which, would be wanting in gratitude if he failed to testify it publicly. An hour after our arrival, the canoe which had gone adrift the preceding night, was brought to the Post by Guillaume Gill and two other Voyageurs, who said they had found it about six miles above the place from which it had gone adrift, and upon the opposite shore; it had been carried off by the flood tide; which affords a striking proof of the strength of the tide, eleven miles below Chicoutimi. Mr. Baddeley and myself passed the evening in watching for the passage of several stars, but we were as unlucky as we had been the three preceding nights; as the sky became covered with clouds before the time of the stars passing.

Friday, 15th August.—I was busied in preparing the provisions and baggage for starting on the following day for lake St. John, by the river Chicoutimi, &c., according to the arrangement which Mr. Stuart had then first made, that I should go with Mr. Baddeley in the canoe No. 2, which Mr. B. was to command; and that we should proceed immediately to lake St. Jean, and that, commencing our operations on the right bank of the lake, we should explore the whole of that part of the lake between the grand outlet and the river Assuapmousoin, which place the Deputy Surveyor General was expected to reach: but that if by chance he should not be there on our arrival, we should proceed onwards, until we met him. Mr. Stuart was to proceed up to lake St. John, in the small canoe with Mr. Brownson; Mr. Proulx was to explore Ha ha Bay; and Messrs. Wagner, Nixon and Bowen, in one of the large canoes, were to explore the peninsula formed by the grand outlet, the river Chicoutimi, the lakes, &c. Took the sun's meridian altitude to-day, and determined the latitude of Chicoutimi to be $48^{\circ} 24' 37''$ north.

Saturday, 16th August.—We caused twelve loads to be carried over the portage of Chicoutimi, which is two miles long; and received our instructions in writing; but could not start in consequence of the rain which fell in the morning.

(Copy of the Instructions:—)

“Instructions to Mr. Baddeley and Mr. Hamel:

“You are requested to proceed to lake St. John, entering that lake by La Belle Rivière, and in the first instance to make an exploring survey of the country, lying between the grand outlet of that lake and the river Assuapmousoin.

“If the Deputy Surveyor General should not then have reached that river, you are requested to continue your exploring survey until you shall meet that gentleman with his party. Your return will be either by the grand outlet or lake, or by the Belle Rivière, as you think best. Another party being employed to survey the peninsula lying between the Belle Rivière and the lake on the one side and the grand outlet on the other, all the objects of the mission will be attained without your descending the latter stream. You are furnished with a letter from the sub-lessee of the Posts to the clerks in charge, which will entitle you to any assistance that you may require from them.

(Signed) A. STUART, Comr.”

“Chicoutimi, 16th August 1828.

Sunday, 17th August.—One part of our baggage having already passed, we considered ourselves as on our journey, and made no scruple of causing the rest to be carried over, and in setting out. We left Chicoutimi therefore, at noon, Messrs. Nixon and Bowen accompanied us as far as the place of embarkation; we embarked about half past one, with three Voyageurs, Guillaume Gill, John Young and Alexis Boivert. At half past four, in passing the Portage des Caiens, we met two Canadians, two Indians and a squaw, coming from Assuapmousoin. At half past five we found ourselves at the end of the Portage de l'Enfant, where we encamped, on account of the difficulty we should have experienced in finding a fit place for encamping, if we had proceeded farther. The soil at the Portage is blue clay, either pure or mixed with sand; and the timber is red pine and cypress, white birch, spruce, sapins, &c. with a few white pines. On the shore of that part of the river, which we ascended to-day, the principal timber is spruce and white birch; the land appears unbroken, and the soil, though light, susceptible of cultivation.

Monday, 18th August.—It rained the whole night. We left our camp at eight A M. and after having been out in many showers, we were compelled to encamp at one o'clock below the Beau Portage, in consequence of the rain, and for fear of spoiling our provisions.—The principal timber as far up as this place, is sapin, white spruce, white birch, aspen, with a few white pines and black birches. The soil appears sandy. It rained during the whole remaining part of the day.

Tuesday, 19th August.—The rain continued the whole night, and the wind was north east. About ten o'clock the wind changed to the west. At noon we were at the Portage des Roches, where we found the latitude to be $48^{\circ} 14' 38''$. While at dinner there came on a violent thunder shower, which prevented our starting again before three quarters past three, P M. The showers being frequent, we could not get farther than the Sandy Point, on the north side of lake Tshinuagamitoh. As far as the Portage de l'Islet, the land appears very fit for cultivation; but from this Portage as far as lake Tshinuagamitsh, it is broken and rocky.

Wednesday, 20th August.—We embarked at a quarter past seven; Mr. Baddeley and myself went ashore at half past eight, on the north shore of the lake, to collect specimens of the rocks; at a quarter past ten we were opposite the mouth of the river Upikubatsch; here we found felspar, mixed with magnetic iron; we took the sun's meridian altitude, which here gave the latitude $48^{\circ} 16' 25''$. At 4 o'clock we reached the end of the lake, that is to say, the height of land. Our Voyageurs made two trips across the Portage of Tshinuagamitsh, and we encamped on the side of lake Tshinuagamitsh, leaving one load for each man to be brought across the Portage in the morning. The timber on the shores of the lake Tshinuagamitsh is white birch, cypress and red pine of middling quality, sapin and spruce; and the soil is clay mixed with sand. There is some ash and white spruce upon the banks of the lake where we encamped: the wind was, during the whole day, north west.

Thursday, 21st August.—We embarked about nine A M. and at eleven found ourselves among the rushes of Alder river. We dined at the Portage des Aunais, which is about twenty-five chains in length. We re-embarked immediately afterwards; but as this river is narrow and winding, and the alders grow in several places across the channel, Mr. Baddeley and myself were obliged to go ashore, in order to follow the course of the river on foot, under the pilotage of Gill, by a path which is but badly cleared. We stopped to encamp near the Belle Rivière, where our canoe did not arrive till seven o'clock. There is very fine flat land along the whole of this river, the soil very good and the wood, elm, ash, alder, &c., all of which are trees found only on good land.

Friday, 22d August.—The wind was south west, at half past five, Mr. Baddeley and myself commenced our journey on foot, and at six o'clock reached La Belle Rivière; we embarked at three quarters past six, and went ashore at the Portage de la Belle Rivière, which is eighteen chains long. From this Portage downwards the river takes the name of Kuspahigan. The current of the Belle Rivière is very equable as far as the falls, but is much stronger from the Portage to lake St. John. The land on the right bank of the river is of a superior quality from the River des Aunais to the lake. There are beautiful points of land all along the Belle Rivière, covered with elm and ash. The highest part of the bank is not above thirty feet, and upon this part are found aspen, spruce, sapins, some pine and white birch; and on each side of the river Kuspahigan, the land (which is a loam) is wooded in part with elm, ash and fir. We reached lake St. John at noon, and dined there; we continued our journey afterwards for the grand outlet, but could not reach it, and were obliged to encamp upon one of the very numerous islands between the two outlets, which we called Dalhousie Islands. These islands are mere rocks and unsusceptible of cultivation. The abundance of the magnetic iron of which these rocks are (in part) composed, renders the needle useless in their neighbourhood; and among the specimens which Mr. Baddeley collected on the island where we encamped, I found some which possessed polarity.

Saturday, 23d August.—The wind being west we embarked at half past eight o'clock, and reached the north side of the grand outlet at half past nine. This was the point at which we were to begin our operations, we

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we were to begin our operations, we remained there the whole day, and the following night, in order to take astronomical observations. I was further busied during the day in Trigonometrical observations.

Sunday, 24th August.—We commenced our journey about eleven o'clock, and at about one and a half miles from the point of departure, we found a brook which we at first took for a river; but having followed its course upwards for about a mile and a half, we were convinced that it was really a very small brook, and that during the height of the waters, the lake reached that point: We therefore returned. The right bank of this brook is covered with aspin, sapin, ash and brushwood, and the land very fit for hay; but the left bank, which is about ten feet above the water, is sandy, with a tendency to be swampy. From the point of departure to this brook, the bank of the lake, which is from six to ten feet above the water, is sand, and behind this there is a swamp of about half a mile in depth, but which cannot be crossed because it is covered with water; however, the high woods of spruce, &c. may be seen behind it. We continued our journey and encamped at three quarters of a mile from the river Cocuathimi; up to which place the banks of the lake continue the same.

Monday, 25th August.—The wind being west, and the lake too rough, we were unable to continue our journey. In consequence of this I set off with Gill for the purpose of reconnoitering the ground, and very soon afterwards arrived at the mouth of the river Cocuathimi. I then sent Gill back, to inform Mr. Baddeley of this circumstance, in order, that if it were possible he might proceed forwards, but instead of the canoe, Mr. Baddeley and Mr. Nixon, (which last had been of Mr. Stuart's party) came to me; and the latter gentleman informed me that Mr. Stuart with the other gentlemen belonging to the expedition were proceeding to make a tour of the lake. We therefore returned to our camp, and were obliged to remain there during the rest of the day. Neither Mr. Baddeley nor myself had expected this change of determination on the part of Mr. Stuart; for that gentleman wishing Mr. Baddeley to visit the country behind St. Paul's Bay, thought it advisable to put Mr. Nixon in his place; and the news of this was like a thunder stroke to me, seeing that we agreed so well together; Nevertheless, when I became acquainted with Mr. Nixon, I had no reason to complain.

Tuesday, 26th August. We began our journey, every one in the canoe, to which he was appointed, as follows:—

Mr. Stuart returning to Quebec, in Mr. Brownson's canoe, with three Voyageurs Messrs. Baddeley, Wagner, Bowen and Goldie, (the latter from Mr. Bouchette's party) in two canoes with six Voyageurs, to make the tour of the lake, then returning by way of Chicoutimi, will proceed to Malbaie and afterwards visit and examine the supposed volcano at St. Paul's Bay, except Mr. Wagner, who will join Mr. Proulx, and entering by the river St. John, will return by the river Malbaie. In my canoe, Mr. Nixon will take the place of Mr. Baddeley with four Voyageurs. We are to explore this part of the lake, as far as the mouth of the river Assuapmousoin, ascending all the rivers which we may find on our way; and afterwards to visit the peninsula formed by the grand outlet on the one side, and the river Shikutimish, or Chicoutimi, the lakes Tshinuagamitsh, Tshinuagamitshish, the river des Aunais, La Belle Rivière and the river Kuspahigan, on the other. We parted at the mouth of the river Cocuathimi, giving each other a parting cheer, and were not to meet again till we arrived at Quebec. We ascended this river to the distance of about a mile and a half from its mouth, and then finding it too narrow and too much obstructed for us to proceed further, I proposed returning. But previous to this, Mr. Nixon and I went with two men, and one of us on each side the river, to reconnoitre the land, which we found sandy, covered with spruce, sapins and aspin, and but ill adapted to cultivation. By the evening we had proceeded as far as Adder Point, (La Pointe aux Coulevres) a distance of about eleven miles from the grand outlet, following the sinuosities of the lake. At this place we encamped.

Wednesday, 27th August.—I was necessarily busied in making certain plans, until noon; I then began to measure a base line across the brushwood, in order to ascertain the width of the lake.

Thursday, 28th August.—It rained till near ten o'clock. I continued my base line during the remainder of the day. The swamp continues along the lake shore, as far as this place. The wind changed to the east during a heavy shower, which fell this evening, and continued in that quarter during part of the night.

Friday, 29th August.—The wind was west, and the weather very cloudy; we arrived at one of the branches of the river Peribauka, at half past one P.M., and after having dined, we hid part of our provisions and took with us only a sufficient quantity to serve us while we ascended a river, (Musk-Rat River) which, judging from its width and depth, did not appear likely to lead us far, and which, we believe to be the river Peribaudraiché, as laid down in Panet's chart. We came into the river Peribauka about three o'clock P.M., having been obliged to disembark several times, in order to lighten the canoe, and enable it to pass through the rushes, which abound in this branch:—no better land can be found than that on each side of this branch, it lies low and is wood-
ed with mixture of elm, ash and alder, and if once drained, would make

admirable meadow land. We ascended the Peribauka about four miles and a half, and encamped on the left bank. The land all along as far as this is clay mixed with sand, very well adapted for cultivation, and the timber is spruce, aspens, white and black birch, with here and there a white pine, all lofty, but of a moderate thickness, the pines excepted.

Saturday, 30th August.—The wind west this morning. We continued our journey, and passed three portages in the course of the day. The last was accomplished with much difficulty, as we had to pass over steep rocks. The soil remains as before described, as far as the beginning of the first portage, but from the first to the fourth portage, where we encamped, there are rocky points of about fifty feet high; the timber is chiefly spruce, white birch, with a small number of elm and ash. The wind varied from east to west, during the whole day, and in the evening was east.

Sunday, 31st August.—The wind was west during the whole day and the weather very fine. We caused our own linen and that of the men, to be washed.

Monday, 1st September.—We continued to ascend the river, and at the end of the portage we discovered a beautiful lake, studded with islands, to which we gave the name of N-dhaouiloo, the indian name of Andrew Stuart, Esquire, commissioner, given him by the Hurons as one of their Honorary Chiefs. Before we reached the end of this lake, we entered a pretty river about three perches wide at its mouth, which we ascended about a mile; we were then obliged to return, on account of its want of width, and the obstructions we found in it; Gill, one of the Voyageurs, gave it the name of Kuna, on account of the colour of its waters. The land on each side of the lake and of this river is very good, and the timber principally red and white spruce, white birch and sapin, with here and there a pine. Arrived at the head of the lake, which is about four miles long, we found a pretty fall, of which a sketch was taken by Mr. Nixon, while I was employed in passing the portage, (which is about 25 chains long) with Gill and Boisvert. Perceiving nothing but rapids at the end of the portage, I thought it better to go no further, as well because we were short of provisions, as because we supposed ourselves to be in the river Peribaudraiche, which must be very inferior in width, &c. to the river Peribauka. The soil and timber appeared to continue the same; it is level and good only below the first portages, and along the shore of the lake. We returned and encamped below the first portage, the wind being east with an appearance of rain.

Tuesday, 2d September.—We arrived at the place where we had concealed our provisions at noon, all of us wet through; it having rained the whole morning, with the wind at west. The rain continued the whole afternoon.

Wednesday, 3d September.—As John Young was very unwell, and had eaten nothing for several days, Mr. Nixon and myself determined to carry him to the post of Métabetchuan. In consequence of this, Mr. Nixon started for that post, with Gill and Boisvert. I remained with Terreau, and employed myself in drawing plans, &c. during the four days they were absent.

Thursday, 4th September.—The rain fell so violently during the whole of this day, the wind being east, that even my tent afforded me no shelter.

Friday, 5th September.—It rained till eleven o'clock, at which hour the wind changed to the west.

Saturday, 6th Sept.—Wind south west. Weather fine. In the afternoon, feeling more and more anxious about my canoe, I crossed the wood and the swamp with Terreau, and reached the borders of the lake, but could see nothing of it. While crossing the swamp I observed that if it was drained it would produce hay, for there is abundance of franc foin there. About eight in the evening I heard the report of a gun at a great distance, it struck me that it was the canoe, which was unable to find the entrance of the river. I was not mistaken; and caused a gun to be fired, which as well as three other shots we fired afterwards were not heard by them. The canoes arrived about a quarter past nine, and Mr. Nixon brought me a private letter from Mr. Stuart with some refreshments. He informed me that Mr. Bouchette had made the tour of the lake, and was returning.

Sunday, 7th September.—We embarked at half past seven, P.M., and returning by the lake visited that part of the river Peribauka, between the little branch and the mouth of the river, a distance of about three and a half miles. We went to reconnoitre a bay on the right bank of the river, and opposite the entrance of the little branch, where we found a fine river, which according to the information I have received respecting it is the river Peribaudraiche, to which we gave the name of David River, in memory of David Stuart, Esquire, one of the commissioners. This river is about ten chains wide at its mouth, and runs to the westward. We ascended it as far as the first portage, a distance of about nine miles and a half from its mouth. The land on each side is generally low, and though light (that is sand mixed with clay) is tolerably

ably susceptible of cultivation: the timber consists of white birch, spruce, pine, sapin, with a little elm, ash and willow. I passed the portage, which is about six chains long, and as far as I could see the timber appeared to be the same. We therefore determined upon returning, and encamped on the spot where Mr. Baddeley's party had encamped on the 26th August, which we knew by an inscription, conceived in these terms, "Exploring Expedition encamped here in the night of 26th Aug. 1828, God Save the King. lat. $48^{\circ} 42' 37''$."—The wind was west the whole day, and about 4 o'clock it became much colder.

Monday, 8th September.—The wind was north west, and in the morning, there was much appearance of rain.—At half past eight we embarked just as it began to rain gently. At three quarters past nine, the rain having considerably increased, we entered a small river, to which we afterwards gave the name of Boisvert, where we went ashore. After dinner we ascended this river about half a mile, and were obliged to return, on account of its becoming too narrow and too much obstructed. Aspin, white spruce and white birch form the principal part of the timber, and the soil consists of a mixture of clay and sand.

Tuesday, 9th September.—We embarked at a quarter past six, after walking in the water about a mile through the lake, to lighten the canoe and entered among the islets of Mistassini, from which place to the river, we were under the necessity of hauling the canoe along and walking in the water during the greater part of the time. At half past one we entered the Mistassini, a magnificent river, if we regard its breadth, which, at this place is about a mile and a half; but as regards the soil on each side, it is mere sand, and the timber, spruce, cypress and white birch with a few elms, close to the banks. We ascended it about ten miles, and observing no change, determined to return, in the humble conviction that it had not been misnamed in certain maps where it is called La Rivière de Sable. We encamped at the place where we had hidden part of our provisions, when we entered the river.

Wednesday, 10th September.—We left our camp on the sand islands or Islands of Mistassini, and by breakfast time reached the place where Mr. Baddeley had slept on the 27th August last, which we knew from a note conceived in these terms, "Exploring party encamped here on the 27th August. All well. Meridian altitude of a star double angle $99^{\circ} 37'$ index error $+ 22''$."

We gave this Point the name of Baddeley's Post Office, and left it at half past ten. Soon afterwards we entered the mouth of the river Assuapmouison, passing between many small islands covered with brushwood, and about noon we went on shore on the right bank of this river, a little above the island which lies farthest up the river. The whole of the land from the river Mistassini to the river Assuapmouison is sandy, and the timber chiefly spruce, sapin and white birch with some pine and aspin here and there. We dined at this place, and as the object of our mission was fulfilled as far as regarded the exploring of this part of the lake, we set out on our way to the post of Mitabetchuan. At a quarter past two we went ashore at Blue Point, where we expected to find certain fruit, as cherries, plums, raspberries, &c. but we found nothing but the trees. We saw here the ruins of the chimney of the house belonging to the old post at which Mr. Tasché carried on the fur trade during twenty years. We re-embarked about three o'clock, and proceeded as far as the Pointe aux Pins, where we encamped in order to visit the Isle aux Coulevres, which we effected the same day, but saw no adders, probably because it was too late. The wind was west during the whole day.

Thursday, 11th September.—The wind was so strong from the west that we could not proceed on our journey before one o'clock, P. M. At four o'clock we arrived at the mouth of the river Wiatshuan, and as Mr. Nixon was very anxious to take a view of the falls on that river, which is about a mile from its mouth, we stopped here and immediately started with Terreau, one of our men, who had come down this river with Mr. Bouchette, and pretended to be acquainted with the falls. But instead of conducting us by the portage road, which would have led us within about fifteen chains of the falls, he led us along the bank of the river, and it was necessary for us to summon up fresh courage in order to get there, across a number of such hills and valleys as are commonly found in the neighbourhood of rivers whose banks are not less than from two to three hundred feet high. Nevertheless, when we arrived there we were amply paid for the fatigue we had undergone in reaching them by the magnificence of those falls which do not yield to those of Montmorency, near Quebec, in point of height, and surpass them in the manner in which the waters are precipitated among the broken rocks; as may be seen by the view taken of it by Mr. Nixon, whose talent in this art is of no common kind, and who will not fail to give a correct resemblance of it. We returned to our canoe at six o'clock, and found our tent pitched, for our Voyageurs perceiving that the wind increased, and supposing that we should return late, thought it right to be ready before hand, although we had told them we intended proceeding farther, and going as far as the post. So we passed the night there. The wind was strong from the north west. The timber along the portage as far as the falls is of a superior quality, to what it is at any place I have visited up to this time; being a mixture of cedar, black birch, maple, spruce, pine, &c. and the soil where I examined, it was very fit for cultivation.

Friday, 12th September.—At a quarter past six we embarked with a strong breeze from the north west, which prevented our making the

traverse at the ordinary place, and compelled us to follow the shore as far as the post of Metabetchuan, where we arrived at three quarters past ten, and found there Mr. Alexander Murdoch, clerk of the post, a most respectable gentleman, by whom we were most hospitably received.

Saturday, 13th September.—As we were obliged to bake and get our linen washed, we could not leave this post until after dinner; when starting we were saluted by several shots, which we returned in the same style. The wind was south west the whole day, and the weather cloudy. About eight o'clock we reached Kuspahigan, where we encamped.

Sunday, 14th September.—We explored that part of the lake between Kuspahigan and the right bank of the grand outlet, and found that all along the borders of the lake in this part, the land is sandy:—But at a short distance back the soil is good, as we ascertained by entering a small river about a mile and a half to the north of Kuspahigan, which we ascended from fifteen to twenty chains, before we found the channel too much obstructed. The smaller outlet is five miles from Kuspahigan, and the side of the island between the two outlets next to the lake is about a mile and a half; that next the smaller outlet half a mile, and the side next the grand outlet, two miles. We returned and slept at our camp at Kuspahigan, where we had left our baggage. The wind was south west the whole day. Gill was troubled with a pain in his loins, which makes him unable even to steer the canoe, and we have therefore only three men left whom we cannot divide, so as to cross the peninsula, and send back the canoe; in consequence of this we shall be obliged to proceed to Chicoutimi.

Monday, 15th September.—We embarked at forty minutes after seven. Our provisions and baggage forming two loads at the portages. We got within a short distance of the portage of Tshinuagamitsh, where we encamped. In crossing the alder lands, I went a considerable distance into the wood, and found the land level and good.

Tuesday, 16th September.—In the morning we visited a small lake on the north side of Tshinuagamitshish, and connected with that lake by a small channel of about three chains in length, and about one chain in width, to which I gave the name of Lake Nixon. There is deep black land covered with alder all around this lake, and upon the banks, (which are about twenty-five feet above the water) to the distance of at least a mile, as I know, by having gone that far myself, the land there is unbroken and level, and the soil an excellent loam; the timber is sapin, black birch, spruce and some white birch; I saw only one pine. Nos. XXII. and XXIII. of Mr. Nixon's collections are specimens of the soil. The lake is thirty-six chains long, lying south west and north east, and about ten chains wide. We embarked at a quarter past ten, with the intention of proceeding, but from the information I had received from different sources, that the two lakes were connected by a channel to the northward of the portage of Tshinuagamitsh, we were induced to enter a channel of two chains wide, and after proceeding about twenty-five chains, came into a basin twelve chains wide and twenty long, at the end of which we found a small channel one chain wide, choked with alders, and having a strong resemblance to the Rivière des Aunais. We went up it about twelve chains, and were obliged to return in consequence of the quantity of alders. Mr. Nixon and I ascended the right bank which is about fifty feet high, by climbing over the rocks; it appeared to us that we were on a rocky point which did not extend to any great distance, and the small quantity of soil we found there was of the same quality as the specimens before spoken of. The timber, as far as our sight could reach, consisted of a mixture of spruce, sapin and black birch, all lofty. The general course of this river is east, which strongly supports the supposition that the two lakes are connected. We descended the river and at noon reached the portage; we passed the portage, which is about a mile and one fifth long, and dined, we started again at three o'clock, with the intention of visiting whatever might be worthy attention, on the north side of lake Tshinuagamitsh. The soil all the way along the portage, is blue clay mixed with sand, and is of an excellent quality; the timber is white spruce, black and white birch, sapin and red pine. By the evening we found ourselves within two miles and a half of the little river of the bay of Coushkaia, or at the supposed junction of the two lakes, and encamped there.

Wednesday, 17th September.—We ascended this river, the course of which is as far as we went west south-west, about four miles and a half, making seven miles from its mouth, and being prevented by the alders, which obstructed the channel from proceeding further, we went to reconnoitre the country, and at a distance of about half a mile, Mr. Nixon discovered a small lake of which this river forms the outlet. To this lake he gave the name of Lake Young; it may be about thirty chains long and seven wide. All the land we crossed to arrive at the lake, is rocky, and the small quantity of soil found there is a black earth. Along the whole of the river there is a mixture of red and white spruce, with some pine, white birch and sapin, and the soil is formed of the same mixture of clay and sand. The wind was west the whole day, and increased in the evening. We encamped on the sandy point where Mr. Bouchette's party had encamped on the 11th Sept.

Thursday, 18th September.—We embarked about six o'clock, and about sixty chains from the sandy point we entered the outlet of the lake called Pastagoutsy; and Mr. Nixon gave the name of Lake Hamel,

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to the chain of lakes which is found in the neighbourhood of lake Tshinuagamitsh. We descended this river as far as the foot of the first rapid, a distance of about six miles from its mouth, where the waters failing us we turned back. The timber on each side is all along white birch, spruce, pine, sapin, &c., and the land good but stony. At eleven o'clock we arrived at the east end of lake Tshinuagamitsh i. e. at the Portage des Roches, and continued our journey :—At sunset we reached the post of Chicoutimi.

Friday, 19th September.—I brought down my books, while the men were preparing for our visit to the peninsula, the want of a guide for which I felt more sensibly than ever, and being unable to find an Indian, who was ever so little acquainted with the localities, I was under the necessity of engaging a Squaw, of the name of Nastash, who pretended to be acquainted with it. The wind was west the whole day.

Saturday, 20th September.—Our guide having retarded our departure, we were unable to start until after dinner. We began our journey in the canoe, for the purpose of ascending the Saguenay, as far as the mouth of the river Pastagoutsy. But when we were opposite the river des Terres Rompues, we found it impossible to pass the rapids, and it was determined to send the canoe back with Boisvert and Terreau, and that we should proceed by land. All the land on the right bank of the Saguenay as far as the Terres Rompues, is composed of blue clay, as it is in the neighbourhood of the post of Chicoutimi. The wind was east.

Sunday, 21st September.—After two hours travelling, we reached the river Pastagoutsy, a few chains from its junction with the Saguenay. We found a fall on this part of near 249 feet high, of which Mr. Nixon took a sketch. We directed our course to the southward, i. e. keeping the river Pastagoutsy on our right (our guide declaring that she knew nothing of the country to the north of this river) and travelled during the rest of the day over a very level country, wooded as follows—viz : 1stly. A mixture of spruce, sapins and black birch, with some maple and white birch—soil, a grey loam ; 2ndly. spruce land—soil, a cold loam ; 3dly. a mixture of spruce, sapin and black and white birch—soil, loam ; 4thly. white birch—soil, loam mixed with coarse sand. We crossed several rivulets which run into the Saguenay. The wind was east, and the heat excessive.

Monday, 22d September.—We divided the party, Young and our guide accompanying Mr. Nixon ; I, on my part, started with Gill, and we directed our course for Chicoutimi, where I arrived at half past five. P. M. and found Mr. Nixon who had just come in as tired as myself. I found no difference in the timber or soil this day ; the land continuing always very level. In the course of the day I crossed sixteen brooks, all running into the Saguenay. The wind was west and the weather very hot. In the evening I determined the variation of the needle, by observations on the Polar Star : and found it $17^{\circ} 12''$ west.

Tuesday, 23d September.—My instructions having been fully complied with, as far as it was possible for me to do so without a guide, and during the time allowed for my stay here ; there remained nothing for me but to return to Quebec with all diligence ; and I therefore ordered the men to make all haste in washing their own linen and ours, so as to be able to start the following day. The wind was east.

Wednesday, 24th September.—It rained till near eleven o'clock, with the wind at east, and we left Chicoutimi after dinner, and before we encamped, reached Bear's Cove, where we slept.

Thursday, 25th September.—We set off at four o'clock, A. M., but the wind becoming too strong at sun-rise, we were obliged to land to the south of Cape à l'Est. We re-embarked about nine o'clock, but at half past ten, having both wind and tide against us, we were compelled again to go ashore. We re-embarked at three o'clock, the wind

being east, and did not land again till eight o'clock, by which time we had reached Half-Way Bay.

Friday, 26th September.—The weather was calm and it rained, however, we embarked about six o'clock, and went as far as the bay des Roches, though not without danger, the wind blowing strongly from the west. At half past twelve being anxious to reach Tadousac, we embarked, although the wind had not decreased, and the tide was still flowing, and after having run the greatest risk of going to the bottom in doubling the headlands, we arrived at Tadousac, where we met Mr. Andrews, the clerk of the post at Chicoutimi, who had been detained by the wind.

Saturday, 27th September.—A heavy gale from the north west, prevented our starting before five o'clock, P. M. we got as far as Duck River, where we slept.

Sunday, 28th September.—The weather was fine, and we reached the Malbaie River in the evening.

Monday, 29th September.—We continued our voyage with calm weather, and by night reached Green Bay, half a league to the westward of St. Paul's Bay.

Tuesday, 30th September.—We were unable to embark before half past six, on account of the length of the battures, which are mere mud at low water ; and at eight o'clock the wind became too strong, and compelled us to go ashore opposite the church of La Petite Rivière, where we passed the day. Here we found Captain Bayfield, with whom we past a part of the afternoon.

Wednesday, 1st October.—The wind having gone down a little, we got under way about seven o'clock, and although we were compelled by the wind to go ashore in the course of the morning, we managed to pass Les Caps, and arrived at the battures of St. Joachim at Sunset. But as it was then low water, we were obliged to wait 'til eight o'clock before we could enter the River Blondaine, which we had to leave immediately afterwards, to get into the St. Lawrence, between St. Joachim and St. Aune.

Thursday, 2d. October.—The wind was east, and the rain fell abundantly, till noon, when the wind changed. Notwithstanding this we got under way at eight o'clock, without paying any regard to the wind or tide, and continued our voyage until towards two P. M. when we were obliged to go ashore at Montmorency, to put fresh gum on our canoe. We re-embarked immediately afterwards, and at last arrived at Quebec, all safe and sound, about four o'clock. Not meeting either Mr. Lampson or his clerk, I left the canoe under charge of Gill, who was to deliver the baggage.

In this Journal I have taken care to set down no part of what was told me during the course of my travel, but have been satisfied with relating what I have really seen, and speaking of the places I have visited and passed through, referring to the Appendix which I shall give in with my Map for the more particular description of places, &c. I hope therefore that you will be pleased to accept it, as well as the profound respect of him who has the honor of subscribing himself,

Gentlemen,

Your very humble

And very obedient servant,

J. HAMEL, Surveyor.

Quebec, 8th November, 1828.

APPENDIX OR SUPPLEMENT to the Journal kept by JOSEPH HAMEL, Surveyor of the Saguenay Expedition, &c. &c. &c.

AS there would be some difficulty in finding in my Journal at the first the description of any particular place, and having besides, in making up my Journal, paid attention only to the recording of facts, and not even mentioning the latitude of the different places through which we passed (having kept separate notes of these things) I thought right to attach thereto the present Appendix, which will shew at once as a Supplement to my Journal, and as an explanation of my plan.

The Appendix will comprise the description of places, their vulgar names in French, their signification in the language of the Mountaineers, &c. The latitude as far as I have been able to ascertain it, and the longitude, by reckoning : the quality of the soil and timber, with some remarks on the advantage to be expected from the settlement of this part of Lower-Canada, which yields in this respect to no other place now settled, which I have visited up to the present time.

Tadousac

Tadoussac is situated on the river St. Lawrence, on the east side of the mouth of the Saguenay. There is a harbour here, which could not hold above five or six vessels, and even these would be under the necessity of carrying anchors ashore. The Company holding the King's Posts have a post here for carrying on their trade with the Indians, comprehending nine buildings, employed as stores, shops, &c. besides the Post House, which is 60 feet by 20, and a chapel of 25 feet by 20. A Missionary comes here every year, and passes some time. The highest tides rise 21 feet at this place. Longitude west from Greenwich, $69^{\circ} 19'$, and latitude $48^{\circ} 6' 44''$.

St. Catherine, Within the mouth of the Saguenay, and on the south-west shore, would hold 50 vessels, which would be sheltered from all winds except the west.

La Boule, is a remarkable rock, both on account of its height and of its shape; the ebb tide is very strong opposite to it. It is 3 miles from the mouth of the Saguenay, on the north-east side.

River St. Margaret, lies on the north-east side of the Saguenay, and about 16 miles from the mouth of that river. It is the largest river running into the Saguenay, between Tadoussac and Chicoutimi.

St. Lewis' Islands, are three in number, and all rocks; the one which lies nearest the mouth of the Saguenay, is the largest, and is about half a mile in length; it lies on the south-west side of the river. The south east end to which in passing by, we gave the name of "Old Way's Point" is about thirteen and a half miles from the mouth of the river. The two others which are much smaller, are on the north-east side, and near the shore.

St. John's River.—St. John's River lies on the south-west side of the Saguenay. It is said there is good anchorage here for all sorts of vessels. On its banks and near its mouth, there is about a square mile of cultivable land. Longitude $69^{\circ} 42'$, and latitude $48^{\circ} 13' 15''$.

Trinity River.—This river is on the south-west side of the Saguenay, and owes its name to three large headlands on the shore of the Saguenay, and on the north side of the place where it joins that river. It is in a deep bay, where there is a salmon fishery. It is about half-way between Tadoussac and Chicoutimi; for this reason the bay, which lies opposite to it, and was before called Le Ruisseau de la Trinité, was called by the Expedition, Half-Way Bay.

La Descente des Femmes, is a bay on the north-east side of the Saguenay, at the head of which is a small rivulet. It lies about 42 miles from Tadoussac, and owes its name to a melancholy adventure of some Indians, who were reduced to the last extremity by hunger, while employed in hunting, and finding themselves in this necessity, sent their squaws in search of assistance: the squaws came out of the woods at this place. The tide rises here about 17 feet. Longitude $70^{\circ} 11'$, latitude $48^{\circ} 22' 9''$.

Ha-Hi-Bay, is on the left side of the Saguenay, in ascending, and so perfect is its resemblance to the main channel of the river, that many travellers have been misled by it. Opinions differ with respect to the origin of its name, for which reason I shall say nothing of it. It runs about nine miles inland, and is as wide as the Saguenay.

Chicoutimi.—This is the Factory of the King's Posts' Company, and the only trading post on the Saguenay. It lies about 58 miles from Tadoussac, on the left bank, and at the junction of the river Chicoutimi with the Saguenay. There are four buildings at this post, reckoning the church or chapel. A Missionary comes every year in the months of June and July, and passes some time here, as at Tadoussac. He remains at the two places together, about six weeks. The soil here is blue clay, and tho' there are some rocks here and there very fit for cultivation. Nothing is now grown there but potatoes and vegetables for the use of the house only and they fetch hay for the cattle from a place nine miles below Chicoutimi, on the left bank of the Saguenay. The tide rises here 16 feet perpendicular, at spring tides. We came as far as this place in the schooner, and there is no doubt but square-rigged vessels might come here. Longitude $70^{\circ} 34'$. Latitude $48^{\circ} 24' 37''$. Variation of the Compass $17^{\circ} 12'$ west.

Presq'île.—The Peninsula formed by the grand outlet on one side, and by the river Chicoutimi, the lakes Kenuagomi, Kenuagomishish, the Alder River, La Belle Rivière, the Kushpahigan and part of lake St. John, on the others, lies between $70^{\circ} 34'$ and $71^{\circ} 29'$ west longitude from Greenwich, and $48^{\circ} 14' 33''$ and $48^{\circ} 34'$ north latitude. The soil, which is a loam, is in general well adapted for a settlement. The timber is red pine, cypress, white birch, sapin, white spruce, black birch, &c., all of moderate size, except the pines, which are scattered here and there, and are very large, but generally appearing of bad quality. The land, when you have once ascended the bank, is level; and if a settlement were formed here, beginning at Chicoutimi, which should always be the central point, a road might, by degrees, be opened, communicating with lake St. John, and this would be so much the more easy, from the circumstance of there being but one river to cross, and which (except during floods) may be forded. The Peninsula contains

about 245,000 acres, and would consequently hold 2450 inhabitants, allowing 100 acres to each. The climate is at least as mild as that of the neighbourhood of Quebec, but the spring is about 15 days later than at the post at the River Metabetchuan, on lake St. John.

River Chicoutimi.—The River Chicoutimi is one of the outlets of lake Kenuagomi, and after running about $7\frac{1}{2}$ miles in a south-west course, falls into the Saguenay near the post of Chicoutimi, about 58 miles from the mouth of the latter river. There are seven portages on this river, between Chicoutimi and lake Kenuagomi. The banks on each side of this river are not above 30 feet in height. But at a distance of about 10 chains from the first, there is a second bank of about the same height. The timber and soil are the same as in the peninsula.

Portage of Chicoutimi or Shekutimish Caputagan.—This portage, which is two miles in length, and on the left bank of the Chicoutimi, is very level, with the exception of a gully, formed by a small rivulet, near its south-west end.

Portage de la Poussiere, Meia Caputagan, lies 62 chains from the portage of Chicoutimi, and is nine chains in length.

Portage de l'Enfant, Washkow Caputagan lies 33 chains from the portage de la Poussiere, and is 7 chains in length. It owes its name to an accident which occurred about 50 years since to an Indian, who in passing this portage left a young child in his canoe, which was carried off by the current and passed over a very considerable fall without upsetting, to the great surprise of the father and of all who have seen the place.

Ile au Sepulchre, lies about 4 miles from the portage de l'Enfant, and derives its name from having been the burying place of two persons who had been drowned.

Beau Portage, Milow Caputagan, is six hundred and nineteen chains from the portage de l'Enfant, and thirteen chains long.

Portage de l'Islet, Ministouki Caputagan, is ninety chains from the Beau Portage, and 33 chains in length. It is so called, from an Islet in the middle, which is longer than the portage. A canoe may come down these rapids.

Portage des Roches, Assini Caputagan, is one hundred and forty-eight chains from the portage de l'Islet, and when the waters are high is about twenty chains long, but much shorter when they are low.

Lake Kenuagomi.—A lake about 23 and a quarter miles long, and about half a mile wide. Its banks on the south are in some places rocky cliffs, but rise much more gradually on the north side, with the exception of two or three rocky headlands. At the west end of this lake, there is another called Wiqui, of a round form, and about 12 chains in diameter, communicating by a canal, from 12 to 15 feet wide and 3 chains long.

The River Pastagoutzy is another outlet of Lake Kenuagomi, by which it discharges its waters into the Saguenay, about 11 miles to the north-west of Chicoutimi. It is said that it passes under a mountain in its course, but I have not seen it.

Cushcouia Bay.—In this Bay there is a very pretty river, which we called Baddeley's River, which is supposed to connect the two lakes, Kenuagomi and Kenuagomishish, a fact, which if true, can only be ascertained in winter, as the river is choaked with alders.

Portage Kenuagomi, or Insula Formosa or Belle Isle, is 96 chains in length, and lies on the height of land which separates lake Wiqui and Kenuagomishish.

Lake Kenuagomishish or Little Lake, is about 6 miles long, and from 12 to 30 wide; its banks are about the same as those of lake Kenuagomi, on the north side. At the entry of this lake is the River Baddeley, or supposed communication between the lakes, and thirty chains further on the same side lies Lake Nixon, 36 chains long and 10 wide; the banks on all sides of which do not exceed 25 feet in height, and the land of superior quality, being all strong land.

Rivieres des Aunais, or Pashitaounishish.—The River des Aunais is the outlet of lake Kenuagomishish, by which it discharges itself into La Belle Rivière; and although it is called nine miles long, if followed in its windings, it is in reality only 3 miles in a straight line; it is about 1 chain wide. There is but one canoe portage upon this river, which is 25 chains long, and lies about a mile from lake Kenuagomishish, and from thence to the Belle Rivière, there is a path which is preferred by those who have no duty to perform in the canoes, on account of the river being much obstructed by alders, and that canoes pass through it with difficulty.

River Kuspagan, (a place which is ascended).—The River Kuspagan

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gan begins at the place where the river des Aunais meets it, and goes as far as lake St. John. Below the point of junction it takes the name of La Belle Rivière. Its length, if its windings are followed, is about seven miles and three quarters, and it is about 2 chains wide. About half-way, in going to the lake, there is a portage of about 18 chains long. It is the most difficult, and gives the hardest work to the carriers, of all the portages between Chicoutimi and lake St. John.

Lake St. John, or Peagwagomi (Flat Lake.)—Lake St. John is 57 and a half miles from Chicoutimi, and between 71° 29' and 72° 9' west longitude, and 48° 23' and 48° 32' 37" north latitude; it is about thirty miles long, by twenty or thereabouts in width, and ninety miles in circumference. Eight rivers, nearly all of the first class fall into this lake, viz.: the Peribonea, the Mistassini, the Ashuapmousoin, the Ouigouatshouan, the Ouigouatshgamish, the Metabetschuan, the Kuspygish and the Kuspaigan. With the least wind from the north-west, the waves run prodigiously high, which renders the canoe navigation very dangerous here. The waters also rise very rapidly in time of rain, and fall almost as suddenly, particularly when the wind is north-west. There are two outlets, by which this lake discharges itself, but correctly speaking, they should be reckoned as one, since they are united, about 2 miles from the lake, and then take the name of the River Saguenay; besides the group of islands opposite the outlets, and which we called Dalhousie Islands, there are two others on the south side of the lake, Adder Island, (Manitouministuck, which means in the indian language, the Island of Evil Spirits) and Big Island. It is said that there are great numbers of adders on the former. They lie about 2 miles from the main land.

Peribonea, (singular river.)—This river may be said to be the most beautiful, and that which offers the most advantageous site for a settlement of all the rivers in this part of the country. Its banks are level and wooded, with a mixture of aspin, white birch, red and white spruce, sapins and scattered red and white pine, with cypress. But in my humble opinion, no conclusion ought to be drawn from the timber, for we find equally in all parts of the country, aspin, white birch and pine (timber found generally on poor land) growing upon clay, rock and sand, in the same manner as we find aspen growing in abundance upon lands lately burnt and not under cultivation, in the district of Quebec. I am strongly induced to believe, that this is one of the original causes in the present instance. The higher we go up this river the better the land becomes, and had it not been for the unlucky accident recorded in my Journal, I should have ascended it as far as the eastern mountains, which are said to be about 90 miles from its mouth. But if we suppose the extent of the cultivable land on this river, to be only 75 miles, and that two ranges of concessions were established on each side, there would be room enough for near two thousand inhabitants, allowing 100 acres to each. The mouth of this river is on the northernmost point of lake St. John, viz.: in latitude 48° 42' 47", and its course is from the east north-east; it is about 45 chains wide, and the current is moderate, as far as the falls, which are about nine miles from its mouth. These falls are three in number, and above them is the lake D'ahaouiloo, about 4 miles long and one wide. There are many islands at the entrance of this lake, and beautiful points of flat land on the south-east side. A pretty little river, called Rum River, empties itself into the lake, on the north-west side. Variation 16° 40' west.

David River, runs from the north and empties its water into the Peribonea, 3 miles and 1/2 from the lake, on the right bank, and appears to be navigable for canoes, for a great distance. It continues about 10 chains wide, as far as the first portage, which is about nine miles and a half from its mouth.

River Kocontimi.—This is the only river between the grand outlet and the Peribonea, and of very little consequence, being much obstructed—which makes it very difficult if not impossible to ascend. Variation 16° 40' west.

Musk-Rat River, is a branch of the Peribonea, which comes out miles below south of the main branch, and is the same I have marked in my plan, as Le Petit Bras. It was called Musk-Rat River, on account of the abundance of these animals in it.

River Mistassini, deserves in many respects the name given it by several geographers, of Sand River, since for nine miles, which I went up it, not only the banks of the river are of sand, but the sand banks in several places cross the channel. It is about three miles wide at its mouth, including a group of islands, between which there are a number of channels, which might lead a traveller, who did not know the country, into error; but on the north of these islands as above them, the channel is not less than a mile and a half in width. The sands which are brought down by this river, render the lake so shoal, that there are scarcely three feet of water, at a distance of three miles from the shore opposite to its mouth; the latitude of which is 48° 40'.

Asuapmousoin or Asuap, (The Indians' Ambush,) is a river of the first magnitude, which falls into lake St. John, and is about a mile wide. The Company of the King's Posts have a trading post on it about 15 leagues from its mouth; it is one continued rapid, all the way from the post to its mouth. On the left side of its entrance there are several islands covered with brush.

River Ouiaatshuan.—This river runs from the west, and is in latitude 48° 27' north, and longitude 71° 58' west. About a mile from its mouth there is a beautiful fall, which may be seen from the opposite side of the lake.

River Metabetschuan.—The River Metabetschuan is in latitude 48° 23' 12", and is the only place where the Company of the King's Posts have a post for carrying on the Indian trade. The Jesuits had formerly an establishment here, with a certain quantity of cultivated land, but no traces of this settlement are now to be found.

As the object of the Expedition and of the Surveyors, was in particular to ascertain whether this part of Lower Canada was fit for the formation of settlements, I shall not finish without remarking to the friends of agriculture, that the Peninsula which extends from the post of Chicoutimi, as far as lake St. John, and both sides of the river Peribonea, which I have explored, deserve that settlements should be made upon them, as well on account of the quality of the soil, as the mildness of the climate, which is superior to that of the neighbourhood of Quebec; and by commencing at Chicoutimi, which should always be the central point of communication and trade between the proposed settlements and Quebec, roads would soon be opened as far as lake St. John, which would facilitate the communication with the settlements, to be afterwards formed on the river Peribonea and at other places on the lake, of which I have made no mention, as not considering them within my province.

And now, although fully convinced of the imperfection which will be found in the account of different places, &c., I have attempted to give in this Appendix, I shall nevertheless close it, begging at the same time your permission to subscribe myself with the most profound respect,

Gentlemen,

Your very devoted, and

Very obedient servant,

(Signed) J. HAMEL, Surveyor.

METEOROLOGICAL TABLE by the same Surveyor.

1829	Morning	Noon	Evening	Remarks.
August 6	East	(a) East	East	(a) As it was impossible to discover the exact point in which the wind was, I shall only make use of the two points, East and West.
7	West	West	Calm	It rained in the night
8	East	East	East	Heavy rain the whole night
9	West	West	Calm	
10	West	West	West	Showers during the night
11	Calm	East	West	Light showers during the whole day
12	East	Calm	Calm	Cloudy weather
13	Calm	West	West	Showers during the day
14	West	West	West	Rain the whole night
15	West	West	West	Steady rain from noon till the following morning
16	East	West	West	Showers at noon
17	West	"	"	
18	"	"	"	
19	"	"	"	
20	"	"	"	
21	"	"	"	
22	"	"	"	
23	"	"	"	
24	"	"	"	
25	"	"	"	It blew hard the whole day. A shower in the evening
26	"	"	"	
27	"	"	"	
28	"	"	"	
29	"	"	"	Very heavy shower in the evening
30	"	"	"	Cloudy weather
31	"	"	"	
Sept. 1	East	East	East	Clear weather
2	West	West	West	Cloudy weather
3	"	"	"	Rain the whole day
4	East	East	East	Very heavy rain the whole day
5	East	West	West	Rain till noon
6	West	"	"	Fine weather
7	"	"	"	It was cold in the evening
8	"	"	"	Rain from 10 o'clock till the evening
9	"	"	"	Fine weather
10	"	"	"	Fog in the morning
11	"	"	"	Very strong wind
12	"	"	"	
13	"	"	"	
14	"	"	"	Cloudy the whole day. Aurora Borealis
15	"	"	"	
16	"	"	"	
17	"	"	"	
18	"	"	"	Fine weather. Aurora Borealis
19	"	"	"	
20	East	East	East	Fine weather
21	West	West	West	do. very warm
22	East	East	East	do. Aurora Borealis
23	"	"	"	do.
24	"	"	"	Rain this afternoon
25	"	"	"	
26	"	"	"	
27	Calm	West	West	Strong wind
28	West	Calm	Calm	
29	Calm	Calm	"	
30	West	West	West	Very strong wind
Oct. 1	East	West	West	Rain till noon
2	"	"	"	

J. H.

JOURNAL

Of the St. MAURICE EXPLORING PARTY, one of the Expeditions fitted out under Commissioners appointed by Government to carry into execution an Act of the Provincial Legislature of Lower-Canada.

RECEIVED through the Surveyor General instructions from the Commissioners, Andrew Stuart and David Stuart, Esquires, appointed by Government to carry into execution an Act of the Provincial Legislature of this Province, bearing date 21st July last, to proceed to Lake St. John, by traversing the Country from the St. Maurice River, to explore a certain portion thereof, and return by the Saguenay to Quebec.

Having accordingly made preparations for that service, I embarked on board the steam-boat, Chambly, on Monday the 21st July, at half after 7 o'clock, P. M., where I was joined by Mr. Gouldie of the 66th Regt., and by Mr. Davies, who volunteered to partake of the toil, privations and hardships that might be expected would attend so adventurous an expedition.

Tuesday, 22d. Landed at Three-Rivers on the following morning at half after 9 o'clock. Called on Mr. Bayden, the Agent of Mr. Lampson, in the service of the King's Posts Company, who directed me to the canoe that had been provided for the expedition, and made agreeably to the directions of the Commissioners.

Considering the tract of Country the St. Maurice Expedition were about to traverse, the numerous rivers, small streams, to be ascended or descended, and the many carrying places or portages likely to be crossed, besides the uncertainty with regard to the position of or distance to Lake St. John, and hence the uncertainty of the time required to effect the traverse across the country, rendered it highly incumbent upon me to take such a canoe as would be sufficient for the transport of a party consisting of not less than eight individuals, with the stores necessary for supplying them for a period of not less than one month, while at the same time not so large as to become a source of delay in the portages.

The one therefore now furnished, although of judicious dimensions to answer the latter object, I conceived nevertheless inadequate to bear the party and provisions together, and consequently an additional canoe of inferior size was provided for the Expedition.

The next step to be pursued and that of considerable moment towards prosecuting the service, was the expediency of obtaining from the Indians of the Algonquin and Tête de Boule nations, hunting along the St. Maurice River and its tributary streams, information respecting the most eligible route to Lake St. John. Several Indian families were assembled at the passage a short distance out of town, from various parts of the country, to receive the annual Government presents, whither I proceeded with Messrs. Gouldie and Davies, and accompanied by Mr. Bayden. Owing to many of the natives being in a state of inebriety or were in a profound sleep, I was precluded for the present obtaining the information I sought for. Meanwhile, one Bte. Crête, a Clerk in the service of the Company, who appeared intimately acquainted with the St. Maurice, as far as Obiguan, said he knew not of any communication or route to Lake St. John, other than by the River Kesikau, which falls into the St. Maurice above Mont au Chêne, which is situated about 300 miles above Three-Rivers, the head of that river being connected by portages and lakes with the River Assuapmousoin, which falls into Lake St. John.

This route, although probably a very good and recommendable one, I conceived must however carry me some hundred miles to the north of Lake St. John, which would in a manner defeat the object of ascertaining the nature of the land between the north shore of the St. Lawrence and Lake St. John, in the Saguenay country. I therefore sought some hunters along the streams that discharge themselves into the St. Maurice, about the posts of La Tuque, and was accordingly referred to one Bastonais, a hunter on the river which bears his name, and recommended as well acquainted with all that part of the country through which lies the extensive hunting grounds that belong to him and his family.

He clearly described and delineated in the usual Indian manner, on a piece of bark, the route by the Bastonais River, by carrying places and lakes, to the waters which empty into Lake St. John. The only difficulty to be apprehended would be the necessity of clearing the portages for a large canoe which are otherwise calculated for the small Indian canoe of 2½ fathoms generally.

Satisfied of this route, being far the most preferable than by Mont-au-chêne for various reasons, I did not hesitate to decide in its favour. The dark clouds to the SW portending some approaching storms we immediately returned to town.

Wednesday, 23d. This day, the additional canoe intended for the Expedition, was procured from the Indians at the passage or ferry, and the son of the Indian, Bastonais, a young lad, was engaged as a guide through his fathers hunting grounds, and finally matters put in a state of readiness to proceed the next morning, should the weather permit.

Thursday the 24th. At half after 9 o'clock, A. M. the St. Maurice Expedition set out from Three-Rivers, the largest canoe containing the bowman Vivier, the helmsman Jean Villeneuve, Jereau, middle paddle, and the guide, young Bastonais, Mr. Davies and myself, and the greater part of the stores, &c. The small canoe contained a bowman, Décôteau, and Jean Bigot, helmsman, with Mr. Gouldie and the remaining part of the baggage, &c.

Stopped at the passage which is about a mile up the river St. Maurice for a sketch of the route which the young guide's father had prepared for him, after which we continued our course up the St. Maurice, keeping in with the shore to avoid the force of the current—passed a few settlements of the Seigniorship of Cap de la Magdaleine.

The land, more particularly on the west bank, partakes greatly of a sandy soil clothed with white pine, spruce and white birch. Occasionally, a few spots of rich foilage diversify the sameness that pervades the banks of the river. At one of these, by the side of a small stream descending from the hills that here gently slope to the river, we stopped for dinner, after which we pushed from shore, and the voyageurs struck up their characteristic song.

Observed no material change of soil or timber. The banks rise more boldly and to a considerable height on approaching the Forges situated on the south-west bank about 9 miles above Three-Rivers. There we landed, while the voyageurs conveyed the canoes up the rapid round to Pointe à la Hache.

This extensive and valuable establishment of the Forges, the property of the Honble. Matthew Bell, Esq., is calculated by its situation, locality, and the great iron works carried on here, of becoming a place of much importance.

Joined the canoes at the point, where I directed the camp to be made, which was effected, notwithstanding the confusion arising at a first encampment.

Tuesday, 25th. It rained a great shower during the night, which only ceased this morning.

The River above Pointe à la Hache being rapid, and considered intricate for deep laden canoes, we determined on walking to the falls of Gabell, a distance of about six miles.

Excepting a few rising grounds the road lies over a tolerably level tract. The land varies much in its quality; where the sandy loamy soil prevails it is timbered with pine, fir, alpin, spruce and white birch; where that is of a clayey nature, the maple, beech, balswood, and yellow or black birch is generally interspersed. In one

Appendix
(V.)
14th Jany.

one place I noticed a white spruce or tamarack swamp, a description of bog shaking earth, in which are generally found the ores used at the Forges.

Reached the foot of the falls of La Gabelle, during a heavy shower, to which discomfort may be added the almost intolerable annoyance of the sandflies and musquitoes. Shortly after our arrival, the voyageurs and canoes arrived as the weather cleared up, who in a few minutes made a cheerful fire to dry our drenched clothes.

The falls of La Gabelle, which are about 25 feet elevation, descend through a partial contraction of the river, possessing little of the picturesque, although interesting to geologists, as besides the limestone abounding here, it is said quantity of sandstone and other minerals are to be found in its vicinity.

The land about the falls is of arable quality, containing however much gravel intermixed with the loam beneath the vegetable mould.

The provisions, baggage and canoes being carried over the portage, which is about 1550 yards, we embarked into the canoes at the upper landing, and proceeded on to the falls of the Grais, which are about half a league above La Gabelle, where we encamped at mid portage. The Grais, which can be considered but a mere cascade, are separated into several channels by a few islands clothed with a rich foliage, and present a pleasing effect from the lower end of the carrying place. The land exhibits very favourable appearances for settlement to considerable extent.

Saturday, 26th. Effected the transport of the stores and canoes, &c. over the portage, which is about 1030 yards long, and lays through a good quality of land, the soil of which is a dark rich loam with a bed of white clay beneath, the timber thereon is mixed, being cedar, black or yellow birch, balsam, fir, maple and white pine.

Leaving the Grais, the land improves, and the banks of the river present on either side by the rich verdure of the foilage, particularly on approaching Pidgeon Island, which partakes of the alluvial, an excellent tract of country; the elm, basswood, beech and birch, are intermixed with the spruce, balsam, pine and cedar.

Made Pointe Chevalier, about a league and a half above the Grais, and crossed a carrying place on the west bank, of 150 yards, while the voyageurs poled the canoes up the strong rapid and current that runs by the Pointe. Thence proceeded up the Basin Shawenegan, until coming opposite to the narrow pass or chafin which forms the channel of the St. Maurice, we had a partial view of the stupendous fall of Shawenegan, a sketch of which I drew upon the spot, although an imperfect one, yet may convey some idea of the grandeur of the subject it offers to the naturalist or geologist. Landed at the head of the bay, where I directed the encampment to be made.

Few falls or places indicate the marks of some extraordinary catastrophe or convulsion of nature as the Shawenegan: for that its present channel is the effect of some former event or fracture in the vertical strata, may appear pretty certain. If we consider that above the falls the general course of the St. Maurice is from the east towards the upper landing, that the distance between this and the lower landing is but 341 yards, forming thereby a peninsula composed of calcareous strata, with a thick surface of clay and loam, that could I believe have been easily penetrated, and it is equally surprising that the river should thence suddenly bend its course towards the south-east, which, divided into two channels, precipitates itself near 150 feet perpendicular, and rushes with terrific violence against the face of the cliff below, which is opposite the principal fall or channel below, which it unites with the interior one, and thus so great a body of water forces its way through a narrow passage not more than thirty yards wide. I do not doubt however but in the course of time the small peninsula will form an additional island, and that the St. Maurice will pour down its waters near the mouth of the Shawenegan River. But art would effect a canal at a trifling expense in comparison with the advantages to be derived therefrom in the event of an extensive settlement being made upon the St. Maurice.

Made an excursion up the Shawenegan River, by some called Manigouito, the foot of a rapid. The land on either side of this river is of an excellent quality. The timber on it is of the mixed kind, as maple, beech, fir, pine, black birch, &c.

Sunday, 27th. Observed equal altitudes and azimuths of the sun, from which I deduced the latitude $46^{\circ} 30'$, and the variation of the compass 10° west. At half after 2 o'clock, P.M. effected the transport of the baggage, stores, canoes, &c. across the Portage, which lies over the peninsula, ascending first sharply to the summit of the hill, then descending immediately to the landing, where we embarked. The river is here interspersed with several islands clothed with rich foliage, among which we discover the elm, the birch and the maple. The banks slope gently to the river, and present eligible seats for settlement; the soil is generally loam with clay bottom, timbered with spruce, fir, cedar, birch and pine, occasionally some elm. Landed at Snake Point, from whence we discovered the Portage des Hêtres, distance near four miles, which we reached, and encamped at half after 5 o'clock, P.M.

Monday, 28th. The Hêtres can be considered more a rapid than cascade, which are frequently shot down with large canoes by expert bowmen, who must be well acquainted with the course of the channel, which the voyageurs term *fil d'eau*. This place lies about $6\frac{1}{2}$ miles N. E. of Shawenegan, which latter is about 7 leagues N. W. of the mouth of the St. Maurice.

Surveyed the Portage, which is 616 yards to the upper landing, partly over some indifferent land somewhat stoney and timbered with beech, fir, maple, pine and hemlock, some birch and cedar. The men effected the carriage of the luggage, &c. by half after 9 o'clock, A. M., at which time we left the Hêtres. The river then keeps its general north-easterly course running down with great swiftness, which compelled us to keep close in with the shore. Its banks assume a bolder aspect, the right is much broken, and the soil is light sandy loam, generally timbered with spruce, pine, birch, some cedar and balsam.

Reached the Rapid du Rocher, at which place we got out of the canoes which were poled up the rapid, and we walked about 100 yards and re-embarked into the canoes after experiencing a heavy shower which fell in torrents upon us. From thence we reached the falls of La Grande Mère, about two leagues above the Hêtres. Nature, without giving to this fall the sublimity or the height of the Shawenegan, has collected a pleasing continuation of objects to reward the traveller for his pains of crossing portages and venturing in rapids, &c. Two islands occasion three separate falls in the whole width of the river, which is here about 15 chains broad, each varying from the other. The eastern fall and the most considerable for the body of water which falls a perpendicular pitch of about thirty feet, lies between the eastern shore and the large island which is covered with the evergreen, spruce and fir, and is a pretty curtain fall.

The centre fall is the most insignificant of the three, and falls down an inclined plane receding about 20° from the vertical, which together with the western fall or cataract is undermining the second and small island, which is a large mass of rock whose summit is partly grown with spruce, fir and white birch.

Paced the portage which is on the western bank, lying E.N.E. and 330 yards over a middling description of land timbered with spruce, fir, white birch and pine.

Dined for the first time on a description of fish, called by the voyageurs *chahatoosee*, a fish peculiar to this part of the river.

The canoes being loaded we proceeded on. The river keeps its general north-easterly course. Passed a river on the right bank which rises from three lakes in the interior, and notwithstanding the strong current against us we reached the Petites Pilles, about $2\frac{1}{2}$ miles above the Grande Mère. Encamped at 5 o'clock, and sent two men back in the small canoe to the last portage for the sponge, a very useful and indispensable article for bailing, which had been carelessly forgotten by them.

The Petites Pilles, which should be more properly called the Petites Filles, can be considered but a rapid, however too dangerous and difficult to be descended by canoes, although some voyageurs have ventured down at great risk, successfully.

The land I observed preserves the same features as below the Forges—a sandy light soil, as likewise the prevailing quality of timber on the banks of the river, as birch, fir, spruce, and white pine. This night I observed the meridian altitude of the moon, and the transit of several circumpolar stars, the latitude therefrom and the variation of the compass 10° - $15'$ west. At about 8 o'clock the men returned with the sponge.

Tuesday

Tuesday the 29th. Surveyed the portage which lies on the west bank of the river, and is 264 yards long. Thence proceeded in the canoes, passed a cluster of 5 islands which could afford excellent pasture if cleared. Came opposite to the mouth of the considerable river on the right bank, which connects by 11 lakes and as many carrying places with River Croche, and thence to La Tuque, from whence the St. Maurice bends its course W.N.W. to the carrying place of the Groses Pilles, which is about $4\frac{1}{2}$ miles above the Petites Pilles.

The land here becomes quite rugged and broken, the soil sandy and unfit for the purposes of agriculture, producing only, particularly on the east bank, but a stunted growth of birch and fir.

The stream runs with considerable swiftness, and round the points amounts nearly to a rapid. The Groses Pilles are but a cascade of 15 or 20 feet in height, yet a carrying place is unavoidably necessary to be made of 32 yards, from which looking up the river a new scene opens at once to the view; the right bank rises into high perpendicular cliffs of 250 to 300 feet, one in particular much resembling Cape Diamond. The rock of which the cliff is composed is chiefly primeval granite, dipping about 45° N. E. A few shrubbery grow in the crevices of the rock, while its summit is thinly clothed with fir, spruce and small white birch.

Stopped at noon for a meridional altitude of the sun, which however becoming overcast with clouds, I was deprived of an observation.

Passed L'Isle aux Fraises, which is a fine island near half a mile long. The river here, which is about 15 or 18 chains broad, keeps a general N.N.W. course, the land on either bank assuming in every respect a mountainous aspect, offering no fitness for agricultural purposes or for settlement, at least on the confines of the St. Maurice and for several miles in the interior, as may be occasionally discovered from the river.

The current runs down with surprising swiftness, and required the effort of the party to reach a meadow on the right bank, for encampment, below Birch island.

Wednesday, 30th. Came to the River Metinac, which is a fine stream discharging itself on the eastern bank of the St. Maurice, about eleven miles above the Grandes Pilles, from whence the general course is N. N. W.

This river communicates by portages and lakes with La Tuque. The St. Maurice there bends its course W.N.W. to the Island and Rivières des Cinqs, about ten miles above, opposite the lower Matawin Island, where there is a route by 5 lakes and 4 portages to the great Lake Matawin, which is the source of the river of that name, twenty chains below the mouth of which we encamped.

The banks of the river with few exceptions are broken and mountainous and unfit for settlement, and the only descriptions of timber to be seen are the white birch, spruce, tamarack and small red pine, some cedar and hemlock. In many places the shores are iron bound, and the stream very rapid. In one place called the rapid Manigouse we got out of the canoes to enable the voyageurs to reach the head of the rapid.

Thursday, 31st. Set out this morning at half-past 8 o'clock. Above the upper Matawin Island, which is about $\frac{1}{4}$ of a mile, and very good land, a small stream called the Cat in Algonquin, meaning Pole Cat, enters on the western bank. The land is still mountainous on both sides of the river, and in every way unfavourable to any prospect of future settlement.

Passed Caribou mountain, which rises near 200 feet, shewing the face of an abrupt granite cliff, by the foot of which runs a very swift current. About three miles above which is Bird Mountain on the same side of the river, its eastern bank. L'oiseau, as it is called, is nearly 250 feet high, the rocks of which the cliff is composed recede about 40° from the vertical towards the N. E.

About half a mile above this mountain, I ascertained by meridional altitude of the sun, the latitude $47^{\circ} 1'-0''$. The general course from the lower Matawin Island to Bird Mountain is north, in a distance of about 10 miles. From thence the general course to L'Isle au Noix is about N. by W. 6 miles, where we encamped. The land on this Island is of good quality contrasting with the banks of the River which discover, particularly on the western side, nought but hills and barren cliffs of granite. The spruce,

fir, white birch, and pine, are the prevailing timber to be seen on the hills.

Friday, 1st Aug. Left the island early this morning and came to the River Batiscan, which discharges itself on the eastern bank. It communicates with the great River Batiscan by 5 portages and 4 lakes, from which it derives its name. The first lake is of magnitude, and only about one league from the St. Maurice. The land on the western bank opposite the mouth of the Batiscan is particularly bold and abrupt and rises into prominent capes about 200 feet elevation.

From thence we reached the River au Rat, a broad stream on the west bank, between which and the little Rat River an alluvial flat formed by those rivers at the foot of the high mountains, is situated a trading Post of the Hudson's Bay Company. It consists of a store, two dwelling-houses and a very good garden, which furnishes the Post with the necessary vegetables. A dwelling-house is building for the resident agent.

On leaving the Post we were assailed by a great storm of hail, from which we had no means of being sheltered, as we were ascending along the foot of a sand bank of about 70 feet elevation, while the east side of the river continues still mountainous. About a mile above the Post the hills rise to 300 feet, discovering frequent cliffs which dip generally to the N. E. From thence we reached Thunder Point during a heavy shower, which continued throughout the night accompanied by lightning, the loud peals of thunder re-echoing in the mountains with astonishing effect. There we encamped at half after five o'clock.

Saturday 2d. A considerable rapid runs down at the Point which we ascended, and passing several cliffs that rise 200 to 300 feet perpendicular, we made an island called La Pêche, where the Indians and people of the Post of La Tuque frequently resort to for fishing, and abundance of white fish, doré, carp, bass, pike and eels are taken here annually. From this island we reached the mouth of the Bastonais River at 2 o'clock notwithstanding the heavy rain that had been falling since we departed from Thunder Point. The mouth of the Bastonais is about 10 miles above L'Isle au Noix on the east bank of the St. Maurice, whose general course thereto is about N.N.E. The land about it is of a better description, although the opposite banks of the River are still hilly and uncultivable.

Finding it necessary to proceed to the Trading Post of La Tuque, that I might if possible obtain some corroborative information on the propriety of ascending the Bastonais River, I left the depot of stores and the small canoe with two hands at the Bastonais, and taking the remaining hands in the large one we continued up the St. Maurice. It acquired after leaving the islands considerable breadth; its banks, although hilly, are not so broken and rugged as that which characterises them below the Bastonais. From a distance of near 4 miles could be discovered the conical hill of La Tuque, from which it derives its name. Reaching the lower landing of the carrying place at the foot of the cataract, and then walked the portage which lies over a very sandy soil producing abundance of blue-berries, and a growth of red pine, spruce and cypress.

We were very hospitably received by the resident clerk, a young Canadian. Being quite unacquainted with the country he could give us no additional information besides what I already possessed, and there was no person at the Post who could supply his deficiency.

Sunday, 3d. Prepared for equal altitudes of the sun and azimuths, which I effected with much trouble, owing to the annoyance of the sandflies and mosquitoes, which are more plentiful here than other parts of the country, occasioned perhaps by the extensive low ground and marshes that are about the Post, and the extensive meadows among the islands a short distance therefrom. In spring the waters rise to an extraordinary height, as roots of trees have been found in the top branches of large trees, in the meadows and near the Post. The conical hill of La Tuque separates the Post from the Falls, which are about 50 feet. It is principally composed of granite rock, containing quartz, mica and felspar.

The Post La Tuque, which is in $47^{\circ} 18' 32''$ north latitude by observation, and longitude $73^{\circ} 0' 0''$ west by account, variation of the compass $11^{\circ} -0' 0''$ west, is a place of trade for the King's Post Company and the Hudson Bay Company, who have respectively an establishment here which consequently excites a spirit of opposition, injurious perhaps to one or other of the parties, and is ultimately so to the natives by its consequences. The King's

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Post Company Establishment consists of a store, hangard and two dwelling-houses. The Hudson Bay, of a dwelling-house only, which is however the best building at the Post.

The St. Maurice above the Post is about half a mile broad, and whence can be discovered the River Croche, Vermillion and the North Bastonais Rivers. At the mouth of the latter some very fine doré and pike were taken, and afford an ample supply to the Post. The land in the distance preserves the same mountainous character as below La Tuque, and appears in every respect unfit for settlement.

The winter sets in about the end of October, and the snow disappears and the river is free of ice about the end of May. But the heat of summer is about the same as in Quebec, and the winter is exceedingly cold. The Post of La Tuque, on a general course with the St. Maurice, lies astronomically N.N.W. of Three Rivers, and about 100 miles therefrom as the river winds—agreeably to the following recapitulation of distances disposed in the following Table :

THREE-RIVERS.

9	Forges.														
4½	5½	To Gabelle Portage 550 yards.													
16	7	1½	Grais do 1034 do												
21½	12½	7	5½	Shawenegan 554 yds.											
28½	19½	14	12½	7	Hêtres 616 do										
34½	25½	20	18½	13	6	Grande Mère 336 yds.									
37½	28½	23	21½	16	9	3	Petites Pilles 200 yds.								
42	33	27½	26	20½	13½	7½	4½	Grandes Pilles 32 yds.							
53	44	38½	37	31½	24½	18½	15½	11	Rivière Metinac.						
63½	54½	49	47½	42	35	29	26	21½	10½	Portage des Cinqs & Island.					
73½	64½	59	57	52	45	39	36	31½	20½	10	L'Oiseau or Bird Mountain.				
79½	70½	65	63	58	51	45	42	37½	26½	16	6	Isle au Noix.			
86	77	71½	69½	64½	57½	51½	48½	44	33	22½	12½	6½	Post of Rivière au Rat.		
95½	86½	81	79	74	67	61	58	53½	42½	32½	22	16	9½	Rivière Bastonais.	
100	91	85½	83½	78½	71½	65½	62½	58	47	36½	26½	19½	15½	1½	Post of La Tuque.

Monday, 4th. Left the Post of La Tuque and paced the carrying place, which is 1474 yards to the lower landing, and thence reached the mouth of the Bastonais River in time for a meridional altitude of the Sun, latitude deduced therefrom, 47°-14'-30."

At one o'clock, P.M. left the banks of the River St. Maurice and ascended the Bastonais River. Its width varies from 20 to 25 yards, and lays its course through an alluvial tract of good land, the extent of which is limited by the adjacent hills, which intercept the course of the river and occasion a fall of near 130 feet. Came to the carrying place on the left bank, about 30 chains N N.E. of the mouth of the River, (which I shall call Portage No. 1,) which I found to be 325 yards long to the upper landing above the fall, which is formed of three separate cascades. It would admirably answer for a mill seat.

Having got into the canoes we continued our course generally N. N. easterly, the stream very winding and running down with swift current for about 1½ mile, the banks of the river discovering a favorable appearance of its fitness for settlement, although only to an inconsiderable distance from its banks as the mountains follow the general direction of the river. It then suddenly shapes its course S. S. easterly and enters a small lake, in passing which we experienced a heavy storm of hail and rain. The land about this lake is low excepting on the south side, where it rises at a short distance therefrom. The prevailing timber I have hitherto observed, is red spruce, fir, birch, red pine and some maple.

Reached the foot of the long portage, and encamped at 5 o'clock.

Tuesday, 5th. Sent off the men early before breakfast to perform one trip with about two packs each of the stores and luggage to the upper landing, and it was near noon when they returned for the canoes.

Paced the Portage, which I found to be near four miles long, lying through uneven land, in many parts swampy or hilly poor land. The former are very wet and sometimes rocky, timbered principally with spruce, fir, birch and cedar. The hills are timbered with fir, birch, pine, and some maple. The soil is generally sandy or light loam. The upper landing lies on the borders of a small lake about ½ a mile long and a ¼ broad. The land of the same aspect as that on the portage.

It was six o'clock by the time the transport of the stores and canoes was effected. Notwithstanding which I felt desirous of pushing on farther if possible, and we therefore got into the canoes and proceeded across the small lake, from whence by a narrow channel we entered into the great Lake Wagagamacke as the fun was sinking behind the distant hills. The scene it exhibited was truly splendid, and was rendered the more impressive as we paddled over the unruffled surface of this beautiful sheet of water, and the hills echoing the characteristic song of the voyageurs. The occasional shrill cry of the Loon with which this lake abounds enhanced the peculiar interest and wildness of the scene.

The lake appears of very irregular figure, and a part of it extends to the southward. Our course lay to the E. S. E. Its bays are so deep that only passing through is insufficient to form a correct idea of its size. However it can fairly be estimated at a league wide. The landscape is diversified by four or five islands, which all laid to the northward of our course. The land to the S. W. appeared hilly, and in the parts rising gradually from the borders, the timber to be chiefly spruce, pine and birch.

At 8 o'clock we made several islands, which lie at the head of the Lake at the mouth of the Bastonais River, which we ascended to the foot of the rapid and the 3d carrying place, the lake being about 11 miles long.

We encamped by the help of torches, and it was a late hour of the night when we turned in to rest. Observed altitudes of the Pole Star, lat. 47°-6'-8"

Wednesday the 6th. Fine weather. Early this morning, the stores and canoes were transported to the upper end of the portage, which I found to be 270 yards, lying on a general course E. S. E. over very rocky poor land, timbered with spruce, white birch, cedar, and balswood. The River follows on the right side of the Portage, on which is a cascade of 20 feet perpendicular fall. Embarked in the canoes and continued up the river on a general course easterly to the 4th Portage. The land on its banks low and of a scanty soil, some hills appearing in the back ground. The timber is chiefly tamarack, white birch and pine, some cedar and red spruce.

The 4th Portage is 100 yards long, and we resumed again the Bastonais River which is very winding and narrow, directing its general course about E by N.

Effected another small carrying place to avoid a stiff rapid, not however impassable for light canoes. The land although still low is of a better description, and is susceptible of being cultivated.

Entered the Lake called Petit Wagagamacke, and from its outlet shaped our course E. N. E. to the 6th portage. It is surrounded by gentle swells of land chiefly timbered with fir, spruce and pine; the soil of a sandy nature. Its greatest length is about a league and a half and its breadth two miles. The Portage proving very long and rough it became impossible to effect the transport of all the stores, and which was accordingly deferred until the following day, and we therefore encamped on the borders of the Wagagamacke

Thursday the 7th. Set out at 7 o'clock, A. M. and surveyed the Portage, which is one mile and one-third long, traversing a broken rugged tract of land timbered with balsam, pine, poplar, fir and spruce, and a small lake surrounded by the same description of land, the outlet of which falls into the Little Wagagamacke.

From this Lake we came to the seventh carrying place, which is 135 yds, and reaches the borders of Long Lake, which is nearly 3½ miles in length, and in some places about ½ of a mile broad. The land on its borders is hilly and of a sandy and rocky nature clothed with white birch, spruce, fir, and small pine. It lies about N. E. & S. W. and at the head of it is the 8th Portage, 1150 yards long. This Portage leads along the elevation that borders on an extensive tamarack swamp to the southward, to a small pond and the last waters of the Bastonais River. This small pond, the bottom of which is a deep bog, and is surrounded by

by an immense white spruce swamp, affords a subject for geological speculation. Here are to be found a quantity of large rounded water-worn rocks near the outlet, that are heaped together on the borders of the lake, and that cover the land for a few yards back of it; there is no inlet that could warrant these rocks, which are of granite, with veins of quartz and felspar, to have been washed down by a torrent, many of which are covered with a thick moss. It would, however seem to me that the only way for accounting for their presence is, that the whole of this extensive level tract, which now forms the great swamp, was at a period not very remote covered by water. Here I obtained an altitude of the sun, which gave me the latitude $47^{\circ} - 17' - 7''$. Having crossed this pond, which abounds with a large description of leeches, we effected the 9th Portage, which is 730 yards, to another small pond of the same nature as the last, being the first waters of the River Bastican. The 10th Portage is thence crossed, which is 550 yds. through a deep swamp of white spruce and fir, to another lake of near $\frac{3}{4}$ of a mile in length, the land about which is still low and marshy.

Crossed this Lake to the 11th Portage, where we encamped at 7 seven o'clock.

Friday, 8th. It rained during the whole night accompanied with much thunder and lightning. By 8 o'clock the canoes and stores were carried over the portage, which I found to be 530 yards long. The land rising from the tamarack swamp in which we had encamped, and descending afterwards to a marsh in which meandered a small rivulet, and in which the canoes were launched, This falls into another leech pond, at the head of which is the 12th Portage. The land still preserves the character of a general spruce swamp, chiefly of the worse sort of this description of land, being timbered with white spruce and tamarack,

The 12th Portage is 1030 yds. long, traversing the same nature of land to the last lake on the west side of the Bastican, which is reached by the 13th Portage about 800 yards over level land, timbered with spruce, birch and fir.

The River Bastican, which here the guide informed us is only the north west branch thereof, is about one chain or 22 yards wide. Its banks are low, the soil of which is principally white sand, producing abundance of huckle-berries. The prevalent timber is tamarack, fir and birch, and some pine. The general course from the Inferior Wagagamacke at the Portage, to the Bastican by the route, is about north-east 11 miles.

Descended the Bastican on a general course south-east for half a league, and landed at the 15th Portage on the north-east bank. The stream flows with a gentle current, and observed a few hills on the south-west shore, at about a mile in the interior, to which this low swampy land appeared to extend. Encamped at this Portage at 6 o'clock P. M. This night we got partridges for our supper, Mr. Gouldie having killed a few, and some of them within a short distance of the camp.

Observed altitudes of the Pole Star; latitude therefrom $47^{\circ} - 19' - 30''$ and variation $11^{\circ} - 45'$ west.

Saturday, 9th. The voyageurs having made one trip with part of the things before breakfast across the portage, found it necessary to clear away with axes for the passage of the large canoe, which occasioned much delay. The carrying place is about nine furlongs in length and lies over a rough tract of land, rising from a wet tamarack swamp up a steep mountain, where we descend to the same level of the former swamp to the borders of another leech pond, lying about N. & S. $\frac{1}{2}$ a mile long. It was noon by the time the effects were carried across this Portage. The rocks I observed thereon were altogether granite and gneiss; the soil is generally sandy or a light loam, on which is a thin vegetable mould.

Crossed the small lake, which is not over 6 chains, to the 15th Portage, the bottom of it is muddy, and is so very shallow that it required several trips to effect the passage of the things, or have grounded, it being ineffectual to use the paddle, which could find no bottom in the bog at several feet depth. The 15th Portage is about 130 yards long to a lake, whose features vary essentially with the last mud lake or pond, yet so very near together. The bottom of this is gravelly and its waters are clear, and are above the level of the last pond, into which a small stream runs from the lake, the outlet being just by the Portage, which effected we joined Mr. Davies, who had preceded us and reached the 16th Portage at the head of the lake. Its figure is much like a bird in its flight, the land about which assumes a bolder character although of no

better fitness for purposes of culture. The soil is sandy, and the hill or borders where we enjoyed our frugal repast is covered with blue-berries, which proved an additional luxury after the cold pancakes which were served us for desert.

Crossed the 16th carrying place, which is 1100 yards, and lies through middling good land for a certain distance, the sand being intermixed with loam beneath a thick bed of vegetable mould; the timber is spruce, some black birch, cedar, fir and balsam. On approaching a small lake wherein we launched the canoes, at the end of the Portage the land becomes again wet and swampy, timbered with spruce and fir. Descending steeply to the border of the lake about which the land is generally low and grown with spruce and fir.

This lake being crossed we effected the 17th Portage, which is 290 yards, and dividing the waters flowing respectively into the N. E. branch and N. W. branch of the Bastican, and consists of an extensive swamp to the borders of a lake, the first waters of the N. E. branch of the Bastican, which is about a mile long.

The land about this lake is low, at the head of which is the 18th Portage, which is but 150 yards to the borders of Lake Edward; a fine rapid stream follows the portage and falls with a cascade of 15 feet into Lake Edward, offering a propitious site for a mill seat. Here we encamped at half-past 7 o'clock, somewhat late for the preparations that were rendered necessary to be made against the approaching rain, which had been falling, although slightly, at various times in the course of the day.

Sunday, 10th. It rained the whole of the day, so that we could not venture to proceed on.

Monday, 11th. The weather clearing up, by 9 o'clock A. M. we set out from the 18th Portage at quarter after 10 o'clock. At about a mile therefrom the lake acquires greater dimensions extending E. S. easterly. Our course lay however through a narrow channel formed by the S. W. end of the Great Island and the main land, and keeping along the north west borders of the lake we came to a considerable expansion of it, in which lies another island of great extent, to the north-west of which we passed between it and the N. W. borders, where we steer for Dinner Point, a distance of about nine miles by our course from the last portage. The land thus far rises gradually from the lake into gentle swells, timbered with fir, spruce, white birch and pine. The soil appears a mixed loam, and I believe some parts of this portion of Lake Edward would be susceptible of improvement.

Lake Edward, which derives its name from an Indian hunter of Bastican, may be said to form two lakes, owing to a large Island which extends nearly the whole length of it, and which in some places is about three leagues broad. The greater sheet of water, by the account of the guide, is *that which we passed on the north-west passage*. The south-east is used by hunters coming from Bastican.

Having dined at the Point, where by the recent marks on the trees and encampments, around which were scattered bear skulls and fish bones, several canoes with Indian families had rested for a hunting season—we continued our progress on the Lake which keeps a more direct course. The land appears more prominent and its shores in many places rocky and barren. The wind being fairly abaft a sail was set to each canoe, which pushed them on at the rate of six miles an hour, which ceased as we reached the N. E. end of the Great Island, having previously passed several pretty Islands that form a pleasing landscape with the neighbouring hills.

Having passed the island and doubled the Presqu'isle, the Lake contracts to a quarter of a mile and the land becomes more mountainous and broken, rising in many places from an iron bound shore into cliffs of granite; the timber on these mountains being fir, tamarack, and small white birch. At the head of the Lake, which is about nine miles from Dinner Point, a stream of about 18 yards wide enters the Lake, which we ascended for about a mile, a gentle current through an alluvial soil, which extends to the foot of some high hills of the same cast and aspect as the last mentioned, and came to a pretty lake, surrounded by mountains of no favourable appearance for settlement. Having crossed it to the Portage No. 19, we encamped at 7 o'clock.

Tuesday, 12th. The voyageurs very early effected one trip with the luggage over the Portage, and on their return cut away several trees that would interfere with the carriage of the canoes.

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This carrying place, which is 500 yards, leads to a lake whose waters flow eastward into the N. E. branch of the Bastican. The land about it is mountainous and rocky.

The 20th Portage, 400 yards, passes over a mountain, from which we descend to an insignificant stream forming the N. E. branch of the Bastican, which is ascended for about 170 yards to the 21st Portage.

The general course from the N. W. to the N. E. branch by my route is about E. N. E. 30 miles. The latter which runs S. S. westerly lies very nearly on a level with the former, as the difference is not sensible without the assistance or help of the Barometer. The 21st Portage which is but 140 yards terminates at a small lake lying in about the same locality as the leech Ponds, to which it is very similar, the land about it being low and swampy.

Passing this pond, the 22d or rocky Portage is thence crossed, which at about half-way is intersected by a rapid stream which is crossed, the whole length of the portage being 530 yards to the landing and river running to the south-west. Here I found by observation the latitude to be $47^{\circ}.29'.45''$.

At a short distance from the Portage we enter upon a small lake, which contracts for about half a mile, then expands again on approaching the 23d Portage, from whence the lake increases again in its dimensions in an easterly direction, but our course laid northward. From the 20th Portage the general character of the land is an extensive and tamarack swamp, and with some pains we could find a dry landing at the 23d Portage.

We now left the last waters of the Bastican, and traversed on this portage a tolerably level tract of land which is chiefly covered with a spruce swamp and reaches the borders of another leech pond and the first waters of the North Bastonais River, which empties itself about half a league above the Post of La Tuque, and has been hereinbefore mentioned.

The Portage proving long, being about $1\frac{1}{2}$ mile in length, and finding it impossible to encamp in the swamp which is a description of shaking earth or bog, the transport of a portion of the stores was deferred for the following day, and we crossed the pond to the 24th Portage, which lies at the outlet that runs rapidly to the northward. Effected this Portage, which is 375 yards, and encamped by the side of a stream which descends from the hills and falls into the lake at the Portage.

The land passed over this day is totally unfit for settlement, possessing the extremes of low level land and abrupt steep hills or acclivities. The rock of which they are composed is principally granite, dipping at an angle of 45° . towards the N. E., possessing however no regular stratification; quartz and mica are discovered, also hornblende, with the in the fragments that are detached from the summits of the hills. The prevalent timber observed is the spruce, fir, white birch, some cedar and pine.

Observed azimuths and altitudes of the Polar Star and Pointers; hence the latitude $47^{\circ}.32'.0''$ —variation 12° . west.

Wednesday, 13th. A slight rain fell this morning; sent the men however for the remaining part of the stores and the large canoe at the 23d Portage, and on their return proceeded forward on the Lake, which is about a mile and a half long. At the northern extremity of it we descended a small stream for about one mile, very shallow and stony, to the 25th Portage, which is only about 150 yards, through low swampy land, to Crooked Lake, which absolutely requires a guide to find the landing of the Portage. The land about this lake is in every respect low and swampy, timbered chiefly with tamarack and fir. The 26th Portage lies in a small harbor or bay, from whence flows the outlet to the next Lake, and is like the last 150 yards across to the Lake, which is crossed to the 27th Portage.

Leaving this Lake, which lies about east and west, and is surrounded by a low level land, the Portage lays over a similar country, and descends a considerable hill to the River Bastonais, which is the first sensible step of difference of level with the Table land that appears to exist extending from Long Lake on the 8th portage to the 27th, which latter is 800 yards in length.

Embarked in the canoes and descended the River, which runs about a northern general course. The land on its borders is timbered with red spruce and balsam, and is of a better description than I have met with since my departure from the St. Maurice. At about a league below the Portage we passed a small lake, where I observed the white spruce intermixed with the red, ren-

dering the land of an inferior quality; $4\frac{1}{2}$ miles below which a portage of 48 yards is necessary to be made. The river from the lake improves considerably, being about $1\frac{1}{2}$ to 2 chains broad in places; the banks are generally low although in a few parts bold and rocky. The predominant timber is red spruce, which is a favourable indication of the nature of the soil.

This short carrying place, and the 28th from the St. Maurice, is on the eastern bank, and avoids a cascade of 15 feet. The nature of the rock to be found here is granite, which dips 60° . SW. At half a mile below this portage we came to the head of a rapid, and having landed on the west bank, the canoes were shot down to the foot thereof, where we embarked and proceeded on. The current runs down very swift to another rapid or rather cascade, at which the lateness of the hour obliged us to encamp on the Portage which is on the west bank.

Since the 26th Portage the country has assumed a mountainous aspect, rising to considerable height, some of which discovers the abrupt faces of the cliffs at the intermediate and foot of the last rapid. The rock which is granite and forming the western bank of the river is nearly vertical, receding only about 10° . therefrom. This bank rises to about 50 feet, the summit of which is covered with moss, while the opposite bank is an extensive horizontal plane that stretches to the foot of the mountain that approaches the cascade of the 29th Portage. At this place the River contracts into a narrow channel forming by pending cliffs which rise about 50 feet perpendicular. The opposite banks are in every respect different from each other; the eastern bank is of irregular configuration, dipping about 45° . S. E., while the western a little below the chasm is flat to the foot of a high hill, following parallel with the river, at the foot of which runs the Portage 300 yards to the foot or base of the fall.

The Bastonais river does not appear to have formed its present bed, as I observed no trace of water-worn subjects above the level of it in noticing the appearance and state of the stratum, which appears generally to have been convulsed into its actual position by some evident catastrophe, and the fracture formed thereby opened the channel of the river; for above the 28th Portage, where the mountains are still at a distance and the country a horizontal plain to the N. W. the river takes a sudden direction towards them and leaves the plain to follow its broken course thro' the mountains. A very remarkable circumstance I noticed is, that several hills unconnected with any adjacent chain rise out of the great plain generally in conical shapes, and are seen at considerable distance.

Thursday, 14th. At an early hour the canoes and stores, &c. were transported below the Portage at the landing at the foot of the fall, which is above 15 feet. Reached a rapid, down which the canoes were shot unloaded, and we effected a small Portage, No. 30, of 70 yards, laying through a swamp of red spruce and tamarack. From hence the river slopes its course S. S. W. between the hills, and we shot a few rapids to the head of a considerable fall and the 31st Portage, 300 yards long. Reached several places where the banks are formed of abrupt faces of the cliff that characterise the nature of the hills and mountains which appear to follow with the general course of the river, which recede on approaching the fall. There the river contracts to a narrow channel and falls in a cascade of about 50 feet, which is divided by two islands into small channels that increase the rushing noise of the torrent as it foams with splendid effect over the rocks. The islands are covered with moss and the stunted fir tree, while the surrounding country is generally wooded with the tall red spruce, diversified by the smooth water-worn surface of the rocks in the vicinity of the fall, whose whiteness contrasts with the dark shade of the fir tree, giving an interesting effect to the scene, as we had not witnessed a similar one since leaving the St. Maurice.

Dined this day upon doré and carp, which were taken at the foot of the fall in very little time. After which we pushed on to Lake Kajoualwang, a mile below the Portage Doré.

Observed a considerable island in the distance, upon which I directed my course N. N. W. At about 3 miles came opposite to an opening on the eastern border discovering a fine sheet of water bathing the foot of the hills. Having reached the island, to which the average width of the Lake is about one mile, and preserves the same to a contraction of the Lake to half a mile. The land on the borders of the Lake possesses much of the same features as that which characterises Lake Edward. The hills do not rise to any considerable height, and are timbered with spruce fir, white birch and pine. Following the contraction of the Lake for about 2 miles, observing an improvement in the appearance of the land and soil which is barren, and possessing a more level surface.

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The Lake expands to about 2 miles broad, forming a large bay on the west, out of which runs the Bastonias River, which penetrates the country, and discharges itself into the St. Maurice River. The guide, who has frequently descended or ascended this stream, says that the distance is not more than 20 leagues between the Lake and the St. Maurice, and that the ascent therefrom or La Tuque may be effected in eight days, and the descent in five days, there being but five portages in that interval of distance.

Our course now lay about north to the head of the Lake, passing a large island of nearly a mile long. The average width of this portion of the lake is about $1\frac{1}{2}$ mile. This country is bolder in its general aspect, and some part of it I believe would be susceptible of improvement and settlement. At the head of the Lake we encamped, where I trigonometrically ascertained the exact distance of several points, the island, and a blue mountain in the distance lying at the southern extremity of the lake and forming part of the elevations about Portage Doré, from whence by our course on the Lake it is about $11\frac{1}{2}$ miles, which makes the length of Lake Kajoualwang about $10\frac{1}{2}$ miles. It had rained the greatest part of the time we were on the Lake, accompanied with a strong southerly wind, which increased as the former ceased on our approach to the head of the Lake, causing considerable surf that washed upon the sandy beach by which our encampment was placed. The atmosphere becoming clear of clouds, I obtained the latitude from the transit of several circumpolar stars over the meridian, $47^{\circ} 48' 30''$.

Friday the 15th. It rained from midnight 'till about ten o'clock this morning, when we started. Ascending now the waters of the Bastonais we passed a small lake surrounded by hills of unfavourable aspect, timbered with tamarack and white birch, to the 32d Portage, which is near half a league long, and laying in a direction nearly north and south. The land it traverses in that distance is alternately swamp and mountain. In the first instance on leaving the lake we travelled over tolerably level land but rocky, to the foot of a high mountain, which we ascended, and then descended over a very rough path and windings of the portage, many of which had to be removed by felling the larger trees to enable the voyageurs to get the canoe across, thus reaching the base of the mountain, and a swamp of the worst description being a white spruce or tamarack swamp, which leads to the last lake of the waters of the Bastonais River or St. Maurice. In this swamp we were obliged to encamp, as a continued heavy rain rendered it impossible to proceed.

Saturday, 16th. At an early hour, with a prospect of a continuance of fair weather, we got under way, and observed a difference in features that distinguishes the eastern from the western borders of the lake, the former being mountainous and timbered with fir, pine, spruce and white birch; the western is quite an extensive spruce swamp, unfit for cultivation.

Came to the 33d Portage, 1130 yards, which leads across a brûlé, and generally through some very poor sandy and rocky land to Lake Quaquagamacksis and the first waters that flow into Lake St. John, being those of the Ouatichouan River, which falls therein at the S. W. corner.

The general course of my route from the Batiscan to this division of the waters is nearly north, and is a distance from about 33 miles. The land about Lake Quaquagamacksis, is in every respect wild and desolate, as the fire has destroyed the timber which is now succeeded by a growth of aspen, poplar, small fir and white birch. The soil is very rocky and sandy.

The height of land is hardly perceptible, yet there is a gradual descent of about half a mile in the portage, and a small brook running northward into Lake Quaquagamacksis, wherein the canoes were again launched, and we embarked upon the waters flowing into Lake St. John.

Having passed a rocky island, the Lake thence contracts for about half a mile; it then expands, and we reached a small but rapid and winding stream. The land has become now quite low and assumed the character of swamp and marsh, which surrounds this portion of the Lake. Descended the River, and passing to the head of two small lakes or ponds which lay in the extensive swamps that pervade this tract, we reached the 34th Portage, which is but 60 yards to similar ponds, which connect by a small stream to a lake of about one mile long, about which the land acquires more boldness in its features; from whence the River is descended to the 35th Portage.

This carrying place lays through a tamarack swamp, and is 530 yards to the lower landing at the foot of the rapids, which were shot down by Messrs Gouldie & Davis—thence we reached at a short distance therefrom the entrance of the River into a Lake.

Coming in upon the west side of the lake, where for some extent the land is alluvial, we were unable to view its dimensions until we had reached about the centre of it, where a very pleasing landscape was presented to the eye in the variety of the objects that it combined.

Kept a watchful eye for the outlet of the Lake, as it appeared by the sketch which the young guide's father furnished him with, that it was to be found on the eastern side thereof, and having passed four islands, two of which are about three-quarters of a mile long, we accordingly entered a deep bay, in which I expected laid the continuation of the Ouatichouan River; but no outlet could be found there, and we proceeded on farther up the lake. It is near a mile broad, and the land on its borders rises abruptly, timbered with fir, spruce and white birch.

Passed Green Point, so called for its contrasting its light green shade with the dark hue of the adjacent hills, possessing together the same description of timber, and came to the Presqu'Isle, about 4 miles from the inlet, opposite to which I noticed on the western shore a bay and some flat land having much the appearance of a river coming in on that side, and therefore continued on to the northward of the island and another Presqu'Isle, which is only connected to the main shore by a narrow neck of land. I then directed my course north across the lake towards a small bay, and not finding the river I wanted, I coasted the eastern shore, observing at this end of the lake a favourable appearance in the land, and its susceptibility for settlement, it being a well timbered tract with ash, fir, spruce, pine, and balsam, and thus came to a considerable stream entering with a gentle current and mixing its red tinged waters with those of the Lake.

Not finding the outlet on this side of the Lake, it occurred to me that it might probably be where I conceived there was the appearance of a stream opposite the Presqu'Isle, to which we immediately crossed, and did find the desired outlet accordingly.

The Ouatichouan is here about two and a half chains wide, and runs with a swift current which brought us to the head of a rapid. It was however too late to venture down or go in search of the carrying place, we therefore encamped on the north bank which is high and steep.

Sunday, 17th. Having thus found the Indian's sketch erroneous, and the guide's information or knowledge not extending thus far north, I felt no little degree of apprehension at the western course this river was taking in a manner direct to the St. Maurice, and did not then wonder but it might prove the River Croche or some other tributary waters of the former; yet I determined upon descending this stream for some miles, and consider afterwards what step I should take to reach Lake St. John, as our provisions were now considerably reduced, and had sustained much damage by the frequent rains since leaving Three Rivers.

Under these circumstances we continued the descent of the River, the voyageurs shooting the rapids and ourselves walking on the banks to the foot thereof, which proved a longer portage to us than we had anticipated, as the men could not find any fit landing place to await and take us in. Having however at last joined the canoes, we embarked and shot a continued rapid to a small lake, from whence the river flows taking a south-west course. In a state of doubt we made the Mountain Portage and the 36th, at which the large canoe was upset just above a cascade by the timidity of the novice, and was near losing my theodolite and other instruments.

On leaving the landing a high rocky mountain is ascended, the foot of which is bathed by the river which falls in a succession of cascades. From the summit of the hill could be discovered in a S. westerly direction, an extensive low country, much like a sea by its great distance. I conceived it no doubt to be the general gradual descent of the country towards the bed of the St. Maurice, and I regretted exceedingly not having had a mountain barometer to have ascertained our elevation from that flat country.

Descended from the mountain into an old tamarack swamp to

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a dead water stream, where the portage, which is 1 mile and 3 furlongs, terminates, and whose general course is about N. W. Obtained no hopes that the river would alter its course—proving the waters of Lake St. John, which to our great joy occurred, for this dead water stream, apparently the effect of the unusual rains, brought us to the River, which shapes its course to the north, and forming a considerable Island with that stream. Descended the River, which now traverses an extensive alluvial tract of country, which is susceptible of agricultural improvements. The rushes grow to a considerable height, some of which were pulled and brought up black earth of a clayey nature with its roots.

There are a few mountains which we observed on approaching the great Lake, which we reached at about $2\frac{1}{2}$ miles below the portage of the mountain. The lake at the entrance of the river, and which is half a league broad, lays in a course N. 30° E. which we followed, taking the centre of the Lake. The land on its borders is bold and mountainous, timbered with fir, pine and spruce, and white birch; in several places the shores are steep and rocky, and its aspect unfavourable for settlements, altho' the vallies might be found good.

Passing opposite the entrance of a stream on the eastern border, I proceeded to examine whether it might be the outlet of the Lake, but proving an inlet or feeder thereto, coming from the E. N. E. I bore from thence on the north end of the island, between which and the main land is a bar of alders. Seeing no channel, and desirous of taking a few trigonometrical points and intersections of remarkable objects, we encamped at the head of the Lake near a sandy shore, which afforded me an ample base.

Monday, 18th. It rained the greater part of the day, which time was occupied by the voyageurs in making paddles, many of them having been destroyed and broken in the frequent rapids that had been lately descended. The rain ceasing by 5 o'clock P. M. I desired the canoes to be launched, and we set out with renewed hopes of reaching the outlet before camping time. Having passed the small bar of alders which choke up the passage between the island and the shore, and veering northward round Pointe à l'Aviron we beheld a continuation of Commissioners' Lake. The landscape it exhibited before us discovered in the boldness and grandeur of the objects, it combined the masterly touch of the great designer, Nature.

The shores rise craggy and steep and to considerable elevation, above which tower two considerable capes of about 350 to 400 feet high on the eastern borders. Having reached the foot of the southern cape and landed on the rocks, we ascended the abrupt face thereof, and crossed over with much difficulty to the northern cape, the woods having many years past been burnt on their summits, leaving the rocks to discover their barren nature and nakedness of the vegetable mould, they may like some of the adjacent hills have been deposited, and through which that destructive element has not ragged.

From the cape could be discovered for 20 or 30 miles to the westward a hilly broken and mountainous country, shewing in a few places the white summits of similar hills as that viewed therefrom, contrasting with the universal character of the country which is wooded with fir, spruce, tamarack and pine. A stream of some magnitude appeared to enter south-westerly with an alluvial flat at its entrance, thence ascending amidst the breaks of the hills which form its bed. Looking northward up the Lake, which is diversified by several islands, I noticed a large bay to the north-eastward, in which I supposed might be the outlet, yet on beholding the great body of water that still lay to the northward, I decided on proceeding on the Lake, and we accordingly descended the capes to the canoes and went on.

Passed the islands which are rocky, but well timbered with birch, fir, and spruce. The wind was blowing quite a northerly gale, which chilled the air to such a degree that we were glad to get under the lee of Sandy Point, where we encamped and made a blazing fire which restored our wonted vigour, having effected about seven miles since the last encampment, notwithstanding the length of time we had tarried at the capes.

Tuesday, 19th. Completed a set of 10 triangles of particular objects before breakfast.

Left Sandy Point at 9 o'clock—passed several barren craggy hills exhibiting a wild and wretched aspect of country, particularly on the eastern side, as the opposite has not been ravaged by fire, and the rocks are clothed with fir, spruce, birch, which a thin vegetable mould affords the growth. Reached the

Blueberry Hills, which are a succession of similar barren capes as the two described below Sandy Point, but possessing yet greater height and a peculiar wildness of aspect, as they are distinguished by several perpendicular cliffs which face the lake; they are destitute of trees, and the brow of the hills at the foot of the cliffs are covered with blue-berries of a very large description and size, which circumstance has occasioned the name of the Blueberry Hills given to them.

Being desirous and anxious of obtaining from the summit of one of these hills a view if possible of the country lying between them and Lake St. John, we kept in with the base of the hills seeking a landing, as the shore is iron bound and dangerous; having effected a landing, Mr. Gouldie and Mr. Davies taking various directions, I made directly to the foot of the cliff, which I climbed by the small twigs and firs growing in the crevices of the rocks for nearly 100 feet, when finding no possible means of continuing the ascent as the cliff became more abrupt, and owing to the nearly vertical position of the strata, which only recede 15 or 20 degrees therefrom, which frequently causes part of the strata which are granite and gneiss, to be more easily loosened from the rock, large blocks of which are already fallen at the base, I descended to the canoes where I was shortly joined by the other parties, who could discover no appearance of a lake, but a general character of broken and rugged country which I had partly observed from my position on the cliff, together with a considerable river entering on the west side of the lake between the mountains that form its bed. Having resumed our course we reached a deep bay, in which enters a considerable stream, which circumstance almost foiled my hopes of finding the outlet of the lake in this part. Having landed on a barren rock or island, I observed the sun's meridian altitude—lat $48^{\circ}-17'$ and thence proceeded to the head of the lake, which I found to be near seven leagues long, its average breadth from La Pointe à l'Aviron about a mile.

Finding no outlet, I determined to return to Hail Bay, the first large bay I had observed from the cape. In passing by the blueberry hills we experienced a sudden storm of hail and rain, accompanied by a heavy gale from the north, which rendered our situation truly perilous, being along a lee shore and tossed by a high surf, that pushed the canoes forward at a surprising rate. Reached Hail Bay, which proved to be the entrance of the Ouiatchouan River. Here we were assailed by a storm of hail and rain, the hailstones being of an extraordinary size. We immediately came to the head of a small cascade, where we effected a portage and the 37th from the St. Maurice River, 440 yards in length, and half a mile below which the 38th Portage on the south-east bank, of 223 yards, was crossed, from whence we reached a small lake, which opens upon Bouchette Lake, where we encamped at half-past 7 o'clock, on the sandy beach, on the approach of an impending storm that was collecting to the southward.

The general direction from Hail Bay to Lake Bouchette lays about E. N. E. $2\frac{1}{2}$ miles through broken and hilly land, the difference of level between that lake and Lake Commissioners being between 50 and 60 feet.

Wednesday, 20th. Set out early this fine morning, and from this lake, which is about 4 miles long, and about which the land rises into of country, but discovering a very sandy light soil, we entered upon Lake Ouiatchouan, of about $1\frac{3}{4}$ mile long and 1 mile broad.

In the search of the outlet we made the tour of the island that lies at the end of it, and where the land appears of a better quality than has hitherto been observed. It preserves this character in descending the Ouiatchouan River, which runs with a very swift current to the head of a rapid which occasions the 39th Portage, of 550 yards, on the western bank. Here the elm, black birch, pine, fir and spruce, are found intermixed and growing on an argillaceous loam beneath a rich vegetable mould. Leaving this portage the river acquires considerable magnitude, being about 60 yards wide, and the land offers great susceptibility for settlement; the timber growing on its banks is ash, black birch, elm, spruce, fir and balsam, and some white pine. The general course of the river is about N.N.W. and we thus reach the 40th Portage, below a few small rapids, which we shot down, and a small stream that rises on the right in a small lake which is seen from the river. The 40th portage is on the eastern bank, of 660 yards in length, a furlong below which is a rapid which is divided into two channels by an island. The river then takes a northerly course and runs down with great swiftness, frequently interrupted

rupted by rapids which were generally shot down by the voyageurs; on which occasions they would exhibit such dexterity and adroitness in the management of the canoe as always excited my astonishment. On arriving at a rapid, Vivier, the bowman of my canoe, would generally land and examine the state of the rapid before venturing down; if his decision was for landing, a portage was effected, if for shooting the rapids, I could rely upon his experience which had undergone many trials in the service of Captain Franklin, in his last expedition for a north-west passage, and his being mentioned in the works of that celebrated traveller and navigator. The motions of the helmsman are entirely regulated by those of the bowman, who watches the course of the water, or as it is called "fil d'eau." On coming to high surges, (bouillons,) the paddles are suspended, and the canoe in its passage frequently takes in a sea; when the channel is to be regained the bow and helmsman draw with their paddles on the same side, which is termed "rembarrer."

A peculiar display of native coolness and dexterity was exhibited by the guide in the descent of a rapid; the facility, and at the same time the degree of indifference accompanied with a knowing smile with which he managed the paddle at the helm was truly characteristic, added to the wildness of the surrounding objects, his flowing black hair playing in the wind, and the general stillness and silence of the remaining hands, who anxiously watched the countenances of the two active characters in the scene, truly excited a degree of interest that cannot be described.

Effected the 41st Portage on the eastern bank, of 440 yards in length, where the river is divided into two channels by a large island. Thence we came to the Portage of the island (42) where a small carrying place of twenty yards is crossed upon the island, upon which an abundance of berries of various descriptions are found, wild currants and blue berries, &c.

The land now ceases to offer that favourable appearance for settlement, it being in many places rocky and hilly, and in others of a low swampy nature, the prevalent timber being spruce, tamarack, fir, and some white birch. At about half a mile below this last portage we came to the Great Fall, where a carrying place is crossed on the western bank, of 600 yards, to the lower landing and basin. The rocks are all granite and of irregular inclination, and the land is very poor and rocky, producing chiefly but the tamarack and fir. Having launched the canoes below the fall, which I estimate about 50 feet in height, we left the 43d portage, and about 3 furlongs below it came to the 44th portage on the S. eastern bank. On leaving the landing a high mountain is ascended, from which a similar one is observed on the opposite side of the river, from which we descend to the river which runs thence still very rapid. The portage proving three-quarters of a mile long and traversing a very rocky, rugged country, in which we frequently lost the path but little beaten, we were obliged to encamp at a late hour on very contrary ground, being upon rounded rocks for the greater proportion, and postponed the carriage of the canoes across the portage until the morrow.

Notwithstanding the numerous rapids and portages passed to day we performed about 18 miles of distance down the river, which has fallen about 250 feet under the level of Lake Ouat-chouan. The rapids follow each other in quick succession, rendering the navigation of the River for canoes almost impracticable in ascending it, as many rapids can be shot descending. At one period I had hopes of the land improving in its quality or continuing like to that it presents from the lake to the 41st portage, but it has proved otherwise, as since the 42d Portage the shores have exhibited the most unpropitious aspect for settlement or the pursuits of agriculture. Obtained the latitude $48^{\circ} - 22'$, by meridional and azimuth observation of the pole star. The variation increased to $14\frac{1}{2}^{\circ}$ west.

Thursday, 21st. Our provisions were now so reduced that but a piece of pork remained, and some damaged flour for a few meals more, the grease was nearly expended, and of the spirits there remained but a pint or so, which was reserved for our arrival at Lake St. John, which was now more seriously and anxiously sought for under those urgent and pressing circumstances. But I felt in some manner languine that we could not be then many miles from the goal of our utmost hopes, by the latitude observation I had obtained, as I was impressed with the idea that Charlevoix had placed Lake St. John in about the latitude of $48^{\circ} - 30'$. Therefore our difference of latitude being but 8 geographical miles I entertained hopes of reaching the lake this day, which I expressed to the party. We accordingly by break of day effected the transport of the remaining luggage, and embarked in the canoes at the foot of the rapids, where the river is interspersed with

several islands, and came to the 45th Portage on the northern bank, which avoids a considerable rapid, but which was however shot by the canoes without loading, manned each by the bow and helmsman. The portage, which is half a mile long, lays partly at the foot and partly over high hills, to which the general direction of the river from the 43d portage is about east, and from whence the direction is north to some rapids which were shot down to the Long Rapids of the falls, so called by a small stream following from the summit down the abrupt face of the hills which form the banks of the river.

Before reaching the foot of the rapids our large canoe took in, passing the surge (bouillon) about 12 buckets of water which nearly filled it. The small canoe which followed us, owing to the timidity of the helmsman, not taking the proper course of the water, besides taking in much of the surge struck upon a rock, but fortunately reached the shore at the foot of the rapid before going down. Mr. Gouldie shewed on this occasion a great deal of sang-froid, being himself in the canoe, which was drawn on shore and emptied to be repaired at the next portage, which we reached about a mile below the rapids.

On examining the canoe, besides the bark being split in the bow one of the braces was found broken which required immediate repair. In the mean time four voyageurs, the guide and ourselves set out to cross the portage, the former having considerable advance upon us.

On reaching the summit of the hill, to our infinite and inexpressible joy we beheld a prospect of Lake St. John, yet could distinguish no immediate objects, but as it were much like a sea in the distance, or a cloud resting on the horizon; our imaginations supplied the conclusion. In descending, the gradual inclination of the land for some distance it assumes quite a different character, being timbered with black birch, spruce, pine and some maple. The clay makes its appearance upon the surface, which is irrigated by several streams which intersect the path that here appears well beaten and daily frequented. Having descended about 250 feet into the alluvial land at the foot of the hills, the soil is found of an excellent quality, being what is frequently called *terre grise*, obtaining a growth of maple, fir, ash, pine, spruce, and some cedar.

Passed a large stream, three quarters of a mile beyond which we came to a superior growth of cedar on the borders of Lake St. John, and at half-past six o'clock, P. M. viewed with a peculiar delight the expansive sheet of water that offers this beautiful Lake. All was calm at the moment save but the breeze that rippled upon the surface of the lake. The islands in the distance and the boundless view beyond them enhanced the interest and admiration it excited and displayed, as it were a new atmosphere before us, after having been confined by the limited sphere of rivers, swamps, hills, ponds, and inferior lakes.

Made choice of an encampment beneath the pending cedars on the sandy beach or alluvion of the lake, and on this occasion having divided the remaining store of spirits between the men and ourselves, the health of King George with cheers was drunk, for the success attending thus far the first expedition fitted out under the auspices of the Provincial Legislature to explore this vast but little known portion of Lower-Canada.

Friday, 22d. As both canoes required indispensable repair to enable us to proceed with safety on the Lake in search of the Trading Post, after they should have been brought from the upper end of the portage which proved $2\frac{1}{2}$ miles long, and is the 46th from the St. Maurice, and at the same time being desirous of obtaining the latitude and variation at the mouth of the Ouat-chouan by a set of solar azimuths as the day was very favourable, I decided on remaining at this camp for the day and start for the Post on the following morning. From a set of observations and equal altitudes of the sun and a mean with azimuths of the pole star, meridian altitudes of the moon and Venus, I found the latitude of the entrance of the Ouat-chouan at our encampment to be $48^{\circ} - 30' - 15''$, and the variation of the compass $15^{\circ} - 40'$ west.

Taking a retrospective view of the country that I had traversed from the St. Maurice to Lake St. John, I find it intersected by rivers and their innumerable tributaries rising more generally in the lakes, and the immense swamps which cover this section of the Province. The essential feature of the land is its unfitness for cultivation, being composed for the most part of a light sandy soil, or partaking of a rocky nature. It is frequently broken by chains of hills but of no continuity. The cliffs, which in many places dis-

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cover their barren nature are principally composed of granite of irregular stratification. The hills disappear at the height of land between different waters where the common feature is an extensive spruce or tamarack swamp, frequently rocky or of a shaking boggy nature. The prevalent timber to be met with is spruce, tamarack, fir, white birch, pine, and some cedar.

Around some of the large lakes some arable land is to be found, but so uncomestable that it must ever remain waste and uncultivated. Indeed, upon the whole, this portion of country appears to me to be yet in the primitive stage of its formation, which I believe could be easily traced by a geologist, and therefore ages may perfect a tract which now is absolutely unfit for cultivation.

RECAPITULATION of the Portages and the distance travelled from the St. Maurice to Lake St. John:—

The distance performed on the route in the 46 Portages or carrying places, taking their lengths collectively, is about 24 miles, which was generally tripled to effect the transport of the luggage, stores and canoes.

The following table will exhibit the total distance, as well as relative distances of remarkable places on the route:

TABLE OF DISTANCES.

Entrance of the Bastonais River																		
9	Grand Wagagamacke.																	
21	12	Portage 3d.																
26	17	5	Inferior Wagagamacke.															
34	25	13	8	Portage on division of the waters Bastonais and Batiscan.														
43	29	17	12	4	North-west Branch Batiscan.													
45	56	24	19	11	7	Lake Edward.												
69	60	48	43	35	31	24	Portage 20th—on north-east branch Batiscan.											
71	62	50	45	37	33	26	2	Port. 24. Division of the waters Batiscan & N. [Bastonais]										
87	78	66	61	53	49	42	18	16	Lake Kagoualwang.									
92	83	71	66	58	54	47	25	21	5	Portage 33. Lake Quaquagamacke and [first waters Ouatchouan River.								
99	90	78	73	65	61	54	50	28	12	7	Lake Quaquagamacke, or 35th Port.							
107	98	86	81	73	69	62	58	56	40	15	8	Mountain, or 36th Portage.						
111	102	90	85	77	73	66	42	40	47	19	12	4	Commissioners' Lake.					
118	110	98	93	85	81	74	50	48	55	27	20	12	8	Hail Bay, or 37th portage.				
126	118	106	101	93	89	82	58	56	65	35	28	20	16	8	Portage 39.			
141	133	121	116	108	104	97	75	71	68	50	45	35	31	23	15	Portage 44.		
148	140	128	123	115	111	104	80	78	75	57	50	42	38	50	22	7	Ouatchouan or [46th portage	
150	142	130	125	117	113	106	82	80	77	59	52	44	40	32	24	9	2	L. St. John.

Saturday, 23d. Set out at an early hour this morning for the Trading Post, at the mouth of the Metabetsuan, and a breeze blowing from the southwest we suspended the use of the paddles and raised a sail which brought us to Pointe a la Traverse, thence shaping our course with the borders of the Lake S. E. & by S., passed Pointe au Bouleau and reached Pointe au Raisin, from whence we espied with peculiar sensation the habitation of the Post on the eastern bank of the Metabetsuan. A voyageur song and the firing of a fowling piece brought the inhabitants of the Post to the shore, who echoed the latter on perceiving us approach.

At the landing we were received by Mr. Andrew Stuart, one of the Commissioners, who with Mr. Wagner, Mr. Nixon and Mr. Bowen had only preceded our arrival the day before, forming one of the expeditions which ascended the Saguenay. After the reciprocal greeting on the occasion, I learnt that the St. Maurice party having been despaired of reaching the Lake, the service assigned me of ascending the Assouapmousin and exploring the S. and S. westerly borders of Lake St. John, had been committed to be performed by Mr. Hamel's party, then on the Lake in the vicinity of the Grande Décharge. Our happy arrival restored the original design with the additional instructions from Mr. Stuart, that I should explore the country lying south-east of Belle Riviere, &c., &c. and bounded on the one side by the mouth of that river, and on the other by the Chicoutimi country, instead of the Peninsula which had been previously proposed.

A plentiful repast, consisting of the vegetables raised at the Post by the industry of Mr. Murdoch, the Clerk of the Trading Establishment for the King's Post Company, and the luxuries brought by the other party, perfectly restored our famished appetites to their natural tone having lived for the past fortnight upon sour flour and grease—occasionally pease soup.

Sunday, 24th. At 10 o'clock, the Commissioner and the party left the Post to make the tour of the Lake. It being necessary to have a certain quantity of flour baked into bread for the more ready use in exploring, which could not be effected but at an hour too late to set out, I took with me two men in the large canoe, being the only one remaining, as Mr. Stuart found it expedient to reduce my party of voyageurs of one man (Tereau) and the guide. Mr. Gouldie finding it necessary to reach Québec at an earlier period than was likely to be the case in remaining of my party, had attached himself to Mr. Baddely, which circumstance deprived us of our military and agreeable companion. I ascended the Metabetsuan, which a little above its entrance expands into a large basin spreading to the foot of the rapids, where we landed, from which I made an excursion on the left or eastern bank to the summit of the hills which overlook the Post, and are about 3 miles from it. The land I found of a middling good quality, being for the chief part of red loam intermixed with very small gravel and clay at no considerable depth beneath the black vegetable mould. The prevalent timber there, is spruce, black and yellow birch, basswood, fir, pine, poplar and some maple.

Having travelled about 2 miles, and not finding the carrying place as I expected, I returned to the Post, where Mr. Davies had remained to class the specimens collected in the interior country.

The establishment of the post consists of a dwelling-house for the resident clerk, a store, bake-house and stable or barn, with a spacious garden, yielding abundance of vegetables, particularly potatoes for the use of the inhabitants of the Post. It is situated upon the same site where the Jesuits in the 16th century had an establishment, and there remains yet the furrows made by the plough on the lands adjoining to the garden, which at that period were entirely cleared, but are now covered with a growth of spruce, aspin, fir, birch and pine, some part thereof producing Timothy hay. The apple and plum trees, which to the knowledge of many persons who have seen them at the Post, have grown wild and disappeared. The Metabetsuan, which means "the place where the course of the waters end," is a fine broad stream, deep at its entrance into the basin at the foot of the rapid; on its shores at the post are to be found a variety of marine shells and other organic remains, many valuable specimens of which have been collected by Mr. Davies and Mr. Baddely, the latter an officer of the Engineers, who volunteered in our expedition in pursuit of his favourite science, Geology. This night passed in observation of the circumpolar stars obtained me on a mean of several previous observations of the sun's altitude, the lat. 48°-27', and variation of the compass 15°-30' at the Post.

Monday, 25th. Having taken the quantity of provisions that would be required to ascend the River Assouapmousin and effect the exploring of certain portions of the borders of the Lake, we left the Post at 10 o'clock. Proceeding on foot along the south borders of the Lake, I took the following courses and distances to operate as a safe to obtain intersections of the conspicuous headlands on the north-east side of the Lake and Pointe Bleu and the islands on the western side, at the same time to acquire more accurate information of the soil and timber.

Beginning at the western point of the mouth of the Metabetsuan

Course.	Distance.		NOTES.
	Chains.	Links.	
N 21 W	13	0	Elm, Basswood, Maple,
N 51 W	6	30	Clay, Loam.
N 83½ W	9	67	
S 13 W	6	16	
S 75 W	25	10	North & Goose Isle N 34 W.
S 81 W	19	20	White and Red Pine, Poplar, Birch.
S 85 W	19	25	
West	21	50	Spruce, Fir and Cedar,
N 80½ W	12	0	to Pt. of Alders, and
N 36½ W	2	0	a small stream.

Course.	Distance.		NOTES.	Chains.	Distance.		Remarks.
	Chains.	Links.			Chains.	Links.	
N 48 W	18	83	Alders and elm, good land.				Encamped at 6½ o'clock. The night proving favourable for observations, I found the latitude of the point 48° -29'-30" and the variation 15° -45'. Wednesday, 27th. Clay loam, excellent land, fir, elm, spruce and ash. Pt. extending 8 chains, Mixed timbered land. Sandy beach. Poplar, fir, birch, spruce. Burnt woods, the situation of a Post. Cedar, poplar and spruce. Bearing of Grosse Isle, Sand Bank and Island. Bearing Pte. Bleue, Grosse Isle, Slate quarry, limestone, Pointe à la traverse, Regular slate, horizontal strata, Angle with the falls, 29°. Excellent land, fir, aspin, spruce, elm. 165 Chains across Ouatichouan Bay to the camp at the entrance of the river; Trigonometrical process.
N 74 W	4	17	Small bogs and rocky points.				
N 32 W	9	0	Sandy soil.				
N 70½ W	5	50	Cedar, spruce and pine.				
N 16 W	8	0	Hill S. 20 E.				
N 54 W	5	50	Rocky point.				
N 74 W	1	50	Rocks, limestone, dips 45 N.				
N 75 W	11	85	Fir, balsam and white pine.				
N 21 W	12	0	Rocky point; poplar, birch, elm.	N 34½ W	37	0	
N 41 W	23	0		N 63 W	18	0	
N 61 W	3	0		N 20 W	9	0	
N 21 W	12	0		N 47 W	12	16	
N 41 W	23	0		N 48 W	17	0	
				N 64 W	15	68	

A strong gale from the N. W., accompanied with hail and rain, obliged us to encamp on the beach at 3 o'clock.

Tuesday, 26th. Made an excursion into the interior, shaping my course about S. S. Easterly, and traversed over an excellent quality of land, for about half a mile from the Lake, the soil being of a rich clay loam, commonly called *terre grise*, which extends to the foot of a rising ground, upon which the soil is of a lighter loam, and at about half a league I reached the higher elevations, where the country becomes wooded with spruce, fir, tamarack and white birch. The first description of land I met with above-mentioned is timbered with black birch, ash, fir, balsam, pine, elm, basswood and some maple; that upon the rising ground possessed less of black birch, ash, fir, maple or elm. Having returned to the camp and finding the gale much abated, which caused a very high swell on the Lake, I resumed the exploring of its borders in the manner commenced from Metabetshuan.

N 15 W	10	78	
N 19 E	12	50	
N 15½ W	6	65	
N 47 W	10	0	
N 84½ W	15	16	
N 54 W	20	0	
N 48 W	10	0	
S 69 W	7	50	
N 1½ W	7	50	
S 18 W	13	27	
S 14 W	6	0	
S 13 W	7	44	
S 8½ E	4	42	
S 58½ W			

Course.	Distance.		Remarks.
	Chains.	Links.	
N 39 W	17	0	A rocky shore, elm, ash on the borders, and spruce, fir in the rear, mixed loam, good land.
N 40 W	29	50	Passing part of the distance on an iron-bound coast; took up specimens of white marble, calumet stone, vegetable petrification and other organic remains. The rocks are dipping 45° N.E. The timber observed is spruce, cedar, ash, fir and pine.
N 66 W	5	50	Grosse Isle, bearing N. 20°. W. Pte. à la Traverse, N. 29°. W. Pte. Bleue, N. 25°. W. Green marble water-worn; elm, birch, fir, spruce, white ash, aspin.
N 33½ W	8	0	Black birch, ash, spruce & fir.
N 42½ W	16	50	Rocky shore, calcareous, dip 35° NE.
N 54 W	12	50	Sandy Beach.
N 32 W	11	0	Ditto
N 45 W	11	50	Extensive limestone & slate quarry.
N 46 W	9	25	Elm, ash, fir, spruce, Good land.
N 40½ W	8	0	To Point of Alders.
N 10½ W	3	0	
N 17.30 W	20	48	Aspin, elm, fir.
N 43½ W	7	25	} 106°-20' } 115 45
N 68½ W	16	0	
N 87½ W	9	75	Limestone quarry, cliff 20 feet perpendicular.
N 48 W	21	0	Cedar, fir, spruce.
N 48½ W	11	25	Pine, ash.
N 16 W	7	0	
N 21 W	13	35	Stony beach.
N 28 W	9	0	Poplar, ash, cedar.
N 33 W	3	75	Sandy beach; alluvial land or deposit.
N 37 W	8	26	A small stream, 12 links wide: elm, ash, cedar, fir, black birch. Excellent land.
N 11½ W	19	50	Some poplar and spruce.
N 20 E	9	0	
N 59 E	14	0	
N 18½ E	5	0	Pointe au Bouleau. K

Having come opposite Grosse Isle, which is a mile and a half across from Pointe à la Traverse, I visited the island, which is about 2½ miles in circumference; the land upon it is of good quality, timbered with spruce, elm, pine, and ash. From it I trigonometrically ascertained the distance of Petite Isle, Pointe Bleue and the Sand Bank. Mr. Davies, in pacing the circuit of the Island, met with blocks of granite. Petite Isle lies north-west near two miles distance from Grosse Isle, which time did not allow me to visit, as it was a matter of considerable expediency to ascend the Afsouapmoussoin, with Mr. Verrault, who had passed me in the morning on his way thither with laden canoes for the Trading Post on Afsouapmoussoin Lake, and who was to expect me at the mouth of that river—so favourable an opportunity of acquiring much local information for the good of the service. The position and names of the carrying places, &c. I thought should be availed of.

Before leaving the Island, I observed the sun's meridian altitude, lat. 48° 32'-26"; and noticed a chain of hills which range from Metabetshuan with the southern borders of the Lake and intersect the Ouatichouan River, causing the beautiful and splendid falls of Ouatichouan, which are 236 feet perpendicular height, which has given the river the name of Ouatichouan, in the Cree language meaning, "Do you see the falls," then a carrying place must be crossed. The hills on leaving the river continue their western direction for some distance, then appear to shape their course N. westerly. They are covered with spruce, fir and pine, and are about 6 or 700 feet elevation.

Having thus completed the admeasurement of the bafe and explored the south borders of the lake, we left the Ouatichouan river, which has a small island at its entrance, and proceeded to explore along the western borders of the Lake. The cedery that has been before mentioned has no very great extent; on leaving which the timber assumes a very different character, being principally fir, spruce, white birch, pine and aspen, indicating a much lighter soil than prevails on the south side.

Passed the Ouatichouanish, about which there appears to be an extensive tract of level good land at its entrance. It is about three miles and a quarter from the Ouatichouan, leaving which the lake becomes indented with numerous bays, and the shore is in many parts rocky, the land rising above horizontal strata of calcareous rocks, timbered chiefly with spruce, poplar and white birch, and some red and white pine. Reached

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Reached Pointe Bleue about $6\frac{1}{2}$ miles N. by E. from Ouatshouan. It is a point of rock covered with moss, and a small growth of cedar, from which the lake borders run W. N. westerly, describing a very wide bay, the land around which appears of good quality, being timbered with ash, fir, balsam, spruce and cedar, and is level to a considerable extent. Having extricated ourselves from amongst the intricate channels, by numerous small alder islands that lay in the bay, we shaped our course N. N. W. for the mouth of the Assouapmoussoin which we reached at 8 o'clock, and encamped on the eastern bank, near Mr. Verrault's encampment.

Thursday 26th.—Made a depot of such provisions and baggage as could be dispensed with, and prepared for ascending the Assouapmoussoin. The land at the entrance of the river is of an excellent quality, and is chiefly of an alluvial nature, the alluvion being deposited over a surface of clay and marl, which is at a considerable depth beneath it. There are two islands at the mouth, one in particular is not less than half a league in length, the timber growing thereupon, is elm, ash, fir and alders. The width of the river is not less than $\frac{1}{2}$ of a mile at its mouth, and above the large island is near half a mile.

In ascending the river, I observed the land on the western branch, is of a better description than its eastern. It is generally alluvial, exhibiting beneath a vegetable mould, an argillaceous loam, called *Terre grise*, resting on a stratum of white clay, under which is occasionally observed a bed of blue soft marl, dipping below the surface of the water. The timber principally consists of elm, ash, cedar, fir, balsam, red spruce, white and red pine, yellow birch, some poplar and white birch. Although on the eastern bank, this under strata of earth and soil prevail more or less, yet the proportion of sand is greatly intermixed with the loam, and the timber consists of tamarack, white birch, spruce, fir, balsam, aspen and pine, cypress, and a red or Norway pine, is commonly observed on both banks. At $1\frac{1}{2}$ league, and above another considerable island, the river becomes very shallow, and the current runs down with much swiftness, and alters its course from N. 30 W. to S. 25 W., to a cluster of three islands of the same character, as the one already described. From thence the river takes a general N. N. W. course, and becomes rapid, and here the paddles are laid aside and resort to the poles, resuming the paddles at a short distance below a small portage over the rocks on the eastern bank, and at 5 miles above the cluster of islands.

This first portage is 130 yards in length, and lays over the rocks of the river during the summer, but in spring passes into the woods. About three fourths of a mile above this portage is the Portage du Saumon, on the western bank which is 1200 yards, leading partly through the woods and partly on the beach.

The Assouapmoussoin falls here two distinct cascades, the uppermost is however more a perpendicular fall of about 15 feet, affording in the basin below it a propitious site for a mill; it thence directs its course S. easterly, and falls over the broken rocks, and divides into two channels nearly at the foot of the portage, by a small rocky island.

In the basin or bay at the upper landing is a well timbered island of half a mile long. From the portage we reached the River au Saumon, which runs S. westerly into the interior country, which ceases to be cultivable at about 6 or 7 leagues from its mouth, as the land becomes swampy and covered with extensive plains, producing but the white spruce, and is the fit country for the hunting of the deer or caribou.

There being an appearance of an approaching storm, we encamped on the island opposite the mouth of the river, at 5 o'clock, P. M., shortly after which the wind blew with such force as to drift the water on the river, and rise several trees by the roots, which we heard fall in every direction. This sudden gust was followed by torrents of rain, which ceased late in the evening.

Friday 29th.—Left the island early this morning. The average width of the river is somewhat over a quarter of a mile, and runs down with a swift current. Its banks still offer an excellent quality of land, and the greatest susceptibility of settlement. The soil is principally argillaceous loam over strata of white clay; the marl is frequently observed but at considerable depth beneath the latter. The timber is a fine growth of elm, ash, spruce, red pine; in several places, however, especially on the eastern bank, the loam contains much sand although the under strata of soil is the same. The principal timber is spruce, fir, white birch, aspen and cypress.

The general course of the river from the Portage du Saumon, to the third carrying place, is N. 7° east, about 7 miles; then E. N. E. about one mile to an island, then N. N. W. $2\frac{1}{2}$ miles to Portage à l'Ours. At the third portage the land begins to assume a more sandy character, the poplar, white birch, pine and tamarack is the timber most prevalent on the banks of the river, and becomes still inferior on approaching the Portage à l'Ours. This portage lies on the east side of the falls, which are at least fifty feet perpendicular height, and have a fine effect in ascending the river. Its length is nearly a mile and a quarter, and leads through a growth of cypress, small red pine and fir,

produced on a sandy poor soil, while the clay is at a considerable depth below this surface.

From the upper landing it is half a league to the Petit Portage à l'Ours which is 350 yards across a narrow tongue of land. Here the river describes a crescent falling over the rocks, in a very picturesque manner. The sand banks are seen on both sides of the river between those portages, affording but a very poor idea of the country. From this portage, it is three fourths of a mile to Pemouka rapids and carrying place of the south bank, as the general course of the river is east and west. This portage is 660 yards over the rocks, which in spring are covered by the river, in which case the carrying place is made on the north bank.

From the upper landing we crossed the river, and ascended to the portage of Pemouka, or "last pine," so called, from its being opposite the last pine that is to be seen through the interior country. It is $\frac{1}{2}$ of a mile in length, and leads through a white spruce or tamarack swamp. It being a late hour, we encamped at the upper landing under the cypress trees on the borders of the river.

This night I obtained altitudes of the moon and several circumpolar Stars, latitude therefrom $49^{\circ} 0' 30''$, and the variation of the compass only $9^{\circ} 8'$, so extraordinary a diminution must be attributed to the rocks which must be impregnated with magnetic iron ore, although upon application of several specimens, I could perceive no sensible attraction.

Saturday 30th.—Having ascended the river Assouapmoussoin thus far, a distance of upwards of 30 miles, I found, that in passing the portage à l'Ours, I had exceeded the region of good or cultivable land, as since that portage I had observed the general character of the soil to be sandy, which became still inferior at this last portage, the country being only fit for hunting the caribou and the moose.

Mr. Verrault, who kept company with us, and is perfectly acquainted with all this country, informed me, that the present aspect of the land might extend to the foot of the Grandes Rapides, about 3 leagues higher; but there the land becomes quite uncultivable, being traversed by a range of rocky mountains, that produced but the fir and spruce trees. That this range was a continuation of the hills which intersect the Ouatshouan, and thereby encompass about an extensive valley of level land, lying between them, and the lake borders with the Assouapmoussoin, as a point. It was therefore unnecessary to continue the ascent of the river, or to bestow any more time in a fruitless search for good land, beyond the portage of Pemouka, and we therefore parted with Mr. Verrault, and descended the river to return to the lake.

Passing at the river au Saumon, we raised the net that had been set at the entrance of the river, and found one pike, a few carp and doré, all of a fine description. Reached our depot, at the mouth of the Assouapmoussoin, at 6 o'clock, P. M., and found by the inscribed remarks on a piece of cedar, that Mr. Baddeley and party had visited our depot, the 27th inst. the day of our departure up the river.

Sunday 31st.—After a very stormy night, during which the lightning was extremely vivid, the morning proved favorable, and having taken a series of angles at the mouth of the Assouapmoussoin (which means "the place where the elk is laid wait for") of various prominent and essential objects around me; viz: the highlands which stretch to the westward of the falls of Ouatshouan, the hills which lie back of Metabetsouan, Pointe Bleue, &c. we embarked into the canoe and proceeded on towards Mistassini River, "The large Rock."

Following N. westerly, the borders of the lake which appear low and level, timbered with spruce, fir, birch and pine; we reached at 3 miles from the Assouapmoussoin, the sand shoals at the entrance of the Mistassini, which appear to extend to a considerable distance into the lake, and with much difficulty we made the N. eastern point of the river, which is 3 miles across from the south point.

Having the advantage of an extensive base upon the shoal, I determined several distances up the Mistassini river, near two leagues, and across lake St. John, the Metabetsouan and Ouatshouan hills, Pointe Bleue. The land in that space on the Mistassini, offers a favorable aspect for settlement, although from Mr. Verrault's information, it would appear there are large tracts of uncultivable ground between the Assouapmoussoin and the Mistassini, yet, from the proximity of these rivers, and the general aspect of the country, in ascending the former, I am inclined to suppose there are nevertheless considerable portions of land between them susceptible of cultivation.

Leaving the Mistassini, whose breadth averages near $\frac{1}{2}$ a mile, we were much delayed by the necessity of dragging the canoe over the shoals, which set out $\frac{1}{4}$ a league from shore, which induces me to apprehend, that lake St. John is generally shallow, which the Indian name of the lake Peakugami, (Lac Plat) appears to convey. Being clear of the shoals, we kept a north-west course for Periboka (curious river). I observed the character of the country to differ essentially with the

the south and western shores, being very low and flat, and the timber to consist of white spruce, white birch, aspen, cypress, red and white pine, descriptions of timber indicative of a very sandy light soil. We discover with facility the land on the opposite or southern borders of the lake, while from thence it is quite impossible to discover this immense level tract which stretches to the foot of a considerable chain of hills, and without a doubt, is a continuation of the hills, which cross at the Grands Rapides on the Assuapmousoin, which thereby sets bounds to the great valley of lake St. John, in that direction.

At about 10½ miles from Mistassini, we landed and encamped about a mile and a half to the westward of the river Periboka, on the beach. The night proved favorable for an observation, and I accordingly found the latitude of our camp to be $48^{\circ} 51' 30''$, the variation of the compass $16^{\circ} 30'$ west.

Monday, 1st of September.

Having discerned on the opposite borders, the falls of Ouatshouan appearing just as a white speck among the hills, I admeasured a base of ¼ of a mile, and determined exactly the height and distance of the fall bearing S. $16^{\circ} 30'$ west, 26½ miles, height of the hills 720 feet, and the falls 236 feet perpendicular height. I also ascertained the width across the lake, pretty near the post of Metabetsuan, of a prominent elevation, being 32 miles distance, which elevation I know to be about 3 miles from the lake borders, making the width of the lake near the post, about 29 miles, which pretty nearly agrees with the difference of latitude in statute miles.

Having penetrated a short distance inland, I first ascended a small rising ground, which lays parallel with the borders, and there descended into a bog or spruce swamp, below the level of the surface of the lake, which description of land appears to have considerable extent. Left the camp at half after 9 o'clock. Passed the mouth of the Periboka, which appears near ¼ of a mile wide, and obtained a view of the great valley which extends about 10 miles northward, to mountains which stretch about south-easterly. My course was directed upon St. David's Point, 9½ miles, in which distance I observed the borders of the lake to be generally low, and the soil of a sandy nature; the timber to be cypress, fir, spruce, aspen and pine. The lake here is likewise very shallow, the shoals extending some distance from shore, called the shoals of Periboka.

From St. David's to St. Andrew's Point, we kept in with the shore, which is very low, and appears to be of a sandy and swampy nature, the timber is cypress, white and red pine of a good description, fir, spruce, white birch, aspen. From St. Andrew's Point we steered across the bay, to the banks of sand which can be observed from the post, of a clear weather, S. $75^{\circ} E.$ 4½ miles. Here a small stream called Comeathizu, enters the lake, The falls of Ouatshouan being easily distinguished, bearing S. $54^{\circ} W.$ I ascertained the distance trigonometrically, to be about 26 miles. The land round the bay is very low, and of a sandy description, and of the same character as about Periboka.

Leaving the sand banks, we passed a few islands or barren rocks strongly impregnated with magnetic iron ore, perceived by the attractive effect the fragments possessed on the needle. Thence shaped our course about E. S. E. we made between the numerous islands that lie at the entrance of the Grande Décharge. The wind was blowing tolerable fresh from the north-west, which caused a heavy swell, while under cover of the islands, it was not sensibly felt, but having passed a cluster of them, possessing but little wood upon them; we became exposed to the sea, which ran so high as to oblige us to put into a small bay, where we encamped on the beach. Here I detached fragments from the rock, forming the point of the bay, very strongly impregnated with magnetic iron ore, having a negative or repulsive effect upon the needle; several specimens were collected by Mr. Davies.

Explored the shore southward to the Petite Décharge, which is about ½ a mile from the bay; here I found a specimen of marine shell, which no doubt had been brought by the spring ice from the south borders, where only between the Metabetsuan and Pointe à la Traverse, organic remains are to be found on the lake. The aspect of the land is more favorable, the soil consists of a yellow loam, intermixed with small gravel; the timber thereon is spruce, white and black birch, cedar, balsam, some red and white pine.

Tuesday 2nd.—The wind although much abated, still was blowing fresh, accompanied with rain, when we left our camp. The islands were so impregnated with iron, that I found it almost impossible to set a course, however, having passed to the south of them we reached the main shore, which we kept in with, as the swell was high. At considerable risk, by reason of the Kuspahigan shoals, which extend far into the lake, we were landed at the mouth of the Belle Rivière or Kuspahigan, "a place which is ascended." The voyageurs then pushed off into the lake, leaving us on the shore, as I felt desirous of examining the nature of the land more closely, and ascertain as near as possible the distance from Kuspahigan to the post. The course and distance are as follows:

S. $75^{\circ} W.$ 40m.—Red pine, cypress, some elm.

S. $65^{\circ} W.$ 40m.—Ash, elm, birch, spruce and red pine.
S. $60^{\circ} W.$ 80m.—Ash, elm, birch, spruce and red pine.
S. $55^{\circ} W.$ 75m.—Spruce, ash, poplar and white birch.
S. $53^{\circ} W.$ 45m.—Ditto ditto, alluvial land.
S. $54^{\circ} W.$ 100m.—Ash, elm, spruce, aspen and cedar.
S. $30^{\circ} W.$ 15m.—To the small river Kuspahiganish, "where is a small " ascent."

The voyageurs who had been tossed by the swell from the Kuspahigan, now bore directly to this river, which placed the canoe under cover of the gale. A temporary encampment was effected to dry ourselves, after which Mr. Davies and myself set out for the post, and walked along shore, having previously engaged the voyageurs to reach the post as soon as the storm was abated. Took the following courses, and paced the distances:

N. $86^{\circ} W.$ 25 chains—White birch, poplar, cedar, alluvial.
S. $72^{\circ} W.$ 75 " Elm, spruce, white birch, cedar.
S. $85^{\circ} W.$ 55 " A high bank of clay, a surface of loam, spruce, black birch and balsam.
N. $40^{\circ} W.$ 35 " Pine, birch, poplar, spruce, good land.
S. $75^{\circ} W.$ 60 " Black birch, fir, pine and poplar, clay bank, surface loam.
N. $75^{\circ} W.$ 15 " Ditto ditto ditto.
N. $25^{\circ} W.$ 25 " Land of good quality, much marl beneath the clay.
S. $70^{\circ} W.$ 140 " Pine, poplar, birch, 5 feet yellow loam above the clay, which is of a soft white nature.
N. $45^{\circ} W.$ 20 " To the post of Metabetsuan, which we reached at 6 o'clock, and learnt that Messrs. Baddeley and Goldie had left the post the day preceding, at about 3 o'clock. The weather having continued stormy, we could not expect the voyageurs to reach the post this day.

Wednesday 3d.—The voyageurs reached the post at 10 o'clock, A. M. It being again found necessary to bake more flour into bread for the party, in the mean time I took with me 3 hands with the canoe, with a view of ascending to the carrying place, on the west bank of the Metabetsuan, and exploring some part of the country in that direction. Having landed at the portage on the south side of the basin, the transport of the canoe was with difficulty effected for ¼ of a mile, where it became impossible to proceed with it, it was then left, and I continued across the portage. For about ½ a league it is tolerably level, thence rises from a small stream which I found strongly impregnated with carbon of iron and sulphur.

The country then becomes more broken, the land, notwithstanding, is of good quality; passed occasionally at the base of a perpendicular cliff in traversing a rich ash and spruce swamp, alders and cedars intermixed; its soil consisting in a dark loam of an argillaceous nature. Having descended a hill at about 4 miles from the landing, to the small stream running north, we encamped at 7 o'clock, the night portending rain.

Thursday 4th.—Proceeded, notwithstanding the incessant rain, on the portage, and at about one mile, reached the upper landing of the Metabetsuan; in this distance the land is of a very sandy light description, clothed with poplar, fir, balsam and generally little susceptible for settlement. The Metabetsuan, where I intersected it is but a narrow stream, very shallow and rapid, offering on its borders, land of no favorable appearance.

Effected our return to the post by five o'clock, where Mr. Nixon, who was attached to Mr. Hamel's party had arrived with a sick man, from the north side of the lake. The rain still continued to fall in torrents, and affording but an unfavorable prospect for the morrow.

Friday 4th.—Made a demand upon Mr. Murdoch, the clerk of the post, for a certain quantity of provisions, that I might be enabled to explore the country lying S. E. of the Belle Rivière to the Chicoutimi country. The rain which had fallen since morning, only ceased about 2 o'clock, when preparations were made to leave the post. Set out at 4 o'clock, Mr. Nixon in company with us on his return to his party, and landed at the Kuspahigan at about 6 o'clock, and encamped on the eastern bank at the mouth of the river. Wind from the S. W.; a prospect of fair weather.

Saturday 5th.—Clear morning—observed Pointe Bleue, bearing N. $49\frac{1}{2}^{\circ}$ west—Grosse Isle N. $48^{\circ} 30'$ W.—Pointe à la Traverse N. $55\frac{1}{2}^{\circ}$ W.—the hills of Ouatshouan, in the vicinity of the falls N. $65^{\circ} W.$ Pointe au Rain N. $79^{\circ} W.$ —a particular mountain in the northern chain, bearing N. $33^{\circ} E.$

Having taken such provisions as would be required for a few days, we ascended the Kuspahiganish, for about seven miles, presenting in its alluvial banks a soil composed of clayey loam. In such places as they rise to any elevation, the clay lies beneath a bed of lighter loam and the vegetable mould. The general quality of the land is of an excellent description, timbered with elm, ash, black birch, basswood, maple and fir. On the high banks, the principal timber is pine, spruce, fir, white birch, cedar and balsam. The white and red pine are of a good quality. Having

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Having encountered much delay by the rapidity of the current, and the many obstructions occasioned by large trees that had fallen across the river, which obliged the necessity of cutting a passage through them, we could only ascend about 7 miles, where the river becomes very narrow, and the navigation completely obstructed by the fallen trees; we encamped on the eastern bank.

Sunday 6th.—Penetrated about two miles interior, traversing a much intersected and broken country, not however of a rocky nature, the soil being a rich yellow loam or clay, at a few feet depth. The most prevalent timber on this elevated tract, which is at least 150 feet above the bed of the Kushpahiganish, is black and yellow birch, spruce mable, fir, ash, elm and a good discription of red and white pine. This land, though difficult to cultivate, is well calculated for pasture ground.

Having returned to the camp, near which is a pine of about 12 feet circumference, united in the same root with a very large spruce, we embarked into the canoe to return to the mouth of the river, which had fallen near 18 inches during the night, rendering it again necessary to cut a new passage through the fallen trees on the river. Observed that this river is but little frequented by the hunters, as I met with no marks on the trees of any description, and noticed by the many tracts of the beaver and otter, that they have been but little visited or molested by the Indian hunters.

Reached the mouth of the river at 4 o'clock, and left it again at 5 o'clock for the Kushpahigan, which we entered at $\frac{1}{2}$ past 6 o'clock, r. m., it blowing a strong southwesterly gale, accompanied with rain. Encamped on the north east bank.

The following table exhibits the respective distances of remarkable places on the borders of lake St. John, determined partly by trigonometrical process, admeasurement and estimation.

TABLE OF DISTANCES.

Mouth of the Kuspahigan, or Belle Rivière.

5	Kuspahiganish.											
10 $\frac{1}{2}$	5 $\frac{1}{2}$	Post of Metabetsuhan.										
20	15	9 $\frac{1}{2}$	Pointe à la Traverse.									
25	20	14 $\frac{1}{2}$	5	Falls of Ouiatchouan.								
33	28	22 $\frac{1}{2}$	13	8	Pointe Bleue.							
41	36	30 $\frac{1}{2}$	21	16	8	Mouth of Assuapmoussoin.						
47	42	36 $\frac{1}{2}$	27	22	14	6	Mistassini.					
61	56	50 $\frac{1}{2}$	41	36	28	20	14	Periboka.				
78	73	67 $\frac{1}{2}$	58	43	45	27	31	17	River Coucouathimi.			
83	78	69 $\frac{1}{2}$	63	48	50	32	36	22	5	Grande Décharge.		
88	83	74 $\frac{1}{2}$	68	53	55	37	41	27	10	5	Petite Décharge.	
99	94	85 $\frac{1}{2}$	79	64	66	48	55	38	21	16	11	Mouth of Kuspahigan or Belle Ri- vière.

Before I take leave of lake St. John, I would offer some general observations on the characteristic features of the circumjacent country, its locality and advantages.

Lake St. John is situated in an immense valley, being the reservoir or basin of the numerous large rivers and streams which discharge themselves into it, many of which rise in the high lands that separate the Hudson's Bay territory from Lower Canada, depositing in their progress from the mountains that form this great valley, the materials for improving and fertilizing the soil. The lake is nearly circular, its greatest breadth is 30 miles from Metabetsuhan to Periboka, and its least about 18 miles from St. David's Point to Pointe Bleue, and covers in superficies about 510 statute square miles.

The extent of cultivable ground on the south side of the lake, between its borders and the mountains, which intersect the Metabetsuhan and Ouiatchouan, at an average distance of 5 miles from the lake, may amount to about 80,000 or 100,000 superficial acres. This tract is composed of an excellent quality of soil, being generally a dark rich loam, frequently argillaceous, and occasionally with intervals of a sandy nature, and is commonly covered with a fine vegetable mould. The timber chiefly clothing this land is black and yellow birch, ash, fir, bass, cedar, spruce, red and white pine, and the maple, which affords a sufficient quantity of sugar for the use of the inhabitants at the Trading Post.

These mountains continue ranging westward from the falls of Ouiatchouan, for about 8 or 10 miles thence, shape their course N. westward towards the Assuapmoussoin, which they traverse at the Grands Rapides,

leaving thereby a valley, of which the west side of the lake and the western bank of the Assuapmoussoin is a front, containing a superficies of about 200 to 250,000 superficial acres. So large an extent will most probably partake of a variety of soils, good and bad; but in assuming the front on the west of the lake, and the land on the western bank of the Assuapmoussoin as a criterion, there will be found a great portion of the land in the valley susceptible of culture and settlement. This description may extend to the lands on the immediate banks of the Mistassini; thence eastward the country extending from the northern borders of lake St. John to the mountains which stretching south easterly from the Grands Rapides on the Assuapmoussoin, form part of the great valley of lake St. John, is remarkably low, which is its principal feature. Perhaps along the Periboka, some good arable land may be found, but exclusively to that, it appears of a sandy light soil, timbered principally with spruce, fir, red and white pine, white birch, aspen and tamarack,

Lake St. John is too shallow for the navigation of schooners, at least for a considerable distance from the borders, which can be approached only by flat bottom boats, or the bark canoes by reason of the many shoals which set out from the borders, particularly about the entrance of the rivers. The lake abounds with many descriptions of fish, as the doré, the carp and the bass; trout, white fish, cels, pike, and a peculiar fish called wenanish. Great quantities of fish are now taken at the mouth of the Ouiatchouan, which appears the most propitious place for setting the nets, and where the fish is found most abundant of any other part of the lake. It is then salted and put into barrels for the use of the Traders.

To form a correct idea of the climate, requires the experience of a few years. The temperature, however, for the time I remained at the lake, I found equal to that of Quebec, possessing a clear and cloudless sky, and a fine and salubrious atmosphere. I found the nights in traversing the country much colder than at lake St. John.

The lake is frozen about the middle of November, and is clear of ice by the end of May; the interval of vegetation is therefore short, but is proportionably more rapid, as a small quantity of wheat which had been sown at the post, was fast approaching to a state of maturity; potatoes had been for a considerable time in flowers, and were eaten during our stay.

Monday, 7th September 1828.

Rain this morning. Left the mouth of the Kushpahigan, and ascending the river, whose general course for about half a league is nearly south, observed an alluvial flat on both sides of the river, which extends to some distance back from its banks, to a rising ground which appears to keep a parallel direction with the river; the soil on the flat is much of a clay nature, occasionally exhibiting a surface of rich loam or vegetable mould, the timber principally growing on this alluvion, is elm, ash, fir, black and yellow birch, alders, spruce and pine. This tract bears the indications of being overflowed in spring, to the foot of this small elevation, which gradually approaches the river, above the second mile where the course of the Kushpahigan or Belle Rivière, is about south-east and by east, to the portage or carrying place, about six miles from its mouth.

In these last four miles, the stream becomes swift, running deep, with great rapidity; the banks are occasionally bold, and the land still excellent in various places, the quality of the soil being generally strata of white and blue clay, beneath a surface of rich loam, commonly red, having more or less depth above the latter; the prevailing timber is elm, spruce, black, white and yellow birch, ash, poplar, pine and balsam, some cedar and alders. At the lower landing of the portage of Belle Rivière, the river contracts to about ten yards, presenting in the rushing waters that precipitate themselves over the rocks, together with the wildness of the surrounding scenery, as the cliffs that impend over the basin and river rise to upwards of 75 feet perpendicular height, a very interesting and picturesque cascade. Here is afforded a site well calculated for mills and other works of that nature.

The portage is upon the northern bank, and is one quarter of a mile long, leading first over a very high hill, where the land is again level to the upper landing at the head of another fall of about twenty feet high, making the difference of elevation together, of between fifty and sixty feet.

Here the land is of good quality, composed of a dark argillaceous loam, beneath a rich vegetable mould; the varieties of timber are red spruce, ash, balsam, black and white birch, cedar, elm, red and white pine. This description of land forms the leading feature of the country, along the banks of the Belle Rivière, to the Rivière des Aulnais, about two and three fourths of a mile above the portage, the general course therefrom is south east. Here the Belle Rivière forms a large basin in the centre of which is an island of excellent land. The river enters at the south-east end, with a cascade of ten feet, falling through a narrow contraction of the river, not exceeding two or three yards at most. Next to this on the north-east side of the basin, enters the River des Aulnais, with a gentle current, called in the Indian or Cree languages, "Peshikaouinamishushih" of alders; here we encamped at half after four o'clock, it having rained during the greater part of the day.

Tuesday

Tuesday, 8th.—The voyageurs finding it indispensably necessary to repair the canoe, which would take some time to effect, Mr. Davies and myself proceeded up the Belle Rivière on foot. Exploring the eastern bank, for about three miles, I found the land more broken and hilly, rising in some places near one hundred feet above the bed of the river, whose general course is from the basin about S. S. W., and is not less than 30 yards wide. In the vicinity of the small streams that flow into the main river, I observed some valuable beds of blue soft marl, and frequently much clay forming the sides or slopes of the hills; from the summit of one of these, I observed at about six miles distance, bearing south, a range of hills stretching eastward, and apparently a continuation of those intersecting the Kuspahiganish. The intervening land is broken, and generally clothed with spruce, pine, balsam, birch, that which borders the river is ash, elm, fir, balsam.

Having found the character of the land, so far of arable quality, we returned to the camp, with the intention of ascending the river some considerable distance in the canoe, but in examining the state and quantity of our provisions, I found that Mr. Murdoch, the clerk of the post, had only furnished me with about half the quantum I had requested in my statement. Thus curtailed, I conceived it highly imprudent to venture another day up the Belle Rivière, while there remained yet near 50 miles of distance to be performed, to reach Chicoutimi.

Set out from the camp at 9 o'clock, P. M., and commenced ascending the Rivière des Aulnais, River of Alders, very justly so called, as the alders were grown so thick on the banks and entangled across the passage of the river, which is extremely winding, that with the utmost difficulty, we performed about a mile, and encamped on the northern bank, precisely where the Assuapmousoin party had encamped on the 21st August.

The land forming the banks of this small stream, is of an alluvial nature; the soil being generally clayey loam, timbered with elm, ash, spruce, some pine and fir; at about a quarter of a mile distance, on the south bank is observed an eminence which follows the general direction of the river, which is south easterly. While the voyageurs were busy in encamping, I followed a path, which at about 30 chains led me back to the encampment at the basin, having thereby discovered the portage of the alders, I determined on walking the continuation of it on the following day.

Wednesday, 10th.—The voyageurs having got fairly under way up the river, which still appears obstructed by alders, I walked the portage with Mr. Davies, and took the following courses and remarks:

Course of the Portage des Aulnais.

- S. 25' E., 4 chains—Met a brook running S., land rising on the left, soil, loam and clay.
- S. 4 " Another brook, timber, ash, spruce, birch, fir and pine.
- S. 5° W 12 " Brook coming from between the hills on the left of which runs the portage.
- S. 10 W. 5 " Met a brook, land of a wet swampy nature, spruce, balsam, pine and tamarack.
- S. 0° 2' 22 " Met a brook, clay bottom, a spruce and tamarack swamp, occasionally ash and cedar.
- S. 15° E. 12 " Do. do. good land, but requires considerable draining, land rising.
- S. 35 E. 20 " Still proceeding along the foot of the hills of no considerable elevation, observed similar elevations to follow on the opposite bank of the river. The soil is a black earth or clay beneath the mould; which is of considerable thickness, spruce, fir and tamarack, some black birch and ash.
- S. 40 E. 11 " A high hill on the left, the land in that direction is of unfavourable quality, being generally composed of a sandy loam, which is timbered with spruce, white birch and pine.
- S. 35 E. 20 " Still wet swampy land, yet of good quality, is timbered with spruce, ash, alders, balsam and black birch.
- S. 45 E. 10 " To the basin at the foot of a fall on the river where a carrying place is made, the land in the vicinity of the fall is somewhat rocky, but the soil is generally good, being of an argillaceous red loam; ash, elm, fir, spruce, alders and pine.
- E. 3 chains—Rocky land.
- S. 45 E. 10 " Spruce, birch, pine.
- S. 55 E. 10 " To the falls of the Aulnais of about 12 feet. The river falls over a granite rock, inclining 75° N. W., the timber about this spot is spruce, balsam, poplar, some ash, white birch and pine.

- S. 75 E. 4 " Rocky land, spruce and fir.
- E. 4 " Ascent of a rock, granite, gniess.
- S. 2 " To the upper landing upon the bare surface of the rocks.

This portage having been effected by the voyageurs, and there being an end of the alders, we embarked into the canoe. The land I observed in our progress, to be a rich alluvial soil, timbered with elm, ash, spruce, fir and some pine and black birch; and as the river acquires greater width, we occasionally behold the aspect of the mountains, in a southern direction. Having ascended the river for about two and a half miles, where the Rivière des Aulnais is about two chains broad, we entered upon lake Tsiamagomishish.

Continued on for about one and a half mile, the lake thus far not exceeding ten chains in width, and the surrounding country being very horizontal and level, the soil of a sandy character, and offering but the aspect of tamarack and white birch and pine. Observed a narrow channel on the south shore, which led us to Lac Vert, Kasushikéomi; the "lake of clear water," and a name very well applied, as its waters are truly so clear, as that the bottom of the lake, which is clay, can be discovered at the depth of several fathoms, possessing at the same time a green tinge, that has given it the french name, the waters contrasting most singularly with those of Lake Tsiamagomishish, which are of a whitish color, nor possessing any degree of transparency.

Lac Vert is about a half a league in length, and about half a mile broad, exhibiting on its borders a boldness of scenery peculiarly attractive. A succession of high mountains range from the west along the south borders of the lake, leaving but a very narrow strip of cultivable ground between it and the foot of the mountains which are clothed with spruce, fir and pine. On the north side there is but a narrow tongue of land, which divides Lac Vert from Tsiamagomishish, on which is some tolerably good red pine, some white pine, spruce and white birch; the west end of the lake is low and level, for some considerable distance, the land is of good quality, and is well timbered with spruce, birch, cedar and fir, some pine. From thence is afforded a view of Lac Vert, and its surrounding scenery.

In passing the channel between the two lakes, I noticed a piece of bark folded, and set in a particular direction on a pole, on which was delineated by some indian hunter, the course that they had taken up some particular river, and which had most probably been left there as an information for some other indian hunters, who were about to join them. This is a mode of rendezvous used by the Abenakis and Algonquin nations, who very likely had visited this place, and were now returning towards their own grounds, as appeared by the direction of the rivers.

Proceeding up Lake Tsiamagomishish, about a mile beyond Lac Vert, in which distance the breadth varies from 8 to 12 chains, being quite indented with bays; and the land on its borders of a low swampy nature, being much of a sandy soil, and clothed with spruce, tamarack, fir and cedar, we followed a narrow channel which brought us to a small lake on the northern border about three quarters of a mile long, by 8 or 10 chains broad, which in its circumjacent land is likewise low, rising, however, gently on the north side towards a few hills in that direction. Near the entrance of this channel is a singular bluff of granite, nearly isolated in the lake, united to the main land, by a similar description of low swampy ground, as characterises the land about the lake. It is further contrasted with the adjacent country, as it is almost destitute of trees, the present growth being but a dwarf description of white birch, spruce and aspen; the appearance of the rock is much like that which composes the chain of mountains which continue eastward from Lake Vert towards Lake Tsiamagomi; having considerable level space between them and the borders of Tsiamagomishish.

Not knowing where the portage of Tsiamagomi was to be found, we continued up the lake to a small stream, which like the river of alders was so crowded with them, that it was out of all probability, the portage laid this direction, yet it afforded an opportunity of examining the land about this part of the lake, which is of a far better quality, and is timbered with ash, red spruce, fir, pine and alders. We therefore returned to a deep bay I had observed in our progress, wherein we found the landing of the Tsiamagomi portage, where we encamped at 7 o'clock, 9½ miles from the lower end of the lake.

Thursday 11th—Observed the latitude by meridional altitude of the Pole Star, 48° 1'. The canoe having been carried across the portage at an early hour, we were enabled to proceed at 9 o'clock, and I made the following remarks of the courses, timber and soil. Beginning good land, soil an argillaceous loam, timbered with spruce, ash, pine, elm, poplar, black and yellow birch and fir.

- N:70 E. 4 chains—Top of hill, yellow birch, spruce and pine.
- S. 45 E. 30 " Summit of rise, white birch, balsam, poplar and pine.

Appendix
(V.)

14th Jany.	S. 35 E. 6 "	Red and white pine, poplar and birch, sandy loam.
	S. 30 E. 12 "	Gradual descent, sand, timber the same as before mentioned.
	S. 35 E. 20 "	Light sandy coarse loam, white birch, aspen and pine.
	S. 30 E. 12 "	Descent, better soil, black birch, spruce, pine, fir and aspen.
	S. 40 E. 6 "	To the landing on the borders of lake Ouisqui, a small lake of about $\frac{1}{2}$ a mile in length, by $\frac{1}{2}$ in breadth. This lake forms the head waters of the Chicoutimi river, and offers in the distance the view of the lofty hills of Tsiamagomi.

Having passed the narrow communication between the lake, we came upon the beautiful lake of Tsiamagomi (Long Lake) and beheld the succession of lofty hills, which rise immediately from its borders, on the south side, contrasting with the lesser elevation of its northern border

Progressed about 2 $\frac{1}{2}$ miles—course S. 40 E. the lake expanding from $\frac{1}{2}$ to $\frac{3}{4}$ of a mile wide. The southern borders rising into hills of about 300 feet height, timbered with spruce, white birch and aspen, the land so rocky, and the cliffs appearing in many places, that this side of the lake is quite uncultivable. The northern side, although not as mountainous, presents, for upwards of $\frac{1}{2}$ a league, an iron bound coast, frequently rising in perpendicular cliffs of granite, whose base is bathed by the waters of the lake. Their summits are clothed with cypress and a stunted description of pine, sometimes called Norway pine.

Having come to the foot of a perpendicular cliff, rising about 100 feet above the level of the lake, and pending as it were over the canoe, we beheld another section of Tsiamagomi, discovering the chain of mountains in the distance, and exhibiting the features of the lake.

From this point or cliff the lake lies S. 62 E., and averages near a mile in width. Entered a small bay at noon, about 5 miles therefrom, on the northern side, and obtained a meridional altitude of the Sun, latitude 48° 1'. Here fragments of a rock were taken, strongly impregnated with magnetic iron ore, and much black sand washed upon the beach. The land on this side is more level, but it is quite of a sandy character, timbered with spruce, poplar, red pine and white birch. Crossed over on the opposite shore, and entering a large bay, came to the mouth of the river Upikubatch, which descends a succession of rapids to its entrance; leaving therefore the canoe there, I proceeded on foot for about a mile up the river along the north-east bank, climbing in many places the abrupt and broken banks. The south side is bounded by a succession of hills of a rocky nature, which appear to stretch for some distance back from the river, and following a general direction with it.

Opposite to the mouth of this river, is a large island or presqu'isle, of near $\frac{1}{2}$ a league in length, of an alluvial formation, and covered with alders, this I should believe overflows in spring. There are likewise three small islands between it and the shore, of the same description.

For the same reasons that I could not explore the Belle Rivière, I was prevented ascending the Upikubatch, which, however, from the aspect of the country, was far from repaying the attempt with any satisfactory result. Having left the mouth of that river, which is surrounded by rocky mountains, we passed several high cliffs, rising upwards of 300 feet high, which leave at their base a small strip of level land that reaches the border of the lake. But the hills strike again the lake, opposite a considerable stream, which flows into the lake, on the northern side, which I ascended for about a mile.

The land on this river singularly contrasted with that of the Upikubatch, as this river flowing into the lake with a gentle current, lays through a wide march, which is bordered on either side by a low spruce swamp. The red tinge of the water would indicate its traversing for a considerable distance in the interior a similar tract of country.

From thence we reached Pointe au Sable, at 6 o'clock, where we encamped beneath a large pine tree, which, during the night sheltered us in a great manner from a gale, which blew with surprising force from the north-west. Little can be said of lake Tsiamagomi, in an agricultural point of view, although much of the sublime and beautiful scenery it presents, the linked succession of craggy hills, which border the south side of Tsiamagomi, thinly clothed with spruce, white birch, and stunted red pine, remove all possibility and means of settlement on that side. On the north shore the land for about six miles from lake Ouisqui is likewise unfit for culture, as it rises into cliffs, whose summits are wooded with small red pine spruce and aspen, from thence to the river on the north side, the land although of a sandy character, may, in some parts be susceptible of improvement. It then becomes of a rocky hilly nature. What it is in the interior, can best be described by persons who have explored it.

Pointe au Sable is a Presqu'isle of alluvial land, formed at the entrance

of a river, which enters the lake on the north side. Opposite to it on the south side of the lake, a small stream falls into the lake, from between the high mountains, which, form its bed and the cascade at its entrance, affords a well calculated site for a mill and similar establishments, while Pointe au Sable would be an excellent situation for a village, by its advantageous position on the lake.

Friday 12th.—Although the skies portended rain, yet the wind had abated, and we left the point at 9 o'clock, A. M. Our course laid down the centre of lake Tsiamagomi, from Pointe au Sable, south, 68 E., which preserves still the same feature as has been described. Keeping a straight forward course, we reached the depth of the lake, which is surrounded by high rocky hills, some of which discover barren cliffs, rising about 200 feet elevation. From hence can be observed the features that distinguish the country on the borders of Tsiamagomi, for a distance of nearly 20 miles, being about the length of the lake.

Not having found the outlet of the lake, we coasted along the northern borders towards a considerable bay, that had been noticed on that side in our way to the head of the lake, opposite to which, on the south shore, a river called Upika, enters very rapidly from between the high mountains that form its bed. And having doubled a high rocky point which overlooks a partial continuation of the lake, we perceived a gentle current flowing north-eastward, which brought us to the mouth of the Chicoutimi river, which signified, "further out it is still deep," and then almost immediately to the head of the Portage des Roches. The length of lake Tsiamagomi being about 19 miles from lake Ouisqui to Portage des Roches, and its average breadth near a mile.

The Portage des Roches is about 200 yards long, leading over the rocks, which, in spring, are covered by the river. Here the Chicoutimi falls about 15 feet to the lower landing, at the basin, which is surrounded by high mountains.

Leaving the basin, which is near three quarters of a mile in length, we thence descended the Chicoutimi river, which runs down with considerable swiftness, for about one and a half mile. The river is embanked by high rocky hills, rising to about 200 feet elevation. Then the mountains terminate, resting about the region of Tsiamagomi. The land on the banks then becomes level, and appears to improve, being timbered with spruce, fir, pine, a few elms and cedar, occasionally on the left when the fire has burnt up the vegetable mould, it discovers a rocky barren soil.

The Portage of l'Islet is then reached, being $3\frac{1}{2}$ miles below the Portage des Roches, on a general course N. E. therefrom.

The general course of the portage de l'Islet, is about S. 75 E. 20 chs. to the lower landing, lying through a good quality of land, its soil being a rich dark loam, timbered with black birch, spruce, pine, ash.

The river is divided into two channels, by a large island, the south-west channel is broken by cascades and rapids, while the north eastern is but a long rapid, which is frequently shot down with canoes.

From the foot of this portage, we reached the Beau Portage two miles below it, in which distance, the river is, on average, about four chains wide. Its right bank in the first instance is high and rocky, while its left obtains a good quality of soil, being timbered with elm, ash, spruce, birch and pine. On approaching the Beau Portage which lies on the right bank, the land acquires a light character of soil, being a coarse yellow loam, possessing a great proportion of sand; it is timbered with spruce, white birch, pine and some elm.

Having effected this Portage, which is about 250 yards long, lying thro' but a very tolerable description of land, being chiefly a sandy loam timbered with white birch, red pine, poplar, and spruce, and which avoids the cascades, that are about 20 feet total elevation; we continued the descent of the Chicoutimi, for $7\frac{1}{2}$ miles to the Portage de l'Enfant; its banks exhibiting in this distance much improvement in the soil and timber, the former is generally an argillaceous loam and the latter spruce, elm, ash, fir, pine, black and white birch and some cedar. The river which varies from 4 to 6 chains width is occasionally interspersed with well timbered islands, and are most commonly alluvial. The general course of the river between Beau Portage and the Portage de l'Enfant, is about N. N. W. At one particular bend we came by a canoe, containing an Indian family; their astonishment at beholding a canoe of strangers, was singularly expressed by a smile or rather a silent laugh, for which peculiarity the Montagnais nation is distinguished by the Indian name Papinashuah, signifying laughers or sneerers. I attempted to address them a few words which they did not appear to understand, and we continued our course of the Chicoutimi River.

The Portage de l'Enfant about 200 yards long, is so called from the circumstance of a canoe, containing an infant, having loosened from its moorings, negligently secured at the portage, having descended without the least harm happening to the infant, the falls of l'Enfant, which are between 40 and 50 feet elevation, taking the cascades collectively.

The path lies over tolerably good land, its soil being a yellow loam, timbered with spruce, ash, cedar, poplar, elm and pine.

From the lower landing, it is but 20 chains across the basin, at the foot of the falls to the Portage du Chien, on the right bank of the river. This portage, which is also about 200 yards in length, leads over a very good description of ground, and avoids a cascade of about 15 feet in height. It is timbered with cedar, fir, birch, red spruce, white and red pine.

Having embarked in the canoe, we shot part of the rapids. Observed in our progress down the river, that the land preserves that character of fitness for settlement, which it has more or less exhibited from the Portage de l'Islet, and likewise a few streams which discharge themselves on either bank of the river.

Reached the landing at the portage, which is vulgarly called Ka-Ka, 1½ mile, at the head of a high fall, on the edge of which is a small island that divides the fall into parts.

It being too late to pass this portage, we encamped at the landing, having performed this day, about 21 miles, and effected five portages.

Saturday 13th.—Penetrated about two miles south-eastward over very level ground, and observed the excellent description of its soil, being a clayey red loam, occasionally intermixed with small gravel beneath a rich vegetable mould, a fine growth of mixed timber woods this tract, such as ash, elm, fir, yellow and black birch, balsam, spruce, some bass, maple and cedar. This level tract appears to have great extent eastward and south-eastward.

Having returned to the party, who had already effected the transport of the few stores that remained and the canoe, we left the foot of the falls, which are about 45 feet high, and descended to the portage of Chicoutimi, above the falls; where the river contracts to less than 25 yards, while opposite the portage the river is about 5 or 6 chains broad. This portage is about a mile below Ka-Ka; the land in that distance is of excellent description, the timber being elm, ash, pine, fir and some white birch.

Course of the Portage Chicoutimi,

Beginning ascent.

- S. 45 E. 3 chains—Top of hills.
- 15 E. 7 „ Gully and brook, good land, clay and loam.
- 45 E. 6 „ Maple, spruce, black birch and pine.
- S. 72 E. 8 „ A high mountain on the left, broken rocky ground.
- N. 95 E. 6 „ Spruce, white pine.
- N. 20 E. 10 „ Do. do. rocky land.
- 10 E. 10 „ Along the base of a rocky mountain, white birch, spruce and poplar.
- North 12 „ Land better, black birch, spruce, fir, some poplar; end of Mountains.
- N. 10 E. 8 „ Good land, mixed timber, clayey loam, black birch, spruce, maple, some cedar and pine.
- N. East 12 „ Descent on the right.
- S. 80 E. 12 „ Rocky land, ascent on the right.
- N. 80 E. 8 „ Poor land.
- N. 45 E. 10 „ Portage leading over bare rocks.
- N. 65 E. 10 „ Small balsam, spruce and pine.
- N. 45 E. 6 „ Gradual descent, maple.
- N. 75 E. 6 „ Bass, spruce and balsam.
- N. 45 E. 8 „ Land descending; middling.
- N. 80 E. 8 „ Balsam, fir and maple.
- S. 80 E. 4 „ Red pine, poplar, spruce.
- N. 45 E. 4 „ Top of a high hill descending.
- N. 78 E. 16 „ To the edge of the clearing of the King's Posts Establishment.

I now beheld from an eminence, which overlooks the harbour of Chicoutimi, the noble stream of the Saguenay, flowing in majestic silence towards its confluence with the St. Lawrence. Although not possessing here the bold features of Tsiamagomi; still the great breadth of the river, added to the striking scenery, the group of buildings in the foregrounds, and the small solitary chapel on the adjacent eminence, was a combination of objects that amply repaid us for the privation we have suffered in traversing about 500 miles of country, crossing 64 portages, and making our lives repeatedly, in the unavoidable descent of many bad rapids, to reach this arm of the sea.

Descended to the post, and were received at the house by Mr. Barnston, as Mr. Andrews, the resident clerk of the post, was absent at Quebec. Learnt that Mr. Wagner and Mr. Proulx the surveyor, had left the post only a few hours before our arrival, on their way to ascend the river St. Jean, which falls into the Saguenay, and cross the country to St. Pauls or Mal Bay. Employed the remaining part of the day in effecting the following recapitulation of distances, from the mouth of Kushpahigan or Belle Rivière, to the post of Chicoutimi, being exclusive of the length of the minor portages, which amount together to two miles.

TABLE OF DISTANCES.
Mouth of Kushpahigan or Belle Rivière.

6 Portage of Belle Rivière, 500 yards.												
8½	2½	Mouth of Rivière des Aulnais.										
10½	4½	2	Falls of Rivière des Aulnais and Portage, 700 yards.									
16½	10½	9	6	Head of Lake Tsiamagomishish or Port. Tsiamagomi.								
17½	11½	9	7	1	Lake Ouiqui ½ a mile, Tsiamagomi.							
37½	31½	28½	26½	20½	19½	Portage des Roches, 200 yards.						
40½	34½	33	30	24	23	3½	Portage de l'Islet, 440 yards.					
42½	36½	34	32	26	25	5½	2	Beau Portage, 250 yards.				
50½	44½	41½	39½	33½	32½	13	3½	9½	Portage de l'Enfant, 200 yds.			
50½	44½	41½	39½	33½	32½	13½	3½	9½	Portage du Chien, 210 yds.			
52½	46½	43½	41½	35½	34½	15	11½	9½	2 1½	Portage Ka Ka, 200 yds.		
53½	47½	44½	42½	36½	35½	16	12½	10½	3 2½	Portage of Chicoutimi.		
55½	49½	46½	44½	38½	37½	18½	14½	12½	5½	5 3½	2½	Chicoutimi.

Making a Total distance of 55½ miles from Lake St. John to Chicoutimi.

Sunday 14th.—The day proving favorable for observation, I accordingly prepared for a set of equal altitudes and azimuths, to ascertain the latitude and variation.

The forenoon observations being taken, I visited the chapel with Mr. Davies and the voyageurs. It stands on a rising ground on the point which projects into the basin at the foot of the falls of Chicoutimi; its length is about 25 feet at most, by 15 wide. The altar, which is plain, and the pictures or engravings, which hang around the interior of the chapel evidently bear the hand of time. The tombstone, with the inscription at great length of the death of Father Cocar in the last century, was broken in several places, and the words of the inscription, which is in Latin and so ill connected, that with much difficulty it can be understood.

A Catholic Missionary visits the Chicoutimi twice a-year, and teaches the natives the first principles of the religion, of which the Jesuits have framed a catechism in the Cree language, which is circulated amongst them.

The King's Posts' Company Establishment, situated at the eastern extremity of the peninsula at the confluence of the Chicoutimi River and the Saguenay, consists of a commodious dwelling-house for the resident clerk or agent, which is situated on a rising ground commanding a view of the Saguenay and the harbor;—a store, judiciously placed near the landing—a bake-house, stables and barn—several pieces of tilled ground, and a garden furnish the Post with various vegetables, potatoes principally, as also some luxuries for the table.

The land about Chicoutimi is principally comprised of a clay soil, containing rather an insufficient proportion of loam or sand to render it generally very good; yet that soil is easily corrected when the materials for manure are at hand.

Having obtained a meridional observation and completed the afternoon altitudes and azimuths, I found the latitude of Chicoutimi to be 48°-25'-5", and the mean variation by these instruments 20°-15' west: so great a difference with the variation observed at Lake St. John can only be attributed to local causes, as some very attractive mineral in the rocky hills lie back of the post. These observations were corroborated by altitudes of the Pole Star and other circumpolar stars.

Monday, 15th. Penetrated about 5 miles in a direction from Cape St. François below the Post, in a course S. S. easterly, towards La Baie des Has; traversed in that section an excellent tract of land composed of an argillaceous loam beneath a rich vegetable mould, affording a growth of mixed timber, namely, ash, fir, black birch, balsam, poplar, white birch, pine, some maple and balswood.

Passed a small lake and crossed several brooks which spread fertility in their course, and discovering in the ravines or gullies which they form, an indurated stratum of blue clay and occasionally some white soft marl, the brooks containing in their beds a quantity of small gravel.

There is much similarity in the general surface and character of this tract and that which I explored at the Portage Ka-Ka, and prevailing along the banks of the Chicoutimi River. On

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On my return towards the Post I observed a large stream on the south side of the Saguenay, which I ascended to the foot of a fall, where a mill has been erected by the North West Company where they held the King's Posts.

The causeway, which is 100 yards from the landing to the mill, is yet tolerably good, but the mill is going fast into ruin; the aqueduct which leads from the head of the fall to the over-shot is quite unfit for use as well as other parts of the works which are intended to drive two single saws; the frame with some repair might yet answer for a few years longer. Having taken a hasty sketch of the falls, and as night was fast approaching, I returned to the Saguenay and reached the Post at 8 o'clock P. M. more than usually fatigued with the toils of this day.

Tuesday, 16th. Being desirous of acquiring a knowledge of the nature and character of the land along the Saguenay and its course and size to the Rivière des Terres Rompues, I ascended on foot along the south shore and part along the north shore of the Saguenay, taking its general course, which is about W. and by N. to the River des Terres Rompues, and near two leagues above the Post of Chicoutimi, preserving an average breadth of half a mile.

The northern bank is formed of craggy broken hills, commonly clothed with spruce, small red pine and white birch, leaving however in some places a strip of level clay land between them and the borders of the river. The south shore exhibits an horizontal surface and land of an excellent quality, discovering a clay loamy soil timbered with spruce, black birch, pine, fir, cedar, ash and elm. The interior country on both sides of the Saguenay appears well irrigated by the numerous small streams which I crossed, generally tinged with the colour of the route they have traversed.

At the River des Marais the Saguenay ceases to be navigable, as thence taking about a south-west direction it becomes broken by rapids and full of rocks; the high tides rise to 7 feet, and at the Portage des Terres Rompues, about half a mile above the confluence of that River with the Saguenay, the tides are very little perceptible; two miles above this portage the river which is much indented with bays, falls of rapids, and the land on its banks issuing into rocky hills, there contracts to about 10 chains wide, but it was impossible to ascertain that fact or to explore beyond a river which I conceived is the River des Terres Rompues, (broken land) which enters on the N. W. bank with a succession of falls and cascades. I should have been glad to have seen the falls of the Saguenay, which are frequently heard at the Post, but which none have yet visited.

Returned to the Portage which I explored for about a mile through a very good description of land; its soil however for the greater part is clay and occasional intervals of rich loam, the timber is mixed, being ash, spruce, fir, cedar, maple, bass, some very good white and red pine.

Having come to the borders of a high bank of clay, upwards of 150 feet above the bed of the small River des Marais which runs at its foot, I beheld a succession of similar clay hills for a considerable distance, whose snowy whiteness contrasts with peculiar effect with the spruce, fir and pine, that crowd their summit, and resemble lava thrown by some eruption, which I believe has been the original creation of them.

Returned to the Post at 8 o'clock.

Wednesday, 17th. Having examined the Falls of Chicoutimi, which are about 40 or 50 feet in height, rushing thro' a contracted channel over the rocks that interrupt its rapid course to the basin which forms part of the harbor of Chicoutimi, I proceeded to take soundings of the harbor at the full ebb of the tide, and found that however safe it might be in respect to wind and moorings, it could not answer for ships of considerable draught unless they ground at low water, for vessels cannot reach the basin of the Chicoutimi River that draw more than 14 fathom, on account of the narrow channel between the shoals that set out from Pointe aux Trembles and the Chicoutimi Point on which I have sounded from 1 to 14 fathom, while in the channel there are at most but two fathoms sand and clay bottom. Outside of the shoal, which extends about 300 yards into the stream of the Saguenay, vessels can anchor in 3, 4 & 5 fathoms near Cape St. Francois, which I suppose is the extent of the harbor about a mile below the Post. Vessels are exposed to a very strong current at the ebb tide, which would require their being moored to the shores besides the anchor.

From the Cape to make the Post the course is W. and by N., and when abreast of Pointe-aux-Trembles to enter the small chan-

nel, S. W. & by S. $\frac{1}{2}$ W bearing upon Chapel Point, approaching within a few yards of the shore.

The tide rises between 16 and 18 feet perpendicular in four and a half hours of flood; the harbor and this part of the Saguenay is frozen over about the 1st or 5th December, until about the 10th or 15th of May. Chicoutimi, by its central point between Lake St. John and the St. Lawrence, its harbor and its locality with extensive adjacent and cultivable lands, is likely to become the market for the trade of all this section of country.

It was 5 o'clock P. M. when we bade farewell to the hospitable inmates at the Post, and proceeded down the River for Tadoussac.

Having reached the River au Moulin, about 2 miles below the Post, the Saguenay shapes its course about N. E. by N. $\frac{1}{2}$ N. near 3 miles, acquiring considerable width, which is about half a mile at the confluence of this small river. Its N. W. bank, assumes a bold hilly aspect, while the south-east bank is generally more horizontal and appears to offer some very good land.

In a north-east direction is seen a chain of prominent mountains of no inconsiderable elevation, stretching from the north-west, then bending its general direction with the course of the Saguenay.

Passed River Caribou entering from between the hills on the north-west side appearing to be a large stream, which I supposed might have been explored by Mr. Proulx; I therefore proceeded on to Pointe de L'Ifier, from whence observing a light on the opposite side of the River bearing E. and by N. we made directly towards it as night was fast approaching; the moonshine with its resplendent lustre on the broad expanse of the Saguenay, the scene has been seldom equalled wherein a variety of objects combined to excite the admiration and interest of the Canadian in his native country, and to behold them without regretting that they had not been earlier known and appreciated.

In this train of reflection we made the landing at the meadows, from whence numerous voices greeted the approach of their brother voyageurs.

Few imagine the comforts of a wigwam which we now entered, by the hospitality of one Jerome L'Onge, who with his family a Montagnais native and their children formed the amount of their domestic circle round the fire, which lighted with peculiar effect on the countenances now collected around it.

This Jerome L'Onge, a Canadian, of the Parish of the Eboulements, and who has spent the greater part of his life either in the service of the N. W. Company or in that of the King's Posts' Company, related to us much of his travels through the Indian country.

Having been stationed for many years at Lake Mistassini trading with the natives, he says that the extent of the Lake is but very superficially known, for it took him three days to cross the narrowest part of it from island to island that range in that particular part of it; the distance between them and the main shore he supposed not less than 30 miles, the lake being therefore about 90 miles wide in that place. The Indians usually take the whole of the summer season, part of the spring and fall to reach its mouth from the head of the Mistassini. The least that can be supposed of the magnitude of this immense Lake is that its dimensions are not much inferior to Lake Superior.

The Rupert River which flows from it is considerably larger than the Saguenay, and which he has descended to within a day's journey of St. James' Bay; the distance between Mistassini and the Bay he supposes about 50 or 60 leagues.

He also travelled from the Post of Aisouapmousoin generally a N.N.E. course to Lake Mistassini, performing that route in about 3 weeks, averaging 4 leagues a-day, and supposes the Lake to lie immediately north of the Seven Islands and the St. Lawrence, traversing in his course thro' that interior country several lakes larger than Lake St. John, and says that there is a far greater proportion of water than land, while the latter is perfectly uncultivable, being composed of masses of rocks, cliffs and extensive clear swamps of a shaking boggy nature, wherein for miles together nothing but a few tamarack trees can be seen; this is the land of the deer and moose—they live on the moss of the hills and traverse these vast plain in herds.

The Indians who hunt this wretched country, which nevertheless abounds with peltries of various kinds, have greatly diminished in numbers to what they were in the time that the North-West Company

Company held the King's Posts, and more particularly of late years that strong spirits have been introduced among them, on which occasion this miserable people revel until they become literally dead, and many of them actually die. When hunger assails a Montagnais family, it is customary that whenever one of its members has fallen a victim to want he is buried on the spot by the others, who immediately afterwards remove their camp to another place, and so on until the last remains, when he abandons the place altogether and rushes heedless thro' the woods till he drops himself the last victim of hunger.

The smallpock brought along with the apparel and blankets given to them in exchange for their furs, has frequently carried off 50 to 100 souls of a day. There are now only about 50 to 60 families who trade at the Posts of the Company, while they might without these destructive causes have numbered at least 500.

The mode by which the Hudson's Bay Company carry on the transport of their goods to Mistassini is generally in barges conducted by regularly disciplined men who are for the most part half bred: the barges are drawn across the portages on rollers. Cedar bark canoes are used to follow up small rivers to go in search of the Indians for their furs, as birch bark for canoes cannot be found in that country.

Thursday, 18th. Employed this day in exploring the north and south banks of the Saguenay, and taking interfections of Pointe-aux-Roches, Pointe ——— and other Points in the river, for trigonometrical purposes. Intersected on the north shore those several streams whose beds are chiefly clay; the principal streams are called La Loutre and Rivière aux Outardes. Observed a good deal of magnetic attraction from the hills, fragments of which have discovered some iron ore.

Our camp laid in the extensive meadows, which are annually mowed for the use of the Post, the land is chiefly a clay soil, but on approaching the hills it is covered with a rich vegetable mould—the hills are rocky and unfit for settlement.

On the opposite bank of the river which is over a mile across, the Rivière des Vases or Tomisticobish discharges itself; at its entrance a dangerous shoal and reef of rocks project into the stream which is covered at flood tide; some fine specimens of red marble were found here.

Friday, 19th. Left the meadows at 9 o'clock and proceeded down the Saguenay, whose banks now rise into barren cliffs and hills, thinly clothed with birch, fir, spruce and some stunted red pine and cypress.

Having passed Rivière ——— which falls into the Saguenay on the north shore, we made Pointe aux Roches, bearing S. 55 E. 7½ m. from Point de L'Islet; and thence Ruisseau Peltier, which descends rapidly between the craggy high hills that form its bed. From it, situate in the depth of St. James's Bay, the course lies south to Cape à L'Est, about 18 miles below the Post of Chicoutimi, Pointe à Roches bearing N. W. ½ W. 5½ miles where we landed, that I might take some trigonometrical points and interfections of the Bay des Has!

The Bay of Ha! Ha! or Baie des Has, is about 7½ miles deep, bearing up the bay S. 75 W., in which course lies those blue hills of Tsiamagomi, distant 28 or 30 miles, rising above the intervening flat country that characterises the land about the Bay.

The name of Ha! Ha! is supposed to have been given to this bay by the French when they first ascended the Saguenay, from the circumstance of their having entered the bay mistaking it for a continuation of the Saguenay, but finding their error on reaching the depth of it, expressed those ha! ha's! which it has retained, and then retraced their course to Cap à L'Est, where the Saguenay is contracted to about 48 chains across to Cap au L'Ouest or West Cape, appearing much more as a broad river entering on that side of the Saguenay than the Saguenay itself. The Baie des Has evidently appears to have been formed by nature as the principal seat of commerce and trade of all this portion of country or territory: 1st. For the extensive tract of level land that lies about it, and extending to Lake Tsiamagomi and Chicoutimi, as has been before mentioned. 2dly. For the harbor it affords for the largest vessels of the line which can sail directly into the Bay with nearly the same wind that they ascended the Saguenay, and anchor in the second bay which it appears to form in manner of a basin, which I presume would be a fit site for a mart of trade; and 3dly. The facility that is afforded of opening a road

to Chicoutimi or direct to the head of Tsiamagomi—indeed, the easy practicability with which a water communication could be effected between it and that lake to remove the intricate and circuitous route of the Chicoutimi River, the difference of level not exceeding 250 feet, in a distance of 4½ to 5 leagues through the level tract that lies between these places. It is protected by Cap à L'Est and the prominent hills that form its entrance, while the former rising to about 500 feet height commands a view of about 12 miles down the River, and guards with West Cape the entrance into the upper part of the Saguenay.

Following the base of the cape, which in some places presents the abrupt face of the cliff, and at others the broken masses of granite rock that are from time to time crumbling or detaching themselves from the summit heaped irregularly together, in the interstices of which a few dwarf spruce and white birch have found a vegetable mould to produce them; we reached a small rapid stream and bay on the north shore of the Saguenay called L'Ance et Ruisseau des Femmes, and encamped at half after six o'clock. About 8 o'clock a strong breeze sprung up from the south-east, and during the night rose to a gale causing a heavy sea on the River.

Saturday, 20th. The wind blew too strong, and it was quite impossible to venture on the agitated waters of the Saguenay with our frail bark canoe.

The River is here about half a league broad, and its shores are formed of high abrupt rocky hills; near the Ruisseau des Femmes they rise in conical shapes to near 400 to 500 feet elevation, thinly clothed with the stunted spruce, white birch and red pine.

Sunday, 21st. The sea appeared to have considerably diminished as the wind had abated; we therefore ventured out of the bay, but the swell proved still too great to proceed, on doubling the first Point, which obliged us to return to our encampment.

At 9 o'clock we made a more successive attempt, and although tossed by the swell we got fairly under way, following along the base of the cliffs which form the iron bound shore of the north side of the Saguenay, which is embanked by a succession of rocky barren hills, exhibiting fractures that I believe are seldom equalled for their boldness and the effect they produce on the mind, creating a constant apprehension of danger, even during a calm of the river, as it has sometimes happened that a gust of wind rushing from the summits of the hills, has stripped to pieces the top-gallant fail of schooners, and have frequently placed the boats which ply between Tadoussac and Chicoutimi into imminent danger.

Therefore it was with peculiar sensation the eye caught at every small bay or stream that could afford a safe landing, several of which we passed to the Ruisseau La Trinité, 14 miles from Cap à L'Est, which can afford very safe landing for boats and canoes.

From this stream it is about 5 miles to L'Ance et Rivière la Trinité on the south shore, which appears to afford safe harbor for boats and sloops and to possess some cultivable ground in the depth of it, the hills sloping more gradually to its margin, while at its entrance Cap La Trinité rises to an elevation of not less than 800 feet; part of it is cut perpendicularly with the surface of the Saguenay.

We then came to L'Ance St. Jean, which is likewise on the south shore, about 6½ miles below the Trinité, which appears a spacious and good harbour for sloops.

The gradual swell of country that surrounds the harbour gives a favourable aspect to the land, and I believe that some thousand acres might be found susceptible of cultivation.

On the northern side of the Saguenay several small streams descend the abrupt faces of the hills, but affording no recess or harbor for boats exposed to adverse winds.

The Petit Saguenay is likewise on the south shore about 4 miles below L'Ance St. Jean, and offers a convenient harbor for boats.

The general course from the Ruisseau de la Trinité to the Point aux Ecrits or Petit Saguenay, is S. 35. E. 15 miles. From this place the aspect of the hills, altho' still abrupt and barren, are not so elevated. Here and in several other parts of the north shore I perceived

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perceived a great magnetic attraction on the needle, and therefore conceived the rocks which comprise the hills are either strongly impregnated with iron ore, or possess of their nature that attractive influence on the needle.

Having passed two small rocky islands nearer in with the north shore, we came to L'Isle St. Louis, which is an elevated mass of granite rock thinly wooded with fir, spruce, white birch and poplar; it is about 60 chains long and $\frac{1}{2}$ a mile wide; close in with the south-east end of it, are also two small rocky islands. The Saguenay is here about $\frac{1}{2}$ mile wide affords a safe harbor under shelter of the hill, and vessels may be moored in perfect security near L'Isle St. Louis.

We thence made the entrance of the River Ste. Marguerite on the north side of the Saguenay. It was low water, and I observed a reef of rocks stretching across it; at high water schooners might find it a very safe harbor here, and within the bay to the mouth of the river, which appears to be a considerable stream.

As we were unable to find any fresh water for encamping without going far into the depth of the bay, which is an extensive salt marsh, we proceeded on favored by the perfect calmness of the river and a fine moon light, which was however frequently concealed by the boldness of the hills and cliffs which still continue to form the leading features of the Saguenay, whose width on leaving the bay of St. Marguerite contracts to less than a mile. Having descended for about two miles without any change of scenery, we chanced to come by a small brook rippling down the face of the cliff; at which we filled with fresh water the spare vessels we had in the event of being obliged to pass the night in the canoe; but having discovered a less steep part of the bank we attempted a landing, which was effected with much trouble. The canoe and baggage were carried about 25 feet up the bank to clear the flood tide; a fire was then lighted of the wood that the previous flood had left on the banks, and after listening awhile to the hobgoblin stories of the men whom the chillness of the night had collected around it, we sought a resting place among the rocks.

Monday, 22d. We were awakened at 2 o'clock A. M. by the noise and confusion which caused the rising tide, obliging the men to remove the luggage and to find higher births. By break of day, while the tide was at a convenient height for launching the canoe, we set out from our miserable encampment. Having passed the Ruisseau des Groses Roches which enters the Saguenay on the N. E. bank, where I observed a lesser elevation of the land, the river bends its course south, passing Riviere St. Etienne, which discharges itself on the west side about a mile below the latter. Thence the Saguenay shapes its last course S. E. by E. to its confluence with the St. Lawrence. The banks are in many places cut perpendicular with the surface of the river, whose width averages near a mile. Passed La Baie St. Catherine on the north side, which but for the anchorage would appear to form a harbor for vessels, which would be sheltered from every wind by the hills that surround it.

We then reached the mouth of the Saguenay which is about 60 or 70 chains broad, and which possesses some very striking and bold features. Having then doubled the Point of L'Islet, we entered the harbour and landed at Tadoussac at 8 o'clock A. M.

This establishment is the most extensive of the King's Posts, consisting of 13 buildings, including a chapel. The residence of the agent of the Company is a neat one story building of commodious size, having a very tolerable garden, which part of it producing with other cultivated spots about the place, the vegetables for the inhabitants of the Post. The chapel is of about similar dimensions as that of Chicoutimi; its red roof and spire with the surrounding buildings, the range of small field pieces on the edge of the plain which extends to the foot of the mountains that rise to considerable height, in many places discovering the naked rocks or exhibiting the destructive effects of the fire that has thinned the woods which clothed their summits, leaving occasionally the tall pine clipped of its branches soaring above the dwarf growth of spruce and birch that has succeeded to the loftier timber. The beautiful growth of fir trees rising in as many cones upon the terrace, which I believe was once the seat of the fortifications of the French, situated on the west side of the creek which runs down from the hills, whose craggy summits contrast with peculiar effect with the firs below them, combine to form a very pleasing scenery from the River in coming up harbor or doubling the point of L'Islet from the Saguenay.

Observed the latitude of Tadoussac to be $48^{\circ} - 5' - 54''$ and the variation of the compass $16^{\circ} - 23' - 45''$ west. Its harbour is

formed by the peninsula or L'Islet, which separates it from the Saguenay on the south-west and the main shore on the north-east, about a third of a mile across and near half a mile in depth at low water, which rises twenty-one feet perpendicular in $\frac{1}{2}$ hours tide; the beach, on which there are extensive salmon fisheries, extends out a considerable distance, materially contracting the dimensions of the harbor: It is however secure and under shelter by the surrounding hills of most winds generally prevalent in the St. Lawrence, except the southerly gales which may affect vessels at flood tide, as the small White Island and Batture-aux-Allouettes are then covered, and which shelter them at ebb tide.

The entrance of the channel to the harbor of Tadoussac or to the Saguenay is intricate at the ebbing tide, and for vessels descending the St. Lawrence, which must come almost abreast of the light-house on Green Island, bearing S. E. from the harbor, and then pass to the north of White Island at the extremity of the Shoal aux-Allouettes and clear at the same time the shoal which sets out some distance from the north-east point of the harbor; it is far less intricate for vessels coming up from below. A light-house placed upon Red Island bearing _____ miles would very essentially facilitate the entrance into the harbor of Tadoussac, which at the same time would indicate the course to make the north channel of the St. Lawrence. The harbor is open for vessels and free of ice from May until the middle of December.

At the Post I had occasion to see several of the natives of both sexes of the Montagnais nation who inhabit the immense tract of country lying from the St. Lawrence northward to the Hudson's Bay territory. The dress of the females is singularly varied for the colours they bestow upon it: it usually consists of a loose piece of blue clothed trimmed with scarlet, which they use for the lower garments, and a mantle of printed calico; their hair is rolled up on each side of the head and twisted round with red tape or ribbon, which latter they are very partial to, a conical shaped cap of red, blue, green and white cloth, is generally wore, from beneath which a long queue of hair also twisted round with red tape, hangs down her back. They smoke and drink spirits like the men, whose ordinary dress is very slothful, consisting generally of some old blue cloak or frock, or a calico shirt and linen trowsers. The Montagnais or Mountaineer Nation—(Cree Language—"laughers or sneerers,") are generally a harmless people. They have no fixed habitation, but wander on the limits assigned among themselves as hunting grounds. They live by hunting and fishing, which not unfrequently failing, particularly of late years, is one of the causes together with an inordinate use of spiritous liquors and the occasional introduction of the small-pock, which has considerably reduced their numbers.

They have a repugnance for cultivating the earth, depending on other resources for subsistence, and have no tradition among them other than a faint recollection of the order of the Jesuits, who taught them the first principles of religious worship.

The native fastnesses of the Saguenay country in a military point of view, render it impregnable by a foreign enemy, by reason of its vast impenetrable barrier of mountains, lakes, rivers and swamps that lie between it and the St. Lawrence. Its key is undoubtedly Tadoussac. A strong fortification on the peninsula commands both the harbour and the entrance to the Saguenay,

RECAPITULATION and TABLE of Distances from Chicoutimi to Tadoussac, and of remarkable places on the Saguenay River:

TABLE OF DISTANCES.

Chicoutimi.									
7 $\frac{1}{2}$	The Meadows.								
12 $\frac{1}{2}$	5	Pointe aux Roches.							
18	10 $\frac{1}{2}$	5 $\frac{1}{2}$	Cap à l'Est, or La Baie des Haas!						
32	24 $\frac{1}{2}$	19 $\frac{1}{2}$	14	Ruisseau de la Trinité, N. E. side.					
37	29 $\frac{1}{2}$	24 $\frac{1}{2}$	19	5	River and Harbor of La Trinité.				
43 $\frac{1}{2}$	36	31	25 $\frac{1}{2}$	11 $\frac{1}{2}$	6 $\frac{1}{2}$	River and Harbor of St. Jean, S. W. side.			
47 $\frac{1}{2}$	40	35	30 $\frac{1}{2}$	15 $\frac{1}{2}$	10 $\frac{1}{2}$	4	Petit Saguenay.		
52	44 $\frac{1}{2}$	40	34	20	15	8 $\frac{1}{2}$	1 $\frac{1}{2}$	Island of St. Louis.	
54	46 $\frac{1}{2}$	42	36 $\frac{1}{2}$	22	17	11 $\frac{1}{2}$	6 $\frac{1}{2}$	2	Rivière St. Marguerite.
58	50 $\frac{1}{2}$	48	40	26	21	14 $\frac{1}{2}$	10 $\frac{1}{2}$	6	4 Rivière St. Etienne.
68	60 $\frac{1}{2}$	56	50	36	31	24 $\frac{1}{2}$	20 $\frac{1}{2}$	16	14 Tadoussac or mouth of the Saguenay.

Tues-

Tuesday, 23d. Left Tadoussac at 10 o'clock for Quebec. In crossing from L'Islet, the mouth of the Saguenay, we were exposed to the surf, called by the mariners "Rangs de marrées ou clapotage," that causes the strong current of the river meeting the rising tide of the St. Lawrence. It was blowing fresh from the south-west and not without much exertion and skillful management of the canoe we effected the doubling of Pointe-aux-Allouettes, and then landed at Pointe aux Bouleaux, about two miles above Tadoussac. There I observed an excellent tract of land extending to the foot of the hills, and from the Baie des Allouettes to the Riviere aux Canards, which we passed after the wind had a little abated, then the shores became bold, rising into a steep rocky mountain. Reached a fisherman's hut on the rocky point of La Baie des Echaffauds or Basques, where we encamped at six o'clock.

The Baie des Echaffauds is about a mile deep and surrounded by hills. At its entrance are two rocky Islands, the largest thinly timbered with fir and white birch.

Wednesday, 24th. Set out at 9 o'clock with a thick fog, rendering it necessary to keep close in with the shore, which is an iron-bound coast, and with much trouble we cleared the Shoals of La Baie des Rochers. The sky cleared up with a strong south-westerly wind which obliged us to put into a fisherman's hut on the west side of Woman's Port; a considerable shoal and reef of rocks renders its entrance dangerous at low tide; a small stream enters into it from between the mountains which form the character of the coast.

Passed the Riviere Noir, the eastern limits of Murray Bay, and then reached Port au Parsley at about half after four o'clock, when the wind rising too strong to enable us to double the Point, obliged us to await more favourable weather.

Thursday, 25th. We could not leave Port au Parsley before noon as the wind still continued fresh. Reached the Parish of Mal-Baie at half after 7 o'clock P. M.; the night was dark and observed much lightning to the southward.

Friday, 26th. The rain prevented our proceeding before 9 o'clock, at which time we left Mal Baie, and at 2 o'clock passed the beautiful settlements of the Eboulemens, whose verdant fields

crowning the summits of the sloping hills, which rise amphitheatrically from the St. Lawrence, obtain a pleasing effect in the traveller.

The wind about 4 o'clock rising strong from the north-west, we kept in for St. Paul's Bay; not being able to reach the village owing to the flat and sand shoal that covers the bay at low water, we bore upon the west point, which we reached at half after six o'clock, and encamped on the side of the road.

Saturday, 27. Set out at a quarter to 8 o'clock A. M.; fine weather, but still a strong S.W. gale, which obliged us to put in at the Seigniorship of La Petit Riviere, at 10 o'clock. I set out on foot to pass the capes, but stopping at a small settlement and the last of the Seigniorship, occupied by the fishermen who overlook their extensive eel fisheries, I was advised not to make the attempt as the approaching flood tide would shortly overtake me. Mr. Davies and the voyageurs could not venture out until 6 o'clock when they made this place; where we encamped on the shore.

Sunday, 28th. Started at 6 o'clock, passed the Capes Maillard and L'Tourment; we reached the first settlement of St. Joachim where I purchased provisions for the men, as we had now exhausted the stores that had been furnished us at Chicoutimi.

A favorable breeze blowing from the N.E. enabled us to reach the settlements on the Island of Orleans opposite Château Richer, where we encamped at 5 o'clock.

Monday, 29. Left the Island at 7 o'clock and landed at Hunt's wharf, Quebec, at about 11 o'clock: the St. Maurice expedition having performed from the 21st August a route of nearly 800 miles circuit, and with the exception of 90 miles circumnavigated in a bark canoe, the space containing a superficies of 12,190 square miles.

Given under my hand at Quebec,
this 24th day of December 1828.

JOS. BOUCHETTE, Junr.

(True Copy)

Depy. Sur. Genl.

JOURNAL

Of the Exploration of the Saguenay, and other parts of the Crown Lands on the North side of the River Saint Lawrence.

HAVING received orders from Andrew Stuart, Esquire, one of the Commissioners, in person, to be in Quebec on the first day of the month of August, in order to accompany this Expedition; I left my house, at St. Mary, Nouvelle Beauce, on the 31st July, 1828, and proceeded to Quebec, where I remained until the 6th day of August, waiting for the schooner, which was to carry us to Tadoussac.

6th August.—We left Quebec, and reached the port of Tadoussac on the ninth, at half past twelve. Here we caused our provisions to be landed from the schooner; and on the 10th left Tadoussac on our way to the post of Chicoutimi, which is about twenty leagues from the mouth of the Saguenay. The same day we reached the place called La Boule, where we met so strong a current with the ebb tide, that we were unable to double the point of La Boule, with the boat, and were compelled to enter the bay, and encamp there.

11th.—I left the boat and went on board a canoe; this evening we encamped on a small rock about a mile and a half above the Coquet Islands, and on the north bank of the Saguenay. From the mouth of the river (Saguenay) to this place, the banks are formed of high and steep rocks, which are almost all of a round shape.

12th.—I went into a little bay about three miles above St. John's bay, but on the opposite side of the river, where I was obliged to land, on account of the wind, which was west, and too strong for the canoes, and was detained until 3 P. M. At noon I made an observation at this

place, for ascertaining the latitude, and found it to be $48^{\circ} 14' 2''$ north. The variation appeared to me to be 18° west; but I am of opinion, that it is increased by beds of magnetic stone, which are found in the rocks here, and of which I have gathered specimens, weighing from $\frac{1}{2}$ to $\frac{3}{4}$ of a pound, possessing the power of drawing the magnetic needle aside, from $1\frac{1}{2}$ to 2 degrees, after it had settled itself to the north point. At 3 o'clock the wind having gone down a little, I again embarked and proceeded as far as a bay opposite that called Trinity Bay: here I found the gentlemen who were proceeding in the boat, and who were detained by the ebb tide. The tide rises here 21 feet perpendicular. At half past eleven we re-embarked and continued under way during the remainder of the night.

13th.—By ten A. M. I had got as far as Sandy Bay, where I was detained by the west wind till two P. M. The latitude of this place is $48^{\circ} 19' 9''$ north. At two P. M. the wind having abated considerably, I went on again, and reached the small bay above West Cape. There I found the gentlemen of the party who went in the boat, and encamped with them.

14th.—We reached the post of Chicoutimi, all at the same time.

15th.—Andrew Stuart, Esquire, one of the Commissioners, took counsel concerning the most expedient and fitting measures to be adopted by the Expedition.

16th

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16th.—I received my instructions from the said Andrew Stuart, Esquire, dated the same day, at 2 P. M. : and in pursuance thereof started with 2 voyageurs only, at 3 P. M., to explore Ha Ha Bay, the country round the said bay, and that in the neighbourhood of Chicoutimi, according to the tenor of my instructions. On the same day I reached Les Prairies, about nine miles from the post of Chicoutimi, where I remained till the following morning, and employed the men in sewing together a few yards of canvas, to make ourselves a sort of tent during our travels.

17th.—I proceeded to West Cape, at which point I entered Ha Ha Bay, following the north shore, which is bordered by high and barren rocks, continuing for about five and a half miles; after which they run in a northerly direction, and by so doing give a greater width to the bay, to the extent of about a mile on the north side. A bay is thus formed of about 2 miles wide at its mouth, and running one mile inland, which would afford complete shelter for a great number of vessels of any size. The anchorage is very good, and varies in depth from 15 to 35 fathoms. This bay forms a harbour wherein vessels would be sheltered from all winds.

18th.—I explored the land on the north side of the said bay, proceeding about 2 miles into the interior. The bank is cut and divided by small rocks, (which however do not extend far inland) as well as by small hills, succeeded by very fine vallies. The principal timber is cedar, spruce, alder, white birch, ash, &c. The soil consists of a layer of vegetable earth, about two inches deep, lying on a bed of the marl (Marne) marked No. 4. On the small hill the soil is sandy, and the timber red and yellow pine, (of considerable size, and apparently of good quality), spruce, sapin, white birch, &c. Two large riviulets running from the north, fall into the head of this bay, on the right bank of which (the bay) there are many limestone rocks of different shapes and sizes, and detached from each other. In the middle of the bay is a small rock which forms a small promontory, on the north side.

19th.—I explored the country on the west side of the said bay, north of the river Vasigamenké, and south of the first rivulet, on the north side thereof, to the distance of about four miles inland, at the end of which distance I crossed the country to the southward, as far as the said river Vasigamenké, (a distance of about 2 miles) and then descended to the bay following the valley of the last named river.

This part of the territory is intersected by a small chain of rocks to the distance of about $\frac{1}{4}$ of a mile; the rock then disappears and the good land begins, being level for about two thirds of a mile, after which the surface is irregular, being frequently intersected by gullies of moderate depth, the greater part of which form the channel of small rivulets, running into the river Vasigamenké. In other places the land is intersected by vallies of considerable extent, in which there are found layers of vegetable mould, from 7 to 8 inches thick, lying on a bed of the clay, marked No. 11. The timber is *liane*, ash, cedar, spruce, black birch, alder, &c. On the banks and high grounds, there is a considerable quantity of good red pine, of middling size; the soil is almost entirely white and red sand, and whenever it happens that the tops of these ridges are of considerable extent, cedars of large growth are found in the centre of them, in great abundance, mixed with alders. The soil consists of a layer of black earth, resting on the clay marked No. 10. The river Vasigamenké is about four chains and a half in width, at a mean; it is very rapid, and runs over a bed of gravel. The quantity of water it brings down is considerable, and it has changed its bed in many places between its mouth, and a distance of about three miles up it. There are banks raised in the middle of it, which are from six to nine chains wide, and frequently a quarter of a mile long.

20th.—I explored the country between the river Vasigamenké and that of Wissuscoué, setting out from the bay aforesaid, and following the Vasigamenké. There is here a fine valley, extending about a mile in depth. The timber is *liane*, ash, cedar, spruce, sapin, alder, &c., and the soil a vegetable mould, from 11 to 12 inches in depth, resting on a bed of the clay marked No. 12. After this the land rises gradually, the timber being spruce, cedar, sapin, alder, &c., of a very small growth. The soil is a layer of vegetable mould, from 9 to 10 inches in thickness, resting on the clay marked No. 13. At two miles and a half there is a steep hill to be ascended, on which the timber is red and yellow pine of a considerable size; the soil is sandyish, and lies over a grey earth, of which No. 14 is a specimen. At three miles and a half we entered a fine valley, the timber in which is *liane*, cedar, sapin, spruce, alder, &c. The soil is a layer of black mould, three or four inches in thickness, resting on a fat clay. At five miles, is the beginning of a piece of spruce land, covered with timber of very small growth, mixed with alder. The soil, a layer of black mould, resting on one of white sandy earth. At six miles, mixed timber and the land very good; being here I crossed the country to the southeast, in order to approach the river Wissuscoué, about two and a half miles, and then descended to the bay before mentioned, following the course of the last named river, and keeping a certain distance from it. I found here the same variety in the soil and timber which I found in going up near the other river. In the night between the 20th and 21st, being encamped at the mouth of the river Vasigamenké, I drew a Meridian line by observation on the Polar Star and the Great Bear, and found the variation of the magnetic needle of my Instrument (which was at Quebec, by observation in July last, $13^{\circ} 30'$) to be here $17\frac{1}{2}^{\circ}$ west, making the difference of variation at this place and at Quebec, $3\frac{1}{2}^{\circ}$.

21st.—I crossed over to the south side of the said Bay. In this part there is a small Islet, six chains in length, and three in depth, which is nothing else than a small rock, on which grows some cypress, lying about half a mile from the mainland, and dry at low water. The river Wissuscoué, which is about the same size as that of Vasigamenké, and runs from the south west, falls into this bay, at its most southern point. I ascended this river, following the south side, between four and five miles. The banks are rather high, but when these are once ascended, the land becomes generally level, and consists in great part of a bed of vegetable mould, lying on clay. The timber is for the most part *liane*, white birch, cedar, spruce, sapin and alder. There is a fine mill seat on this river, about two miles from its mouth. Returning to the bay, I determined its width, which I found to be $2\frac{1}{2}$ miles, on a line running magnetically north.

22d.—I explored the land on the south of the said bay. For about half a mile, the land is level, and the soil a bed of vegetable mould, from eight to nine inches in depth, resting on what I believe to be marl, and have marked No. 27. The principal timber is cedar, *liane* of considerable size, mixed with alder. The land there rises very gradually. At a mile and a half there is a considerable hill to be ascended, which is very steep. After this the land is intersected by deep gullies. The timber is spruce, sapin, yellow pine, white birch, cedar, &c., of considerable size, and the soil a layer of yellow clay, four or five inches in depth, resting on the red sand marked No. 21. The same sort of land extends nearly two and a half miles. After this is met a chain of high and barren rocks, over which I prolonged my journey, between four and five miles, hoping that the rocks would disappear. But on the contrary, they appear to rise constantly higher and higher. Returned to the shore of the bay, I went down it as far as the nearest cove to this place, on the east shore, visiting and examining in my course all the rocks on the said shore.

23d.—I ascended towards the south about three miles, and found nothing but barren rocks. After proceeding the three miles, I met a chain of rocks, which is the continuation of that which runs along the shore of the river Saguenay: I then saw that to proceed farther would be to lose my time and trouble; and I therefore determined to turn back, and embarked for the purpose of proceeding more to the eastward, or towards the entrance of the bay aforesaid. About two miles to the eastward, I found a large rivulet running into the bay, where I went ashore and found a small valley, containing about 40 or 50 acres, after which the chain of rocks is again continued. Thence I descended as far as the cove, west of Pointe au Fort, where I encamped, and afterwards proceeded to explore the said Pointe au Fort. I found the land next the bank covered with small rocks, which rise in steps, afterwards the rise becomes more sudden. The timber is chiefly white birch, and the soil composed of red and white sand. This sort of land continues for about half a mile, when the chain of rocks is again met with. All along the south shore of the bay from Pointe au Fort as far as the river Vasigamenké, there are shoals, which, at low water are uncovered, and vary in width from five to fifteen acres. Upon these we found a great quantity of beach grass.

24th.—I explored the cove on the east of Pointe au Fort, which contains about 400 acres of land, which might be cultivated, and the soil of which is very tolerable; the chain of rocks bounds this piece of land in the rear. Opposite to this cove is a shoal which is dry for about two-thirds of a mile at low water. After this I ascended the river Saguenay, following the south shore, to about six miles above West Cape, where I found the land bearing some indications of fertility. Having disembarked, I explored this part of the country, going about three miles back from the river, and found the land tolerably level, and the soil tolerably good, although intersected near the bank of the river, by small rocks, which, however, do not extend far. The timber is white and black birch, sapin, cedar, spruce, &c.

25th.—I explored the flat point, where I found on the east side, eight or nine acres in width of land, covered with water, at the time of the spring tides, and very marshy. Behind these marshes, as well as on the other parts of the point, the land is covered with timber, consisting of red and white spruce, white birch, cedar, alder, &c. The soil is a layer of black mould, eight or nine inches deep, resting on a bed of sandy clay, marked No. 45. While exploring this point, I met the Ruisseau l'Islette, on the east side of which there is a small rock rising in the river Saguenay, and running inland towards the south, for about half a mile. It then disappears at the commencement of a valley, in which there is much coarse hay, with alder, cedar, *liane*, &c., the soil, a layer of black mould, four or five inches deep, resting on a bed of vegetable earth, of which No. 46 is a specimen. At two miles and a quarter the land begins to rise gradually: at two miles and a half, it again becomes level, and the timber is red pine, white birch, sapin, spruce and cedar; the soil, a layer of yellow clay, resting on a bed of grey earth, both mixed with sand. The same sort of land continues for the distance of five miles, where it becomes intersected with small hollows.

26th and 27th.—I explored the land between the Mill River and the river Chicoutimi, ascending (at a certain distance from the first named river) to the distance of about ten miles. On leaving the river Saguenay the land rises gradually, for about a mile and a half. It then becomes level

level; at one and a half miles, the soil is a layer of vegetable mould from four to five inches deep, resting on the fat earth, marked No. 47. At four miles, it is a layer of black mould, on a bed of fat earth, marked No. 48. The timber varies into white birch, black birch, sapin, spruce, ash, cedar, alder, &c., there are also a few pines here and there. At five and a half miles, there are a few scattered small rocks, which continue to be seen to the distance of about seven miles from the starting point. They then disappear. The soil between these small rocks is a layer of vegetable mould, resting on the fat sandy earth, No. 49. At eight and a half miles, the soil is a layer of black mould, from seven to eight inches deep, resting on the fat earth marked No. 52; the wood is sapin, mixed, and the land and timber continues the same, to the distance of ten miles from the Saguenay, at which distance I began to cross the country towards the Chicoutimi, and being within a certain distance of it, I began to descend towards the Saguenay, and found the ground frequently crossed by deep hollows, but the soil constantly good, being generally a rich fat earth, slightly mixed with sand. The timber is various, and nearly the same as that near the Mill River.

28th.—I explored the Peninsula formed by the river Saguenay and Chicoutimi, to the distance of about three miles; and here I was not able to find any extent of country very fit for cultivation; except, that along the shore of the Saguenay, there are small vallies of very good land, and also small patches of the same kind on the Chicoutimi. But the interior is nothing but high rocks, and brown and red sand, very stony.

29th and 30th.—I explored the country to the north of the Saguenay and opposite to the post of Chicoutimi, to the distance of fourteen or fifteen miles inland.

This part of the country is bounded in front by the capes St. François and St. Charles, which stretch inland from the Saguenay, for about the third part of a mile. The soil then becomes very sandy, and of very middling quality; but about a mile further, the land is mostly flat, and the timber, aspen, *liane*, cedar, ash, some white birch, alder, &c., with these, there are service trees, (pinbinat) choke cherries and abundance of coarse hay, which in some places would even be worth mowing. The same soil (which is a layer of black mould, resting on fat earth) extends to the distance of fifteen miles from the river, except that about the seventh mile, there are some rocks, extending about half a mile in depth, but which do not rise more than ten feet above the surface of the ground in their neighbourhood. Being at the distance of fifteen miles from the river, or thereabouts, I climbed the trunk of a tree, and as far as I could see the land appeared to be the same.

31st.—I remained at Chicoutimi to get some bread baked, and repair my canoe.

1st. September.—I set off to explore the River Des-Terres-Rompues, which runs into the outlet of lake St. John, about eight miles above the post of Chicoutimi, or two miles above the point where the river Saguenay loses its name, and takes that of "The outlet." It is also the highest point on the river, to which the tide reaches. The outlet is not more than 15 to 16 chains wide, and the water rushes down this narrow channel, with extraordinary rapidity. At this place the portage Picau-chasca, which is six miles long, and runs to the north and north-west, commences; along this portage, the wood is sapin, mixed with alder. The soil, a layer of vegetable mould, over fat earth and clay.

Having arrived at the end of this portage or at the River Des-Terres-Rompues, which is about six chains wide, I encamped, and sent my men to fetch the rest of the baggage.

2d.—I was detained by a heavy rain, which fell the whole day.

3rd.—I began to re-ascend the said river, which runs for the most part towards the north, the banks are low and the land very good on each side. At one mile is the second portage, where there is a small fall of about six feet high. The river is divided into three branches, by two small islands, and a little lower down is another. At this place the river is twelve chains wide. A quarter of a mile farther is the third portage, where there is a fall of about twenty feet high, and above which the river resumes its ordinary width. At a quarter of a mile beyond this last, is a small rivulet running from the west about 80 links wide. At three miles is the fourth portage, where there is a strong rapid.

One mile farther is the fifth portage, a small fall about five feet high. The river then approaches the north-east. At six miles the sixth portage at a small island, with two others on each side of it, and another a little lower down. The river continues to approach the north-east. One mile and a quarter farther, the seventh portage; here there is a fall of twelve feet, the river is divided into two parts, by a small island. Below this fall, on the east side, is a deep cove, in which lie two small islands: here the banks of the river begin to rise.

I continued to ascend this river, to the distance of 2½ miles above the seventh portage, and there I encamped.

4th.—I explored the country on each side the said river, beginning on the west side. The land rises gradually after leaving the river for

the distance of half a mile. It then becomes level for about four miles, after this it again begins to rise gradually, and continues to do so to the distance of five miles from the starting point, where it becomes again level. The principal timber is white birch with some sapin. The soil is very sandy and of middling quality. I then explored the east side, where I found a great deal of grey pine, mixed with other kinds of soft wood. The land (after ascending the bank of the river) is level. The soil is sand, and offering no promise of great fertility. I continued my course eastward, from four to five miles, without finding any change either in the wood or in the soil.

5th.—I continued to ascend the said river, which begins to approach the north. At half a mile, the banks begin to be lower, and the land becomes very good on each side. At one mile and a half, a small island. At two miles, the beginning of strong rapids. One mile up these rapids is the twelfth portage, where there is a fall of twenty feet high, and at which the river is divided into six parts, by five small islands, and is about eighteen chains wide, immediately above the falls. After passing the portage the river winds very much, for the distance of three miles, at the end of which is the portage Hachoutagané, leading to the Grey Pine River, and which is about four miles long. The soil along it is very sandy. At the beginning of this portage, there is a steep hill to be ascended, which runs towards the north-west. The triangle formed by the Saguenay, the river des Terres Rompues, and the St. Marguerite, appeared to me to be generally level, except near the St. Marguerite, where there are some mountains of middling height.

The Grey Pine River is a chain and a half wide, and in places very rapid; the banks are low, and the soil on each side sandy but very level.

6th.—I began to ascend the Grey Pine River, which appears to me to be nearly parallel to the River Des-Terres-Rompues.

At three miles and a quarter, there is a fine little cove on the left, and a few chains higher up, another on the right. One mile from this is the fourteenth portage, which is two miles long, and runs towards the north-east, leading to lake Patispiscametché, which is altogether irregular, and round which are first seen small and very low rocks, extending but a small distance from the banks. Having passed these, the land becomes level and sandy. Having reached the sixteenth portage, I encamped.

7th.—I passed into two small lakes, and then into lake Wiscouamatché, which is about three miles long, and varies very much in width, on account of the bays on each side, which are more or less deep. In the first of these bays on the south side, there is a small island. The lake varies in depth, according to its width. On the north-east the mountains begin rising to a certain height, and having their summits nearly of a round figure. On the north-west and west, the land also rises more gradually, and without rocks. I passed by a small portage out of this lake into that of Mascouiané, which is a mile and a half wide, and about four long, and very deep, abounding with excellent fish. There are several islands in this lake, on the east side, on which side the mountains rise to an extraordinary height. I ascended these mountains, and thence saw the mountains which separate the waters of the Saguenay, from those of the St. Lawrence; on the west side as far as the eye could reach, there was no mountains to be seen. The land appears to rise gradually. The eastern point of the lake is in latitude 49° 16' 3" north. From this lake I passed by a portage, leading to another small one; and from this last, by another portage to the river Kaoissa, which is a chain and a half wide, running from the east, and going afterwards towards the north. The water of this river, which is very rapid, runs into lake St. John; the river is bounded on each side, by high rocks. Here I began to return to Chicoutimi, and encamped at night on lake Mascouiané.

8th.—I continued descending, and reached the post of Chicoutimi, on the ninth, at half past seven in the evening:—my baggage being wet through by the heavy rains, which fell during my descent.

10th.—I passed the day at Chicoutimi, in order to get my baggage dried, and to get some information from Pierre Laloutré, an Indian, living in this part of the country. He told me that the river Kaoissa, takes its rise from lake Wiscouamatché, and that the waters of this lake run into lake St. John. That the river St. Marguerite is very rapid; but that the salmon go up it, to the distance of about twenty leagues, and that at this point, there are falls which prevent their penetrating farther.

That the sources of this river lie in a chain of high mountains, and very close to those of the river Des-Terres-Rompues.

That these mountains are full of lakes.

That on the south side of the St. Marguerite there was a small chain of mountains.

During my journey to the river Des-Terres-Rompues, a swelling appeared on the right hand of Jean Belan, one of my men, and upon his arrival at Chicoutimi, he was obliged to apply politics to it, after which it came to a head on the morning of the eleventh. It was there that Mr. Wagner, (whom I found at Chicoutimi, waiting for my return from the

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Terres Rompues, in order to accompany me during the rest of my expedition) told me, that it would be dangerous for this man to continue to perform the necessary work, and that if he did so, he might be in danger of losing his hand.

11th.—I went down the river to the place called Les-Prairies, accompanied by Mr. Wagner, and helped my other man, Gregoire Donnevill, to paddle the canoe. Having reached Les-Prairies, I ascertained the extent of land occupied by them, which I found to be about fifteen or sixteen hundred acres. The soil, a layer of vegetable mould, from twelve to fifteen inches deep, resting on clay. There is very little timber, and at least 20,000 bundles of hay may be made every year in these meadows. On the north of the Prairies, is the prolongation of Cape St. Francois, extending to some depth, behind which rock the surface of the land varies greatly, being sometimes high and sometimes low. On the high grounds the soil is very dry and sandy; and in the small vallies it is a layer of black mould, resting on fat earth; and this same quality of soil appears to extend very far to the northward: but on the north-east, the mountains appear to be but at a little distance. After this exploration, we returned to Chicoutimi.

12th.—Joseph Belan was not in a state to assist the other men with the paddle, and my own hands were too much blistered with yesterday's work, for me to be able to handle the paddle to-day.

13th.—My hands were a little better, so that I continued to assist my other man, and we set off on our journey downwards, following the north bank of the Saguenay, and we reached that part of Pelletier's bay called le Portage; here the river is two miles wide, and here we encamped.

14th.—In the western part of this bay there are two small islands, and on the north east side is the mouth of the river Pelletier, eighty links wide. I ascended by the portage before mentioned, as far as the lake Benoit, which is of considerable extent, and very irregular. It is surrounded by mountains, which, however, rise to no great height. From this lake, going upwards towards the Batard River, the country appears to be mountainous, though the mountains are separated by small vallies, the soil of which is susceptible of cultivation; these vallies are too small to be worth the attention of settlers. I then proceeded as far as East Cape, of which I took the latitude, and found it $48^{\circ} 21' 4''$ north. I took also various angles, in order that I might be able to make the map of the river Saguenay, as correct as possible. From this place I proceeded to the river called Belle Fleur, which falls into the Saguenay, on the south side, and is one chain wide. At its mouth is a small valley, of very good cultivable ground, containing fifteen or sixteen acres—behind this are the rocks which rise in steps. Here I encamped,

15th.—I continued to descend the Saguenay, keeping along the south shore. The rocks along this shore rise continually higher and higher, and become also more barren. About six miles below the river Belle Fleur, there is a fine bay called "The Anchoring ground," affording shelter from the west and south-west winds. The depth of water varies from twenty-five to forty fathoms; the bottom seems to be sand. Opposite the bay is a small valley of cultivable ground, lying between two high rocks. From this place I proceeded to Trinity Bay, which extends a mile and a half inland, being about a mile wide at its mouth, and one quarter at its head. It is bounded on the west side by very high rocks; on the east side, the rocks are not so high. This bay is a safe harbour in all winds, and the anchorage is very good; the depth of water varies from ten to thirty fathoms. A small rivulet about two chains wide falls into the head of this bay; it winds along a valley, which extends to the south-west.

16th.—I descended to St. John's Bay, six miles from point to point. Entering this bay I determined its extent. It is near 2 miles wide at its mouth. In the western part there is a small island; it extends two miles inland. Its width at the head is very little less than a mile. In the western part of the head of this bay, the anchorage is very good, and

it affords good shelter from the westerly winds, there are also several batteries, on which six or seven hundred bundles of hay might be cut. A river which is from two to three chains wide falls into the east side of this bay: this river is very rapid, and runs in a rocky channel, winding through a valley of about a mile wide, lying between two rocky banks, which are nearly parallel to each other. The soil in this valley is very good. After having examined this bay and determined its extent, I began to ascend the river. The men were obliged to walk in the water, in order to force the canoe along. Mr. Wagner and myself went up on foot close to the banks of the river, and continued for the distance of about three miles, when we encamped.

17th.—Seeing that it would be very difficult to get the canoe up this river, on account of its rapidity—and observing that its general course was south-west, which would carry us far away from the mouth of the Malbaie river, I determined to return and descend by the Saguenay. This bay, and along the banks of the small river just mentioned, there may be a sufficient quantity of good land for about fifty settlers. Having arrived at the mouth of this river, I continued to descend the Saguenay, and there arose a strong west wind, which detained us in the eastern part of St. John's Bay, till half past three, P. M. We then proceeded as far as the Little Saguenay, where we encamped. This harbour is well sheltered from all winds, but the anchorage is very dangerous, on account of the large stones which are scattered here and there. In the western part of the bay, are two small islands; and a small river which runs between two high rocks, falls into the bottom of the bay.

18th.—We started at six in the morning, and reached Tadousac at two P. M., where we remained till the following morning, to pay the boat, which Mr. Moreau, the clerk of the post of Tadousac procured for our voyage as far as Malbaie.

Latitude of Tadousac, $48^{\circ} 7' 56''$.

19th.—We started in the afternoon, and went as far as the Baie-aux-foin, where we encamped, for the purpose of examining Pointe aux Bouleaux and Pointe aux Alouettes, the soil on both of which is very good, and the superficial extent about three thousand acres.

20th.—We set off at nine, P. M. and went as far as Port-au-Persil, when we arrived at ten, P. M. and there we lodged.

21st.—The west wind blew so hard, that we were compelled to remain here all day.

22nd.—It continued to blow so hard, that we decided on crossing from this place to Malbaie, by land, along a small path (which is but very little used) across the mountains: and for this purpose, we took each man his baggage on his shoulders, and in this manner proceeded as far as the first house of Cape à l'Angle: here we engaged a carriage to convey us to the house of Michel Chaperon, at Malbaie, where we took up our quarters.

23rd.—We engaged a boatman named Thomas Simard, to carry us to Quebec, and set off immediately. At seven, P. M., we were off the Isle aux Coudres, and went ashore there, while the tide was running out. We started again at eleven P. M., and at two in the morning were forced by the west wind, to enter a small river, by which we were prevented from proceeding further. Here we were detained the whole day.

25th.—We started at two, A. M., and reached Quebec at eight o'clock in the evening of the same day.

26th.—I made the report of my department, at Mr. Lampson's Office, and proceeded to my residence at St. Mary's, Nouvelle Beauce.

J. P. PROULX, S. S.

MINUTES OF EVIDENCE

&c. &c. &c.

HOUSE OF ASSEMBLY,

Monday, 19th Jany. 1828.

RESOLVED, That the Report of the Commissioners appointed in pursuance of an Act of the sixth year of His Majesty's Reign, intituled, "An Act to appropriate a certain Sum of Money therein mentioned, for exploring the tract of country to the north of the River and Gulph of St. Lawrence, commonly called the "King's Posts, and the Lands adjacent thereto," be referred to a Committee of Five Members, to examine the same and report thereon with all convenient speed with power to send for persons, papers and records.

Ordered, That Mr. *Stuart*, Mr. *Laterrière* Mr. *Bourdages*, Mr. *Neilson*, and Mr. *L. Lagucux*, do compose the said Committee.

Attest.

W. B. LINDSAY,
Depy. Clk. Ho. of Ass'y.

HOUSE OF ASSEMBLY,

COMMITTEE ROOM,

Thursday, 20th Jany. 1828.

In Committee on the above Order of Reference.

PRESENT: Messrs. *Laterrière*, *Stuart* and *Bourdages*.

Mr. *Stuart* called to the Chair.

Read the Order of Reference.

Read the Report referred, and examined the Journals, Plans, and other Documents accompanying the same.

Mr. *Charles Herménégilde Gaurvreau*, of Mal-Bay, Notary Public, called in, and examined:

Q. Have you any knowledge of the Country about the River Saguenay, the River Saguenay itself and the country lying between the River Saguenay and the St. Lawrence?

A. I have visited the Saguenay the year before last, and now hand in to the Committee a true Copy of the Journal kept by me on my journey; the same is as follows:—

From Tadoussac to La Boule,—distance about 2 leagues,—the land high, rocky, barren, and the banks nearly perpendicular.

A good harbour sheltered from the north-west, on the NE. side of the Saguenay; and a good harbour for boats on the SW. side, at the place called "Ance a la Barque."

At a distance of 3 leagues or thereabouts from Tadoussac, at the place called "Passe Pierre," a good harbor for schooners sheltered from the NW. and SW., and a good fishing station. There are also nearly opposite to this last place to the SW. some small islands.

From La Boule on the NE. to St. Stephen's Cove on the SW. a distance of about 2 leagues, a good harbour, sheltered from the NW.; and opposite to the Cove lies "Big Rock Cove"—a good harbor for vessels, &c.

On the same side lies "Ottapemiuche" Cove, a good harbor for boats; and at a small distance "Hay Cove," a good harbor for boats.

Opposite "Hay Cove" on the SW. is the River St. Margaret, about 6 leagues from Tadoussac, safe harbor against all winds: cultivable land towards the NE. and NW., but offering the greater advantages towards the NE; navigable for canoes about 20

leagues; there are 3 or 4 portages of little consequence. It is even possible to reach Portneuf on the River St. Lawrence by this route.

A short distance from the River St. Margaret is St. Louis' Island, about 7 leagues from Tadoussac—good harbors at each end. This island may be about one league long, and its width about a quarter of a league. There is nothing further remarkable about it. One league higher on the NE. is the Little Saguenay—a fishing station and a good harbor—at the distance of half a league on the SW. is "Cocquert," (so called in honor of the Missionary whose tombstone, &c. are still in the church at Chicoutimi,) or Bartholomew Island—a good harbor.

Opposite on the NW. is the Point called "Des Ecureuils"—a landing place for canoes.

A little higher up on the SW. is St. John's Cove, which may be about a league and a quarter in depth, having a small island at its entrance; a fishing station. Vessels lying here are sheltered from all winds. About 16 or 18 miles in the interior there are considerable tracts of maple land, and the land appears very fit for cultivation and sufficiently level.

On the same side, at a distance of 2 leagues from St. John's Cove, is the "Trinity," an excellent harbor. The cliffs are apparently between fifteen and sixteen hundred feet high, and more than perpendicular, for they hang over the surface of the water.

A little higher up lies the Cove du ——— about which there is nothing remarkable except that it is a very good harbour. Opposite the "Trinity" on the SW. is "Paddle Cove," a good harbour. A league higher up on the same side is "Little Paddle Cove," at a distance of about a league from the first; a good harbour for canoes.

At a distance of half a league higher upon the same side is "French Point," a good harbour for boats, &c. sheltered from the NW.

Three quarters of a league or one league higher up on the same side, is the "Descente des Femmes;" a good harbor for vessels, &c.

Two leagues above the "Descente des Femmes" on the same side, is "East Cape," and about a league higher up "Peltier's Cove," good harbor for vessels—the land in part cultivable.

One league and a half higher up "The Great Point," a good harbor.

A league and a half higher up on the same side, "Rocky Point," a good harbor for canoes.

Half a league higher up on the same side are the "Prairies," consisting of cultivable land, abounding in hay—a good harbor at high water.

Half a league higher up on the same side is "Otter River," and half a league higher up, the "River ———;" (the name of this river has been forgotten, or perhaps none has ever been given to it;) up which vessels may proceed about 20 or 25 arpents.

Half a league higher up, "Caribou River," a good harbor.

Half a league higher up, "Cape St. Francois", a good harbor.

Three quarters of a league higher, "Cape St. Joseph", and at about the same distance the Rapids—land cultivable, and good harbors.

N.B. From opposite the "Trinity" in ascending the River as far as the Rapids and higher the land appears sufficiently level.

Going

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Going down the Rapids between and opposite Cape St. Joseph and St. François, on the SW. side is the River Chicoutimi; near which are erected on a point of land on the NW. of the said River, a large house, inhabited by the Clerk of this Post, a store, bakehouse, barn, itables and other buildings; and 7 or 8 arpents higher up on the banks of the said River, are a chapel and burial ground.

The direction of this River is nearly north-west as far upwards as Lake St. John. There are eleven Portages, the most considerable of which is about $\frac{3}{4}$ of a league or a league, beginning immediately at the Post House at Chicoutimi. The views round Chicoutimi are sufficiently pleasing. The lands from Chicoutimi to Lake St. John, and even farther, are cultivable according to the information given by the Clerks of the Posts and other old voyageurs. The length of Lake St. John is about 12 or 13 leagues, and its width nearly the same; there are in this Lake several small islands. Starting from the mouth of this River, at the distance of a quarter of a league down the Saguenay, is the "Musk Rat River," a good harbor for vessels, &c. Half a league lower down is the "Mill River," a good harbor. The land susceptible of cultivation as far down as Ha! Ha! Bay, as well on the banks of the River as at a great distance inland. From this Bay for a distance of 4 leagues down the River towards "Eagle Cape," there are good harbors. The point of this Cape runs in a direction nearly NE. Ha! Ha! Bay may run about 4 or 5 leagues inland from its entrance, and may be about a league wide. At the head of the Bay is a small river. The cultivable land running to the north-west as far as Lake St. John, a distance of about 25 or 30 leagues—a good fishing station and a good harbor. On the top of the banks the land is level and well timbered, and the soil strong and good nearly as far as the eye can reach. Four leagues below this are the "Pictures," so called because the surface of the rocks are smooth, and at a distance have the appearance of pictures. From this place to St. John's Cove are several small harbors—there is only one which is a very good one; but nothing otherwise remarkable.

The part of the River lying between St. John and Tadoussac has been already spoken of in the account of the ascent of the Saguenay.

The undersigned penetrated into the interior of the country on both sides of the Saguenay; in one instance above the River St. Margaret, as far as Chicoutimi, a distance of about 20 or 25 miles, and his opinion is, that there are the means of forming considerable settlements with little trouble, the land being generally good and capable of becoming fertile,

The whole nevertheless humbly submitted to the readers of these remarks by him, who has the honour to subscribe himself,

Their very humble and
very obedient Servant,

CHARLES H. GAUVREAU,
N. P.

Malbaie, 23d Sept. 1828.

(No. 2.)

Mr. Edward Bowen, of Quebec, Student at Law, having been called in, stated:—

I was of the party which explored the Saguenay and Lake St. John last summer, and returned by St. Paul's Bay in company with Mr. Baddeley, of the Royal Engineers. Our information respecting the nature of the country and quality of the soil between the old settlements upon the St. Lawrence and the Chicoutimi on the other, is necessarily very small, and is to be found in Mr. Baddeley's report to the three branches of the Legislature, accompanying the report of the Commissioners for exploring the Saguenay. The persons who could give the Committee the best information upon this point are a few men residing in the neighbourhood of St. Paul's Bay, who have been in the habit of going out with the indians to assist them in carrying out the provisions necessary for their support during the hunting season, and returning at the end of that period for the peltry. In order to prevent mistakes the best plan would be, to procure their names from Vincent Tremblay, an old and respectable inhabitant of the village of St. Urbain, in the rear of St. Paul's Bay. I would particularly recommend the examination of the man who acted as our guide from St. Urbain to the Pafs des Monts, who was procured for us by Mr. Vincent Tremblay; he has

been employed as a carrier by the indians for some years, and has traversed the country in the rear of St. Paul's Bay, in all directions, as far as the sources of the Jacques Cartier.

(No. 3.)

Mr. Thomas McNicol, of Quebec, was examined as follows:

I am a native of Malbay, and my family have always resided there. I have resided for some time at Quebec, but have now fixed my residence at Malbay.

Q. Have you ever visited the country lying between Malbay and the Saguenay?

A. I have never gone quite to the Saguenay; I have been as far as the Petit Saguenay, distant from the Saguenay itself about eight miles; I cannot speak with any certainty as to the exact distance.

Q. When did you visit this country; what number of days were you employed in the excursion; how did you provide yourself in provisions; what number of men did you take with you; how many miles did you march per day; what was the whole distance you went; what were the streams and mountains you met with; what was the extent of level ground you passed; how is this country generally timbered; is it susceptible or not of cultivation; is there any and what number of inhabitants at Malbay who would be desirous of settling; what was the depth of snow compared with the depth of snow at Malbay.

A. In the month of December last; I was about ten days absent; I took my provisions of pork and flour from Malbay; there were ten indians, Mr. Brownson and myself on the party; not more than three or four miles a day going, but on returning five or six miles. The distance may be eight or nine leagues. There are a good many mountains in this tract of country, but it is generally level. The height of ground in the rear of Malbay, taking your departure from the River Malbay, is about four leagues from the River St. Lawrence. At this point you reach a valley of gentle declivity intersected by many small streams having many lakes; which valley varies from a league to a quarter of a league in breadth, and extends as far as the Saguenay. The timber is rather small; there are a good many burns, and the timber looks like young timber: it consists of some birch, but principally of pine, spruce and the balsam tree. Having visited the country in the winter only, it is difficult for me to speak with any certainty as to its susceptibility of culture or not. If the lands on the Saguenay were granted, settlers, I dare say, would be found at Malbay, and on the north shore generally. The snow was of the same depth as at Malbay, and the climate appeared to be the same.

Q. Could you give the names of any farmers or hunters of the north shore who would be able to give the Committee any information respecting the country lying between the Saint Lawrence and the Saguenay generally?

A. Thomas Simard, now of Malbay, who has passed the best part of his life at the King's Posts.

(No. 4.)

Lieut. F. H. Baddeley, Royal Engineers, having been called in, stated as follows:

In my geognostical report on the Saguenay country will be found all the information I have to offer on the subject of the nature and quality of the lands in rear of St. Paul's Bay, which, with the exception of the settled portions of that part of the country, is merely confined to hearsay evidence, and is as follows:

That after passing the chain of mountains which runs at the back of St. Paul's Bay, at the distance of from fifteen to twenty miles, a fine level tract of cultivable land is met with, which it takes two days to traverse. Through the centre of this tract the Malbay River takes its course. Similar information was received of the country on reaching Murray Bay.

From Mr. Vincent Tremblay, of the Parish of St. Antoine, information will be obtained of the names of the persons best qualified to give information.

(No. 5.)

(No. 5.)

Mr. Thomas Simard, called in and examined:

He states, I am a native of Malbay. I have passed the last 19 years in the northern Posts. I have been well acquainted with that part lying between Malbay and the Saguenay. During the last 3 or 4 years I have been there often. I hunt martins, and fish for trout at this place. The land is mountainous for about 3 leagues from the River St. Lawrence; it then becomes more level and intersected by hollows, particularly as far as the little Saguenay River, which is at a distance of 8 or 9 leagues from Malbay and one league from the Saguenay. There is a tract of cultivable land, the soil of which is yellow clay, sufficient for a settlement of about 100 families; the land is there very good; the timber is black and white birch, maple, fapin, spruce, mixed with other kinds. I know many farmers who wish to settle on new lands, but they would prefer beginning on St. John's Bay, and on the western part of the Saguenay above Chicoutimi. The climate is better than that of Malbay. The spring is earlier, and the land is much better.

(No. 6.)

Marc Pascal de Salles Latrriere, Esquire, a Member of your Committee, laid before the Committee an Extract of a Journal kept by him, on a visit to the Saguenay and its environs, in 1827. The same is as follows:

"White Birch Point ("La Pointe-aux-Bouleaux") which lies on the S. west side of the Saguenay, forms an irregular square of about $\frac{1}{2}$ of league in front by the depth of about one league, at the end of which depth it is bounded by mountains of the most desolate barrenness. The little Duck River which rises in the neighbouring mountains, bounds it on another side. The interior of this Point is marshy, and the timber which covers it, is, with the exception of the borders, nothing but small grey spruce. From the seignory of Mount Murray as far as this Point, (that is to say, from the Black River) the banks of the river, and the interior, as far as the eye can reach, offer nothing but rocky mountains, without any vegetation whatever. Leaving this place, I passed Tadousac, and proceeded as far as the "Bergeronnes." I ascended one of the rivers which bears this name, for the distance of a league and a half, and found nothing worthy of remark, except some prairies, which might perhaps produce altogether, from 7 to 8 thousand bundles of hay. The cultivable land on the banks of this river may extend from 4 to 10 arpents from the water, and is bounded by rocky mountains, whose only ornament is moss, and a few tufts of juniper. I explored the banks and the interior from the Point "Des Grandes Bergeronnes," as far as that of "Bon Désir," 3 leagues below it. The bank, which is at most 100 feet high, on account of its gradual ascent offers a rich vegetable border, and might induce a superficial observer to form a favorable opinion, of the whole tract lying between the river and the mountains, which bound it in the rear at the distance of 4 or 5 leagues. But I have passed this border; and after having proceeded 10 or 12 arpents into the interior, found myself in the middle of an immense swamp, covered with moss to the depth of three feet, and bordered on its edges by small black spruce. The information I received respecting the rest of this land on this side, as far as Port-Neuf, agree with this description of the "Bergeronnes." I returned to Tadousac, which is the principal depot of the Northern Posts. There is nothing here which could attract the eye of an agriculturist. In ascending the Saguenay as far as Chicoutimi, I made the following remarks: The general course in ascending the Saguenay is west: in some of its windings north-west. The first remarkable point on entering the river is a large mountain called "La Boule," (The Ball) on account of its shape, the gigantic base of which straitens the river at this place. The banks, which are from 15 to 18 hundred feet high, equally abrupt, and of primitive granite, enclose this twin brother of the St. Lawrence, whose mean breadth is not less than a league. The tide rises here 18 feet perpendicular: the lowest waters never leave dry the foot of those ramparts, built by the eternal architect, where the depth is so great that there is no anchorage. On the south-west side is St. Stephen's cove, which appeared to me about half a league wide from one point to the other: This cove is three leagues from Tadousac. The lessee of the posts has established a salmon fishery here. About 20 families might find means of subsistence in the neighbourhood of the cove. The sun-shine glistens on the surface of the rocks which surround it. For three leagues higher up the same abrupt banks continue; at this distance we entered a small bay, formed by the river St. Marguerite. This river is deeply buried in the mountains: it is 2 arpents wide at its mouth: it is navigable for bark canoes for a great distance; but I am informed that the land on its banks is not cultivable, being too closely enveloped by abrupt mountains. There is but a small space of cultivable land on the north side of the bay, part of which crumbles down upon the beach, and forms long battures of sand, on which the fishermen stretch their salmon nets. On the south-west of the Saguenay, half a league above St. Marguerite's River is St. Lewis Island, a large mountain of an oblong shape, on which there

is no other vegetation than a few shrubs growing in the crevices, and a little moss. It may be about half a league in length. I was told that this was the first anchoring ground above Tadousac; half a league to the north-west lies another rock, of an oval shape, surrounded by the waters of the Saguenay, and on which there is not a single tree. Three leagues from the river St. Marguerite, and consequently nine from Tadousac, is St. John's Bay, on the south-west, which may be about a league and a half wide at its entrance. The land here appears susceptible of some cultivation: the environs of this bay produce hay. There may, on its banks, be about a league in depth of cultivable land, (the slope of which is sufficiently gradual) lying between the bay and the highest part of the mountains. The soil consists in great part of blue and grey marl: a league higher up, is the cape called "the Trinity," on account of three small hollows. It is at least 18 hundred feet in height. Its summit juts considerably over its base. I doubt whether any traveller has passed under its dome, without feeling the littleness of man in comparison with these masses, the equilibrium of which is maintained by a power which forcibly awakens the idea of a Divinity!. Between this cape and another on the south side, is a pretty little bay; into which runs a river, one arpent in width, where the proprietor of the posts has established a fishery, but where the lands have not sufficient depth to induce the agriculturist to settle. From Trinity Cape to Ha Ha Bay, the banks preserve nearly the same altitude and the same barren aspect. The country near this bay, (which is 19 leagues from the mouth of the Saguenay,) begins at least to be more level, and offers an uninterrupted tract of land susceptible of cultivation, and capable of supporting a numerous population. The highest land in the neighbourhood of this bay is not more than 150 feet above the river, and the slope is almost imperceptible. The soil is blue and grey marl. The timber is maple, black birch, ash, elm, poplar, pine, spruce, &c. The outlines of this bay form a basin, two leagues in width, and bordered by prairies of considerable extent. The river which runs into it is navigable for canoes for a great distance. The country in the neighbourhood of this bay is all composed of cultivable land, particularly towards Chicoutimi, which is separated from this bay, only by a tongue of land 5 leagues in width. At this place the Saguenay makes a bend to the north, and resumes its ordinary course after passing the point which shuts in the entrance of Ha Ha Bay on the west. The traveller who is unacquainted with this bend, enters this bay, while he thinks he is proceeding up the river, and it is from the expression of surprise Ha-Ha, called forth by this change of course, that the name of Ha-Ha Bay is derived. As soon as the point is doubled, you are only 7 leagues from Chicoutimi, which is the second post kept up by the lessee of the Crown, and where the Reverend Father, the Jesuit Labrosse built a chapel in 1727, which is still in good order. The north shore of the Saguenay, from "East Cape," presents nothing but a barren and rocky country. The land becomes level, and of the best quality, from "Rocky point," three leagues below Chicoutimi, as far as the Point of Broken Lands, about two leagues higher up. The lands in the rear are level, for the distance of 6 leagues. From the point "Des-Terres-Rompues," as far as lake St. John, a distance of 25 leagues, I am told the land is level, and of the best quality. From Rocky Point, as far as the Pointe "Des-Terres-Rompues:" there are five leagues of beach between this place, bordered by considerable prairies, where the inhabitants of Chicoutimi cut their hay. The Caribou River empties itself here: it is one league below Chicoutimi. It is one arpent wide, and preserves this width for a quarter of a mile up. There is also the River à Valin, half a league below the Caribou River. There are falls half a league from its mouth which would facilitate the erection of mills.—Speaking of mills all the old timber on this bank was destroyed by fire, 50 years ago: the new vegetable colony has not yet attained its growth. In the said distance of 5 leagues, there is also the "River aux Outardes," the banks of which are prairies to the depth of 15 arpents. The whole of the south shore in descending from Chicoutimi, 5 leagues to the great "Burnt Point," presents a tract of good and level land. In this distance there are three pretty little rivers. The river de l'Islette, the Mill River and the Musk-Rat River, and lastly the river Chicoutimi, which is one arpent wide, and by which the canoes belonging to the post ascend to lake St. John. I do not know what the number of Indians was in the time of the Jesuits, but is now very trifling. There are not more than ten families on what is considered as the Chicoutimi Territory; the same number on lake St. John, and its neighbourhood, and about 15 on lake Chamachouan, which is 50 leagues to the westward of lake St. John, and which is the last post depending on the Saguenay. This Mission undertaken by the Jesuits, could have had no other object than the propagation of the Christian faith among the Indians, for if it had been part of the plan of the French Government to form a settlement here, we should find other traces than the ruins of a house, and an old chapel which has since been kept up by the Indians. In order to reach the post of Chicoutimi, 27 leagues of difficult navigation must be accomplished, the only advantage possessed by this post, appeared to me to be its situation at the junction of the two rivers. Ha-Ha Bay appeared to me the natural port for vessels arriving from beyond sea, and I am of opinion that it will hereafter become the great mart on this river. The Saguenay is frozen in winter, from Chicoutimi as far as the St. Louis Islands. The most common wind here is the north-west; which sometimes blows with frightful violence; it is the best wind for coming down the river. To ascend it, a north-east wind is wanted. It is said that other winds are imperceptible here. The land is fit for tilling at Chicoutimi in the month of May. The fall frosts are felt here earlier than at Quebec. I have eaten strawberries there on the 17th of June. I thought the vegetation more forward than at Les

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Eboulemens. Vegetables of all kinds flourish here. The greatest obstacle to the settlement of this place is the separation of the social tie ; for as soon as the navigation is closed, there is no further communication with the remainder of the world. The distance from Chicoutimi to Malbaie is reckoned at 4 days journey in winter, which is equal to 25 to 30 leagues. The immediate settlement of the Saguenay can be undertaken only by a Government or by individuals of colossal fortunes ; without considerable advances, such persons, as those by whom new settlements are generally formed, could not plant themselves here, notwithstanding the advantages which the territory offers."

(No. 7.)

Nicolas Vincent, (Tsawahouhi) Head Chief of the Christian Indians, settled at Lorette, being called in, stated :

The hunting grounds of my ancestors are in the forks of of the River St. Anne.

I have ascended the south-west branches of St. Anne and Jacques Cartier, to their sources.

I never ascended the Batiscan to its source, I passed from the S. W. branch of the St. Anne, to the N. E. branch of the Batiscan, and came out at the St. Lawrence.

I never was in the St. Maurice nor the River Champlain.

I know a part of the River Montmorency.

I never ascended higher the forks of the river, further than at a distance of about 10 leagues.

I have hunted beyond Lac des Neiges, sources of the Montmorency.

I have ascended the river Malbaie, about 10 leagues opposite the Rivière des Neiges.

The distance from the source of Jacques Cartier to Roche Platte, is about 10 leagues, and this last place is about 2 leagues from Valcartier.

The distance of the sources of the St. Anne, from the St. Lawrence must be at least 15 leagues ; its course, for about 8 leagues from the St. Lawrence, is about N. E. and S. W. : opposite the great bay in Deschambault it is not more than 4 leagues distant from the St. Lawrence, here it runs a distance of 3 leagues between N. and S. W. to the forks, thence from 2½ leagues to 3 leagues more to the S. W. to the forks, thence almost due north to the first lake, a distance of 2 leagues, thence through the lakes to its source, about 4 leagues N. W.

Into the last lakes which I saw, enters a river which runs from between N. and N. W., I have never been to the source of this river, but I have gone round it.

There are several falls in the St. Anne, I cannot tell the number of them.

The country is very mountainous.

I think there is cultivable ground from the St. Ann's, for a distance of about 10 leagues.

The timber is not very good, except some points along the river, where there are some elms.

I should think the land were susceptible of cultivation, (not in a straight line, but following the sinuosities of the river) for about 7 or 8 leagues.

Above the Roche Platte, on the Jacques Cartier, to the forks of that river, a distance of 6 or 7 leagues, there are several rapids, which cannot be descended in a canoe, there are two falls of about 30 or 40 feet height ; above the forks there are many falls, I cannot state the number, because we cannot descend the river there.

The wood above the forks is small epinette, bouleau, aunages ; there is even no pine ; on this side of the fourche there are from four to twelve arpents of well timbered lands, along the banks of the Jacques Cartier. Beyond this strip of land are rocky mountains.

I cannot state exactly the distance I descended the Batiscan ; there must be at least twenty leagues, but put down 15.

The good lands upon the Batiscan, extends farther than any of the other two rivers ; they must extend at least ten leagues, in a straight line from the St. Lawrence. When I spoke of the good lands of the St. Ann's, extending 10 leagues, I meant 10 leagues, according to the course of the river.

I have hunted a little on the south side of the St. Lawrence. I have been at the source of the Becancour or Black Lake. I have also passed

round the extremities of River Duchêne. I have crossed 3 of the streams which enter into that river, and form its main stream.

It was in the spring of the year that I went to London, (1824.) I went from our village to Pointe Levy, and from thence upon my hunting expedition to the Black Lake. I passed through St. Giles, about the middle of the parish, I passed over the 1st of the streams, which empties into the Becancour, it is 5 or 6 feet wide here, afterwards becomes as wide as this room, and afterwards as wide as this house. I followed this little stream to the forks, a distance of about 2 leagues, the time seems long, there are so many turnings in the river. I ascended here the south eastern branch, a distance of 2½ leagues to its sources, consisting of springs, not of a lake ; here I crossed over a distance of about a league, and came to another branch of the Becancour, I ascended this branch about 2 or 3 leagues ; the distance from this, which is the greatest source of the Black Lake, is about 4 leagues.

I have hunted also at Chateauguay ; I have hunted also behind the settlements of Kamouraska and in that direction.

It would take me several days to make plans of this river.

Upon being asked what he thinks to be a reasonable compensation for his trouble, he said he could not say, he would leave that entirely to the Committee.

The hunting grounds of Paul's ancestors, are at Lake St. Vincent ; of André Romain, on the river St. Ann ; Kaska's ancestors are also on the river St. Ann ; but below Paul, the ancestors of Louis, at Tantara, between the river Jaques Cartier and St. Ann ; Seewée's at Lake Caché, between the Montmorency and Jacques Cartier River ; Zacharié's ancestors lake St. Joseph. There were families occupying the hunting grounds, between the St. Ann and St. Maurice, but they are now all extinct.

Thursday, 12th February 1829.

PRESENT :—Messrs. Stuart, I aterriere and Neilson.

Mr. Stuart in the Chair.

Your Committee have examined the Report of the Commissioners appointed under the Act of the sixth year of His present Majesty's reign, intituled, "An Act to appropriate a certain sum of money for exploring the tract of country to the north of the river and gulph of St. Lawrence, commonly called the King's Posts, and the land adjacent thereto;" also the journals, plans and other documents which accompany the said Report, and the information given to them by several persons whom they have called before Your Committee, and whose examination they have the honor to report herewith.

It appears from these that the River Saguenay is navigable for vessels of any size, for a distance of about twenty-two or twenty-three leagues to Ha-Ha Bay, which is a good harbour, and that from thence for a distance of five or six leagues to Chicoutimi, this river is navigable at high water for vessels of large dimensions. Between the harbour of Tadousac and that of Chicoutimi, several harbours are found.

From Chicoutimi to Lake St. John the distance by admeasurement, is sixty-seven miles, sixty-eight chains.

The waters on the western side of the Peninsula, lying between Lake Tsinogomi and the grand outlet of Lake St. John, are generally navigable for batteaux, and all might be rendered so.

The following are the carrying places and distances on the route :

Names of Portage.	Length of Portage.		Water communication.	
	Chains.	Links.	Chains.	Links.
Chicoutimi - - - - -	160	00	32	00
Maie - - - - -	10	00	62	00
Attim - - - - -	9	00	33	00
Washkou - - - - -	7	00	619	00
Melon - - - - -	13	00	99	00
Ministuké - - - - -	33	00	148	00
Assini - - - - -	20	00	1863	00
Weque - - - - -	96	00	476	00
Pashicounanish - - - - -	25	40	459	00
Melow-zebé - - - - -	18	00		
From Belle Rivière portage to the entrance of Lake St. John - - - - -			364	00
From Koushigan to the post - - - - -			821	60
Distance of Land Carriage - - - - -			391	40
Ditto Water - - - - -			5036	60
			5428	00

67 Miles, 68 Chains, 00 Links.

The

The grand outlet of Lake St. John, on the eastern side of the Peninsula, is a rapid stream navigable only for canoes, and even in these dangerous to all but the most experienced canoemen.

Upon the north eastern shore of the Saguenay, there seems to be but little land susceptible of culture, till within a short distance from Chicoutimi.

What extent of ground, susceptible of culture, there may be between the old settlements in the rear of Murray Bay, and St. Paul's Bay upon the St. Lawrence on the one side, and Ha-Ha Bay and the Saguenay and Tadousac on the other, does not appear.

Between Chicoutimi and the country immediately in its rear on the one side, and Ha-Ha Bay and the waters emptying into it on the other, it appears there is found 300,000 acres of cultivable land.

Proceeding from Chicoutimi to Lake St. John, by the western route it seems probable that the country is not susceptible of culture to the westward of the river Chicoutimi, as far as the lower extremity of Lake Tsinogomi. From Lake Tsinogomi to Lake St. John, there is, according to the report of traders and indians, a deep tract of level and fertile country.

Your Committee however cannot speak with certainty upon this part of the country, as the Surveyor charged with exploring it, was prevented by accidental circumstances from accomplishing the object.

The Peninsula lying between Tsinogomi and the grand outlet of Lake St. John, is said to contain two hundred and fifty thousand acres of level and fertile land.

On the south-west side of Lake St. John, the mountains approach near to the Lake, and beyond them the whole country lying to the westward, until the river St. Maurice is reached, is altogether unsusceptible of culture, with the exception of a few patches too inconsiderable to be particularised.

The north eastermost side of Lake St. John, contains much good land. The following is a Table of the distances to which the rivers on this side of the Lake were ascended.

	Chains.	Links.	Miles	Chains.
River Peribonea,	1700	00	21	20
Musk-rat River,	170	00	2	10
River David,	769	00	8	49
Rum River,	123	00	1	43
River Mistassini,	720	00	9	00
Koucciaticn River,	40	00	0	40
River Baddeley,	560	00	7	00
River Pastagoutin,	480	00	6	00
Saguenay from Chicoutimi to Terres } Rompues,	484	00	6	4

This tract probably extends with some interruption, as far down as the meadow lands nearly opposite to Chicoutimi—the country was here penetrated from the north of the river des Terres Rompues, for a distance

of about sixteen leagues, and the land found to be of superior quality, the gentlemen charged with this portion of the exploring survey reports that the cultivable soil probably extends much further.

The following is a table of latitudes as taken by Lieutenant Baddeley of the Royal Engineers, with an artificial horizon :

Rivière La Fleur,	46. 53" 40'
Chicoutimi,	48 24 9
Portage des Roches,	48 14 31
About half-way over Lake Tsinogomi,	48 16 22
Where two parties met on Lake St. John,	48 37 59
Peribonea River,	48 42 37
Mistassini River,	48 38 55
Ouiatshouan River,	48 24 35
Metabitshuan River,	48 23 12
Tadousac,	48 6 39

The climate of Chicoutimi, and lower down the Saguenay, seems to be much like that at Quebec, whilst it would appear, that about Lake St. John, the climate is as mild as that of Montreal, perhaps milder.

The monies placed at the disposal of the Commissioners did not admit of their obtaining all the information, which it would be desirable to have.—To complete our knowledge of the country, it would be requisite :—

1. To explore in every direction the country lying in the rear of Murray Bay, and St. Paul's Bay on the St. Lawrence on the one side, and Ha-Ha Bay, the Saguenay and Tadousac on the other.

2. To explore the country lying between Chicoutimi and Lake St. John, upon the south-west side of the river Chicoutimi, Lake Tsinogomi, &c.

3. To explore the old route from Charlesbourg to the Saguenay, which strikes the Saguenay half way between Tadousac and Ha-Ha Bay.

4. To explore the country, likely to afford the most direct communication from Quebec to the old establishment of the Jesuits upon lake St. John, a distance of about 100 miles.

Enough, however, has been done to establish that there is a vast extent of cultivable land about Lake St. John and the Saguenay, and the waters connecting them, upon which it would be desirable to effect settlements.

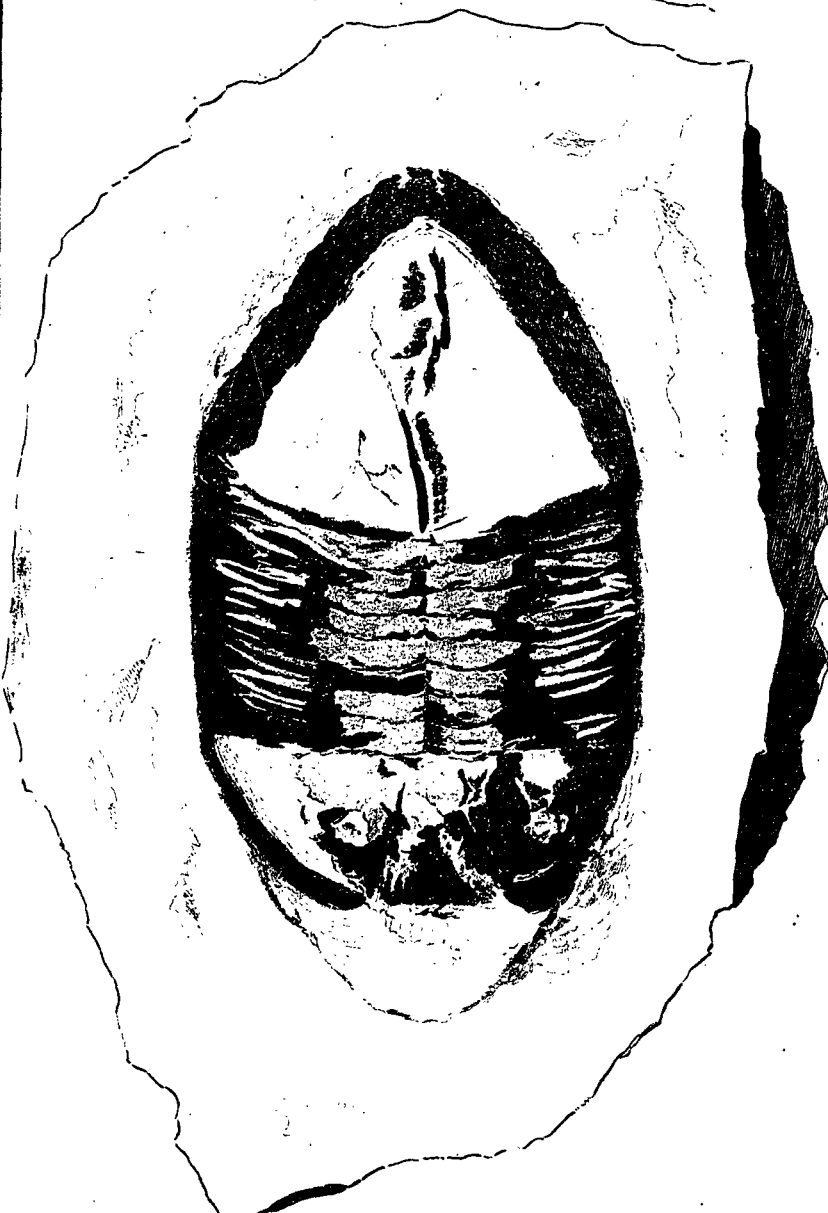
It will be for the House in its wisdom to determine whether it may not be expedient to vote an additional sum of money for the obtaining of the required information.

Ordered, That the Chairman do leave the Chair and report.

All which is nevertheless humbly submitted.

A. STUART, Chairman.

Quebec, 17th February 1829.



from Lake St. John, Lower Canada. —
 Drawn the natural size from the specimen in the upright position.



from Lake St. John, Lower Canada.
 Drawn the natural size.

Fig: 1.

Pl: 6



Fig: 2.

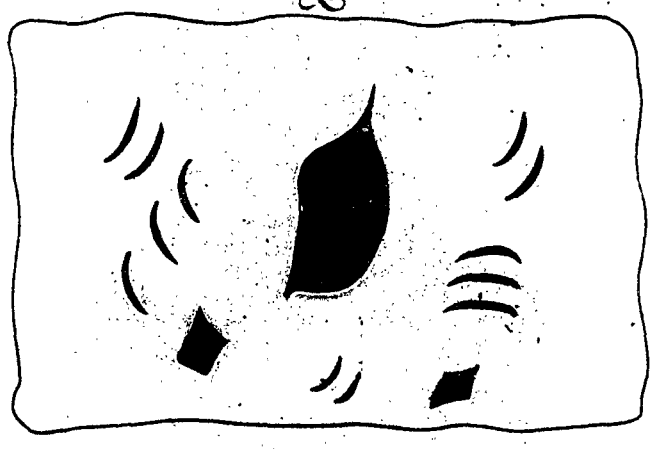


Fig: 3.

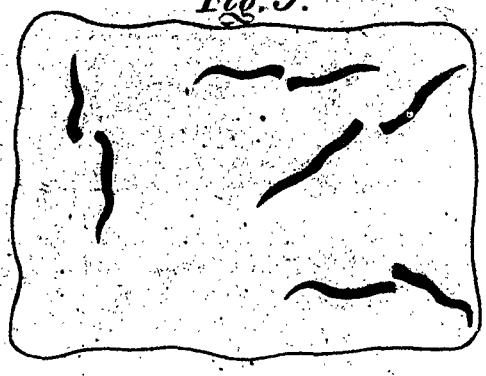


Fig: 4.

Pl: 7

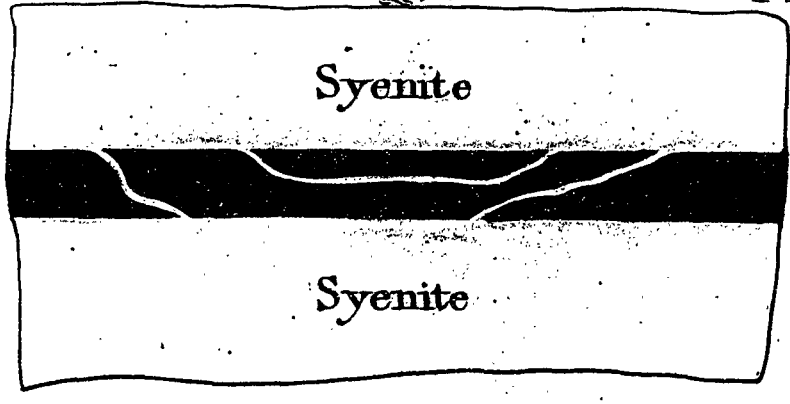


Fig: 5.

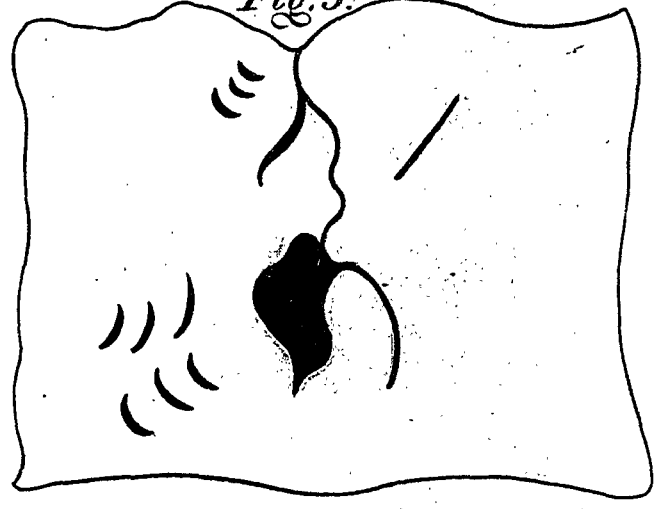
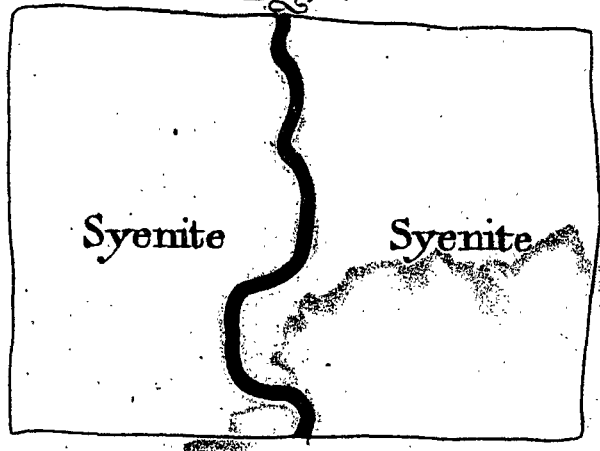


Fig: 6.



RAPPORT

DES COMMISSAIRES NOMMÉS

POUR EXPLORER LE SAGUENAY.

Aux Honorables COMMUNES du BAS-CANADA, assemblées en Parlement Provincial :

LES Soussignés nommés Commissaires en vertu de l'Acte passé dans la sixième Année de sa présente Majesté, chapitre 34, intitulé, "Acte pour affecter une certaine Somme d'Argent y mentionnée, à la visite et examen de l'étendue de terre au Nord du Fleuve et du Golfe Saint Laurent, communément appelée Postes du Roi, et des terres adjacentes," en obéissance aux dispositions dudit Acte, ont l'honneur de mettre devant les deux Chambres de la Législature Provinciale le Rapport suivant de leurs procédés.

Peu de temps après la nomination des soussignés comme Commissaires, il fut soumis à Son Excellence le Comte de Dalhousie, Gouverneur en Chef de cette Province, un plan qui avoit pour objet l'examen de cette étendue de Pays et ce Plan reçut l'approbation de Son Excellence.

En conformité de ce Plan, on loua de Mr. Lampson, le Bailleur des Postes du Roi, trois canots de dimensions convenables, pour un prix fixe au mois : Mr. Lampson entreprit aussi de fournir les hommes pour les canots et les vivres, tant pour ces individus que pour tout le parti. Le parti é ait composé de l'un des Commissaires soussignés, de trois Arpenteur savoir : Joseph Bouchette, fils, Ecuyer, Député Arpenteur Général, Mr. Hamel, Mr. Proulx, Arpenteurs jurés, et des Messieurs suivans qui s'offrirent comme volontaires pour cette expédition : B. P. Wagner, Ecuyer, de Québec, Mr. Baddeley, du Corps Royal du Génie, Mr. Nixon et Mr. Goldie du 66^e regiment, Mr. Bowen et Mr. Davies.

Le 22 Juillet dernier, Mr. Bouchette, accompagné du Lieutenant Goldie et de Mr. Davies, qui s'étoit offert pour agir comme son assistant, prit son départ de Québec pour les Trois-Rivières, et conformément aux arrangemens et aux instructions qui avoient été données en conséquence, remonta la Rivière St. Maurice, jusqu'à l'entrée de la Rivière La Tuque, distance de cinquante lieues, entra dans la Rivière La Tuque et la remonta jusqu'à ses sources, et traversant les eaux supérieures du Batiscan, entra dans les eaux qui sont dans son voisinage et qui se déchargent dans le Lac St. Jean, et arriva à un endroit qui se trouve à environ quatre lieues au dessus du Poste de Métabitchouan, l'ancien établissement des Jésuites sur ce Lac.

Le reste de l'expédition partit de Québec le six d'Août dans une goëlette, et arriva le neuf à Tadousac ; le jour suivant elle remonta le Saguenay avec un parti d'hommes de canots, et une chaloupe accompagnant les deux canots qui étoient attachés à cette partie de l'expédition, et arriva à Chicoutimi le quatorze d'Août.

On fit partir Mr. Proulx dans un petit canot avec deux hommes, avec instruction de faire l'examen des terres qui sont situées sur la Baie des Ha! Ha! entre cette Baie et Chicoutimi, et après avoir fini cet examen, il lui étoit recommandé de traverser la Rivière du Saguenay et Chicoutimi, et de pénétrer dans l'intérieur du côté opposé à la Rivière des Terres Rompues, et de s'assurer, autant que le tems et les circonstances pourroient le lui permettre, de l'étendue des terres propres à la culture qui, selon qu'on étoit porté à le croire, pourroient se trouver dans cette direction ; et après ce devoir rempli de revenir par le Saguenay à Tadousac, de prendre toutes les renseignemens qui seroient en son pouvoir, et de laisser ce dernier endroit et de se rendre à Québec avec toute la diligence possible.

Cela fut exécuté par Mr. Proulx, et l'on trouva le résultat de ses travaux dans son Journal et le Plan qui accompagne ce Rapport.

Du nombre des canots qui étoient restés à la disposition de l'Expédition, un de ceux où étoient Mr. Baddeley et Mr. Hamel, laissa Chicoutimi le sept d'Août, et étant arrivé au Lac St. Jean le vingt-deux, prit aussitôt à droite, et d'après les instructions il commença à faire la visite et l'examen de cette partie du Lac, qui se trouve entre l'embouchure du Koushigan et celui de l'Assuapmousoin.

Le deuxième canot, avec un petit canot qui le suivoit, en arrivant au Lac St. Jean le vingt deuxième jour d'Août se mit en route pour le Poste de Métabitchouan dans l'espérance d'y reconstruire ou de recevoir des nouvelles du parti qui avoit laissé les Trois-Rivières le vingt cinquième jour de Juillet.

A leur arrivée à Métabitchouan ils ne reçurent néanmoins aucune nouvelle du parti ; mais leurs craintes furent bientôt dissipées à cet égard par l'arrivée du parti des Trois-Rivières, au moment où ils alloient laisser le Poste de Métabitchouan, le vingt-trois d'Août. Ces messieurs avoient été retardés par la hauteur des eaux, provenant des pluies presque continuelles, et ils avoient aussi éprouvé les délais que l'on rencontre ordinairement dans des chemins presque inconnus et qui ne sont pas sans dangers.

Ici il fut ordonné à Mr. Bouchette, après qu'il auroit visité le Lac entre l'embouchure du Koushigan et l'embouchure du Lac Assuap-

mousoin sur le côté sud-ouest du Lac St. Jean, de faire la visite du pays qui est du côté sud-ouest du Lac Tsinogomi et Tsinogomishish, et des rivières en général qui se rencontrent sur la communication entre Chicoutimi et le Lac St. Jean dans cette direction, et après son arrivée à Chicoutimi de se rendre de cet endroit à Tadousac par le Saguenay ; prenant tous les renseignemens qu'il seroit en son pouvoir, en descendant la Rivière jusqu'à Tadousac, et arrivé jusqu'à ce dernier lieu de se rendre en toute diligence à Québec.

On peut voir quel a été le résultat des travaux de Mr. Bouchette par le Plan qui accompagne le présent rapport.

Il rapporte que le manque de vivres, et l'état avancé de la saison ne lui ont pas permis de visiter le pays au sud-ouest du Lac Tsinogomi et du Lac Tsinogomishish.

Son Journal n'est pas encore reçu.

Après avoir laissé Métabitchouan le vingt quatrième d'Août, ceux du parti qui étoient arrivés les derniers au Lac St. Jean depuis Chicoutimi, rejoignirent le canot qui avoit à bord Mr. Baddeley et M. Hamel, à l'embouchure de la Rivière Koucuatim, jusqu'à laquelle rivière ces messieurs s'étoient rendus dans le cours de leur examen du pays. Ici Mr. Nixon prit la place de Mr. Baddeley dans le canot, et il fut donné ordre à Mr. Hamel, après qu'il auroit complété sa visite sur le Lac St. Jean, d'examiner la péninsule qui est entre le Lac Tsinogomi et Tsinogomishish d'un côté, et la grande décharge jusqu'au Lac St. Jean de l'autre côté, en descendant à Chicoutimi ; et lors de son arrivée à ce dernier lieu de se rendre à Tadousac, en prenant toutes les informations qui seroient en son pouvoir, et de partir de Tadousac et de se rendre en toute diligence à Québec.

Le Plan et le Journal de Mr. Hamel accompagnent ce Rapport.

Les Commissaires soussignés prennent aussi la liberté de mettre devant Votre Honorable Chambre un Plan de Mr. Nixon, qui est une esquisse de la Rivière Assuapmousoin jusqu'à sa source, et aussi des rivières qui réunissent l'extrémité du Poste de Shippigan avec le Saguenay vis-à-vis Chicoutimi. Les renseignemens que Mr. Nixon s'est procurés, et d'après lesquels il a dressé des cartes de ces endroits du Pays, qui jusqu'ici n'étoient connus que des Marchands de Traite, ou des sauvages, lui méritent les plus-grands éloges. Ils demandent aussi qu'il leur soit permis de joindre à ce rapport, quelques extraits du Journal de Mr. Nixon, qui ont rapport aux objets particuliers de la mission.

Comme la présence du Commissaire n'étoit plus nécessaire, le monsieur qui accompagnait le parti, en capacité, de Commissaire les laissa à l'embouchure de la Rivière Koucuatim, et se rendit dans un canot allége à Tadousac, et de là à Québec.

Les autres messieurs, savoir : Mr. Wagner, Mr. Baddeley, Mr. Goldie et Mr. Bowen, continuèrent leur route autour du Lac, examinant ses rives et rivages, jusqu'au Poste de Métabitchouan, et de là jusqu'à Chicoutimi. Ici Mr. Wagner rejoignit le canot de Mr. Proulx, dans la vue de s'enquérir des qualités des bois et des facilités ou des difficultés quant à son exportation ; c'est sur ce sujet qu'il a le plus dirigé son attention, et c'est ce que sa longue expérience l'a mis très en état de pouvoir faire.

Messieurs Baddeley, Bowen, et Goldie, s'étant rendus de Chicoutimi à la Baie St. Paul, le dernier de ces messieurs est revenu à Québec.

Mr. Baddeley, accompagné de Mr. Bowen, est resté à la Baie St. Paul, pour continuer les recherches minéralogiques auxquelles il avoit plus particulièrement dirigé son attention dans le cours de l'expédition.

Les Commissaires soussignés prennent la liberté de soumettre à Votre Honorable Chambre les marques précieuses de son zèle et de son industrie dans cette exploration géognostique.

Quant à eux-mêmes, ils pensent que les résultats de cette visite d'exploration ont été plus satisfaisans qu'ils n'avoient lieu de l'anticiper, et que quoiqu'il en reste encore beaucoup dans un état imparfait, vu la modicité des moyens placés à leur disposition, néanmoins les Plans et Documents qui accompagnent ce Rapport démontrent d'une manière suffisante, que cette étendue de Pays peut fournir des habitations et de la nourriture à un grand nombre d'hommes, et par là augmenter considérablement la force militaire de ces Provinces, et contribuer aux intérêts généraux de l'Empire, auquel nous avons la gloire et le bonheur d'appartenir.

Le tout néanmoins humblement soumis.

Québec, 26 décembre 1828.

(Signé) ANDREW STUART.
DAVID STUART.

Appendice
(V.)
14 Janvr.

PARTIE GEOGNOSTIQUE d'une exploration du TERRITOIRE DU SAGUENAY;

Comprenant quelques observations sur la Topographie et l'Agriculture ;

Par le lieutenant F. H. BADDELEY, du génie.

Appendice
(V.)
14 janvier.

LES matériaux qui ont servi et donné lieu à cet essai géognostique ont été recueillis par l'auteur, qui était attaché à la commission d'exploration, partie de Québec dans l'été de 1828, pour aller explorer les territoires du Saguenay, dans la vue de rassembler des renseignements sur les avantages et les facilités qu'ils offraient à leur établissement.

Le lecteur verra que cet ouvrage demande beaucoup d'indulgence, tant à cause du peu d'expérience et de lumières que possédait l'auteur sur le sujet en général, qu'à cause du peu de temps qu'il a pu donner à l'observation. On accordera cette indulgence d'autant plus volontiers, que cet ouvrage a été fait sans l'assistance de personne, et sort, comme on s'en convaincra bientôt, d'une plume accoutumée le moins du monde à écrire des livres.

Comme l'auteur ne regarde ceci que comme une espèce d'appendice aux rapports plus importants et plus étendus de l'enseigne Nixon, 36^e régiment, de MM. Bouchette, Hamel et Davis, il a cru devoir omettre, comme superflus, la plupart des distances, des courses, &c. et n'a retenu que les latitudes des lieux, où il a eu raison de croire que ses observations étaient correctes à cet égard, et renvoie le lecteur à la carte de M. Hamel, pour la position relative des lieux.

Sans autre préambule il va procéder à la description des rochers qu'il a rencontrés dans sa route, et dans l'ordre qu'il les a observés, espérant qu'elle suffira au géologue expérimenté pour en déterminer la position géologique, ce qu'il n'a osé faire lui-même que bien rarement ; et dans les cas où il l'a fait, c'a toujours été avec la défiance et l'hésitation que lui donnaient son manque d'expérience et de connaissance sur le sujet.

Les rochers de l'Île d'Orléans, partout où nous en avons vus, sont composés alternativement d'un lit d'argille schisteuse et de grauwacke. Au Trou Saint-Patrice, où nous arrivâmes vers 10 heures, A. M., le 10 d'août, ils paraissent montrer alternativement des couches bien distinctes, qui, quand elles ne sont pas dans une position verticale, forment, soit à l'occident, soit à l'orient un angle de 60° à 85°. Ici le grauwacke prédomine et s'élevant au dessus des couches minces d'argille schisteuse, à cause de la plus grande résistance que celle-là oppose à l'action de l'air et du temps, forme sur le rivage des murs naturels, peu élevés, parallèles les uns aux autres. Il est probable qu'on peut tirer de là de bonne pierre à bâtir.

Comme on a quelquefois appliqué le mot de Wacke assez incorrectement à des pierres de caractères bien distincts, nous allons décrire la composition minéralogique, &c. de celle à laquelle nous avons appliqué ce terme.

La couleur qui y domine dans le voisinage de Québec, où ce minéral est devenu caractéristique, est un gris verdâtre. La structure est mécanique et granulaire, étant composé de grains de quartz arrondis, distribués abondamment dans une base d'argille durcie ; ils sont quelquefois assez gros, pour qu'on puisse l'appeler poudingue. On y aperçoit souvent de petits cristaux blancs de feldspath et de petits morceaux angulaires d'argille schisteuse. Ce qui le caractérise presque toujours, c'est un degré considérable de solidité et d'infriabilité, et il est impossible de le confondre avec des grès de formation plus moderne. Le grauwacke du Cap Rouge est une excellente pierre à bâtir, et l'on en a fait un grand usage dans les escarpes des fortifications de Québec. Quoique pierre prédominante, le grauwacke se rencontre rarement, en comparaison des autres, dans les débris épars sur le rivage, ce qui vient sans doute de la forte résistance qu'il présente à l'action de l'atmosphère pour le détacher, tandis que l'argille schisteuse, par une raison contraire, couvre les rivages de ses fragments angulaires.

Ces deux rochers s'étendent sans interruption jusqu'à l'ouest du télégraphe, des environs duquel, MM. Nixon et Bowen ont emporté des échantillons du dernier, très décolorés par l'oxide rouge de fer et contenant quelques noyaux de fer magnétique. Ces Messieurs rapportent que le sol sur lequel ils avaient passé était sablonneux et abandonné, description qui peut s'appliquer à presque toutes les parties de l'île que nous avons vues. A quelques verges au delà du point de haute marée les rochers s'élevaient à pic et forment une côte d'environ cinquante pieds de haut, parallèle au fleuve. Nous avons parcouru le rivage environ un mille à l'est du Trou Saint-Patrice, sans y observer aucun changement géologique d'importance.

A la Rivière Lafleur, à la hauteur de laquelle les vents contraires nous obligèrent de jeter l'ancre, nous avons observé les mêmes rochers. Ici cependant nous avons appris qu'on trouve de la pierre calcaire dans les paroisses voisines, à Saint-François du côté de l'est et à Saint-Laurent

* C'est le plongement le plus commun sur le rivage nord du Saint-Laurent ; il est souvent renversé du côté sud.

du côté de l'ouest, et à cette dernière place on en cultive pour l'usage de l'île. Ici nous fîmes dans l'île une petite incursion d'environ deux milles, dans une direction N. O., sans observer autre chose de plus remarquable qu'une pointe de grauwacke, coupé à pic, dans une position S. O. et formant un angle de 50° à 60°. A notre retour nous fîmes une observation solaire dont le résultat nous apprit que nous étions à la latitude de 46° 53' 40."

Ayant laissé la Rivière Lafleur, nous fûmes encore obligés de mouiller à la hauteur de l'île aux Oies, où nous passâmes la nuit. Nous apprîmes que cette île appartenait aux Urselines, et a environ trois quarts de lieue de longueur sur environ 550 pieds de largeur ; mais comme ce n'est presque qu'un rocher stérile, il n'y a en culture qu'une ferme d'environ 90 acres. Étant arrivés à cet endroit à une heure avancée de la nuit, et l'ayant laissé de bon matin, nous n'avons pu faire que bien peu d'observations géognostiques. Nous pensons que le rocher est de grauwacke, dont la position forme un angle élevé vers le N. O. ; il est couvert d'un lichen gris, et à l'extérieur il a l'apparence d'une solidité qu'il ne possède pas, au moins dans les lieux où nous l'avons examiné, car sous le marteau il se réduit aisément en lames, dont la surface est oxidée.

L'obscurité du temps, lors de nos observations, et la manque des échantillons recueillis, que nous avons laissés derrière nous, ne nous permettent pas d'en donner la description avec confiance. La surface de l'île est raboteuse et irrégulière.

En passant au sud de cette île, en descendant le fleuve, on aperçoit à gauche plusieurs îlots, savoir l'île Marguerite, l'île au Cochon, &c., &c. dont quelques-unes sont des rocs isolés, et qui ont l'apparence d'être aussi de Grauwacke.

Le 9 d'août au matin nous étions à la hauteur de l'embouchure du Saguenay, à la distance de 9 à 12 milles, selon que nous l'avons conjecturé. La plus haute pointe de terre sur le côté occidental de l'entrée du Saguenay gisait à cette distance, sous l'angle de 10. 12' 44." On ne saurait s'attendre à aucune hauteur approximative d'après des données aussi imparfaites ; cependant on procéda d'après elles, et un des calculs, dans lequel l'on avait pris pour base 12 milles, nous donna une hauteur de 919 pieds ; un autre dont la base était 10½ milles, nous offrit une hauteur de 805 pieds ; le premier de ces calculs s'accorde, à peu de chose près, avec le résultat d'une observation plus correcte, que nous fîmes subéquemment au poste de Tadousac.

En débarquant à cet endroit (Tadousac) nous nous mêmes incontinent à examiner quelques-uns des caractères géognostiques du pays. La seule place de résidence en cet endroit est élevée sur un banc de sable formé par alluvion, à 50 pieds au dessus de la surface de l'eau, et présentant une plateforme aux pieds des montagnes qui s'élèvent à pic à une petite distance en arrière. Les rochers dont sont composés ces montagnes sont de granit, tantôt gris, tantôt rouge, selon la couleur du feldspath, rocher que l'on rencontrera bien rarement parmi ceux que nous allons décrire ; il contient bien peu de mica, mais assez pour en faire du véritable granit. Il sort en masses cuboïdes et a la moitié du temps l'apparence probablement trompeuse de stratification. Au pied de ce granit se trouve un petit ruisseau qui reçoit ses eaux d'une coulée assez profonde dans les terres alluviales dont nous avons parlé plus haut, et qui est assez rempli de cailloux, fragments des rochers primitifs. Sur le rivage on aperçoit de petits dépôts de fer magnétique. Nous mesurâmes les bases de ces montagnes, et primes les angles nécessaires pour déterminer la hauteur des terres les plus élevées, de l'un et de l'autre côté de l'embouchure du Saguenay, et nous trouvâmes qu'elle était de 912 pieds sur la rive occidentale, et de 588 pieds sur la rive orientale. Ce ne sont que des résultats approximatifs, car ils sont la suite d'observations, qui ne furent pas prises avec la plus exacte précision. Les lignes de la base furent mesurées au pas et pouvaient dévier d'un à trois pieds du niveau horizontal.

Laissant le havre de Tadousac et avançant vers l'orient en faisant le tour du précipice argilleux de la Pointe aux Vaches, qui est la partie la plus méridionale du plateau alluvial décrit plus haut, nous tombâmes dans une petite baie, au fond de laquelle se jette dans le fleuve, le ruisseau du Moulin Baude, distance d'environ 3 milles du poste. C'est ici qu'est situé le lit du marbre blanc, qui a déjà tant excité l'attention. Il était tard lorsque nous visitâmes ce lieu et nous ne pûmes donner que dix minutes à l'examiner. Il repose en contact immédiat avec du Gneiss Syénitique, rocher composé de feldspath blanc, de quartz gris et d'amphibole noire ; c'est ce dernier minéral qui par la disposition de ses feuilles et couches parallèles, le fait appeler Gneiss, qui lui est plus applicable qu'au granit ; à la vérité ces feuilles et ces couches sont quelquefois si épaisses et toujours si continues qu'elles en méritent le nom "d'Amphibole Schisteuse alternante" de Maculloch, si l'on peut ranger dans cette classe une aggrégation, qui en d'autres endroits dans le voisinage, possède un caractère aussi intrusif et qui pour cette raison irait mieux avec les roches trappéennes. La fracture se fait plus facilement sur les

seus des couches qu'autrement, et dans cette exposition la surface offre l'apparence d'un faux éclat métallique noir, ressemblant à quelque schiste micacé, avec lequel on peut le confondre au premier coup d'œil, mais la facilité avec laquelle il fond au chalumeau en petites globules noires et brillantes de ce minéral qui a quelque ressemblance au mica noir, le distingue suffisamment.

Mais pour revenir au marbre : à sa jonction avec le Gneiss il est emmelé avec lui et est en plusieurs endroits coloré d'une teinte verdâtre, et il se conforme aux couches qui l'accompagnent, et incline vers le S. O., formant un angle élevé, et projette le long de la grève, en masses d'un blanc jaunâtre, usées par les eaux, au pied d'un rocher escarpé, le seul endroit où nous en avons vu. On ne peut considérer comme de qualité excellente aucun des échantillons que nous avons examinés, vu qu'ils étaient tachetés et détériorés, par ce que nous avons supposé être ou de l'Amphibole ou de l'Epidote ; outre cela il est disposé en lames et non pas en grains, comme le sont les marbres d'Italie, ce qui leur donne du prix, en ce qu'ils se taillent aisément en tout sens. Nous n'osons pas le tenter de nous assurer en quelle quantité se rencontre ce marbre, mais cette lacune se trouvera pleinement remplie par l'écrit anonyme qui suit ; et qu'il y a toute raison de croire correct :

“ TADOUSAC, 14 Septembre 1826.

“ Nous avons marché ce matin le long du rivage jusqu'au Moulin-Baude, à environ quatre milles au dessous de ce Poste, pour voir le banc de Marbre qui s'y trouve. La Pointe Rouge qui forme le promontoire S. E. du Havre de Tadousac est composée en grande partie de granit rouge et granuleux, très serré. Le granit est entre-coupé, dans l'espace de quelques pas, par des bancs de rochers primitifs de plusieurs espèces, et en est succédé jusqu'à la Pointe aux Vaches ; parmi ces rochers on remarque surtout le Gneiss &c., et là ils rencontrent un lit d'argile, qui paraît s'élever 150 pieds au dessus du fleuve, et qui est coupé presque perpendiculairement par le battement des eaux, dans un espace d'environ 200 verges, qui forment toute la largeur du lit. Cette argille a le même caractère que celle de la Pointe aux Bouleaux : *) Les rochers primitifs de la même espèce que l'on trouve adossés à l'argile, lui succèdent presque immédiatement, et l'action de l'eau présente au voyageur ce mélange bizarre mais magnifique de couches de différentes couleurs, spectacle qui s'offre si souvent à la vue entre la Malbaie et le Saguenay. Le rivage est alors irrégulièrement coupé et un lit de Gneiss, s'avancant dans le Saint Laurent, a été séparé par l'eau et forme un îlot, vis à vis lequel se trouve une baie, sur les atterrissement de laquelle il croit des avoines sauvages en si grande profusion qu'on les croirait semées par la main de l'homme. Un peu plus loin on rencontre une baie plus considérable que l'on appelle le Moulin-Baude ; elle a environ 150 à 200 verges de profondeur ; et c'est au fond de cette baie que repose le banc de marbre. Ce banc est dans une position presque verticale, s'élevant à la vue jusqu'au haut du rivage, qui est en cet endroit clairement boisé et d'environ 150 pieds de haut, et formant un angle d'environ 700. La direction des couches est presque N. (N. O.) ; dans toute la partie exposée la largeur varie depuis six jusqu'à huit ou neuf pieds, et se cache sous terre sans diminution. En quelques endroits il se mêle avec les lits adjacents, (de gneiss) mais généralement il est pur et solide. Un petit ruisseau qui descend du rocher l'a coupé, et en a détaché un ou deux gros blocs, qui ont été exposés à l'action de l'eau et de la gelée, dont ils ne paraissent pas avoir beaucoup souffert ; ils y ont même extrêmement bien résisté. On pourrait à peu de frais en tirer des milliers de tonneaux.

“ (†) Il sera très précieux comme marbre statuaire, car, généralement parlant, il est d'un blanc bien pur, quoiqu'à quelques pouces des lits adjacents, il ait souvent une teinte de vert, et qu'il y ait une teinte rouge dans quelques parties de la masse. Cette baie boueuse assèche à basse marée, offre un abri et admet à haute mer les vaisseaux tirant de 6 à 10 pieds d'eau : à la vérité le vaisseau qui tirerait 10 pieds pourrait toucher le fond avec sa quille. L'entrée, à venir du Saint Laurent, n'est pas difficile. Elle n'est pas à plus de 48 heures de marche de Québec, avec un léger bon vent. On pourrait tirer, je pense, des blocs parfaits de ce marbre de 15 à 20 pieds de long sur 4 ou 5 pieds de large, qui pourraient servir à l'ornement des édifices, en colonnes &c. &c. Comme ce marbre n'est pas susceptible d'un poli bien fin, on ne le rechercherait pas autant pour les chambranles de cheminées &c. Il mérite bien d'être exploité.” La découverte de marbre en cet endroit n'est pas bien nouvelle. Charlevoix en 1726 mouilla en cet endroit dans le Chameau, vaisseau de la marine royale française, mit pied à terre au petit ruisseau qui se décharge au fond de la baie, et il fait probablement allusion à ce banc même, qu'il ne put s'empêcher de voir, lorsqu'il dit, “ tout ce pays est plein de marbre. (†) Le marbre en question est connu depuis longtemps de la Compagnie du Nord-Ouest.”

C'est un fait curieux qu'on a acheté ce marbre pour du Gypse ; nous tenons de l'autorité la plus respectable, que l'acheteur le broya pour en faire du siment, et il réussit très bien. Si c'est le cas il a dû en faire d'a-

* L'argille de la Pointe aux Bouleaux et de la Pointe aux Vaches, les deux langues de terre les plus avancées sur les rivages du Saguenay à son embouchure, se trouve en bancs immenses, dont celui du premier endroit a environ 30 à 40 pieds d'épaisseur au dessus de terre, et celui du second endroit a peut-être 200 pieds d'épaisseur ; tous deux s'étendent ensemble, à ce qu'il paroît, 10 à 12 milles en superficie. La texture en est extrêmement déliée, et elle contient beaucoup de chaux et un peu de fer. Elle a la propriété de se diviser à l'eau, comme le fait la chaux vive, et par la simple exposition à la pluie ; elle pourrait servir comme un excellent engrais pour les terres où il y a surabondance d'acide, telles que les terrains marécageux, &c. &c. (Samuel Neilson, écrivain.)

(†) Il n'est pas du tout convenable comme marbre Statuaire, auquel il ne suffit pas seulement de la blancheur, mais de plus qu'il soit de structure granulaire. Les meilleurs, pour cet objet, sont ceux qui comme le marbre de Carrara, ressemblent au sucre blanc le plus raffiné.

(‡) Exemple remarquable d'exagération s'il ne voulait parler que du banc en question ; mais il est probable que trompé par la surface blanchie de presque tous les rochers de ces endroits, il prit pour du marbre tout le rocher auquel le banc de marbre se trouve réuni.

bord dégager, à grand feu, l'acide carbonique qu'il contient ; car il n'y a aucun doute qu'il ne soit un carbonate de chaux très pur, et son association avec le granite et le gneiss le range parmi les marbres primitifs. Qu'il ait jamais été trouvé du gypse parmi les roches primitives, de manière à en indiquer l'origine primitive, c'est ce dont quelques géologues ont douté. Il a une grande ressemblance avec l'albâtre, et c'est probablement ce qui l'a fait prendre pour du gypse. Au sujet de cette méprise nous donnons la lettre suivante que nous avons adressée à l'Éditeur du *Quebec Mercury* :—

“ On ne connaît que deux sortes d'Albâtre ; celui qui se forme au fond des cavernes par des dépôts calcaires qui découlent du toit, appelés stalagmites, et quelques variétés de gypse ou de sulfate de chaux. Ce ne peut pas être le premier, et ce n'est pas un des derniers ; en voici les raisons : Toutes les espèces de gypse peuvent se rayer avec l'ongle, excepté la variété anhydre qui ne le peut pas. Aucun d'eux ne fait effervescence avec les acides, car celui-ci non seulement fait effervescence mais encore il s'y réduit en une solution claire. Les gypses se réduisent en poudre à la chaleur— le minéral en question se réduit en chaux. C'est par conséquent un carbonate et non pas un sulfate de chaux.

“ Ce marbre a une translucidité remarquable, qui jointe à sa couleur (dans les échantillons avantagés,) est d'une blancheur éclatante, adoucie par une couleur de rose tendre, lui donne une apparence externe très propre à quelques objets d'ornement, surtout à faire des vases, des lampes &c. &c. S'il est en assez grande quantité pour permettre de l'employer comme pierre à bâtir, la facilité avec laquelle on pourra le travailler, sa solidité et sa blancheur le rendront un des matériaux les plus riches, les plus économiques et les plus durables. Quelques-uns se sont flattés qu'on pourrait en faire un article d'exportation ; mais en admettant qu'il soit en assez grande abondance, ce dont nous doutons, on trouve en plusieurs parties de l'Ecosse des marbres blancs d'une qualité bien supérieure, sur lesquels on pourra trouver un rapport détaillé, dans quelques mémoires qu'a présentés le Dr. Macculloch à la Société Géologique de Londres, et qui ont été insérés dans le 2e et 3e volume de ses Transactions. Nous insérons ici un extrait d'un de ces mémoires où l'on trouvera des renseignements intéressants sur les marbres de Grèce, d'Italie et d'Ecosse.

“ Dans le catalogue des substances qui concernent la minéralogie économique, il en est peu qui aient excité plus d'intérêt que le marbre statuaire, à cause de sa rareté, de sa beauté et de sa nécessité indispensable dans l'art de la sculpture. Il a été en différents temps dans ce pays l'objet des plus vives recherches, et la Société des Arts a offert des récompenses à qui en découvrirait. En conséquence on en a trouvé en différentes parties d'Ecosse, aussi bien qu'en Irlande, mais on en a encore introduit aucun échantillon dans les Arts. Les causes qui ont empêché cette introduction jusqu'ici peuvent être considérées comme purement accidentelles, étant d'une nature commerciale et nullement fondées sur l'expérience de leurs défauts physiques ; on a espéré que le temps et la persévérance les feraient disparaître, et que dans la suite les marbres statuaire de ce pays pourraient remplacer ceux qu'on se trouvait obligé de faire venir de l'étranger. Ce ne serait donc pas une recherche hors de propos d'examiner les diverses propriétés des marbres qui en différents temps ont eu la préférence de la part des Artistes, et de les comparer avec nos échantillons, plus particulièrement avec celui de Sky, maintenant sous examen, le plus abondant et assurément celui qui promet davantage parmi tous ceux qu'on ait encore trouvés dans la Grande Bretagne. Cet examen est d'autant plus nécessaire, que les diverses circonstances sous lesquelles diffèrent les marbres blancs, ne paraissent pas avoir généralement attiré l'attention, et qu'en quelques occasions le peu propre marbres d'une dépréciation injuste.

“ Dans ces temps éloignés où les Arts fleurissaient dans la Grèce, la valeur de cette substance où l'artiste fixait ses sublimes idées, fit faire des recherches industrielles ; en conséquence on a ouvert dans l'ancien temps nombre de carrières, dont il ne nous reste guère que les noms ; et il ne nous est parvenu que peu des ouvrages qui en sont sortis. Ces marbres étaient de diverses qualités, et l'on en voit encore des échantillons dans les anciennes statues, quoiqu'à l'égard de plusieurs d'entre elles les artistes et les minéralogistes, dans les tentatives qu'ils ont faites pour déterminer de quelles carrières elles sortaient, n'aient eut pour guide qu'une espèce de préjugé, qui souvent ne vaut guère mieux qu'une simple conjecture. De ce nombre, les carrières de Paros fournissaient un marbre, (le *lychnites* souvent cité de Plin) dans lequel on a taillé la célèbre Venus, de même que beaucoup d'autres dont l'accès nous est fermé. Mais il y a dans le Musée Britannique plusieurs échantillons, qui paraissent avoir été travaillés dans ce marbre, ou dans une espèce au moins de caractère analogue.

“ Nous pouvons parler avec certitude du marbre de Paros, puisque ces années dernières l'on en a apporté quelques blocs, que l'on peut voir aujourd'hui dans les ateliers des sculpteurs de cette ville. Le grain en est gros et peu éclatant, tandis qu'en même temps la texture en est lâche et molle, et la couleur d'un blanc jaunâtre et *aqueux*. Il possède sur les bords une translucidité considérable, qualité bien désirable il est vrai, dans le marbre statuaire d'un grain fin, à cause de la mollesse qu'elle donne aux contours, mais qui augmente l'aspect désagréable du marbre de Paros, à cause de la réflexion angulaire de la lumière qui est produite sur le bord et sur la surface transparente des faces sans nombre des petites feuilles. Aussi est-il certain que les sculpteurs grecs abandonnèrent le marbre de Paros, aussitôt après la découverte des carrières de Luna et de Carrara ; la finesse et la blancheur supérieures de ces marbres, qui aujourd'hui les font préférer à tout autre dont nous connaissons la situation, les mettent aussi sur le pied d'égalité, pour le moins, avec les meilleurs de l'antiquité, desquels nous ignorons les localités. [Indépendamment

Appendice
(V.)
14 janvier.

“Indépendamment du mauvais effet que produit le gros grain du marbre de Paros sur la surface transparente des ouvrages sculptés, et du faux jour qu'il introduit ainsi dans le contour, il nuit beaucoup à la correction nécessaire du dessin dans les petits ouvrages, et il ne peut par là répondre aux détails des petites sculptures en relief. Il est néanmoins susceptible d'un beau poli, qualité cependant de peu de valeur aux yeux du statuaire, et qui ne sert qu'à faire ressortir d'avantage les défauts de texture de cette espèce.
On dit aussi qu'il ne se trouve pas en assez grandes masses, vu que ses fréquentes fissures l'empêche d'offrir des blocs de plus de cinq pieds de longueur. Je dois ajouter que l'état actuel des goûts, à l'égard des marbres blancs, ne demande plus que les ouvrages modernes soient exécutés en marbre de Paros. Sa célébrité est reléguée dans les métaphores des poètes.

“Les carrières de Luna produisent un marbre blanc compacte, susceptible d'un parfait poli, et capable de se prêter à l'expression des moindres détails. Par là il est préférable, pour les opérations plus délicates du bas-relief, et au marbre de Paros, dont l'aspect nuit à la délicatesse du fini et de la surface nécessaires dans ces ouvrages; et aussi au marbre Pentelique, que les veines de mica et de serpentine qu'il contient rendent sujet à des accidents, et même à celui de Carrara, dans lequel il se rencontre des veines sombres en plusieurs endroits. Il fut en conséquence préféré des anciens, et entre autres ouvrages, l'Apollon de Belvédère a, dit-on, été exécuté en marbre de Luna. Nous ne connaissons que de noms les marbres d'Hymettus et d'Arabie.

“De tous les marbres que les anciens ont employés dans leurs ouvrages, et dont plusieurs échantillons nous sont parvenus, celui de Carrara est presque le seul qui soit en estime aujourd'hui, ou qui soit accessible aux sculpteurs modernes. Ce marbre est d'un grain bien fin et d'une texture compacte; il est aussi susceptible d'un beau poli, lorsqu'il en est besoin, et peut par conséquent servir à toute espèce de sculpture, excepté, comme cela arrive fréquemment, lorsque des veines sombres viennent gâter la beauté de l'ouvrage. Malgré l'apparence générale d'uniformité de sa texture, il offre différentes variétés d'aspect. La cassure est toujours à petits grains; cependant cette cassure se trouve quelquefois avoir une tendance vers la cassure en aiguillettes plates, dans lequel cas la roche est plus dure et plus transparente que dans l'état purement granuleux. Lorsqu'elle est purement granuleuse elle est quelquefois sèche et *miéreuse*, comme si elle avait été exposée à une forte chaleur; le marbre perd dans ce cas beaucoup de sa transparence et les sculpteurs l'appellent *laineux*. La transparence en varie, et quelquefois elle égale celle de l'Albâtre, (Gypse granuleux.)

“Le dernier des marbres anciens que je vais décrire est celui de Pentelicus, dont on trouverait probablement encore les carrières dans le voisinage d'Athènes, quoique les voyageurs modernes ne les aient pas cherchées. La texture en est lâche et le grain d'une grosseur moyenne, plus gros que celui de Carrara, mais plus fin que celui de Paros; il est bien inférieur du côté de la couleur, ayant des teintes de gris, de brun et de jaune, et étant bigarré de points transparents, ce qui lui donne l'apparence d'avoir été huilé. Mais son défaut le plus à craindre est sa structure lamineuse, et la quantité de mica dont il est contaminé; c'est à cela qu'on doit attribuer la corrosion et la destruction presque entière d'un si grand nombre des échantillons, l'action du temps dissolvant les parties de la pierre où le mica abonde davantage, et creusant de profondes fissures dans plusieurs parties de l'ouvrage. Il est surtout à regretter que les deux échantillons les plus dignes d'admiration, et qui sont les plus propres à inspirer aux artistes un sentiment d'admiration mêlé de désespoir, la tête du cheval et le Thésée, soient de tous, ceux qui ont le plus souffert. S'ils eussent été heureusement travaillés en marbre de Carrara, espèce plus uniforme et plus durable, ces ouvrages nous seraient parvenus dans toute leur perfection originale de contour et de surface. Les marbres de cette texture auraient même, sans en souffrir beaucoup, fait rebondir le marteau des Turcs; au contraire la roche micacée du mont Pentelique, se réduisant en éclats dans la direction de ses lames, a permis la mutilation complète de nombre de sculptures de grand prix.

“Nous n'avons aucun renseignement géologique à l'égard des rapports de ces roches avec d'autres. La grande ressemblance qui existe entre le marbre Pentelique et celui de *Glen Tilt*, sous le rapport de l'aspect et de la composition, ferait penser que, comme celui-ci, il repose dans du mica-schiste, formant des lits parallèles à ce rocher et interstratifiés avec lui. D'après les principes généraux de la géologie, nous aurions été portés à conclure que les autres avaient des rapports semblables avec les rochers primaires, si nous n'avions pas déjà vu que le marbre blanc de Sky qui a donné lieu à cette discussion, appartient aux couches secondaires.

“Nous avons maintenant à examiner les marbres blancs qui ont été découverts dans nos propres îles, afin d'en comparer les propriétés relatives et le prix qu'ils doivent avoir. Je suis malheureusement hors d'état de parler de ceux qu'on a découverts en Irlande, n'en ayant pas vu le gisement, et n'en possédant aucun échantillon.

“Celui qu'on a trouvé au Cap Wrath, en Ecosse, a le grain beaucoup plus gros que le marbre de Paros même, et ne peut par conséquent servir aux ouvrages de sculpture; et c'est à la vérité le caractère presque général des échantillons d'Ecosse. Ceux de Blairgowrie, de Glenavon et de Balahulish, sont tous également caractérisés par la même texture grossière et *spacieuse*, et tous également incapables de servir à la sculpture, quoiqu'on puisse fort bien les employer à l'architecture. Il y a longtemps que le marbre d'Iona est épuisé, et par conséquent ne demande pas une mention bien particulière: de quelque prix qu'il fût par la pureté de

en aiguillettes sous le ciseau, (outil sans lequel on ne sectionner ni donner de la vie à aucun ouvrage,) réunie à sa dureté, l'aurait probablement rendu inutile aux arts, si même il n'en avait encore en trouver.

“Dans un mémoire sur l'Assynt, j'ai déjà décrit le marbre district; il est d'une texture bien serrée, et quoiqu'il ne contienne tre terrain que de la chaux, il est d'une dureté et d'une gravité extraordinaire: Il n'est pas susceptible de poli, circonstance il est vrai, d'aucune conséquence pour le statuaire, puisque la que donner une fausse lumière à la surface, et qu'il n'est pas la sculpture moderne, mais il souffre d'un désavantage qui manque de transparence, ce qui produit l'effet léthargique et le l'on remarque dans le plâtre coulé, défaut qui suffit seul pour à jamais l'entrée dans l'atelier de l'artiste: son extrême dureté aussi le travail dispendieux.

“Le marbre de Sky, qui fait le principal objet de cette description, est d'une couleur d'un blanc pur, et paraît assez étendu et susceptible pour se tirer en blocs considérables. La pureté de sa couleur est ment contaminée, la cassure en est granuleuse et aiguillée, et fine, moins peut-être que celle du marbre d'Iona, mais plus fine que celle du marbre d'Assynt; la compacité, la dureté et la gravité sont grandes que celles du marbre de Carrara, auquel en effet il ne diffère que par la couleur. Il paraît être bien propre à toute la sculpture, vu qu'il peut se tailler en tout sens, et qu'il a assez de pureté, en même temps qu'il est susceptible de plus de polissage que demande le statuaire, mais à toutes les bonnes qualités il réunit une ténacité qui provient de sa dureté inégale. Il se trouve des roches aussi faciles à travailler que le marbre de Carrara, et d'autres échantillons sont si durs, que le travail en coûte près de 50 par cent de plus; cela semble venir de la présence des veines syénitiques et traçantes qui le traversent, comme je l'ai déjà remarqué, mais qui ne produisent qu'une altération dans sa composition chimique, et n'ont d'autre effet que de l'induration. Cette augmentation dans le prix ordinaire du marbre suffit, dans les échantillons durs, pour contrebalancer en grande partie le plus bas prix de la matière première, et les avantages qui résultent de la pureté, d'un droit et d'une assurance moins considérable. Les difficultés qui s'opposent à l'introduction du marbre le plus pur ont été encore trouvées dans la Grande-Bretagne; et ces difficultés, si elles sont, doivent, réunies à la force des habitudes de la routine commerciale, diminuer l'espérance extravagante entretenue en ce pays de remplacer, par son propre produit, l'usage du marbre statuaire étranger. Mais ce ne serait pas rendre justice au marbre de Sky, que de ne pas ajouter qu'il possède une propriété qui ne se trouve pas dans celui de Carrara; et cette propriété est d'une importance, au moins dans les petits ouvrages de sculpture; elle consiste dans la compacité de sa texture, qui le fait résister à la meule, et arrive si souvent à l'endroit où arrête le ciseau, effet que l'on connaît sous le nom technique d'*étourdissement*, et dont le résultat est une tache blanche opaque désagréable, le plus souvent à l'endroit où l'ombre est la plus forte.”

Il est à espérer qu'on excusera la digression précédente, et qu'on ne s'apercevra pas qu'elle jette sur le sujet des lumières qu'on ne trouve pas partout, et qui mettent en état de priser la valeur des marbres de Canada, de ceux dont on connaît déjà et de ceux dont on ne connaît pas les localités.

Les rochers des deux côtés du Sagenay, à monter la *Boule*, (montagne qui s'avance dans le fleuve; d'une manière remarquable, du côté nord-est,) sont probablement de granite et font partie de la même série que l'on rencontre dans le voisinage immédiat de Tadoussac. Ils ont quelquefois l'apparence d'être d'un granite et de plonger vers le S. E. à un angle presque vertical, et s'élèvent à une hauteur considérable en falaises presque perpendiculaires et les sommets en sont stériles, en quelques endroits entiers dans lequel cas la surface blanchie du rocher, dont la blancheur est le résultat de la décomposition commencée du felspath qu'il renferme, à celle de quelque pierre calcaire; ils paraissent aussi avoir une couleur enfumée ou noirâtre: presque à fleur d'eau, une gaineuse rouge caractérise ces rochers: leur apparence est remarquable, caractères qu'ils perdent à mesure qu'on monte la rivière.

Ce fut sur la *Boule* que nous observâmes pour la première fois des masses singulières de trapp, qui quelquefois se montrent sous la forme de veines ou *dykes*, quelquefois sous la forme de lits composés et irréguliers; mais le plus souvent en morceaux disjoints et anguleux, et le tout mérite l'attention du géologue. Les aspects trappéens caractérisent presque tous les rochers qui se trouvent dans ce pays, et il est nécessaire de définir la composition minérale de laquelle nous avons appliqué ce terme, à cause surtout qu'il n'y a eu d'une pareille description, il serait presque impossible d'avoir une idée correcte, vu l'application libre et indéfinie que l'on a donnée à ce terme; et toutes les fois qu'on le rencontre dans un essai, il est employé pour signifier toute roche dans laquelle se trouve l'Amphibole, sans égard pour les idées théoriques, que l'on a fait porter. Ce terme signifie ici particulièrement un composé d'Amphibole noire cristalline, de petits cristaux de mica et d'écaillé composé d'un assemblage de cristaux de felspath, de mica non élastique ou talc; enfin une substance semblable à celle que l'on a décrite plus haut comme étant associée avec le marbre de Baude; mais qui en diffère ici dans la forme sous laquelle elle se présente. Elle ressemble aussi beaucoup à un composé d'Amphibole et de mica.

Appendice
(V.)
14 janvier.

“Indépendamment du mauvais effet que produit le gros grain du marbre de Paros sur la surface transparente des ouvrages sculptés, et du faux jour qu'il introduit ainsi dans le contour, il nuit beaucoup à la correction nécessaire du dessin dans les petits ouvrages, et il ne peut par là répondre aux détails des petites sculptures en relief. Il est néanmoins susceptible d'un beau poli, qualité cependant de peu de valeur aux yeux du statuaire, et qui ne sert qu'à faire ressortir d'avantage les défauts de texture de cette espèce. ... On dit aussi qu'il ne se trouve pas en assez grandes masses, vu que ses fréquentes fissures l'empêche d'offrir des blocs de plus de cinq pieds de longueur. Je dois ajouter que l'état actuel des goûts, à l'égard des marbres blancs, ne demande plus que les ouvrages modernes soient exécutés en marbre de Paros. Sa célébrité est reléguée dans les métaphores des poètes.

“Les carrières de Luna produisent un marbre blanc compacte, susceptible d'un parfait poli, et capable de se prêter à l'expression des moindres détails. Par là il est préférable, pour les opérations plus délicates du bas-relief, et au marbre de Paros, dont l'aspect nuit à la délicatesse du fini et de la surface nécessaires dans ces ouvrages; et aussi au marbre Pentelic, que les veines de mica et de serpentine qu'il contient rendent sujet à des accidens, et même à celui de Carrara, dans lequel il se rencontre des veines sombres en plusieurs endroits. Il fut en conséquence préféré des anciens, et entre autres ouvrages, l'Apollon de Belvédère a, dit-on, été exécuté en marbre de Luna. Nous ne connaissons que de noms les marbres d'Hymettus et d'Arabie.

“De tous les marbres que les anciens ont employés dans leurs ouvrages, et dont plusieurs échantillons nous sont parvenus, celui de Carrara est presque le seul qui soit en estime aujourd'hui, ou qui soit accessible aux sculpteurs modernes. Ce marbre est d'un grain bien fin et d'une texture compacte; il est aussi susceptible d'un beau poli, lorsqu'il en est besoin, et peut par conséquent servir à toute espèce de sculpture, excepté, comme cela arrive fréquemment, lorsque des veines sombres viennent gâter la beauté de l'ouvrage. Malgré l'apparence générale d'uniformité de sa texture, il offre différentes variétés d'aspect. La cassure est toujours à petits grains; cependant cette cassure se trouve quelquefois avoir une tendance vers la cassure en aiguillettes plates, dans lequel cas la roche est plus dure et plus transparente que dans l'état purement granuleux. Lorsqu'elle est purement granuleuse elle est quelquefois sèche et *miéuse*, comme si elle avait été exposée à une forte chaleur; le marbre perd dans ce cas beaucoup de sa transparence et les sculpteurs l'appellent *laineux*. La transparence en varie, et quelquefois elle égale celle de l'Albâtre, (Gypse granuleux.)

“Le dernier des marbres anciens que je vais décrire est celui de Pentelice, dont on trouverait probablement encore les carrières dans le voisinage d'Athènes, quoique les voyageurs modernes ne les aient pas cherchées. La texture en est lâche et le grain d'une grosseur moyenne, plus gros que celui de Carrara, mais plus fin que celui de Paros; il est bien inférieur du côté de la couleur, ayant des teintes de gris, de brun et de jaune, et étant bigarré de points transparents, ce qui lui donne l'apparence d'avoir été huilé. Mais son défaut le plus à craindre est sa structure lamineuse, et la quantité de mica dont il est contaminé; c'est à cela qu'on doit attribuer la corrosion et la destruction presque entière d'un si grand nombre des échantillons, l'action du temps dissolvant les parties de la pierre où le mica abonde davantage, et creusant de profondes fissures dans plusieurs parties de l'ouvrage. Il est surtout à regretter que les deux échantillons les plus dignes d'admiration, et qui sont les plus propres à inspirer aux artistes un sentiment d'admiration mêlé de désespoir, la tête du cheval et le Thésée, soient de tous, ceux qui ont le plus souffert. S'ils eussent été heureusement travaillés en marbre de Carrara, espèce plus uniforme et plus durable, ces ouvrages nous seraient parvenus dans toute leur perfection originale de contour et de surface. Les marbres de cette texture auraient même, sans en souffrir beaucoup, fait rebondir le marteau des Turcs; au contraire la roche micacée du mont Pentelic, se réduisant en éclats dans la direction de ses lames, a permis la mutilation complète de nombre de sculptures de grand prix.

“Nous n'avons aucun renseignement géologique à l'égard des rapports de ces roches avec d'autres. La grande ressemblance qui existe entre le marbre Pentelique et celui de *Glen Tilt*, sous le rapport de l'aspect et de la composition, ferait penser que, comme celui-ci, il repose dans du mica-schiste, formant des lits parallèles à ce rocher et interstratifiés avec lui. D'après les principes généraux de la géologie, nous aurions été portés à conclure que les autres avaient des rapports semblables avec les rochers primaires, si nous n'avions pas déjà vu que le marbre blanc de Sky qui a donné lieu à cette discussion, appartient aux couches secondaires.

“Nous avons maintenant à examiner les marbres blancs qui ont été découverts dans nos propres îles, afin d'en comparer les propriétés relatives et le prix qu'ils doivent avoir. Je suis malheureusement hors d'état de parler de ceux qu'on a découverts en Irlande, n'en ayant pas vu le gisement, et n'en possédant aucun échantillon.

“Celui qu'on a trouvé au Cap Wrath, en Ecosse, a le grain beaucoup plus gros que le marbre de Paros même, et ne peut par conséquent servir aux ouvrages de sculpture; et c'est à la vérité le caractère presque général des échantillons d'Ecosse. Ceux de Blairgowrie, de Glenavon et de Balahulish, sont tous également caractérisés par la même texture grossière et *spacieuse*, et tous également incapables de servir à la sculpture, quoiqu'on puisse fort bien les employer à l'architecture. Il y a longtemps que le marbre d'Iona est épuisé, et par conséquent ne demande pas une mention bien particulière: de quelque prix qu'il fût par la pureté de sa couleur et la compacité de sa texture, l'incertitude de sa fracture

en aiguillettes sous le ciseau, (outil sans lequel on ne peut perfectionner ni donner de la vie à aucun ouvrage,) réunie à son extrême dureté, l'aurait probablement rendu inutile aux arts, si même l'on pouvait encore en trouver.

“Dans un mémoire sur l'Assynt, j'ai déjà décrit le marbre blanc de ce district; il est d'une texture bien serrée, et quoiqu'il ne contienne d'autre terrain que de la chaux, il est d'une dureté et d'une gravité spécifique extraordinaire: Il n'est pas susceptible de poli, circonstance qui n'est, il est vrai, d'aucune conséquence pour le statuaire, puisque le poli ne fait que donner une fausse lumière à la surface, et qu'il n'est pas reçu dans la sculpture moderne, mais il souffre du désavantage qui accompagne le manque de transparence, ce qui produit l'effet léthargique et le contour que l'on remarque dans le plâtre coulé, défaut qui suffit seul pour lui interdire à jamais l'entrée dans l'atelier de l'artiste: son extrême dureté en rend aussi le travail dispendieux.

“Le marbre de Sky, qui fait le principal objet de cette discussion, est d'une couleur d'un blanc pur, et paraît assez étendu et assez continu pour se tirer en blocs considérables. La pureté de sa couleur est rarement contaminée, la cassure en est granuleuse et aiguillée, et la texture fine, moins peccant que celle du marbre d'Iona, mais plus fine que celle du marbre d'Assynt; la compacité, la dureté et la gravité en sont plus grandes que celles du marbre de Carrara, auquel en effet il ne ressemble guère que par la couleur. Il paraît être bien propre à tous les objets de la sculpture, vu qu'il peut se tailler en tout sens, et qu'il a assez de transparence, en même temps qu'il est susceptible de plus de poli que ne le demande le statuaire, mais à toutes les bonnes qualités il réunit une incertitude qui provient de sa dureté inégale. Il se trouve des parties de la roche aussi faciles à travailler que le marbre de Carrara, et d'autres échantillons sont si durs, que le travail en coûte près de 50 par cent davantage: cela semble venir de la présence des veines syénitiques et trappéennes qui le traversent, comme je l'ai déjà remarqué, mais qui ne produisent aucune altération dans sa composition chimique, et n'ont d'autre effet que celui de l'induration. Cette augmentation dans le prix ordinaire du travail suffit, dans les échantillons durs, pour contrebalancer en grande partie le plus bas prix de la matière première, et les avantages qui résultent d'un fret, d'un droit et d'une assurance moins considérable. Telles sont les difficultés qui s'opposent à l'introduction du marbre le plus parfait qu'on ait encore trouvé dans la Grande-Bretagne; et ces difficultés toutes légères qu'elles soient, doivent, réunies à la force des habitudes établies et de la routine commerciale, diminuer l'espérance extravagante qu'on a entretenue en ce pays de remplacer, par son propre produit, l'importation du marbre statuaire étranger. Mais ce ne serait pas rendre justice au marbre de Sky, que de ne pas ajouter qu'il possède une propriété qu'on ne trouve pas dans celui de Carrara; et cette propriété est d'une grande importance, au moins dans les petits ouvrages de sculpture; je veux parler de la compacité de sa texture, qui le fait résister à la meurtrissure qui arrive si souvent à l'endroit où arrête le ciseau, effet que les sculpteurs connaissent sous le nom technique de *déourdissement*, et dont le résultat est une tache blanche opaque désagréable, le plus souvent à l'endroit où il faut l'ombre la plus forte.”

Il est à espérer qu'on excusera la digression précédente, en considération de ce qu'elle jette sur le sujet des lumières qu'on ne rencontre pas partout, et qui mettent en état de priser la valeur des marbres blancs du Canada, de ceux dont on connaît déjà et de ceux dont on peut venir à connaître les localités.

Les rochers des deux côtés du Sagenay, à monter jusqu'à *La Boule*, (montagne qui s'avance dans le fleuve; d'une manière remarquable, du côté nord est,) sont probablement de granite et forment la continuation de la même série que l'on rencontre dans le voisinage plus immédiat de Tadoussac. Ils ont quelquefois l'apparence d'être stratifiés et de plonger vers le S. E. à un angle presque vertical. Ces rochers s'élèvent à une hauteur considérable en falaises presque perpendiculaires et les sommets en sont stériles, en quelques endroits entièrement nus, dans lequel cas la surface blanchie du rocher, dont la blancheur est causée par la décomposition commencée du feldspath qu'il renferme, ressemble à celle de quelque pierre calcaire; ils paraissent aussi souvent d'une couleur enfumée ou noirâtre: presque à fleur d'eau, une barre ferrugineuse rouge caractérise ces rochers: leur apparence est ronde et mamelonnée, caractères qu'ils perdent à mesure qu'on monte la rivière.

Ce fut sur la Boule que nous observâmes pour la première fois ces masses singulières de trapp, qui quelquefois se montrent sous la forme de veines ou *dykes*, quelquefois sous la forme de lits ou couches interposées et irrégulières; mais le plus souvent en morceaux isolés, arrondis et anguleux, et le tout mérite l'attention du géologue. Comme ces aspects trappéens caractérisent presque tous les rochers que nous avons vus, il est nécessaire de décrire la composition minérale de cet aggrégat, auquel nous avons appliqué ce terme, à cause surtout que, sans l'aide d'une pareille description, il serait presque impossible de s'en former une idée correcte, vu l'application libre et indéfinie que les géologues ont donnée à ce terme; et toutes les fois qu'on le rencontrera dans cet essai, il est employé pour signifier toute roche dans laquelle prédomine l'Amphibole, sans égard pour les idées théoriques, que souvent on lui a fait comporter. Ce terme signifie ici particulièrement un aggrégat composé d'Amphibole noire cristalline, de petits cristaux gris, ou plutôt d'écaillé composé d'un assemblage de cristaux, de feldspath, d'un peu de mica non élastique ou talc; enfin une substance semblable à celle que l'on a décrite plus haut comme étant associée avec le marbre blanc du Moulin Baude; mais qui en diffère ici dans la forme sous laquelle on la trouve. Elle ressemble aussi beaucoup à un composé qu'on rencontre sur la montagne

tagne de Montréal, et à laquelle l'on a donné une origine volcanique. Le granite auquel était ici associé le trapp, était d'une couleur grisâtre, et nous y avons observé, dans un endroit, des nodules de fer magnétique, à surface très iridescente, ressemblant à du minéral de cuivre, et pour lequel on l'a d'abord pris. Ce minéral est très fortement magnétique et aussi fortement en apparence que le fer malléable. Il n'est pas facile, (comme il l'est au contraire à l'égard du composé amphibolique qui se trouve dans le Gneiss du Moulin Baude) de se procurer un échantillon de ce trapp—qui montre les deux roches en contact, vu que la percussion les sépare, et l'on aperçoit alors sur le fragment trappéen, une surface lisse et unie, semblable à celle que donne le moule à la substance qu'on y a coulée, sans qu'il y ait généralement aux endroits en contact aucune apparence d'entrelacement ou de conglomération. A la surface qui a subi l'action du temps le feldspath de la roche trappéenne est brun et saillant. Ce trapp est souvent très magnétique.

Le granite de la Boule, car ainsi l'on appelle ce rocher quoiqu'il ait l'apparence de stratification, est composé de quartz gris, de feldspath rougeâtre et de petits points de mica brun. Un peu au dessus de la ligne de jonction de la rivière et du rocher, et sur le côté du midi, il est traversé d'un filon trappéen (*dyke*) presque horizontal et formant un angle droit avec la stratification. Il paraît sortir de l'eau à l'extrémité occidentale de la Boule, et il monte, à une légère inclinaison vers le côté occidental.

Nous allons maintenant décrire plus particulièrement les allures de ces filons, veines, &c. : ils sont droits, ou ondoyans ou tortueux ; ils s'élèvent à tous angles à travers les couches accompagnantes ; ils sont souvent parallèles les uns aux autres, et même aux faces de la stratification. Généralement ils se terminent tout-à-coup dans le roc, soit à la queue soit à la tête, auquel cas ils répondent à la description de veines contemporaines : ces extrémités sont ou en pointes ou en fourches. Le diagramme suivant donnera une meilleure idée de ce qu'on veut décrire. (voyez la planche.)

On aperçoit plus communément des quartz isolés, en forme de lenc et par taches, qui varient depuis la grandeur de la main jusqu'à celle du corps, comme on le voit par la figure.

Il mérite d'être remarqué que les morceaux en forme de quart décroissant sont par deux et par trois en ordre parallèle, et que le trapp de quelques formes qu'il soit, à ses coins et ses terminaisons anguleuses. On voit quelquefois sur la face du rocher des canaux et des cavités, qui viennent du déplacement du trapp, qui occupait précédemment ces vuides.

Cependant on ne rencontre pas cette substance en veines, en lits et en concrétions distinctes seulement ; on la rencontre surtout dans les endroits plus élevés du Saguenay, en montagnes qui n'ont que peu l'apparence de stratification, et quelquefois en masses de la stratification desquelles on ne peut guère douter, et comme il alterne quelquefois avec d'autres rocs stratifiés, elle devient si évidente qu'il ne peut rester aucune incertitude à cet égard.

La Boule, s'avancant si loin dans la rivière, y occasionne, au reflux des eaux, un fort courant et un remous. Ne pouvant surmonter ce courant, la chaloupe s'engagea dans le remous et courant le long de la base de la montagne du côté sud-est, entra dans une petite anse, où l'on trouva par une observation que la hauteur de la Boule excédait 200 pieds, mais de combien, c'est ce que l'espace resserré où nous étions ne nous a pas permis de constater. La stratification des rochers du côté nord-est du Saguenay, dans la baie au dessus de la Boule, nous a paru être dans une direction est et ouest, et plonge vers le nord à un angle élevé, mais comme on l'a trouvé en plusieurs autres endroits, les caractères géologiques sont souvent douteux, à cause des apparences contradictoires que prennent souvent les faces supposées de stratification, et pour les réconcilier il aurait fallu donner à l'observation plus de tems que nous le pouvions. En parlant de la stratification des endroits où nous avons observés ces apparences contradictoires, on a eu soin de ne donner que les positions les plus communes. Les preuves qui résultent de l'examen des couches alternantes dans le Saguenay sont souvent inadmissibles, car le trapp prend souvent l'apparence, probablement trompeuse, de stratification.

Etant assis sur un amas de cailloux qui couvre le rivage de cette baie, nous aperçûmes, de l'autre côté du rivage, des rochers d'une aridité remarquable, associés à d'autres d'une fertilité comparative ; les premiers ont une apparence de stratification que n'ont pas ces derniers. La stérilité et la stratification constante du gneiss rendent probable qu'il est ici associé au trapp, roche qui n'est pas généralement stratifiée et qui est d'un caractère plus fertile. Il se présente ici une question : le gneiss est-il plus stérile que le granit ? et s'il en est ainsi, quelle en est la cause ? (la seule différence entre eux se trouvent dans l'arrangement des mêmes minéraux dont ils se composent.) Cela vient-il de ce que le caractère feuilleté du gneiss le fait désaggréger plus facilement et le réduit à un état de sable, qui appauvrit le sol d'un pays où il se rencontre en abondance ? L'eau douce qu'on se procura dans cette baie était fortement empreignée de fer.

Profitant du flux de la mer pour passer la Boule, nous montâmes le Saguenay. Dans la baie Passepierre nous observâmes les rochers de la rive nord pour prendre la hauteur N. et S., et à la baie St. Etienne, un peu plus haut, sur la rive sud-ouest, on les vit, contre leur habitude générale, s'éloigner du rivage et laisser quelques acres de marne alluviale où l'on coupe tous les ans des foins sauvages. Entre la Pointe St. Etienne, et l'Anse aux Foins, (autre dépôt alluvial plus étendu, et situé plus haut,) les rochers méritent surtout d'être observés, à cause

des filons et des veines tortueuses de trapp dont ils sont traversés. Ces rochers sont stratifiés, et plongent vers le sud à un angle élevé. En quelques parties de cet endroit les filons trappéens qui ressemblent exactement à ceux que nous avons décrits dans leur composition minéralogique, leur structure et dans le caractère d'intrusion ou d'interposition, ont l'apparence d'alterner par strata avec le syénite. Le rivage opposé offre les mêmes apparences, mais n'y ayant pas atterré, c'est tout ce que nous en pouvons dire.

Dans les falaises escarpées sur le rivage nord-est du Saguenay, dans la direction de la rivière Ste. Marguerite, ces filons sont très apparens et leur couleur noire leur donne quelque ressemblance à des lits de charbon placés debout. On remarque ici, comme on le voit ailleurs, que là où le trapp abonde le terrain est plus épaissement boisé, et ce caractère est assez frappant en plusieurs endroits des rivages de la rivière, car le syénite auquel le trapp est associé ordinairement présente un contraste frappant par son extrême aridité. Sur une des îles St. Louis nous observâmes un rocher composé de quartz, de feldspath et de mica, vrai granite sous le rapport de la composition, mais évidemment en masses stratifiées, dont la position était N. et S., et qui plongent vers l'ouest, sous un angle élevé.

En montant la rivière, à la pointe de la Baie Comfort, les rochers étoient de syénite, où l'on entrevoit un peu de quartz ; à l'extérieur ils étoient d'une couleur verdâtre, ce qui étoit dû, à ce que l'on a cru, à la présence de l'Epidote, qu'un temps très humide avait rendus plus distinct et plus brillant que de coutume. Ces rochers ont une apparence bien distincte de stratification vers le N. et N. E. et plongent vers l'Est et le Sud-Est ; nous avons vu cependant d'autres faces contraires. Plusieurs des rochers de la baie ont un extérieur poreux.

Le 12 d'Août à neuf heures, la température se trouva être, à l'ombre, à 7° de Fahrenheit, et dans l'eau salée ou très saumâtre 65°. En prenant pour base la distance supposée de 550 pieds, et 44° comme élévation, nous obtinmes la hauteur de 530 pieds, pour une montagne située sur la rive nord-est. Sur la rive opposée, ou sud-ouest, le sommet d'une montagne, en prenant pour base la distance de deux milles étoit sous un angle de 7° 27' 54", ce qui donne 1360 pieds de hauteur perpendiculaire, résultat que nous croyons beaucoup trop considérable, quoique le terrain paraisse s'élever depuis l'embouchure du Saguenay jusqu'à la Baie de la Trinité, où on le suppose à son plus haut point d'élévation. Les rivages de cette rivière, par leurs falaises et leurs inégalités offrent peu d'endroits convenables pour y mesurer une base, afin d'assurer, en calculant d'après des données certaines, l'exactitude de cette espèce de renseignements.

Ayant pris terre un peu au dessus de la baie des Cascades, nous trouvâmes un syénite composé de feldspath rougeâtre et d'un peu d'Amphibole noire, et à une petite distance au delà, on rencontre la même roche caractérisée par ces morceaux remarquables de trapp implantés ; il sont ici soit sous la forme de serpens, soit sous celle de fragmens anguleux de forme irrégulière ; nous vîmes aussi des filons tortueux de la même substance. Vers cet endroit M. Proulx un des arpenteurs, mesura la rivière et il trouva qu'elle avoit environ 50 chaines. Dans ce dernier cas le trapp ne contenait pas de mica ; sous d'autres rapports il ressemblait parfaitement à celui que nous avons décrit plus haut. Un des échantillons de syénite que nous nous procurâmes ici, parut être composé principalement de feldspath compact d'un brun clair, sa fracture est à concoides plate, en grand, mais inégale et écaillée en petit, où l'on voit quelques petits points tramblotans, causés par la réflexion de la lumière des surfaces polies des petits cristaux de feldspath commun ; cependant en le soumettant au chalumeau, on trouva qu'il étoit infusible, mais la chaleur à laquelle il avoit été exposé, découvrit sa vraie structure granuleuse, ce qui nous porta à le regarder comme un aggrégat bien adhérent de quartz, de feldspath et d'amphibole, avec une surabondance du minéral principale. Nous avons mentionné cette circonstance simplement pour toucher à une difficulté qui accompagne souvent l'examen des minéraux qui entrent dans la composition des roches.

Ayant de nouveau atterré dans une baie très commode, vis-à-vis la baie de la Trinité, nous rencontrâmes des rochers de Syénite, ou des compositions de feldspath, d'amphibole et très rarement de quartz ; le feldspath étoit blanc, gris, rouge, jaune et verdâtre, l'Amphibole toujours noire. Ces roches, comme ailleurs en quelques endroits du rivage du Saguenay, étoient fortement tachetées de fer ; et M. Proulx recueillit, sur le côté nord de la rivière, à la latitude 48° 14', comme il le constata par observations, un échantillon qui non seulement étoit beaucoup décoloré, mais le rocher dont il venoit, faisoit varier l'aiguille jusqu'à 1° 30'. Nous pouvions apercevoir facilement le magnétisme dans l'échantillon, en question, mais c'est un caractère bien commun en ces endroits, et on l'a trouvé dans plusieurs des échantillons que nous avons emportés avec nous surtout dans le trapp et dans quelques syénites qui abondent dans l'Amphibole, et c'est généralement à la présence de ce minéral qu'est dû son existence. Les rochers en ce lieu plongent vers le Sud, à un angle élevé. On constata que la mer y baissait jusqu'à 21 pieds.

Nous laissâmes la baie vers 11 heures P. M., pour profiter de la marée et nous cotoyâmes, toute la nuit, le rivage Nord-Est. Le 13 d'Août au matin, nous débarquâmes sur la rive gauche, dans une baie, appelée l'Anse aux Femmes, et vis-à-vis la baie des Ha-Ha. Nous rencontrâmes ici un rocher qui contenait plus de quartz que d'ordinaire et qui faisoit un granite syénitique de transition, dans lequel le feldspath est couleur de chair. On observa que cette roche avoit à l'extérieur la même por-

Appendice
(V.)
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sité dont nous avons parlé plus haut ; et ce caractère ne se borne pas à la surface, car l'échantillon que nous avons apporté de cet endroit offre le même caractère de porosité, aussi bien dans l'intérieur qu'à l'extérieur, et cela d'une manière assez parfaite pour donner un bon échantillon de pierre de mélange ; on ne peut rien assurer sur la quantité, mais l'auteur croit qu'il y en a en abondance. On doit faire savoir à tout le monde qu'on trouve quelquefois de bonnes pierres à moulage, dans les rochers de syénite.

Nous examinâmes plusieurs rochers en front de la profondeur de la baie, et qui à haute marée forment autant d'ilots. Le premier que nous rencontrâmes était de gneiss syénitique, dans une direction presque N. et S. et plonge vers l'Ouest, à un angle élevé, mais variable. Quelquefois il perd son caractère de Gneiss et ne conserve que le caractère Syénitique, les masses ordinaires de trapp implantées se présentent sous toutes les apparences déjà décrites, avec l'addition d'une autre : quelques-uns des morceaux implantés sous la forme de serpens avaient l'apparence d'être cassés par le milieu, et les fragmens paraissent avoir été séparés l'un de l'autre, tels que les déplacements bien connus qui se trouvent dans les veines, mais on ne découvrit dans le roc aucune cassure correspondante. (voyez planche.)

Presque toutes les roches que nous avons examinées en ce lieu étaient de la même nature, et ne différaient que dans leur pente, qui quelquefois était renversée. Ce fut ici cependant que nous observâmes, pour la première fois, des strata réguliers et conformes du même aggrégat que celui qu'on a trouvé implanté dans le Syénite, et que son caractère intrusif en d'autres endroits ne nous permet pas de désigner sous un autre nom que sous le terme générique de trapp, dont nous nous servons, comme ailleurs, sans suivre aucune théorie, pour désigner certains aggrégats ou l'Amphibole abondante. Nous vîmes ici des fragmens roulés de calcaire coquillier compacte, qui était de couleur grise et dont la cassure était concave plate et à bords aigus.

Nous laissâmes ces rochers pour en aller examiner d'autres sur le côté Sud-Est. Ceux-ci ressemblaient aux premiers dans toutes leurs traits généraux ; et cependant le trapp s'introduit dans le syénite en larges filons et lui-même est traversé çà et là de veines de feldspath ; nous observâmes que ces veines, en certains cas, formaient une espèce de lien entre le syénite au-dessus et le même au-dessous, de sorte qu'il est impossible de dire si la veine a été remplie par dessus ou par dessous ; nous avons rencontré fréquemment de ces veines en d'autres endroits. (voyez la—)

Les rochers suivans jusqu'au dernier, étaient composés de Feldspath couleur de chair, de quartz brun clair et de points noirs de mica, et nous n'y vîmes aucune implantation de trapp. Après succèdent du trapp stratifié en apparence, et ensuite du syénite qui renfermait de grandes implantations de trapp, telles que représentées dans la.....

Plus au sud, on se procura un échantillon de trapp d'un large filon, dans lequel l'Amphibole avait un éclat demi-métallique remarquable ; il ne contient aucun mica et n'est pas magnétique. Nous observâmes encore plus loin un gros quartier de rocher qui s'était détaché ; une de ses surfaces était couverte de larges feuilles d'un beau Feldspath d'un éclat bien ressemblant à celui des perles, et il se trouvait associé à un minéral verd, mais en petite quantité, et qu'on a supposé être du carbonate de cuivre. La latitude de l'Anse aux Femmes fut trouvée de 48° 22' 26."

Comme il était nécessaire pour régler nos courses de faire des observations sur la latitude, et nous les prenions à midi toutes les fois que le temps nous le permettait ; car c'eût été bien défavorable au commencement du jour. Étant le seul, de tous ceux qui visitaient le Saguenay, qui eût un sextant, on peut considérer nos observations comme ayant les meilleurs titres à l'exactitude.

Le roc prédominant entre l'Anse aux Femmes et le Cap-à-l'Est, à sept milles environ en montant la rivière, paraît être, (car nous n'y avons pas touché,) du même trapp ; mais on y vit comme ailleurs du Syénite où sont implantés des taches de trapp. Ayant traversé le Saguenay vis-à-vis le Cap à l'Est, nous entrâmes dans une petite baie, à laquelle on a donné le nom de l'Anse à l'Ours. Ici nous vîmes du granite, du gneiss et du Syénite, mais pas de trapp. Cotoyant le rivage en montant du même côté nous le rencontrâmes encore fréquemment sous les mêmes formes dont nous avons parlé ci-haut. Quelques fois le trapp s'élevant en herges noires creusées, entièrement aride, offrait au loin les apparences d'une architecture régulière. Quelquefois une partie du rocher s'étant échappée du bas, a laissé de grosses masses noires, en forme d'écusson, qui s'avancent et semblent menacer le fragile canot qui pagaie au pied du rocher : cette dernière apparence cependant est plus caractéristique de l'autre côté du rivage. Nous ne vîmes aucune structure colonnaire, mais en beaucoup d'autres endroits du Saguenay, aussi bien qu'ici, les rochers avaient une disposition à se casser en fragmens prismatiques et cuboïdes. Nous croyons que le trapp est ici associé avec du gneiss syénitique, et il paraît quelquefois alterner. En montant encore un peu plus haut et à quelques milles de Chicoutimi, nous observâmes un roc qui paraissait blanc et disposé en strata horizontaux ; ayant passé auprès nous ne constatâmes rien d'avantage à son égard. Après cela vient un terrain de transport composé d'une marne argileuse riche, et qui sur la rive droite s'étend jusqu'au Poste. Sur la rive gauche les rochers continuent sans interruption et sans aucun changement géologique, comme on s'en assura subséquemment.

Avant de laisser le Saguenay nous allons introduire ici sur les forma-

tions de ses rochers, quelques observations, que nous avons entrées dans notre Journal en descendant la rivière à notre retour, et en même temps quelques renseignemens additionnels que Mr. Proulx a eu la politesse de mettre à notre disposition.

La baie des Foins, située sur la rive gauche du Saguenay, un peu au dessous du Poste, est une prairie naturelle de plusieurs acres d'étendue, gisant à la base des montagnes, qui en cet endroit s'éloignent un peu de la rivière. Le sol est une alluvion d'argile, et comme le nom de la place l'indique, il y croît du foin sauvage qu'on coupe tous les ans. A la Longue Pointe, un peu au dessous de la Pointe des Roches, nous nous procurâmes des échantillons de Syénite et de Gneiss Syénitique. Nous vîmes encore en cet endroit du trapp implanté.

Ayant campé un peu au dessus du Cap à l'Est, du côté Ouest de la rivière et vers notre premier campement à l'Anse à l'Ours, nous trouvâmes encore que les rochers y étaient syénitiques et traversés çà et là par des veines de feldspath rouge et de quartz ; quelquefois les deux étaient mêlés ensemble. On rencontre ici de puissans filons de trapp et des fragmens roulés de calcaire. Dans une baie distinguée par quatre montagnes demi-isolées, dont trois sont en forme de cônes, et situées sur le rivage gauche à quelques milles au dessous du Cap à l'Est, nous observâmes que les rochers y étaient les mêmes et les taches de trapp très distinctes. La surface du Syénite était d'un brun jaunâtre et légèrement poreuse, comme s'il avait été pétri, et la même apparence a été observée en plusieurs endroits du Saguenay et depuis dans le St. Laurent. Les trois montagnes demi-isolées, ci-dessus mentionnées, sont d'autant plus remarquables, qu'en général les deux côtés du Saguenay sont caractérisés par une chaîne non-interrompue de montagnes dont la ligne longitudinale est légèrement ondulée, tandis que leur coupe escarpée est toujours du côté de la rivière, à laquelle la chaîne est ordinairement parallèle. Entré cette place et le Petit Saguenay, sur la rive opposée, il règne une telle uniformité géologique, qu'il serait superflu de recueillir des échantillons ; en effet la même remarque est si bien applicable à tout le pays que nous avons traversé, qu'une douzaine de fragmens de roche bien choisis, accompagnés des observations nécessaires, donneraient au géologue autant de renseignemens qu'il en recueillerait en se rendant lui-même sur les lieux. Qu'on ne conçoive pas cependant que nous regardions nos observations comme telles ; l'auteur ne les croit capables que de donner une idée bien générale de la géognosie du pays.

Dans un petit ruisseau au-dessous du Petit Saguenay, nous trouvâmes que les rochers étaient entrecoupés d'une manière remarquable par des veines de quartz et de feldspath, quelque fois solitaires, d'autres fois unis ensemble et formant un aggrégat. Souvent ces veines étaient divisées exactement dans le centre par une suture de trapp ; elles ont généralement la même direction que le roc stratifié qu'elles traversent, savoir N. E. et S. O., mais elles sont souvent tortueuses sans perdre finalement beaucoup de ce caractère. On voit aussi le trapp alterner en strata épais. La roche prédominante ici est le Gneiss Syénitique. Quelquefois la déception sort d'une source qu'on ne soupçonne pas, lorsque l'on essaie de distinguer, comme c'est souvent facile, par la surface extérieure des rochers, le trapp d'avec le syénite ; les rochers syénitiques ont ordinairement un extérieur blanchi, mais qui quelquefois, quoique rarement, est aussi noir que le trapp, dans le quel cas il faut pour le connaître détacher un morceau du rocher. On a eu un exemple de cette méprise entre cette place et le Petit Saguenay, et cela intimerait qu'il ne faudrait jamais en général nommer une roche, sans qu'on ait vu au moins la cassure. Cependant nous rencontrâmes souvent dans cet espace du trapp parfait, tant en masses stratifiées qu'en filons interposés.

En passant entre les îles Saint-Louis et le rivage sud, nous fûmes obligés pour nous mettre à l'abri des brisans qui menaçaient d'engloutir notre canot, de monter sur une masse avancée de granite, sur laquelle nous passâmes la nuit. Le mica de ce granite, étant comme d'ordinaire remplacé par de l'amphibole, était par conséquent syénitique, le premier minéral étant très-rare dans tous les rochers des territoires du Saguenay que nous avons vus ; et ne se trouvant guère que dans quelques échantillons de trapp, où il est en petite quantité et en lamies tenues, et même cela paraît être plutôt du talc que du mica, à cause de son inélasticité. Nous ne nous rappelons n'avoir vu que deux fois du mica distinctement feuilleté ; et dans les deux cas, c'étaient des cristaux hexogones isolés, et à la vérité cela paraît être plutôt du talc que du mica, et dans l'un de ces cas il se rencontrait dans une veine de granite graphique, composé de beaux et grands cristaux de feldspath couleur de chair et de gros rognons de quartz arrondis ou plutôt oval, et qui traverse la roche mentionnée en dernier lieu. Ici se terminent nos observations sur la géognosie du Saguenay.

Nous avons obtenu les renseignemens additionnels qui suivent de l'inspection des notes de M. Proulx et de l'examen des échantillons que les accompagnent.

Les rochers du voisinage de la Baie Ha-Ha, sont la contre-partie de ceux du Saguenay dont nous avons déjà donné la description, et l'on a vu les mêmes à la Pointe-au-Fort, au Cap à l'Ouest, à la Petite Pointe, au Cap Saint Charles, à l'Anse Saint François et à la Baie Saint Jean. Ce sont des roches dans lesquelles se rencontrent toujours le feldspath et l'amphibole, en plus grande ou en moindre proportion, formant des syénites et des trapps syénitiques, selon que prédomine l'un ou l'autre de ces deux minéraux. On n'a vu en aucun cas prédominer l'Amphibole, excepté l'aggrégat noir que nous avons décrit, et dans lequel il ne fait pas seulement que prédominer, mais dans lequel encore le feldspath est bien

bien subordonné. Dans cet aggrégat le felspath est toujours gris et aiguillé et ressemble beaucoup au quartz, avec lequel on pourrait aisément le confondre, mais ce qui le distingue suffisamment c'est sa fusibilité en verre blanc bulbeux, devant le chalumeau. Le trapp, comme on pourrait le supposer lorsqu'il est associé au syénite, présente ordinairement par sa couleur un contraste frappant, que fait ressortir la surface du premier blanchie par le temps. Il n'y aurait pas de difficulté à ranger cette roche au nombre des "schistes amphiboliques" de M. McCulloch, si ce n'était de son apparence de stratification en quelques endroits, et surtout de son caractère d'intrusion et d'interposition en d'autres cas. Ce dernier caractère à la vérité semblerait lui assigner sa place dans la classe des roches "superposées" du même auteur. Lorsque le quartz entre, comme il le fait rarement, au nombre des parties constituantes du syénite, il en résulte dans ce cas soit du granite syénitique soit du gneiss syénitique; c'est ce dernier lorsque la disposition de son amphibole en feuilles parallèles produit cette structure particulière feuilletée qui caractérise le gneiss.

Ni les observations de M. Proulx, ni les nôtres propres, ne peuvent nous mettre en état de dire avec certitude qu'elle est l'inclinaison la plus commune des strata sur les rivages du Saguenay, mais nous croyons qu'ils plongent vers le sud. Ce qui suit est une table qui montre l'inclinaison des rochers en quelques endroits:—

Endroits.	Inclinaison des couches.	Observé.
Baie au-dessous de la Boule au N. E. du Saguenay,	Angle élevé vers le N.	par l'auteur;
Au dessous de la Baie Passepierre,		"
Entre la Pointe St. Etienne et l'Anse aux Foins,	Do. S.	"
L'une des Iles St. Louis,	Do. O.	"
Pointe de la Baie Comfort,	Do. S. & S. O.	"
Baie la Trinité,	Do. S.	"
Anse aux Femmes,	Do. O.	"
Dans le premier anse à l'entrée de la Baie Ha-Ha, au S. O. du Cap à l'Est,	Do. S.	M. Proulx.
Rivage sud de la Baie Ha-Ha,	Do. N.	"
A un demi-mille à l'est de la Pointe aux Roches,	Do. N.	"
Dans un petit Anse au Cap à l'Ouest,	Do. E.	"
Petite Pointe,	Do. N. E.	"
Cap St. Charles, environ 25° S.	S.	"
Côté ouest de la Baie St. Jean,	Angle élevé N. E.	"

Nous avons parlé ci-dessus de la difficulté de déterminer dans tous les cas la stratification; difficulté que présente beaucoup de rochers stratifiés, et surtout les masses sous considération, qui par leur structure felspathique et leur association à des filons de trapp, souvent assez continus pour ressembler à des strata, présentent des surfaces plates et unies et d'autres apparences superficielles et linéaires, qui peuvent tromper souvent l'observateur trop prompt ou inexpérimenté.

Nous avons remarqué dans la baie Ha-Ha des morceaux de calcaires roulés, des plus anciens de la classe secondaire, et une masse singulière en forme d'auge, composée presque entièrement de carbonate de chaux, laquelle paraît avoir été détachée d'un rocher de trapp situé dans le premier anse en entrant dans la baie par le nord; cet auge est long d'environ deux pouces et large de trois quarts de pouce; les côtés sont durcis et d'une couleur ferrugineuse d'un brun noir, qui fait voir qu'il a été en contact avec du trapp; cet auge est à demi rempli de spath calcaire, dont l'extérieur est couvert d'une membrane soyeuse d'ocre et jaune, comme s'il avait été roulé. Le Professeur Cleveland donne le passage suivant dans son 2d Vol. de son système de Minéralogie et de Géologie, 2e. Edition.—"La vraie lave ressemble quelquefois, sans aucun doute, à du basalte à une pierre basalte verte et à d'autres roches trappéennes, mais on peut regarder comme un fait universel, que quoique l'on trouve fréquemment du spath calcaire dans des pierres vertes et dans du basalte, il n'est jamais implanté dans ces laves qui ont vraiment coulé sur la surface de la terre." (*)

Après les avoir examinés, nous avons trouvé que plusieurs terrains recueillis par M. Bowen en différentes parties du Saguenay, principalement dans le voisinage de la baie Ha-Ha, étaient composés comme on le voit par la table suivante:—

Echantillons.	Endroits.	Descriptions du sol.	Qualités.
No. 1.	Baie Ha-Ha,	Mélange d'argile, de sable et de chaux, argile marneuse,	excellente.
2.	Dito	ditto	ditto.
3.	Dito	ditto	ditto.
4.	Dito	ditto, marne,	bonne.
5.	Dito	ditto	ditto.
6.	Près la Rivière l'Ilet,	ditto et chaux,	excellente.

(*) Par la dernière partie de cette phrase, qui est un peu obscure, nous comprenons les laves dont on a positivement constaté le coulement, car plusieurs géologues donnent une origine ignée à tous ou presque tous les trapps.

7.	Entre les Rivières Chicoutimi et Du-moulin,	ditto marne,	bonne.
8.	Dito	ditto	ditto.
9.	Dito	ditto et végétaux	ditto.
10.	Dito	ditto sable, argile et substance ferrugineuse,	mauvaise.
11.	(Non mentionné)	ditto, légère mais assez bonne.	
12.	Dito	ditto argile et sable (marne)	bonne.
13.	Dito	{ ditto, sable, fer et un peu d'argile } { et de substance végétale, }	ordinaire.
14.	Dito	ditto, argile et sable (marne)	bonne.
15.	Dito	ditto	ditto.
16.	Dito	ditto	ditto.
17.	Dito	ditto	ditto.

Les rochers au Poste Chicoutimi sont, comme la plupart de ceux que nous avons décrits, de granite syénitique, qui quelquefois passe au gneiss syénitique; la Chapelle est bâtie sur un roc de granite syénitique; ce roc est traversé d'une manière remarquable par des veines de felspath et de trapp. Le trapp cependant se voit généralement en larges bandes, qui s'enfoncent dans le roc voisin, qui est ou du granite syénitique ou du syénite, dans lequel abonde le felspath. Le temps agit plus aisément sur le trapp que sur le granite, c'est pourquoi plusieurs des veines ou filons sont vides en partie près de la surface. On a observé la même chose en d'autres endroits. C'est à cela probablement que sont dues les baies nombreuses qui se trouvent dans le Saguenay, car l'on en a rencontré plus généralement dans les endroits où l'on trouve du trapp, tandis que le granite syénitique et le gneiss syénitique occupent les Caps et les hauteurs. Nous avons observé dans le roc quelques noyaux de fer magnétique. Quelquefois le quartz est absent, le rocher perd alors le terme de granite et conserve celui de syénite seul, dans lequel le felspath est rouge et l'amphibole d'un noir verdâtre. Il y a sur le rivage au dessous de la résidence du poste, une veine de trapp curieusement tortueuse, qui descend dans le roc; elle est représentée dans le diagramme.

L'on a vu fréquemment sur le rivage des morceaux détachés de felspath d'un aspect très cristallin et d'un gris pourpre foncé; les côtés des lames avient une surface extrêmement polie, nitreuse et striée. Ils ont beaucoup de ressemblance avec une roche de felspath qu'on a trouvée subseqüemment au Lac Saint Jean et qui y occupe une grande partie du rivage, et aussi à des échantillons de felspath apporté des Côtes de Labrador, où on les a vus associés au basalte colonnaire. Nous avons aussi trouvé un fragment de calcaire siliceux. Il paraît qu'il y a une vingtaine d'années on faisait de la chaux au Poste, et l'on montre la place du fourneau, où l'on aperçoit encore des morceaux de pierre calcaire à demi-brûlés. C'est un excellent calcaire compact et écailleux de couleur grise—quelques-uns des morceaux brûlés étaient blancs, leur fracture était aiguillée et ressemblait à de la corne. Si cette pierre venait de quelque dépôt calcaire du voisinage, on n'a pu ni le découvrir ni en rien savoir; mais celle en question aurait pu être apportée pour l'occasion de la Malbaie ou de la baie Saint Paul, où la pierre calcaire abonde.

Il a été mentionné plus haut qu'on rencontre ici un dépôt alluvial considérable. Il est composé d'une argile marneuse fine; qui dans les temps humides est si molle et si gluante, qu'il est difficile d'y marcher, lorsqu'elle n'est pas couverte de quelque dépôt végétal. Les caractères essentiels sont, pour la couleur, gris francs tendre; pour sa structure, terreuse et compacte; pour sa cassure, inégale. Elle se délite rapidement dans l'eau et dans l'acide elle fait une légère effervescence. Les lits de dessous qui ne sont pas exposés à l'humidité, prennent l'apparence de rochers stratifiés horizontalement, et c'est probablement cette formation que nous avons observée à quelques milles du Poste.

En traversant le Saguenay vis à-vis du Poste nous vîmes du syénite et une roche composée d'un mélange bien intime d'amphibole et de felspath, mais dans lequel surabondait le premier; le dernier contenait quelques feuilletés de mica et des points de quartz; cette roche était compacte, magnétique et plus ressemblante au basalte qu'aucune de celles que nous avions vues précédemment. Le syénite était composé de felspath couleur de chair et d'amphibole gris; nous vîmes aussi quelques taches de trapp implanté. Nous avons emporté des chûtes de Chicoutimi un syénite légèrement coloré, composé de felspath d'un rouge tendre, et de cristaux d'amphibole noir étincelans. Mr. Nixon a apporté d'une excursion dans le haut de la rivière, sur le rivage à droite, des échantillons de trapp traversé par des veines de felspath, et un gneiss, dans lequel l'amphibole se trouvait en plus grande abondance que le quartz ou le felspath, et auquel on peut donner le nom de gneiss amphibolique; on a rarement rencontré un échantillon de cette espèce. Pour résultat de deux observations sur la latitude nous eûmes 48° 24' 9."

Laisant le Poste de Chicoutimi et le Monsieur poli et obligeant qui y réside (Mr. Andrews) nous continuâmes notre route vers le Lac St. Jean. Nous fîmes pour arriver à la rivière Chicoutimi un portage de près d'une lieue, sur les mêmes rochers de syénite que nous avions vus près de la Chapelle, et qui sont couverts d'une couche mince de l'argile marneuse du voisinage; surmontée des dépôts végétaux ordinaires; c'est un bon sol, mais trop près du roc pour être bien productif. Le même sol en apparence et toujours accompagné du même rocher, à une profondeur plus ou moins grande, s'étend jusqu'au portage de l'Enfant, après quoi il devient sablonneux et bien ordinaire; on peut s'attendre à trouver

Appendice
(V)
14 janvier.

trouver dans cet intervalle quelques bons postes d'établissement. Quoiqu'on sache que les rochers sont en plusieurs endroits voisins de la surface, nous ne les avons vus que rarement, le terrain de l'un et l'autre côté de la rivière, n'ayant jusque là que bien peu d'élévation. Au portage de l'Îlet cependant, ils sont fort exposés à la vue, et consistent en syénite, dans lequel le feldspath est comme ci-devant de couleur de chair, et y est prédominant. Il y a très peu de sol sur ce rocher, et tout le portage est un désert stérile. Avant d'arriver au portage de l'Îlet, les rivages commencent à prendre un caractère plus élevé, et continuent de s'élever jusqu'au lac Kenwangomi, sur le rivage sud duquel, ainsi que sur celui du lac Kenwangomichiche, ils atteignent la hauteur extrême de 3 à 400 pieds. Le portage qui suit celui de l'Îlet est encore plus rocheux, et pour cette raison il a reçu le nom de Portage des Roches. Sur une masse de syénite arrondie, qui se trouve au milieu de ce portage, nous fîmes une observation qui nous donna la latitude de $48^{\circ} 14' 31''$.

A l'extrémité nord-est du portage des Roches commence le lac Kenwangomi. Il ne se présenta aucune occasion d'examiner les rochers de ce lac, jusqu'à ce que nous eûmes avancé environ deux milles au de là de la Pointe au Sable; où une pointe de roche saillante nous offrit de nouveaux échantillons de syénite. Un peu au de là nous rencontrâmes un aggrégat à grains fins, composé de quartz gris et de feldspath gris, avec de légères taches d'amphibole verdâtre, le feldspath étant seul distingué du quartz par la réflexion de la lumière sur les faces polies de ses cristaux. Nous avons rencontré plus loin des rochers dans lesquels se trouvaient en excès du feldspath d'un gris foncé couleur de chair et grisâtre; il y avait aussi de l'amphibole, mais dans une proportion bien subordonnée, et par taches principalement. Le feldspath se montre ici en beaux cristaux distincts qui saillaient du rocher, sous sa forme rhomboïde ordinaire; ils se détachaient facilement, et la moindre percussion faisait voir sa structure laminaire. Il fut trouvé en quelques parties du roc du fer magnétique qui affectait puissamment la boussole: il y avait aussi beaucoup d'amphibole magnétique. Dans un de ces derniers rochers on trouva un minéral qui avait les caractères suivans; couleur, brun foncé grisâtre, opaque; structure indistinctement feuilletée avant l'application de la chaleur; quelquefois sa structure feuilletée est plus distincte et il ressemble alors à du mica-pilé dans le mortier il laisse voir de petites écailles carrées, ayant un éclat demi-métallique. Dans son état d'aggrégation son éclat est tremblottant et demi-métallique. Il est légèrement magnétique, avant l'application du feu; exposé à la chaleur de la chandelle il se dilate, s'ouvre comme un éventail et s'éfolie, après quoi il se presse aisément entre les doigts en petites feuilles flexibles, mais sans élasticité, et ayant l'éclat et la couleur de l'or. On a eu les mêmes résultats en le soumettant à la flamme extérieure du chalumeau, dans lequel il se délite aussi, et il est difficile de le retenir dans le forceps. Une des feuilles de couleur d'or, se résout, dans l'intérieur de la flamme du chalumeau, en une globule noire brillante et très-magnétique. Avec le borax il forme un verre transparent coloré de fer. La couleur disparaît à mesure qu'il refroidit.

En cet endroit les Roches ont très-peu l'apparence de stratification; à en juger par le peu que nous en avons vu, la direction est nord et sud, et le plongement presque vertical. Nous trouvâmes ici que la latitude étoit de $48^{\circ} 15' 22''$, et nous prîmes en même temps par approximation la variation du compas, savoir: seize degrés et demi—Étant bien près des rochers lors de notre observation, nous craignons que leur caractère magnétique n'ait affecté la boussole, mais en renversant les vues de l'instrument sur la même ligne, nous n'aperçûmes qu'une très légère différence, qui pouvait venir d'une petite inexactitude dans la boussole.

Au delà de cet endroit, sur le rivage nord du Lac, nous avons observé une masse de roche d'un aspect noir et singulier; et ayant traversé du sud à la distance d'environ deux cent mille pieds, nous trouvâmes que ces rochers étoient presque entièrement composés de feldspath jaune brun et de couleur grisâtre. Dans l'escarpement solide de l'un de ces rochers, ressemblant à celui d'une tour de Martello, on apercevait facilement, en s'approchant, malgré sa surface soumise à l'action de l'air, l'éclat perlé mais atténué du feldspath et l'aspect fibreux que présentent les bords des lamines à la surface du roc. La stratification du roc en cet endroit n'étoit pas bien apparente, mais un peu plus haut du même côté nous observâmes qu'il se dirigeait au nord et plongeait vers l'ouest à un angle élevé. Nous voyons encore ici les morceaux de trapp implantés, si commun dans le Saguenay.

Des deux côtés du lac Kenwangomi la côte est élevée, mais plus au sud qu'au nord. Depuis le Portage des Roches sa direction est d'abord au sud de l'ouest, mais sa direction principale est au nord de ce point là. Le nombre de ses longs Caps de roche, ses Baies et ses Rivages escarpés, le font ressembler au Saguenay, mais ses montagnes ne sont ni aussi hautes ni aussi arides.

A environ quatre milles au-dessus de la Pointe au Sable, nom qui a été donné à un banc de sable de transport, qui s'avance dans le lac au rivage du nord, il y a une baie verte sèche qui entre bien avant dans le rivage nord, et qui jusqu'à certaine distance paraît n'être bordée d'aucune Montagne ni d'escarpement rocheux. C'est le seul endroit entre le portage de l'Enfant et celui de Kenwangomi, où l'on pourrait espérer de rencontrer une quantité considérable de terre propre à la culture.

On suppose généralement que le portage de Kenwangomi sépare les eaux qui tombent dans le lac Saint Jean, (et subséquemment dans le Saguenay,) par le lac Kenwangomichiche, la rivière des Aunes et la

Belle Rivière, de celle qui passent plus directement dans le Saguenay, par la Rivière Chicoutimi; mais on dit que tel n'est pas strictement le cas, parce qu'il tombe du lac Kenwangomichiche dans le lac Kenwangomi un petit cours d'eau. Quoique contre l'ordinaire il n'y a point d'impossibilité physique à cela, à moins à la vérité, que, comme on l'a dit, les eaux de ce dernier ne soient pas plus hautes que celles du premier. Ce portage est d'environ 1800 pas de longueur, dont la première moitié est sablonneuse et l'autre un mélange de sable et d'argile. Sur cette dernière partie nous avons, pour la première fois, observé du Frêne, et nous en avons vu souvent avec de l'Orme et d'autres bois qui indiquent une bonne terre, (mais jamais en abondance) en nous rendant de cet endroit au lac Saint Jean.

Peu de temps après nous être embarqués sur le lac Kenwangomichiche, nous touchâmes à l'angle d'un îlot rocheux, et nous y trouvâmes un aggrégat de feldspath, de quartz et d'amphibole, granite syénitique. La course du lac est généralement vers le nord de l'ouest. Les rivages en sont parsemés d'Orme, de Frêne et de bois de construction, particulièrement au nord. Sur le lac Kenwangomi le bois prédominant est le Bouleau, et l'on n'y voit ni Frêne ni Orme. La rive sud du lac Kenwangomichiche est basse, mais un peu en arrière les terres s'élèvent et deviennent à la fin aussi élevées que celles du nord du lac Kenwangomi, dont elles sont probablement une continuation.

La rivière des Aunes, la décharge du lac Kenwangomichiche, coule au milieu d'une alluvion composée de lis et de mélanges de sable et d'argile. Le cours de cette rivière est extrêmement tortueux, circonstance qui caractérise souvent ces dépôts de transport, et étant étroite elle est fortement obstruée par des arbres tombés, et l'entrelacement des aunes dont ses deux rives sont couvertes oblige quelquefois de faire le portage dans des endroits où il y a beaucoup d'eau et peu de courant. Cependant le portage des Aunes vient de ce que la rivière tombe sur les rochers qui reparaissent en cet endroit. Ils se composent de feldspath couleur de chair, d'amphibole verte, et de quelques écailles de mica noir, ce qui forme un beau syénite. Nous observâmes que selon l'ordinaire le feldspath étoit à la surface du rocher dans le premier état de décomposition. Ayant examiné le sol en passant les portages, nous trouvâmes la terre assez bonne en descendant la rivière des Aunes. Après la couche ordinaire de matière végétale qui caractérise ces terres à bois, elle est composée d'un mélange d'argile et de sable, qui quelquefois alternent, le sable se rencontrant en surabondance à la surface. En quelques endroits le terrain est montueux, mais on n'y aperçoit aucun rocher. A l'extrémité nord-est du portage des Aunes, nous trouvâmes une coupe naturelle qui nous donna l'occasion d'en examiner le sol d'une manière plus particulière, et que nous avons décrite comme suit:—
1^o. Végétaux décomposés ou en décomposition. 2^o. Une couche de sable d'un pied six pouces d'épaisseur. 3^o. Argile, de dix à vingt pieds de profondeur; le tout reposant sur un roc composé presque entièrement de feldspath gris, dans lequel nous observâmes des taches d'amphibole. En cet endroit la Rivière des Aunes fait une fourche avec la Belle Rivière, qui fait une chute pittoresque, occasionnée par le rocher de feldspath dont on vient de parler; la première rivière n'est à la vérité qu'une branche de la dernière, qu'on voit s'élargir au confluent des deux rivières, dans la proportion de vingt pieds à cinquante.

En descendant la Belle-Rivière, nous trouvâmes que la terre s'amélioroit considérablement en apparence; c'étoit le même terrain de transport, mais il formoit une côte plate et basse sans aucune montuosité. Le Frêne, l'Orme et le Peuplier deviennent plus communs et sont les signes de cette amélioration. Tandis que nous sommes sur ce sujet, on peut observer que, quoique la présence de bois d'une certaine qualité puisse indiquer un bon sol, son absence n'est pas nécessairement le signe du contraire; car pendant cette excursion, nous avons rencontré plusieurs endroits où le sol étoit décidément bon, sans trouver de ces bois, et partout où nous en avons rencontré, ç'a toujours été en petite quantité. Sur les rivages marneux du Saguenay, près de Chicoutimi, nous n'en n'avons pas vu, et cependant on auroit peine à trouver un meilleur sol. Il faut quelque chose de plus qu'un bon sol pour produire de bon bois; la terre doit être exposée à la chaleur, à la lumière et à l'air; elle doit être déchargée de cette masse de végétaux décomposés ou en décomposition, dont nos forêts sont chargées. Si en apparence malgré tous ces désavantages quelques terres produisent de bons bois, ce n'est là qu'une exception, et n'est pas un argument suffisant pour détruire ce que nous avons avancé, surtout par ce que ces exceptions sont dues probablement à l'opération de l'une ou à plus d'une des circonstances favorables. On doit aussi se rappeler que les bonnes terres, par cela même qu'elles sont riches, favorisent la crue dense et intermédiaire de graines et de bois faucillon, qui nuisent à la végétation du bois de haute futaie. Juger de la qualité de la terre par la crue du bois seulement, c'est se guider sur l'effet et perdre entièrement de vue la cause, pratique dont l'inconvénient se feroit bientôt sentir dans toutes les branches des sciences, si elle venoit à être généralement adoptée.

A mesure que l'on approche des bords du Lac Saint Jean le sol devient peu à peu sablonneux, jusqu'à ce qu'il devienne, à Kouispigan, (c'est ainsi qu'on appelle l'embouchure de la Belle Rivière,) une couche de sable brillant.

Laissant Kouispigan, nous avançâmes dans le lac vers le nord dans la direction de la Grande Décharge, et ayant touché à deux petits îlots rocheux, qui se rencontrèrent sur notre route, nous y recueillîmes des échantillons d'une roche composée presque entièrement de feldspath cristallin, d'un gris bleu foncé, mais où il se trouvoit un peu d'amphibole.

bole. Nous observâmes que cette roche formoit, sur ce côté du lac, des masses noires isolées tant sur le rivage que dans l'eau. Ayant campé sur un de ces rochers, à l'entrée de la Grande Décharge, nous eûmes une meilleure occasion de consulter les caractères de cette roche ; ils sont comme suit : elle ne possède aucune marque de stratification ; sa surface est remarquablement noire lorsqu'elle est humide, et souvent d'un aspect presque demi-métallique ; elle est souvent aplatie et tabuliforme ; plusieurs de ses parties attirent l'aiguille, quoique l'œil n'y puisse découvrir aucune partie de fer magnétique ; sa structure est compactement cristalline, et passant quelquefois à l'état de compacité parfaite, mais il y a toujours quelques faces brillantes, souvent éclatantes des lamines dont elle est composée, et celles-ci sont fréquemment striées. Sous beaucoup de rapport cette roche a beaucoup d'analogie avec le feldspath de Labrador, mais elle n'a pas son iridescence ; elle est quelquefois traversée par des veines de feldspath rouge, et de petites portions rares de sa surface sont couvertes d'une poudre d'un rouge foncé, qui est probablement de l'Oxide de fer. Une des veines qui traversoit le rocher offroit un phénomène curieux ; la substance de la veine elle-même composée de feldspath et d'amphibole n'étoit pas magnétique—les bords de la veine composé du feldspath que nous avons décrit étoient fortement ; et Mr. Hamel a constaté de plus que le côté sud de la veine attiroit le pôle nord de la boussole, et le côté nord le pôle sud. Pour ôter tout lieu à l'erreur l'expérience fut répétée à plusieurs reprises et toujours avec le même résultat, en appliquant la boussole aux bords de la veine, et des fragmens détachés à la boussole. La veine avoit environ trois pouces d'épaisseur et se dirigeoit vers le N. O. Lorsque la boussole fut placée au centre de la veine, nous observâmes que l'attraction locale étoit, dans un certain endroit, égale à 90 degrés ; en quelques parties du même rocher elle approchoit encore plus d'un renversement complet de l'aiguille. Subséquentement Mr. Hamel et Mr. Nixon visitèrent de nouveau ce même endroit, et confirmèrent les mêmes observations. A notre retour les échantillons que nous avions examinés le furent de nouveau, et l'on trouva qu'ils possédoient un faible magnétisme, mais aucune polarité. L'Îlot sur lequel furent faites les observations précédentes fait partie d'un groupe, situé à l'embouchure de la Grande Décharge, auquel on a donné le nom de Dalhousie ; aucun de ces Îlots ne paroît sortir plus de vingt pieds hors de l'eau.

Nous partîmes de cet endroit en suivant encore une direction nord, jusqu'à ce que nous fumes parvenus à un rivage couvert d'un beau sable, où nous attérâmes pour prendre une base préparatoire, pour servir à l'arpentage du Lac, que Mr. Hamel alloit commencer. Les rivages sablonneux sont une marque caractéristique du Lac et, selon nous, ajoutent beaucoup à sa beauté, mais peu à sa fertilité. Oû il ne paroît aucun rocher, on voit un beau sable jaune brillant, mais où il s'élève quelques rochers du milieu des sables, ils ont l'apparence solitaire dont nous avons parlé. Cette ceinture de sable ne se borne pas aux bords du lac, mais elle s'étend dans l'intérieur à une petite distance, et donne au terrain qui borde le lac l'apparence d'une stérilité, qui s'évanouit lorsqu'on a passé ces limites sablonneux. La plus grande partie de ce sable est d'un blanc jaunâtre, mais nous y avons souvent vu déposée une variété d'un brun foncé rougeâtre, disposée en ondes continuées de niveaux différens mais parallèles. En examinant ce sable, on trouva qu'il étoit composé principalement de fer magnétique et de grenat précieux. C'est un composé bien analogue à l'émeri du Commerce, et si on le réduisoit au même degré de ténuité, il pourroit servir aux mêmes usages. Nous avons trouvé que les Rochers en cet endroit étoient semblables à ceux que nous avons rencontrés à la dernière place ; ils ont à l'extérieur l'aspect de vieux plomb, et les faces de la cassure des lamines possèdent un éclat qui est à la fois presque resplendissant et demi-métallique. En commençant ses opérations Mr. Hamel trouva entre vingt à trente degrés d'attraction locale, mais dans un endroit où elle n'existoit pas, il déterminâ la variation magnétique à 16° 40' O. On trouve sur ces rochers de la tripe de roche en assez grande abondance ; elle est d'un brun cuivre foncé et correspond bien avec le dessin qu'on voit dans l'Appendice du premier Voyage de Franklin à la Mer Arctique, Edition 4to. Lorsque nous en vîmes pour la première fois, nous la primes pour des échantillons de quelques-uns des minerais de cuivre, qu'il rencontra dans les Montagnes de Cuivre. Au goût elle a la saveur du champignon, et quoique maigre, il n'est pas désagréable au palais. Le rivage de sable est ici renfermé entre deux pointes de roche qui forment une baie d'environ quinze ou seize cents pieds de large, dans laquelle l'eau diminue graduellement. Un banc de sable d'environ quinze pieds de haut ferme cette baie du côté de terre, en arrière de laquelle il y a un marécage sablonneux, et c'est là une description qui convient à une grande partie du lac de ce côté.

En laissant cette baie et nous dirigeant encore vers le nord, nous doublâmes la pointe de roche que nous trouvâmes être composée du même feldspath que nous avions déjà rencontré auparavant, aussi bien qu'une autre pointe que nous détournâmes bientôt après, et qui est située à l'entrée d'une petite rivière, dans laquelle nous montâmes, la prenant pour la rivière Koucouatimi, où nous trouvâmes un bon sol, composé d'une marne jaunâtre, d'environ 18 pouces d'épaisseur et qui repose sur de l'argile plastique. Comme le terme de marne est souvent employé sans comporter une idée bien distincte de ce que pense, soit la personne qui en fait usage, soit celle à qui on l'adresse, nous allons expliquer que toutes les fois qu'on l'a employé dans ce rapport, il signifioit des mélanges d'argile et de sable (la première en surabondance) généralement colorés par l'oxide de fer, mais ne contenant pas de chaux ; en un mot de la terre dont on fait la brique. Cependant pour éviter toute méprise, nous n'avons fait de ce terme qu'un emploi bien rare, de simples dépôts d'argile sont souvent appelés marne,

ce qui peut donner une très-fausse idée d'un pays. Il ne faut pas oublier qu'il faut la présence du Carbonate de chaux pour constituer la marne ou l'argile marneuse, qu'on connoît à l'effervescence qu'elle fait avec l'acide : c'est la meilleure qualité de terre, tandis que l'argile est d'autant moins fertile qu'elle approche davantage de l'état de pureté.

Revenant à l'embouchure de la Rivière, nous reprîmes notre course vers le nord, et nous en examinâmes plusieurs centaines de verges d'une côte formée de pointes de roche qui avancoient dans le Lac et qui renfermoient des bancs de sable fin. C'est, comme nous l'avons déjà dit, un de ses caractères distinctifs de cette partie du lac. L'uniformité et la simplicité des rochers, rencontrés jusqu'ici, sont dignes de remarque. Nous n'avons pu faire que les observations suivantes, différentes de celles que nous avons déjà données, savoir : nous avons vu implantés dans le roc même, des rognons de la roche couverts d'une poudre d'un rouge brunâtre, que nous avons déjà mentionnée ; et nous les avons pris d'abord pour des morceaux de fer magnétique ; et nous avons vu une couche ou une large veine de feldspath compact d'un verd jaune tendre, traverser le rocher et faire un contraste frappant avec son sombre associé. Il différoit des minerais auxquels il ressemble le plus en ce qu'il obéit au couteau, et fond au chalumeau en vésicules blanches de verre, comme tous les autres feldspath. La surface qui avoit été exposée à l'atmosphère étoit décomposée, cariée et d'un blanc rougeâtre ou jaunâtre. Nous fîmes ici une observation sur la latitude et nous la trouvâmes de 48° 37' 59".

En laissant l'embouchure de la rivière Koucouatimi, située à environ un mille au nord du point de notre dernière observation, le beau sable du rivage marquant l'intervalle, notre course se dirigea N. 70 O. vers la pointe la plus au nord de la baie Koucouatimi, où les rivages commencent à devenir marécageux, mais on aperçoit encore en quelques endroits des bancs de sable couverts par parties de dépôts du même mélange de grenat et de fer magnétique dont on a parlé plus haut. Ayant débarqué sur un endroit du rivage, nous observâmes des sillons parallèles de ce sable de plusieurs pouces d'épaisseur et de largeur, et qui forme une marque caractéristique du lieu. Etant rembarqués nous suivîmes la même course, et à mesure que nous avançons les rivages devenaient de plus en plus bas et marécageux, si bien qu'il ne paroissoit y avoir aucune différence entre le niveau du Lac et celui de la terre. Dans cette partie du lac et à un et deux milles du rivage vous êtes surpris de ne pas trouver plus de trois pieds d'eau. Ce défaut extrême de profondeur est commun à tout le lac, dont la profondeur n'est en aucune partie proportionnée à son étendue, et est la cause du mouvement houleux qui a lieu à sa surface, après le moindre vent, et qui y occasionne une houle violente et qui fait voir des brisans, auxquels à une distance de terre le plus intrépide voyageur n'oseroit s'exposer. En mettant la main dans l'eau, en ces occasions, elle étoit d'une ténuité très-marquée. Ce peu de profondeur et cette température extraordinaire occasionnant une évaporation plus rapide, peut rendre raison d'un fait qu'il seroit difficile d'expliquer d'une autre manière : il tombe dans le lac six rivières assez considérables et plusieurs autres plus petites, tandis qu'il n'en sort qu'une d'une grandeur assez modique.

Continuant de diriger notre course vers le nord, nous atteignîmes l'embouchure de la rivière Peribouka, que nous trouvâmes être à la latitude 48° 42' 37", et ce fut la plus haute qui fut prise sur ce lac.

Après environ trois heures de marche de la rivière Peribouka, nous tombâmes dans une baie, au fond de laquelle nous campâmes ; nous y trouvâmes sous le sable un dépôt considérable d'un mélange très fin d'argile, de silice, et de chaux, (marne d'une excellente qualité.) Trouvant grande eau près du rivage et un courant qui venait de l'est d'un angle de la baie, l'on conjectura que la rivière Mistassini étoit dans cette direction, ce qui effectivement se trouva être le cas, et ayant fait à son embouchure une autre observation de la hauteur du soleil au méridien, elle nous donna la latitude 48° 38' 55".

Ayant monté la rivière Mistassini à une petite distance, le sol quoique sablonneux paroissoit se bonnifier, mais nous n'observâmes ni ici ni dans aucune autre partie du lac, non plus que dans tout le pays que nous avons traversé, aucune quantité remarquable de beau bois, nous avons déjà donné les raisons pour lesquelles on ne doit pas considérer l'absence de beau bois, comme une preuve d'un mauvais sol.

En laissant la Mistassini nous avançâmes dans une direction sud-est jusqu'à la rivière Assuapmoussin. En traversant l'embouchure de cette rivière nous éprouvâmes une violente tempête ; il n'y avoit cependant aucun danger, car nous étions près du rivage et à petite eau. Après que la tempête se fut apaisée nous primes terre et campâmes. Dans cet endroit nous retrouvâmes encore les Rochers qui s'étoient entièrement cachés à notre vue, du moment où nous avions laissé la baie au sud de la rivière Koucouatimi ; ils sont d'une formation différente et consistent en un schiste argileux et en un calcaire fétide en lits réguliers. Le schiste argileux que nous rencontrâmes le premier est composé d'un argile schisteux durci très-fisseux et qui prend plusieurs des caractères de l'ardoise à couvrir. Cette roche se trouve sur le rivage du lac et plonge sous l'eau vers le N. N. O. à un angle de 25°. Les lamines du schiste argileux sont parallèles aux faces de la stratification, ce qui est probablement la cause de l'extrême fissilité du rocher dans cette direction ; mais il y en a d'autres qui sont perpendiculaires, ou qui le sont presque, ce qui jette dans un grand embarras l'observateur qui veut constater la direction de sa stratification ; cependant le manque de

Appendice
(V.)
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continuité et particulièrement la position régulière du schiste argileux par rapport à la pierre calcaire, font disparaître toute difficulté. La surface du rocher est couverte de ses fragmens qui, quoique ayant subi l'action du temps, ne décèle aucune altération, si ce n'est que leur caractère fissile n'en est devenu que plus apparent, ces fragmens à la moindre percussion sur les bords se divisant en petites ardoises rectangulaires. On voit des morceaux solides de cinq pieds de long, un de large, sur un ou deux pouces d'épaisseur; les fragmens de cette roche sont très sonore à la percussion.

Après avoir traversé ce schiste argileux l'espace d'un quart de mille, le calcaire, ci-devant mentionné, se rencontre sous le schiste en lits réguliers. Cette pierre renferme beaucoup de restes fossiles organiques, surtout des corallites et des crinées; nous vîmes aussi des productions et un fossile singulier, semblable à une sorte qu'on a trouvée dans l'île Drummond, Lac Huron, et dont il y a un dessin dans le 6e. Vol. des "Geological Transactions," planche 30, figure 5; celui en question ne paraît en différer qu'en ce que les disques dont il est composé sont disposés obliquement, et que dans la figure, à laquelle on fait allusion, ils sont dans une position rectangulaire.

Le dessin suivant correct de ce fossile, que nous devons au Lieut. Ditus, 66e. Régiment, est de grandeur naturelle. (Voyez planche.)

Le calcaire paraissait être séparé du schiste, en dessus, par un entre-lit de calcaire noir feuilleté, rempli de petites ondulations et de cavités arrondies, occasionnées par des protuberances correspondantes et des loupes sphériques qui se trouvent dans le calcaire. On peut quelquefois détacher ces loupes, et elles sont composées d'un calcaire compact d'un gris foncé, ayant un éclat tremblotant, qui vient de la réflexion de la lumière de quelques points cristallins, et un aspect roulé. Nous ne pûmes découvrir dans ces noyaux aucun vestige de restes organiques, quoiqu'une odeur légèrement fétide indiquât qu'il y en eût originairement. Le banc de calcaire sur lequel ils étaient implantés paraissait également ne contenir de restes organiques, mais il eût d'une texture plus terreuse. L'entre-lit noir est lui-même un calcaire, comme le décèle son effervescence facile dans l'acide, mais il paraît renfermer beaucoup d'aigle et passer en schiste argileux. La position de ces boules fortifie la conjecture que le niveau du calcaire est inférieur à l'égard de ses faces de stratification.

Ce n'est qu'avec beaucoup d'hésitation que nous avons hasardé d'avancer que du calcaire secondaire expose ici sous du schiste argileux, parce que nous connaissons qu'une pareille position, si elle n'est tout-à-fait nouvelle, se rencontre au moins très-rarement; mais comme il ne nous appartient pas de théoriser, mais de décrire, nous aurions avancé des suppositions encore plus improbables, si, après des recherches aussi peu préjugées, il y eût eu lieu, dans notre avis, à les entretenir. La connaissance de l'Histoire Naturelle n'est pas vraisemblablement destinée à faire de grands progrès, si ceux qui s'y dévouent se restreignent dans leurs rapports, à ce que les connaissances actuelles sur le sujet peuvent rendre probable. Ayant pris la peine d'examiner, si l'on avance, avec une humilité proportionnée au degré d'information, une opinion fortement opposée à l'expérience, on ne doit pas en justice être en butte à la censure, en cas d'erreur. On trouve ici quelques beaux échantillons de marbre encainte couleur de faon qui se polirait très bien et deviendrait très propre aux articles d'ornement.

Le calcaire continue en bancs visibles, l'espace d'environ cent cinquante pieds, après quoi il ne paraît qu'un fragmens angulaires, l'espace d'environ un mille et demi, et après on le voit encore en bancs réguliers, formant une pointe saillante dans le lac; la partie intermédiaire du rivage est caractérisée par des cailloux consistans en granite, en trapp, en micaschiste et de fragmens angulaires de schiste argileux. N'ayant pas vu auparavant de micaschiste dans le pays du Saguenay, nous pouvons l'avoir pris pour du trapp, dont l'éclat pseudo-métallique, comme nous l'avons déjà dit, le fait souvent ressembler à cette roche. Nous avons aussi vu en cet endroit deux ou trois masses demi-arrondies de la roche feldspathique des environs de la Grande Décharge.

La stratification, à la pointe ci-haut mentionnée, n'est pas bien marquée, mais elle paraît plonger à pente douce vers l'est. Il se trouvait beaucoup de calcaire avec un aspect congloméré, au moins paraissait-il d'une formation confuse dans sa substance même, quoique nous ne vîmes aucun fragment implanté. Il contient des restes fossiles imparfaits de corallines et d'orthocératites.

Ayant doublé cette pointe nous trouvâmes qu'il s'accumulait graduellement sur le rivage des fragmens de roches diverses, surtout de calcaire. Il y avait aussi beaucoup de roches roulées, et comme auparavant des morceaux anguleux de micaschiste. La quantité de ces fragmens roulés, généralement de la grosseur de la tête, rendait notre marche extrêmement pénible, les souliers de peau de bœuf n'offrant nullement une protection suffisante aux pieds qui n'étaient pas accoutumés à les porter.

Étant embarqués, nous traversâmes à un roc escarpé d'environ trente pieds de haut, appelé la Pointe Bleue, que nous trouvâmes composé du même calcaire fétide, en bancs horizontaux distincts. On remarque dans cette roche des restes organiques, mais ils sont généralement indistincts. Embarquant de nouveau pour traverser au sud-est, nous observâmes que le même calcaire continuait sur le rivage, et à une autre pointe res-

semblante à la Pointe Bleue, il forme sur le lac un précipice semblable. Nous arrivâmes un peu au delà, et nous rencontrâmes le même calcaire formant un rivage bas. Il fut ici rencontré un Cèdre qui avait douze pieds de tour; ce bois cependant ne formait pas une marque caractéristique de cet endroit, mais le sol paraît s'être amélioré de beaucoup depuis que nous avons rencontré du calcaire et du schiste argileux, circonstance à laquelle on devait s'attendre. Au fond d'une baie, située au de là de cette place, le même calcaire horizontal formait les rivages et le lit de la petite rivière Ouichouanitch, qui en cet endroit se précipite dans le lac St. Jean.

Traversant de nouveau au sud-est, nous campâmes sur une pointe nue de roche calcaire, vis-à-vis l'île des Couleuvres. Quelques uns des Voyageurs avaient le plus grand éloignement à visiter cet île, à cause du nombre de serpens qu'on rapportait y exister et racontaient à cet égard des contes merveilleux; ils se mettaient, disait-on, en forme de festons et de nœuds et se tenaient attachés les uns aux autres comme un bout de saucisse; mais après avoir traversé l'île dans toute sa largeur, nous n'avons trouvé qu'une peau desséchée. C'est sur le même fondement qu'on avait dit qu'il y avait des poires en abondance, qui probablement étaient sous la garde des couleuvres. Le rivage du côté du nord-ouest était jonché de fragmens de corallites, parmi lesquelles nous reconnûmes des caryophyllies, des coraux maillés, des madrepores, des réépores, des millipores et particulièrement cette espèce de corallites si fort ressemblante à une ruche d'abeilles et appelée favorites. Les variétés de caryophyllies ressemblaient à celles qu'on peut voir dans le sixième Volume des "Geological Transactions." Quelques-uns des madrepores pourraient être aisément confondus avec des cellères fossiles de quelque animal, mais leur structure interne radiée les distingue. Tous ces fossiles ont probablement été jetés du fond du lac. L'île n'étant en apparence qu'un simple banc de calcaire. Près de cette île, il y en a une autre, qui à en juger par la description qu'on en donne, est probablement composée de schiste argileux.

En laissant la première de ces îles, nous gagnâmes la terre ferme, et entrant dans une baie, nous arrivâmes à la rivière Ouichouan, où nous remarquâmes un autre dépôt de schiste argileux. Ce schiste diffère de l'autre dans les détails suivans: les couches sont horizontales, ou à peu près; on ne voit pas qu'il soit ici associé à aucune autre roche: sa surface exposée à l'air est blanche, tandis que celle de l'autre est noire. Il fait une très légère effervescence dans l'acide, et contient de légères traces de restes organiques, caractères qui, ni l'un ni l'autre, n'ont été observés dans le premier; il est en plus grande abondance et plus régulièrement disposé.

Les personnes inaccoutumées aux apparences trompeuses que les rochers prennent quelquefois, prononceraient sans hésiter que ce rocher est stratifié horizontalement, et dans notre jugement elles auraient raison, mais il y a d'autres surfaces qui sont dans une disposition parallèle entre elles et qu'on pourrait aisément prendre pour des faces de stratification, particulièrement par cela que leur position est verticale, que correspond mieux à la pente élevée que montre généralement le schiste argileux. Cependant un examen plus particulier de ces faces a fait voir qu'elles ne sont pas continues et qu'elles subissent une interruption constante. Prenant ici l'horizontalité des couches comme un fait, sur lequel nous n'avons aucun doute, les lamines du schiste argileux sont, comme précédemment, parallèles aux surfaces de la stratification. En conséquence de ces contre couches, le rocher est souvent divisé en masses cubiques et en pointes pyramidales, ces derniers ressemblant quelquefois à la lame d'un stilet. Que vous frappiez le rocher sur les bords de ses lamines ou en travers de la surface, il s'opère une fracture dans la direction de ces lamines, accompagnée, comme de raison, dans le dernier cas, d'une fracture transversale.

Au dessus du schiste argileux et en contact immédiat avec lui, il y a un lit remarquablement beau d'argile marneuse compacte, à laquelle est probablement due la légère effervescence du premier. Il y a sur le rivage en cet endroit une grande quantité de fragmens de schiste argileux, et il est rare d'en trouver d'autres roches. La latitude de la rivière Ouichouan, à son embouchure, a été déterminée à 48° 24' 35".

Entre l'Ouichouan et le poste de Metabitchouan, nous observâmes que la même formation continuait jusqu'à une distance considérable, au bout de laquelle nous rencontrâmes de nouveau du calcaire, possédant les mêmes caractères que plus haut, mais plongeant vers le nord à un angle de 45°. Cette circonstance semble venir à l'appui de notre opinion et porte à inférer la conjecture additionnelle, que les deux roches alternent l'une avec l'autre, autrement le calcaire doit subir une contortion violente pour paraître, dans l'intervalle entre les deux dépôts de schiste argileux, en couches horizontales, à presque au même niveau de l'eau, selon qu'on l'a décrit.

Cette alternation avec du calcaire fétide, convient mieux aux habitudes des shales qu'à celles des schistes argileux, avec le quels ils ont quelquefois une ressemblance frappante mais indistinguable à l'œil, fait dont ce rocher offre un exemple remarquable, s'il se trouve être un shales ce que nous croyons fortement qu'il n'est pas, après avoir consulté ses caractères minéralogiques; on ne peut se cacher cependant que ce ne soit un cas douteux. Pour mettre le lecteur en état de mieux former son opinion, nous allons introduire ici ces caractères: couleur, noir brunâtre, opaque; structure, réellement schisteuse, mais compacte en apparence; cassure transversale, inégale, un peu concavoïde; même dureté à peu près que le schiste argileux; couleur de la poudre

et rayé, rougeâtre; odeur légèrement bitumineuse à la percussion; gravité spécifique 2.4; dans l'eau sa surface se couvre de bulbes tenues, mais il ne s'y délite pas, ni acquiert un poids additionnel, même après une immersion prolongée. Un échantillon de l'endroit mentionné en dernier lieu fait dans l'acide une légère effervescence, caractère que nous supposons être dû à la proximité de l'argile marneuse. Devant le chalumeau il fond aisément en une globe de verre de couleur d'un vert sale ou brun. Il n'y a que l'expérience seule qui puisse déterminer si cette roche est propre à servir d'ardoise à couvrir; cela dépend du degré de fissilité qu'il possède, et du pouvoir qu'il a de résister à l'action de l'Atmosphère: notre opinion est favorable sur ces deux points, mais il n'est fondé que sur un coup d'œil rapide sur la carrière. Quant à notre dilemme géologique, sans perdre plus de temps à essayer de reconcilier des contradictions apparentes, qu'une connaissance plus approfondie des localités ferait probablement disparaître, nous allons continuer à rapporter des faits. A l'endroit mentionné en dernier lieu le calcaire formé sur le rivage du lac un rude précipice et contient des corallites, des encrinures et des productions à polypiers. Les encrinures comme ci-devant étaient d'une variété de couleur de façon très propre à servir de marbre d'ornemens; il y en a quelques-unes qui ont l'aspect congloméré ci-dessus décrit.

Poursuivant notre route, nous atteignîmes le poste de Metabitsshuam, que nous trouvâmes être, par une observation, à la latitude 48° 23'. 12". Comme celui de Tadousac le poste de Metabitsshuam est situé sur un banc d'alluvion, quoiqu'il en diffère sous le rapport des matières qui le composent. C'est ici un sol où l'argile prédomine, mais qui contient assez de sable pour lui donner de la fertilité. On y rencontre fréquemment des morceaux des roches des environs et parmi eux des fragmens roulés du calcaire secondaire que nous venons de décrire, avec leurs fossiles implantés. Ces fossiles sont généralement de la même classe que ceux qui ont été trouvés dans la chaîne des Îles Manitouline, dans le lac Huron, et que nous avons mentionnés. Le plus remarquable des restes fossiles que nous vîmes était une trilobite (entomolites paradoxus de Linné.) On le croit être le plus grand qu'on ait jamais vu et mérite d'attirer l'attention, en ce qu'il appartient à une classe d'animaux, que les naturalistes ne connaissent pas du tout et dont Parkinson dit, " nous devons nous contenter, je crois, d'avouer qu'on ne connaît aucun animal qui lui ressemble." Voyez la planche, pour le dessin de ce fossile à sa grandeur naturelle, dont nous sommes redevable au Lieut. Ditmus du 66e. régiment.

Cette trilobite est sur du calcaire très schisteux d'un gris foncé à l'intérieur. Le fragment dans lequel nous l'avons trouvée est anguleux et détaché; on s'en était servi comme d'une pierre à degré pour un des bâtimens du poste; c'était probablement la glace qui l'avait transporté sur ce rivage d'un endroit du lac, situé à environ trois milles à l'ouest, où nous avons trouvé du calcaire très semblable à celui-là, plongeant variablement vers le nord depuis 10° jusqu'à 45, et qui reposait sous un calcaire noir très schisteux, contenant les impressions de petites térébralutes, qui répandent une odeur très fétide, lorsqu'on frappe dessus. Quoique schisteux en grand, cette roche était très compacte en petit, et fournirait probablement de belles pièces de marbre noir. Son caractère schisteux, réuni à sa couleur noire, pourrait le faire prendre pour du schiste argileux, surtout parce que, comme nous l'avons déjà décrit, cette roche tient la même position par rapport au calcaire; mais cette position elle-même; l'effervescence violente de cette roche dans l'acide, ses restes organiques implantés et son odeur fétide, font disparaître tout doute à cet égard. Nous avons observé de nouveau en cet endroit le calcaire de couleur de faon: il paraît exister en assez grande abondance. Nous vîmes sur le rivage une grande masse de marbre blanc laminaire; le rocher lui-même ne doit pas être éloigné, mais il est probablement au fond du lac, d'où la masse en question a été poussée.

Du poste de Metabitsshuam qu'on considère comme le point du lac le plus méridional, ou à peu près, la rivière Péribouka, à sa pointe la plus septentrionale, restait au nord, la Grande Décharge au N. E. et au point le plus proche de l'est.

Nous montâmes la rivière Metabitsshuam jusqu'à une petite distance, et jusqu'à des rapides; le rivage à droite ou à l'est se trouva être composé d'un mélange d'argile et de sable, qui formait une côte alluviale de 50 à 60 pieds de haut. Le rivage occidental de la rivière est bas. Le froment, l'orge, les avoines, les légumes de diverses espèces, les courcoubres, les melons, viennent ici à perfection; c'est une marque que ni le sol ni le climat ne peut être mauvais. Ayant cassé notre thermomètre dès les premiers jours de notre exploration, tous nos rapports manquent du côté des observations thermométriques. A en juger d'après ce que nous sentions, et les faits agricoles dont il est fait mention ci-dessus, il ne paraît y avoir aucune différence entre le climat du lac St. Jean et celui de Québec. Du côté sud du poste la vue est bornée par des montagnes, et il nous a été dit qu'à une distance peu considérable dans ces montagnes il y a un dépôt considérable d'un minéral, qui d'après la description qui en a été donnée doit être de la stéatite ou savon naturel. Elle marque probablement le caractère primitif des montagnes où elle se rencontre; près d'elle on peut s'attendre à voir la jonction des roches primitives et des secondaires. Nous n'avons pas vue le schiste argileux, qui quoique ordinairement de formation primitive, est ici, d'après son alternation avec du calcaire fétide, évidemment de la classe secondaire.

Après avoir traversé une mer turbulente nous nous trouvâmes de retour à l'embouchure de la Belle Rivière, ayant complété le tour du lac St. Jean.

Avant de prendre congé de ce lac, nous introduirons ici sur la fertilité générale du sol dans ses environs, quelques remarques, qui nous ont paru en expliquer la cause.

Lorsque d'abord nous vinmes à observer les rapports de la Chambre d'Assemblée à l'égard du territoire du Saguenay, nous ne savions comment nous rendre raison de cette fertilité. Nous imaginâmes que le lac St. Jean et le pays environnant formaient, comme c'est en effet le cas, un vaste bassin, dont le lac est la partie la plus basse, avec des rivières qui s'y jettent dans tous les points de la boussole, une exceptée, et emportent avec elles des alluvions des terres qu'elles traversent. Supposons que ces terrains ne soient tous composés que de roches de la nature la plus stérile, tels que le granit et le gneiss ou des aggrégats où abonde le silex, ils ne pourraient pas être regardés comme les sources de la fertilité en question. Dans ce dilemme on a eu recours à l'agence d'un déluge violent, qui en transportant des terres des parties éloignées avait accumulé ici les matériaux d'une fertilité à venir; ce fut sous cette impression que nous visitâmes ce pays. Mais au lieu de granit et de gneiss, nous l'avons trouvé composé pour la plus grande partie de rochers qui, quelque infertile que puissent être en eux-mêmes quelques-uns d'entre eux, sont formés de minéraux, dont la décomposition forme presque exclusivement le meilleur des sols; tels sont le syénite et le trapp. En promenant nos regards sur les beaux sols alluviaux qui caractérisent le pays aux environs du lac St. Jean et de Chicoutimi, nous n'aperçûmes aucune vestige de l'action d'un déluge violent; loin de cela ils étaient composés de particules des plus déliées, qui n'avaient pu être déposées qu'en eau tranquille.

En visitant le lac St. Jean nous trouvâmes un rocher qui formait une grande partie du rivage et des environs, et dont la décomposition faisait les plus belles argiles. En avançant un peu plus avant sur le même lac, on trouve que l'argile schisteuse et le calcaire en occupent encore une plus grande portion; le premier presque toujours associé à des sols fertiles formés par sa désintégration; et il suffit de nommer l'autre comme formant partie d'un pays, pour emporter à la fois l'idée de fertilité.

Examinez le calcaire; vous trouvez qu'il est le dépôt de dépouilles d'animaux marins, qui forment maintenant partie de presque tous ses lits horizontaux. La conclusion naturelle à en tirer, c'est qu'eux et le calcaire ont été déposés ensemble, lorsque le lac St. Jean et le pays adjacent étaient couverts par la mer; et il nous paraît également évident, que les argiles et les marnes fines qui abondent dans ce pays, sont les lavures des rochers qui se décomposent, lesquelles étant d'abord suspendues dans l'eau sous la forme d'une poussière impalpable, se déposent par la suite aux bases et sur les pentes douces des rochers dont elles sortent.

A l'égard des Rapports de la Chambre d'Assemblée, auxquels nous avons fait allusion plus haut, nous ne faisons que rendre justice en disant, qu'après les avoir examinés attentivement, nous croyons qu'ils font autant d'honneur aux individus qui les ont recueillis qu'aux personnes qui les ont fournis. Généralement parlant nous les avons trouvés corrects, et l'on verra que les derniers rapports les confirment plutôt qu'ils ajoutent aucuns renseignements nouveaux à l'égard de la fertilité du sol et de la facilité qu'il offre à la culture. Les plans de Mr. Taché et de Mr. Panet, considérant qu'ils ne sont que de simples appels, sont aussi assez corrects.

Mr. Nixon, à son retour, a eu la bonté de nous fournir les échantillons suivans de roches et de terres, avec des explications sur les lieux où il les a recueillis:

ROCHERS.

- No. 1 De feldspath seul, semblable à tous les rochers entre la Grande Décharge, et la Rivière Koucouatimi. Cette échantillon vient du second rapide de la rivière Péribouka, et Mr. Nixon décrit la même roche comme s'étendant depuis le pied du premier rapide jusqu'au pied de la troisième chute, et formant des deux côtés des rivages de roches; le sol qui se trouve dans cette distance est sablonneux. Cette roche est traversée par une veine de granite, dans lequel le feldspath prédominait fortement en gros cristaux.
2. Masse détachée de fer magnétique—près du No. 1.
3. Semblable au No. 1—de la Grande Chute de Péribouka.
4. C'est un mélange, à proportion égale, d'amphibole et de feldspath; ce dernier ayant dans le premier un arrangement glanduleux, et ayant quelque ressemblance avec du Porphyri. En nommant des rochers composés d'amphibole et de feldspath, nous avons toujours, dans ce rapport, désigné sous le nom de trapp les rochers dans lesquelles le premier minéral prédominait, tandis que nous avons restreint le mot de syénite à celles où prédomine le feldspath. Mais dans le cas présent, où ni l'un ni l'autre l'emporte, les deux termes sont également applicables; mais nous avons choisi celui de trapp, parce que le feldspath, qu'il contient, par sa ressemblance avec le quartz, donne à l'échantillon en question un caractère d'analogie avec le trapp que nous avons décrit, caractère qui ne se trouve pas dans le syénite—de la Rivière David.
5. Mélange d'amphibole et de feldspath; le premier en prédominance, conséquemment du trapp, de la chute de la rivière Ouitchouan, de 236 pieds de haut, selon Mr. Bouchette.
6. Pareil au No. 1.—De la Petite Décharge: une veine de feldspath blanc traverse cette roche.

TERRES

TERRES.

- No: 1. Mélange de sable, d'argile, de matière végétale et de fer ; le sable en excès ; Rivière Péribouka.
2. Pareil au No. 1...avec un peu moins ou aucune partie de fer. R. Peribouka.
3. Marne ou terre à brique—bon sol— Lac Nohadouite—pris sous la matière végétale.
4. Mauvais sol sablonneux, se posant sous le No. 3, à un pied sous la surface, et assis sur le No. 5.
5. Bonne argile marneuse—même épaisseur que le No. 4 et se posant sur le No. 6.
6. Argile marneuse excellente.
7. Beau terreau végétal noir, à vingt pas des bords d'un ruisseau qui se décharge dans le lac Nixon.
8. Mélange de sable et d'argile, terre ps-sable—lac Nixon.
9. Sable, argile, terre végétale et fer, léger et sablonneux—lac Nixon.
10. do do do do —Rivière Baddeley.
11. Sable et terreau végétal—Sol pauvre do.

Appendice
(V.)

14 janvier.

A notre retour à Tadousac nous trouvâmes que sa latitude était de $49^{\circ} . 6' . 38''$, et aussitôt après nous embarquâmes dans le St. Laurent pour venir à la baie St. Paul, en passant devant la Pointe aux Bouleaux, dont il a été parlé au commencement de ce rapport. De la Pointe aux Bouleaux et l'Échaffaud des Basques à la Baie des Roches, nous vîmes des masses presque isolées, que nous avons considérées être du granite : elles sont en forme de dôme ou de côtes de coq arrondi, mais généralement le profil des montagnes de la côte ne diffère pas essentiellement de celui des montagnes du Saguenay ; les premières ne sont pas cependant si escarpées. Ayant débarqué à l'Échaffaud des Basques la roche prédominante se trouva être du granite syénitique, où l'on voit le trapp sous la forme de filons ou de veines. Le rocher est traversé d'une veine composée de feldspath rouge, de quartz, d'amphibole et de fer magnétique. L'on vit dans la même disposition des cristaux de feldspath couleur de chair et des masses blanches de quartz, formant de grosses concrétions distinctes. Nous détachâmes d'une masse séparée de granite syénitique de gros rognons de bel amphibole noire ; et aussi un bel échantillon de feldspath de bleu clair, ayant le lustre du satin.

Nous observâmes que la surface des rochers avait ici le même aspect pétri et poreux que nous avons ci-devant décrit. Nous avons déjà décrit un échantillon apporté de l'Anse aux Femmes, dans le Saguenay, comme possédant le caractère de porosité, et à l'extérieur et à l'intérieur, d'une manière si parfaite qu'il pourrait servir comme un excellent échantillon du pierre à moulages.

Nous ne ferions que répéter s'il nous fallait décrire, avec autant de détails, les rochers du rivage nord du St. Laurent, entre Tadousac et la Malbaie, que nous l'avons fait à l'égard des rochers qui se trouvent entre cette dernière place et Chicoutimi. Nous nous bornerons donc à quelques remarques sur les différences les plus frappantes et les plus importantes que nous avons observées.

Quoiqu'on voie occasionnellement le trapp former des filons, des veines et des morceaux implantés dans la roche prédominante, (syénite, granite, granite syénitique ou gneiss syénitique.) nous n'en avons aperçu aucune masse rocheuse, soit stratifiée, soit non stratifiée. Nous ne voulons pas dire cependant qu'on ne puisse en trouver, mais faire entendre qu'on n'en voit pas aussi communément que dans le Saguenay ; surtout dans la partie entre Chicoutimi et la Boule, depuis laquelle dernière place, en gagnant vers l'embouchure du Saguenay, les rochers deviennent plus quartzueux et moins amphibolique ou hornblendique, et passent du trapp et du syénite au gneiss syénitique et au granite syénitique. C'est à cela qu'on peut attribuer le peu de largeur de la rivière à son embouchure.

A mesure qu'on approche de la Malbaie on voit les rochers se couvrir de veines de trapp, de feldspath, de quartz et de granite. Ces veines, généralement parallèles les unes aux autres, sont souvent tortueuses à un point presque incroyable. Dans quelques endroits elles sont absolument innumérables, et étant composées de minéraux de différentes couleurs, tels que le quartz blanc, l'amphibole noire, le feldspath rouge, &c. elles donnent à ces rochers une apparence singulière et belle toute à la fois, qu'un artiste seul pourrait reproduire avec justesse ; la chose étant tout à fait hors de toute description.

Il est digne de remarque que les veines de granite qui ont été décrites, comme traversant les rochers, tant sur le St. Laurent que sur le Saguenay, se sont trouvées composées, partout où elles ont été examinées, de gros cristaux couleur de chair, de gros morceaux de quartz gris ou blanc et de mica en lames hexagones de la grandeur d'environ un fanning, le tout formant une variété de granite graphique qui diffère considérablement en apparence de ces granites à grains fins, qui ont été décrits comme étant disposés en masses stratifiées en apparence, tant dans le Saguenay qu'en d'autres endroits, et parmi les ingrédients desquels il est difficile souvent de dire si le mica ou l'amphibole doit être rangé, ou s'ils n'y sont pas présents tous deux, les petites taches noires disséminées dans l'aggrégat ressemblant à l'un et à l'autre de ces minéraux. Les lames de mica étaient "rares et" dans ces veines. On a déjà fait allusion à la rareté de ce minéral dans les rochers que l'on décrit maintenant.

On trouve sur ces rochers un bon nombre d'écaillés récentes, surtout d'échinites ou oursins de mer, et quelquefois à une si haute élévation qu'on serait induit à faire une fausse conclusion sur la hauteur des marées de printemps. Elles y ont été probablement apportées par les oiseaux, vu que la position élevée qu'elles occupent, est hors de l'atteinte de toute marée quelconque du Saint Laurent.

En entrant dans la Malbaie, on observe un roc qui forme une longue falaise, qui a l'apparence d'être stratifiée horizontalement ; Il est d'une couleur grisâtre. Nous trouvâmes ensuite que c'est du calcaire, et de la même espèce que Dr. Bigsby décrit comme un conglomérat calcaire, plein de restes organiques et auquel est adossé du gneiss et du mica-schiste.

Profitant durant tout un jour de l'hospitalité bien connue de Mr. et de Mad. McNicol, nous eûmes le loisir d'examiner quelques-uns des rochers de l'endroit, qui offrent le plus grand intérêt, en ce que les formations primitives et secondaires se rencontrent ici ensemble. Sur le rivage près de la maison, nous observâmes du calcaire noir fétide et du gneiss, à ce que nous croyons, mais nous n'en examinâmes pas le lieu bien particulièrement. Passant un Pont qui est sur la rivière de la Malbaie, nous traversâmes un banc d'alluvion, vers la maison du Dr. Fraser, sur le côté est de la baie. Poursuivant notre marche sur le rivage et en descendant la rivière nous tombâmes encore d'abord sur le calcaire noir fétide que nous avions observé de l'autre côté de la baie. Examinant alors un bloc qui était tombé du précipice, dont nous avons parlé en entrant dans la baie, nous trouvâmes qu'il consistait en un calcaire durci de couleur grisâtre, et fut confirmée alors en la conjecture que nous avions faite à l'égard de sa stratification horizontale. Il forme un escarpement perpendiculaire, haut, peut-être, de 150 pieds. Derrière le calcaire noir fétide nous avons rencontré pour la première fois du mica-schiste, contenant des veines de quartz, quelquefois d'une teinte de rose pâle, et des grenats communs. Nous ne vîmes pas du beau grenat feuilleté, qu'on sait se rencontrer dans cette roche. Le mica-schiste plonge à pente légère vers l'Ouest. Continuant notre marche, nous arrivâmes à des rochers qui nous parurent consister en des masses de quartz pur, après-quoi nous rencontrâmes du gneiss syénitique. Tous les bords de ces roches depuis le calcaire jusqu'en bas avancent sur le rivage en strata réguliers qui plongent vers l'ouest. Entre le calcaire horizontal qui repose sur les bords inférieurs de ces roches et du calcaire noir, nous observâmes une espèce de grès calcaire d'un verd léger, possédant la compacité de grauwacke à grains fins. Nous ne nous rappelons pas à laquelle des deux roches il se conforme, mais nous croyons que c'est avec celle de dessus ; il fait une légère effervescence dans l'acide.

La Malbaie et ses environs sont remarquables depuis bien longtemps par la fréquence de leurs tremblements de terre ; on ne pouvait donc pas supposer que nous omettrions de faire à cet égard des recherches, vu leurs liaisons avec le sujet que nous examinons. Nous devons à la politesse de Mr. et de Mad. McNicol les renseignements suivans : Les secousses sont plus fréquentes dans les mois de Janvier et de Février ; leur direction paraît être nord-ouest : la durée du tremblement est d'environ une minute, et il est ordinairement précédé par un bruit semblable à celui d'une cheminée en feu, et quelquefois accompagné de deux chocs distincts. Quelquefois avant que le coup se fasse sentir le temps est étouffant, d'autres fois il est froid ; dans le premier cas le temps se refroidit après le choc, et dans le dernier cas il se radoucit, en un mot il est toujours accompagné d'un changement de température. Les tremblements arrivent environ neuf ou dix fois l'année, et plus fréquemment la nuit que le jour. Lorsqu'ils ont lieu dans un temps de brouillard, l'air s'éclaircit après. Les secousses étaient beaucoup plus violentes il y a environ trente-six ans. Le Dr. Fraser, de la Malbaie, à qui nous avons montré ce rapport, le confirme généralement ; il croit seulement qu'on a mis les tremblements annuels à un trop petit nombre.

La Malbaie ou Murray-Baie, comme les habitans préfèrent l'appeler, entre avant dans le rivage du nord, et la plus grande partie assèche à la basse marée. La terre qui environne cette baie est un peu élevée et rocheuse, mais entre elle et le point de haute marée, du côté de l'ouest, il y a un sol uni d'alluvion qui a une montée douce. Le caractère de la plus grande partie, c'est d'être sablonneux, mais l'endroit où se trouve la terre de Mr. McNicol est d'une qualité supérieure, et composé d'argile, de sable et probablement de chaux, provenant du voisinage du calcaire. Nous fûmes informés que le caractère général du sol s'améliore à mesure que l'on avance dans les terres, et qu'une large et fertile vallée, semblable à celle qui borde la rivière de la baie St. Paul, avec laquelle elle est jointe par une vallée transversale, accompagne aussi la rivière de la Malbaie, en arrière des établissemens. Ayant avancé dans les champs derrière la maison de Mr. McNicol, nous observâmes plusieurs petites collines en forme de cônes, hautes de quinze à vingt pieds, composée de terrain de transport, qui d'après leur forme et leur apparence isolée nous supposâmes avoir quelque rapport avec la cause des tremblements de terre.

Profitant de la haute marée nous laissâmes cette baie, mais nous fûmes retenus à la pointe la plus à l'ouest par l'agitation du soufre. Nous passâmes ce temps à examiner le calcaire qui compose cette pointe. Comme celui du côté est de la baie c'est un des calcaires secondaires les plus anciens et renferme nombre de restes organiques principalement des orthocératites. La surface exposée de cette roche présente plusieurs sections longitudinales de ces fossiles mutilaculaires univalves, qui leur donnent l'apparence d'arêtes de poissons, avec lesquelles on les a confondues. Il est bien connu à ceux qui s'intéressent au sujet que les fossiles

siles corallines du genre des huronies, dont il y a quelques beaux des-
sins corrects, parmi les planches du sixième Volume des "Geological
Transactions," ressemblent d'une manière remarquable à des ver-
tebres, et au point même que des hommes de la science y ont été
trompés ; cependant nous n'en vîmes pas de cette dernière espèce. Une
partie de ce calcaire a un caractère très siliceux et paraît passer au grès ;
il y a aussi de congloméré et qui tient implantés des fragmens de quartz
blanc arrondis. Dans la partie la plus élevée de ce calcaire il y a une
petite caverne, dans laquelle on peut descendre quelques verges. Le
toit et les parois sont en plusieurs endroits enduits d'une incrustation
blanche, qui n'a nullement l'aspect de stalactite, mais qui est d'une
nature plus molle et ressemblant davantage aux apparences analogues
que l'on voit sur les toits de vieilles briques ou de voûtes de pierres.
Cette caverne a une descente très rapide, mais nous fûmes tout-à-coup
arrêtés, la caverne ne devenant plus qu'une simple crevasse, à travers
laquelle cependant le petit garçon qui nous accompagnait nous dit
avoir passé, nous informant que de l'autre côté elle devient plus spa-
cieuse, mais que la crainte l'avait empêché de pénétrer plus avant. On
pourrait à très petits frais élargir le passage en cet endroit, travail qui
serait bien compensé par l'étendue, la beauté et l'apparence singulière
qu'offrent fréquemment ces cavernes. Nous en avons parlé au Dr.
Fraser, dont nous attendons sous peu quelques renseignemens ultérieurs.

La côte entre la Baie Murray et la Baie St. Paul est bien moins es-
carpée qu'entre cette première place et l'embouchure du Saguenay, quoi-
qu'elle se retire graduellement en arrière en hauteurs élevées, sur les-
quelles, à cause de la charge du canot, passèrent MM. Bowen et Gol-
die. Ils décrivent le chemin comme étant une succession non interrom-
pue de montées et de descentes roides ; nous observâmes quelques ro-
chers, à surfaces blanches, formant une grande partie du rivage, mais
comme nous n'y avons pas débarqué, il reste à constater s'ils sont fels-
pathiques ou calcaires. Au delà nous vîmes une roche noire, traversée
par des veines de spath blanc calcaire ; c'est probablement le calcaire de
transition de quelques auteurs, et le même que nous avons observé à
Murray Bay.

En passant les Eboulemens nous regardâmes vainement pour trouver
la cause qui fait ainsi appeler cette partie du pays. L'île aux Coudres
aussi, que Charlevoix donne pour avoir été détachée de la terre ferme
par un violent tremblement de terre, ne découvre en passant aucun
vestige d'une pareille catastrophe, si ce n'est un tournant d'eau entre
elle et la terre ferme, lequel à basse marée devient dangereux pour les
chaloupes et les canots, par le risque d'être par lui jetés sur les rochers
calcaires qui sont à la droite de l'entrée de la Baie St. Paul : les appa-
rences qui indiqueraient quelque chose de la sorte sont, dit-on, cependant
visibles en beaucoup d'endroits du rivage entre le Port au Persil et la
Baie St. Paul, telles que des racines et des troncs d'arbres &c. renver-
sés et couverts de terre, et des masses éparses de roche.

Le calcaire dont nous avons parlé en dernier lieu est d'une excellente
qualité ; il est disposé en bancs noirs compacts, qui plongent vers l'ou-
est à un angle d'environ 45°. Il paraît être une excellente pierre à
bâtir, en grande abondance et aisée à exploiter.

En entrant dans la Baie St. Paul les montagnes qui composent les
terres des derrières ont une apparence très pittoresque : elles s'élèvent
en cimes coniques et en rangées alpines sans être cependant très
élevées.

Il n'est peut-être pas connu à tout le monde qu'il y a des témoi-
gnages très respectables qui vont à prouver qu'il y a eu une éruption
volcanique dans l'intérieur des terres de la Baie St. Paul. Personne ne
pourra plus douter de ce fait, après qu'il aura lu le rapport suivant,
que nous tenons de la politesse de Mr. Gagnon et de Mr. Chaperon.
C'est le premier de ces Messieurs qui écrit.—

" Au défaut du journal qui se trouve écarté, daignez recevoir ce
qui suit :

" Samedi, 6 oct. 1791, à la Baie St. Paul, et autres lieux circonvoisins,
vers les sept heures et un quart du soir, se fit sentir un fort tremblement
de terre : toute la nuit fut troublée par de petits répétés, et entre autres
par un trémoussement courant dans l'est. Les quarante-et-un jours sui-
vans tremblèrent, depuis deux coups jusqu'à cinq par jour. Le lundi 8 oct.
fut d'un bon tiers moins fort que le premier (du 5) les autres ne furent
que des petits, ou brouissemens ; le temps toujours obscur. Avant la
nuit du 26 au 27, je n'avais pas encore remarqué d'éruption de fumée
épaisse, par fois ondoyante de flamme ; la température à 7½ heures du
soir était à 11°. au dessous de zéro du thermomètre de Reaumur (plus
7½ de Fahr.) et le lendemain au matin à 6½ heures la chaleur se trouve
montée à 21°. (plus 79¼ de Fahr.) Deux montagnes près de ma de-
meure, ouest quarante quelques degrés nord, laissent un passage à la vue
entre elles pour laisser voir loin. C'est par cette passe que je vis une
continue éruption, mêlée de fumée et de flamme, qui jetait fort sur
l'horizon ; d'autres fois se tourmentaient entre elles comme trop gênées
dans leur issue. J'ai remarqué plusieurs fois que cette éruption est
presque toujours suivie de tremblement pour le même jour ; et quand il
manque il s'ensuit un jour obscur et jaune. Quand le tremblement
arrive, on peut dire qu'il va être d'autant plus proche que cette agita-
tion de boucanne force pour sortir. Quelques personnes auxquelles
j'avais montré ces préparations du tremblement m'ont prévenu à leur

tour que dans un moment la terre va trembler, et l'effet le confirma.
Enfin cette nuit du 26 au 27 forma un grand spectacle d'admiration ;
toute l'atmosphère fut en feu et agitée ; la face souffrait de la chaleur,
le temps étant fort calme ; l'éruption fut continue toute la nuit avec
des flammes. L'approche certaine du tremblement se connaît quand
par la passe entre les deux montagnes, on voit un nuage, ou boucanne,
arrêté, ou agité, et qu'à droite et à gauche l'horizon est parfaitement
clair."

Pour aussi loin que s'étend cette description, elle s'accorde si bien
avec les phénomènes connus de volcans actifs qu'on ne peut guère dou-
ter que la flamme aperçue par Mr. Gagnon ne vint d'une autre cause
que de celle d'une éruption.

Mr. Andrew Stuart n'ignorait pas l'existence de ce rapport bien fon-
dé, lorsqu'en déchargeant notre canot, il nous donna pleine liberté d'al-
ler à la recherche du volcan, pourvu qu'après avoir constaté l'existence
de certaines particularités, qui dans notre jugement nous donneraient
l'espérance de le trouver. Les circonstances suivantes nous firent dé-
sister de notre tentative.

1°. Il pouvait être à une si grande distance qu'on ne pourrait l'at-
teindre à une période si avancée de la saison—12 septembre.

2°. La fertilité reconnue des pays volcaniques aurait pu, dans un
intervalle de trente-sept années d'inactivité, couvrir ces parties une fois
ravagées par ses éruptions, d'une masse épaisse et dense de matière vé-
gétale morte et vive, qui cacherait tous les rochers, et effacerait toutes
les traces d'un cratère, par lesquelles seules on peut reconnaître un vol-
can depuis longtems éteint et inactif.

3°. Nous désirerions fortement examiner un vaste dépôt de fer mag-
nétique qui se trouve dans le haut de la rivière, dans une direction diffé-
rente.

Après l'examen de la plus grande partie des rochers que nous avons
essayé de décrire, un Volcaniste ou un disciple de Hutton, supposerait,
croyons-nous, que le pays qu'ils caractérisent a été dans des temps
reculés, le théâtre de l'activité d'un foyer volcanique, et en voyant venir
à l'appui de ses conjectures les témoignages collatéraux que donnent ces
tremblemens de terre locaux, et celui d'une nature plus directe et plus
positive contenus dans l'écrit de Mr. Gagnon, tous ses doutes sur le sujet
ne manqueraient pas de disparaître. Pour nous, n'étant ni Neptunien,
ni Volcaniste, nous laissons ces recherches intéressantes, mais souvent
vagues, à ceux qui ont plus de droit de s'y livrer, étant satisfait de la
tâche plus humble, quoique non moins utile, de décrire des faits.

Quoiqu'on croie que personne autre que Mr. Gagnon ne vit la flam-
me, &c. il y eut nombre de témoins de la violence extraordinaire des
tremblemens de terre en mil sept cent quatre-vingt-onze. On donne
raison de cette première circonstance, en disant qu'il y avait dans ce
temps très peu d'habitans à la Baie St. Paul, et encore moins dont les
habitudes et l'éducation pussent les porter à faire attention à un phéno-
mène que, dans le cas où il l'aurait vu, le vulgaire aurait supposé être un
simple feu dans les bois.

Il est aussi dans la mémoire de plusieurs qu'une chute de cendre cou-
vrit une fois la neige, mais nous ne sommes en possession d'autres dé-
tails ultérieurs sur ce fait intéressant. Les tremblemens de terre ne pa-
raissent pas maintenant être aussi fréquens ni aussi fortement sentis à la
Baie St. Paul qu'à la Malbaie.

A trois ou quatre lieues dans la rivière de la Baie St. Paul, ou rivière
du Gouffre, comme on l'appelle, il y a, à la distance de cent verges à
deux milles de son rivage, un dépôt étendu de fer magnétique, (*) dont
nous sommes en état de parler d'après un examen et une inspection en
personne. La montée de la rivière est très difficile, à cause de ses
nombreux rapides, mais cet inconvénient est rendu plus léger par la
bonté d'un chemin sur sa rive droite. Ce chemin formé d'une alluvion
de sable nous conduisit à une belle vallée à travers laquelle serpente la
rivière. La nature sablonneuse du sol à l'embouchure de cette rivière
offre peu de résistance à l'action du courant, qui dans les grandes eaux
envahit sur le rivage contigu un certain espace de terrain en en abon-
donnant autant de l'autre côté, ce qui fait qu'un propriétaire de terre se
trouve en possession de la propriété de son voisin. Lorsque la proprié-
té sera devenue de plus grande valeur en ces endroits et ces anticipations
plus considérables, ce deviendra peut-être une source de procès. Mr.
Chaperon, de la Baie St. Paul aura bientôt à changer de place deux
maisons à deux étages que le courant menace de miner.

A mesure qu'on avance, la rivière s'éloigne du chemin à droite et
tandisque la première tient, comme on doit s'y attendre, le niveau le

(*) Dès le temps de Charlevoix on savait qu'il y avait du minéral de
fer en arrière de la Baie St. Paul : car selon cet auteur, Mr. l'Intendant
Talon engagea pour explorer ces mines un mineur qui en fit un rapport
favorable. On dit que cet homme avait remarqué, partout il avait travail-
lé, des traces du tremblement de 1663. Nous n'avons rien vu de la sorte.
Antérieurement à notre visite à cette place, l'Arpenteur Général avait ap-
porté à Québec des échantillons de minéral et des renseignemens sur son
abondance.

Appendice
(V.)
14 janvier.

plus bas de la vallée, le dernier poursuit une course plus directe sur le banc de sable. En passant sur ce banc et en jetant les yeux sur la vallée au dessous, nous nous rappelâmes le valon de Clwyd dans la Galle Septentrionale, qui n'est cependant ni aussi large ni aussi long. Les montagnes de chaque côté sont assez élevées et sont comme de raison de roche, mais la vallée est un terrain légèrement ondulé et d'une bonne qualité, étant un mélange d'argile, de sable et probablement de carbonate de chaux, qui abonde dans les environs. Cette vallée s'étend six ou sept lieues et a peut-être une demi-lieue de large. Le chemin, qui est excellent, monte dans cette vallée jusqu'à environ cinq lieues et demi, au delà de laquelle distance un sentier conduit aux derniers établissemens. Il y a sur la gauche de la rivière une vallée transversale qui communique, dit-on, avec celle de la rivière de la Malbaie.

La paroisse de St. Aubain est située vers l'extrémité supérieure de la vallée, et ce fut en cet endroit que nous nous arrêâmes pour examiner le dépôt de fer. Une couche repose à l'ouest de la maison de Laurent Tremblay, sur le haut de la colline et à environ deux milles de la rivière. Ayant traversé la vallée la distance d'environ un mille, nous arrivâmes au pied de la hauteur qui s'élève à un angle de 10° à 15° .

En cet endroit nous trouvâmes de grosses masses détachées de ce minéral, et montant la colline encore environ un mille, nous atteignîmes le sommet. Arrivés là nous trouvâmes que l'endroit était caractérisé par l'absence totale d'arbres, et paraissait comme une pièce de terre rasée, d'environ trois à quatre acres en étendue. Près du centre de cette place et où le terrain commence à baisser on voit le minéral sortir de terre en une masse métallique noire de grandeur considérable. Nous la suivîmes sans creuser l'espace d'environ soixante verges en longueur et peut-être trois en largeur; elle était couverte çà et là de mousse et de quelques arbustes seulement.

La roche à laquelle le minéral est associé est un syénite pâle; le feldspath y surabonde, et sa surface exposée donne à l'extérieur du rocher une couleur de crème. Celui que nous vîmes n'était pas solide, mais en morceaux anguleux, pourris et lâchement liés, et nous trouvâmes que tel était le cas en sondant pour constater l'abondance du minéral, comme cela appert par le rapport sa isfaisant qui suit de quelques travaux que Vincent Tremblay avait été chargé de faire pendant notre absence dans une excursion au nord.

- No. 1. Creusé un trou du côté nord du minéral de fer visible et à environ deux perches de distance où fut trouvé le même minéral à environ deux pieds au dessous du terrain, composé de roche pourrie.
2. Creusé un second trou du côté sud du minéral, à la distance d'environ quatre-vingt-dix pieds: trouvé encore le même minéral, à la profondeur d'un pied six pouces dans le même terrain.
3. A environ six verges au sud du No. 2^o. à la profondeur de deux pieds et demi, dans le même roc, fut trouvé le même minéral.
4. Au nord-ouest du minéral visible et à la distance d'environ 90 pieds fut trouvé le même minéral à la profondeur de deux pieds dans le même terrain.

D'après cela il appert qu'il y a une quantité considérable de fer, presqu'à la surface; en vérité, nous supposons que la nudité de tout l'espace de ce terrain ci dessus mentionné, est due à la présence immédiate de ce minéral. L'on nous dit que plusieurs endroits des environs abondaient pareillement en minéral, et comme nous étions sur le point de descendre la rivière du Gouffre, pour revenir à la Malbaie, Mr. Bowen découvrit un dépôt de ce minéral, qui lui parut abondant: il est situé sur la rive gauche à environ un mille au dessous de la maison de Vincent Tremblay et à environ deux cents pieds du bord de l'eau. Ayant chargé Vincent Tremblay de faire de nouvelles recherches, nous avons reçu dernièrement les renseignemens suivans, accompagnés des échantillons.

- No. 5. " Ces deux morceaux ont été pris sur les terres de Damase Fortin et de Vincent Tremblay, fils, environ douze arpens plus au nord que la mine que vous avez vue, et environ quinze arpens plus près de la rivière du Gouffre. Il se trouve un cap continu du même métal et il est parallèle à l'horizon. Il se trouve environ un pied en terre à l'endroit où je l'ai examiné, mais comme c'est dans un endroit où le terrain est pendant, il doit se trouver à une plus grande profondeur à mesure que l'on avance.
6. Ce morceau a été pris au nord est de la rivière du Gouffre, environ dix arpens au dessus de l'endroit où vous êtes embarqué pour la descendre, et à un quart de la dite rivière. C'est un cap coupé perpendiculairement de la hauteur d'environ vingt pieds sur une largeur d'environ quarante.
7. Ces quatre morceaux ont été pris sur la terre d'Augustin Tremblay au nord-est de la rivière du Gouffre vis-à-vis l'endroit où vous êtes embarqué pour la descendre, et environ six arpens de la dite rivière. Il sort de la côte un cap de même métal dont j'ai découvert environ trois perches.
8. Ces morceaux ont été pris sur la terre d'Antoine Pagé à environ quinze arpens de la rivière du Gouffre, et environ une lieue plus sud que celle que vous avez vue. Il s'en trouve un cap plein.
9. Ces morceaux ont été pris entre Moïse Tremblay et Elie Fortin, environ huit arpens plus près de la rivière du Gouffre.

J'ai découvert de ce métal sur environ un demi-arpent carré, mais je crois qu'il y en a un plus grand étendu.

Avant de faire aucune observation sur les minerais ci-dessus, nous allons introduire ici un rapport de notre excursion au nord, dont nous avons parlé plus haut. L'objet de ce voyage était double:—de voir un peu plus de l'intérieur et d'examiner un autre dépôt de fer magnétique. Quant au premier objet de notre course, nous avons rencontré de la terre passable, quoiqu'en laissant la vallée et en montant les hauteurs nous tombâmes sur un terrain rocheux et sur un sol inférieur. Ces rochers sont généralement de feldspath et ont une surface extérieure couleur de crème. Après avoir marché deux lieues nous arrivâmes à la cime arrondie d'une colline qui nous présenta une belle veine d'une partie de la chaîne de montagnes, que nous avions vue en entrant dans la baie et dans laquelle la Rivière de la Baie St. Paul prend sa source. Les sommets de ces montagnes sont arrondis, tout-à-fait nus, blanchis et escarpés, nous fumes informés par notre guide que de l'autre côté de ces montagnes il y a une vaste plaine fertile, dans laquelle passe la rivière de la Malbaie; il était dans l'habitude de traverser cette plaine avec des Chasseurs Sauvages, avec qui il était associé. Poursuivant notre route un peu plus avant nous arrivâmes sur le plateau d'un rocher dont plusieurs verges étaient entièrement nues et blanchies. Tout ce que nous avions rencontrés sur notre route étaient couverts d'une si riche végétation, ne présentant à l'œil qu'un angle unique, qu'il n'était pas aisé de décider avec certitude, s'ils étaient en places ou non, mais ici il ne pouvait y avoir de doute sur le sujet. C'était une de ces masses tabuliformes, si fréquentes parmi les rochers feldspathiques, composés de feldspath brun, de quartz et d'amphibole; le quartz seul était bien distinct sur la surface exposée dont il saillissait en grains gris; à cause de plus forte résistance qu'il présente à l'action de l'atmosphère.

Nous trouvâmes dans cette roche des morceaux d'une variété lamelleuse de fer magnétique, et ayant de la polarité; il ressemblait à de l'amphibole, pour lequel on l'a d'abord pris. Nous arrivâmes au pied de la chaîne, où nous campâmes pour passer la nuit, après avoir traversée dans le cours de la journée beaucoup d'assez bonne terre bien arrosée par de petites rivières et cours d'eau qui sortent des lacs, le long de l'un desquels nous avions voyagé. Nous levant de bon matin, nous commençâmes à gravir la chaîne et sur le sommet de la partie la plus basse de sa rangée, nous vîmes saillir du flanc de la montagne, du minéral de fer semblable à celui que nous avons vu précédemment à St. Aubain, mais d'une qualité plus pure, quoiqu'en moindre abondance. Il se rencontre ici en taches visibles d'environ un pied de large et peut-être de trois de long. Comme il est dans le roc solide, il ne serait pas facile de l'extraire, si après avoir creusé on le trouvait former un lit ou filon continu. Le rocher dans lequel ce minéral est implanté est comme ci devant un syénite pâle, dans lequel le feldspath seul est bien distinct. Il est digne de remarque que le dépôt considérable de ce minéral de fer à Marmora dans le Haut-Canada est, selon le Dr. Bigsby, dans le voisinage immédiat de syénite pâle, quoique non en contact avec lui. La noirceur métallique du minéral contraste fortement avec la surface blanchie du rocher dans lequel il est intercalé.

Connaissant que les forêts de ce pays sont bien sujettes à des conflagrations spontanées ou accidentelles on attribue souvent assez naturellement à cette cause la blancheur de ces rochers à l'extérieur, particulièrement ici où il y a d'autres traces de feu moins douteuses: mais l'air agissant sur l'alkali que contient le feldspath qui entre dans la composition de ces rochers, produit un commencement de décomposition sur les surfaces, qui forme une espèce de kaolin et d'argile-porcelaine, et de là vient cet aspect blanchi. Le feu, il est vrai, pourrait bien aider à cette décomposition, mais vu la quantité de fer qui se trouve dans ces rochers, leurs surfaces en seraient plutôt rougies que blanchies. On nous parla d'autres dépôts de fer dans ces montagnes, mais nous ne les visitâmes pas, satisfaits de son abondance dans des endroits plus convenablement situés. Nous pouvons dire cependant qu'à notre retour à St. Aubain, un Canadien nommé Baptiste Bridet, nous donna les renseignemens suivans: Entre la passe des montagnes et le lac Bicène, environ une lieue au delà, il avait observé à petits intervalles de grandes quantités de minéral de fer qui forjaient des rochers: Il avait vu la même apparence entre le lac Bicène et un endroit appelé le Grand Bris, environ dix acres plus avant. Questionné plus particulièrement sur la quantité, il dit que le minéral était en veines de six pouces à deux pieds de large et en blocs ronds de six à huit pieds d'épais. La plus haute montagne de la partie de la chaîne où nous étions, commande la vue la plus belle et la plus étendue du pays environnant.

Nous allons maintenant donner les caractères minéralogiques du premier dépôt minéral que nous avons rencontré à St. Aubain; après quoi il sera nécessaire de faire quelques remarques sur les autres, en ce qu'ils diffèrent les uns des autres principalement sous le rapport de leur plus grande ou moindre pureté.

Presque tous sont remarquables par le manque de caractère magnétique, quoiqu'ils aient la noirceur et la structure métallique, et quelques autres points d'analogie avec l'oxide magnétique de fer, espèce à laquelle ils appartiennent assurément.

CARACTERES MINERALOGIQUES DES ECHANTILLONS.

Nos. 1 à 4. Couleur, noir de fer, mais cassés en fragmens, dont les surfaces sont bien ternies par la rouille ; on n'a pu y découvrir aucune structure particulière ; quelques parties étaient indistinctement lamellées, mais la grande masse paraît être granuleuse compacte. La structure, quand elle ne s'opère pas dans la direction d'une fissure rouillée, est inégale. Ils ne peuvent être raclés avec un couteau, mais ils se cassent aisément et ne font pas de feu sous le marteau ; leur poudre est tout-à-fait noire ; leur gravité spécifique est environ 4. 5. Quelques parties du minéral de ce dépôt ont un aspect vitriné et poreux sur la surface, comme le fer fondu. Ils ne sont pas magnétiques avant l'application du feu. Devant le chalumeau ils n'éprouvent d'autre altération que celle de devenir magnétique. Avec le borax ils se résolvent en une fusion cristalline de couleur soit jaune soit d'un verd brun très léger : en refroidissant la couleur s'évanouit ou à peu de chose près.

Ces minerais étaient associés à un mélange de mica, de carbonate de chaux ou de fer et de ce qu'on a supposé être un Epidote terreux.

5. Ces échantillons ont la meilleure apparence ; sont plus libres de substances étrangères que quelques-uns des autres ; l'un d'eux cependant a de la coccolithe d'un brun jaunâtre, disséminée dans sa substance. Leur gravité spécifique varie depuis 4 jusqu'à 4. 5.

6 C'est de la même espèce que celui trouvé par Mr. Bowen et il vient presque du même endroit ; ce n'est pas un aussi bon minéral qu'aucun des précédens, étant plus mêlé de substances étrangères, surtout d'Epidote, par lesquelles sa gravité est réduite à 4.

7. Ces quatre échantillons diffèrent beaucoup entre eux et ne dénotent pas par leur apparence, qu'ils ont été pris dans la même place ; l'un d'eux a une structure cristalline et paraît être composé de grains octoédriques, tandis qu'un autre est terreux et possède moins de l'aspect métallique.

8. Magnétique avec polarité et minéral excellent.

9. C'est une excellente espèce de minéral des marais et il serait précieux s'il était abondant. Il se trouve probablement en plus grande abondance qu'on n'a pu le découvrir jusqu'à présent, car généralement où il y a un vaste dépôt de roche minérale (tel qu'on appelle l'Oxide magnétique de fer) dans des situations élevées, il se trouve aussi un dépôt de mine des marais au dessous dans les terrains inférieurs humides ; ce dernier venant du premier.

10 et 11. Comme ces minerais ne sont pas abondans, nous ne croyons pas nécessaire d'en rien dire.

Il n'est pas aisé de dire pourquoi ces minerais manquent de magnétisme avant d'avoir subi l'action de la chaleur. Cleaveland dit, que " d'après les observations de Werner et de Gibbs, cet oxide de fer n'est pas magnétique tant qu'il reste à une profondeur considérable au dessous de la surface de la terre, mais qu'il acquiert bientôt cette propriété après avoir été exposé à l'air et à la lumière." Nous devons chercher d'autres causes pour rendre raison de l'absence du magnétisme dans le cas présent, vu que les échantillons en question ont été pris à la surface et n'ont pas à ce moment plus de magnétisme qu'ils n'en avaient d'abord. Cela peut être dû à une ou plusieurs des causes suivantes : — la présence de l'oxygène au dessus de la proportion de 30 par cent, de soufre au dessus de 40, de charbon, de phosphore, d'arsenic, de manganèse et d'antimoine ; de ce nombre le soufre, le phosphore, l'arsenic, la manganèse et l'antimoine détériorent le minéral, soit en le rendant difficilement fusible, soit en rendant la fonte cassante, produisant souvent les deux effets ; le carbone au contraire améliore la qualité de la fonte, facilite la fusion du minéral et épargne la consommation du chauffage. Nous ne pouvons dire à laquelle de ces substances, ni même si l'on peut attribuer à quelqu'une d'elle le manque de magnétisme, nous ne pouvons qu'observer que devant le chalumeau on ne voit aucune flamme de soufre, ni d'arsenic ni d'antimoine. On peut attendre que les minerais magnétiques donneront soixante à soixante et dix par cent et la mine de marais entre 30 à 40.

Le voisinage du calcaire, comme castine, donne une valeur additionnelle à ces dépôts. Il est probable que le calcaire que l'on voit à l'entrée de la baie St. Paul s'étend jusque là. Nous en avons vu deux ou trois variétés d'une excellente espèce près d'un petit fourneau, au devant de l'Eglise de St. Aubain, qu'on nous dit venir du rivage opposé ou gauche de la rivière ; une partie contenait des restes organiques, tandis que d'autre avait plutôt l'aspect d'un marbre compacte, et n'en contenait aucun. Nous apprîmes aussi qu'on voyait du calcaire sur le haut de la côte vis-à-vis l'église, où l'on en trouva à la fin, mais notre guide nous conduisit d'abord à divers roches felspathiques, étant trompés par leurs surfaces blanchies.

Désirant constater la navigabilité de la rivière, nous la descendîmes dans un vieux canot de bois. On peut considérer cette rivière comme un rapide non interrompu, quoique d'une violence modérée. Le seul obstacle à sa navigation vient de l'accumulation de cailloux dans plusieurs parties de son canal, sur lesquels il est difficile de passer sans toucher. C'est ce qui nous arriva plusieurs fois, et une ou deux fois nous fîmes sur le point de chavirer ; mais cela vint plutôt de la mala-

dresse de notre pilote que d'aucune autre cause ; au reste nous en aurions été quittes pour une bonne cale, dans le cas où le canot aurait viré, car la rivière est basse presque partout. S'il survenait un objet suffisant pour en permettre les frais, tel que l'établissement d'une Fonderie de Fer par le Gouvernement, il n'y a pas de doute que la rivière ne pût être rendue navigable pour les bateaux, en enlevant seulement les cailloux qui se trouvent le plus dans la voie du canal, car nous ne croyons pas qu'il y ait aucun rocher solide qui offre de l'obstacle. Il ne serait pas aisé de couvrir ces cailloux et cela en outre occasionnerait la perte d'une grande quantité d'excellente terre, et il faudrait faire à grands frais des chaussées pour retenir les eaux. Cette rivière a un cours très tortueux, et d'une manière surprenante si l'on considère la rapidité de son courant ; cela vient du lit d'alluvion qu'elle traverse. Cela fait que la rivière entre St. Aubain et la Baie St. Paul, n'est peut-être pas d'un tiers plus large que le chemin, de sorte que quelque capacité que l'on pourrait donner à la rivière, il est probable que tous les matériaux nécessaires à un établissement comme celui dont nous avons parlé plus haut, seraient transportés par terre, tandis que les produits manufacturés descendraient par la rivière. Telle est la pratique que l'on suit à l'établissement bien conduit de Mr. Bell, sur la rivière St. Maurice, où les bateaux font toujours leur retour sans charge. Bien que nous fîmes plusieurs pauses, nous ne fîmes que cinq heures à descendre.

La hauteur du rivage de chaque côté de cette rivière varie depuis un pied jusqu'à cinquante. Nous ne vîmes qu'en peu d'endroits le rivage formé par des rochers en place. On nous dit que c'était du calcaire. Nous fîmes nécessairement à la hâte l'examen de cette rivière, car la crainte où nous étions à tout moment de chavirer en descendant dans le courant rapide de la rivière, ne nous permettait pas de tirer le meilleur parti possible du peu de temps qui nous était donné, à chaque détour que nous faisons. Près de l'entrée d'une baie nous observâmes un petit roc de calcaire (*) qui sortait la tête hors de l'eau, au milieu du canal.

Avant de partir de la baie pour notre excursion dans l'intérieur, nous avons été reçu avec hospitalité chez Mr. Chaperon, et à notre retour nous éprouvâmes de sa part un accueil encore plus cordial, s'il est possible. Mais la crainte d'abuser de sa civilité fut un motif de plus pour prendre congé de lui, ce que nous fîmes la nuit même qui suivit notre retour. N'ayant pu cependant réussir à revenir à Québec par eau, à cause du vent contraire, nous fîmes route par terre à travers les Caps, ce qui nous donna l'occasion de voir un pays que nous fîmes surpris de trouver propre à être établi, et à l'existence duquel aurait peine à croire une personne qui n'aurait vu que la partie aride qui est exposée sur le rivage nord du Fleuve St. Laurent, entre le Cap Tourmente et la Baie St. Paul. Il a déjà attiré quelque attention, et à notre avis il en mérite bien d'avantage ; car indépendamment de ses propres qualités, il est joint par une bande vaste et non interrompue de terre cultivable, d'un côté avec Québec, et de l'autre avec la Baie St. Paul, la Malbaie, et en profondeur à une étendue encore plus considérable de terre. On a dernièrement offert une récompense pour porter des individus à s'y établir, et il a été ouvert aux dépens du Gouvernement colonial un chemin pour communiquer de la Baie St. Paul avec St. Joachim. Nous passâmes sur ce chemin, et à chaque lieue ou environ nous rencontrâmes une petite maison bâtie pièce sur pièce, où qui était en chantier, avec quelques acres de terre de défrichés. Le sol sur lequel passe le chemin est toujours assez bon, et il est coupé par nombre de petites rivières et ruisseaux, ce qui favorise l'égout, dont le manque se fait sentir dans plusieurs parties du chemin, surtout vers St. Joachim.

Ce chemin possède deux caractères excellens ; il est d'un droit et d'un niveau remarquables ; car, si l'on en excepte les deux extrémités à la Baie St. Paul et à St. Joachim, auquel dernier endroit il passe sur du calcaire et à l'autre sur du granite, nous ne nous rappelons pas avoir vu une seule élévation d'importance. La première partie du chemin passe sur le même dépôt alluvial que traverse la rivière du Gouffre, et qui s'étend de niveau jusqu'au pied du banc de calcaire. En montant sur ce banc le sol devient plus sablonneux, mais il s'améliore bientôt, et est alors un mélange d'argile, de sable et de fer, au dernier desquels il doit la couleur jaune ou rouge qu'il prend quelquefois. Le chemin est excellent l'espace de quatre lieues ; il devient alors très marécageux, et en quelques endroits tout-à-fait impraticable pour des voitures. Dans ces endroits, ce n'est qu'en enfonçant jusqu'aux genoux dans une terre grasse, chargée d'hydrogène carbonné, que le piéton peut marcher. Ce caractère qui continue plus ou moins jusqu'au pied du Cap Tourmente est dû à la nature molle du sol et à sa position presque horizontale. En peu de temps l'argent qui a été dépensé sur ce chemin, se trouvera avoir été une dépense inutile, si l'on n'avance une somme additionnelle pour empêcher le chemin de se briser tout-à-fait.

Nous ne vîmes rien de remarquable dans la qualité des bois qui consistaient principalement en bouleau, jusqu'à ce que nous eumes atteint la Côte qui sépare St. Joachim des terres des Caps, où nous rencontrâmes quelques-unes des plus belles espèces que nous eussions vues dans

(†) On a apporté à Québec de la baie St. Paul des échantillons d'un calcaire blanc granuleux qui contient des filets et des fissures de galène très-argentueuse ; si l'on fait dissoudre de la poudre de cette Galène dans de l'acide nitrique, et qu'on y plonge un petit fil de laiton, il se couvrira en peu de temps d'un dépôt blanc. Si on le rassemble et qu'on l'expose sur le charbon à l'action du chalumeau, on en obtiendra un globe d'argent pur.

Appendice
(V.)
14 janvier.

tout le cours de notre tournée, entre autres quelques Ormes d'un belle venue. Le granite du Cap Tourmente est connu pour être le dépositaire de grands morceaux de mica brun, qui sortent des crevasses du rocher en morceaux de la grosseur du pied; il y en a qui est extrêmement tortuë. La rareté du mica dans la plupart des rochers décrits dans cet essai ne rend ce dépôt que plus digne d'attention,

Ayant clos nos observations géognostiques au pied du Cap Tourmente, nous allons maintenant introduire une courte récapitulation, en forme de sommaire, et qui renfermera quelques remarques sur la position géologique des rochers que nous avons décrits. Les roches que nous avons vues dans notre voyage sont :

- No. 1. Granite.
2. Schiste micacé ou micaschiste.
3. Quartz.
4. Calcaire primitif.
5. Syénites—comprenant le Granite syénitique et le Gneiss syénitique.
6. Trapp—aggrégat dans lequel prédomine l'Amphibole.
7. Felspath—(sui generis.)
8. Fer magnétique.
9. Schiste argileux.
10. Grawacke ou Wacke grise.
11. Grès.
12. Calcaire secondaire—renfermant la transition de quelques autres.

De tous les granites que nous avons vus, celui du Cap Tourmente est peut-être le seul qui n'ait aucun mélange d'amphibole; car quoique nous ayons recueilli ailleurs quelques échantillons qui nous parurent être ainsi, il pouvait bien être présent sans que nousussions l'y découvrir, à cause de la ténuité des grains de ces échantillons et la ressemblance de l'amphibole avec le mica, et cette dernière circonstance peut nous avoir fait prendre un minéral pour l'autre. Nous ne pouvons avancer positivement que le granite du Cap Tourmente ne renferme pas d'amphibole, mais nous le croyons ainsi.

Nous n'avons rencontré du micaschiste qu'à la Malbaie, et on l'a déjà décrit comme plongeant vers l'ouest, ayant en dessus du calcaire fétide noir et en dessous du quartz et du Gneiss syénitique. C'est ici que l'on voit ensemble les trois classes de roches, en admettant que celle de transition en est une, et le Géologue tire dans leur inspection un auxiliaire pour ses recherches subséquentes dans les environs. Le micaschiste étant dans tous les cas une roche primitive, le gneiss syénitique qui se trouve au dessous de lui doit aussi être primitif, ce qu'il est nécessaire d'établir, car nulle part ailleurs on n'a trouvé cette roche associée avec une preuve semblable de sa haute antiquité; les roches dans lesquelles abondaient l'amphibole et le felspath étant les mêmes que "la classe supérieure" (overlying class) de Maculloch, avec laquelle plusieurs des rochers du Saguenay et d'autres parts n'avaient d'autres points d'analogie, que sa simple identité minéralogique.

Les syénites et les trapps sont les seules roches que l'on rencontre entre l'embouchure du Saguenay et la chute de la Belle Rivière, et ils caractérisent de plus le rivage nord du St. Laurent entre Tadoussac et le Cap Tourmente. Mr. Nixon a trouvé du syénite sur la rivière David, branche du Peribouka, et du trapp à la chute de Ouitchouan. Un syénite pâle est la roche prédominante dans les derrières de la Baie St. Paul; aucun trapp ne lui est associé et il est le dépositaire de couches considérables de fer magnétique, et tout cela témoigne en faveur de son caractère primitif; on n'y voit aucune trace de stratification.

Nous n'avons vu qu'à la Malbaie du quartz reposant sous du micaschiste et entre lui et le gneiss syénitique.

On trouve au Moulin à Baude du calcaire primitif, associé à du gneiss et à du trapp. On a rencontré une masse de la même espèce sur les rivages du Lac St. Jean près et à l'ouest du Poste de Mitabetschuan; elle était anguleuse et d'un aspect impraticable.

Le felspath (sui generis) auquel nous avons fait allusion, a plusieurs des caractères de l'hyperstène (amphibole de Labrador) et du felspath de Labrador, mais il diffère du premier en ce qu'il est d'une gravité spécifique moindre de 2.7; et du dernier par son manque d'iridescence. Il forme le rivage nord-est du Lac St. Jean et ses Iles depuis l'embouchure de la Grande Décharge jusqu'à un mille en deçà de la rivière Koucouathimi, et Mr. Nixon en a rencontré dans la Petite Décharge formant aussi en cet endroit sans interruption un rivage de roche, à prendre au pied du premier rapide de la rivière Péribouka, jusqu'à la chute de la même rivière. Nous ne pouvons rien dire de ses associations, n'en ayant rien vu. Il tombera probablement sous le terme générale de syénite, quoique l'amphibole y entre pour peu de chose.

Le fer magnétique se rencontre, dans les derrières de la Baie St. Paul en lits assez considérables, pour mériter d'être considéré comme un rocher. On ne l'a rencontré en abondance en nul autre endroit.

On a trouvé dans l'Ile d'Orléans du schiste argileux associé à du Grau-

wacke. Il est bien connu qu'il abonde dans le Bas-Canada, surtout aux environs de Québec, et de là jusqu'à l'embouchure du St. Laurent, mais il se borne principalement au côté sud du fleuve. On a aussi rencontré du schiste argileux sur le lac St. Jean, car nous persistons à appeler de ce nom la roche que nous y avons trouvée, alternant avec le calcaire fétide.

On a trouvé du Grès à la Malbaie reposant sous du calcaire horizontal. La position de ce grès répond à celle de l'ancien grès rouge, qui s'il est le même, donne entre plusieurs un nouvel exemple de l'absurdité qu'il y a de donner un pareil nom à une roche qui dans le cas présent est d'un verdâtre léger.

Nous avons trouvé à la Malbaie, à la Baie St. Paul et sur le lac St. Jean, du calcaire secondaire, avec lequel, pour la commodité, nous avons introduit, d'après l'exemple de Maculloch, la classe de transition. Le calcaire fétide qui repose sur le micaschiste à la baie St. Paul, a été par nous supposé être une roche de transition. Sur le lac St. Jean le calcaire secondaire de l'époque carbonifère forme, avec le schiste argileux, la partie sud-ouest du rivage du lac, à prendre à la Pointe Bleue, à aller jusqu'à trois milles en deçà du poste de Metabetschuan.

Il a été dit précédemment qu'il n'y avait aucune apparence de l'opération d'un déluge violent; au contraire tous les terrains, dans des endroits très profonds, consistant en argiles, en argiles marnées et en sable, étaient composés des particules les plus déliées, sans aucune trace de cailloux ni même de gravier. La surface de la terre en était si libre que nous ne nous rappelons pas d'avoir vu un seul fragment roulé et qui fut évidemment de transport, dont la position ne montrât pas clairement le lieu d'où il venait. Nous ne devons pas oublier cependant de mentionner qu'à l'exception des divers portages nos observations se sont bornées aux rivages des rivières et des lacs, que nous avons rencontrés dans le Saguenay.

Nous n'avons vu que rarement des minéraux, à l'exception de ceux qui entrent dans la composition des roches que nous avons rencontrées. Nous nous attendions surtout à en trouver quelques-uns de la famille nombreuse des Zéolites, logées comme de coutume dans le trapp amygdaloïde; mais nous ne découvrimes aucune trace ni des unes ni de l'autre; les pores des syénites vésiculaires que nous avons observés occasionnellement étant entièrement vides. Les principaux minéraux que nous avons rencontrés sont du :—

Spath calcaire.—Surtout dans le calcaire fétide sur le lac St. Jean, et remplissant plus particulièrement les cavités originaires de ses restes fossiles organiques. Le seul cas où il a été trouvé associé avec du trapp a été déjà mentionné.

Spath-fluor. (Chlorophane).—Formant une veine dans une roche inconnue, (probablement de la classe des syénites,) près de la Pointe aux Pillards dans le St. Laurent.

Epidote. (Terreux).—Entrant en apparence dans la composition de quelques-uns des syénites du Saguenay. Associé aussi en quelque abondance avec du fer magnétique, dans les derrières de la Baie St. Paul.

Coccolithe.—Dissiminée dans du fer magnétique, en arrière de la Baie St. Paul.

Grenat. (Commun).—Formant des nodules distinctes dans du micaschiste, à la Malbaie; nous n'avons pas vu la belle variété feuilletée de grenat précieux, qu'on sait se trouver en cet endroit.

Fer magnétique.—En lits étendus en arrière de la Baie St. Paul. Formant aussi des veines et de petites concrétions distinctes dans les syénites et disséminé en petits grains dans quelques-uns des trapps du pays que nous avons traversé.

Carbonate verd de Cuivre.—En petits filets dans quelques-uns des syénites que nous avons rencontrés.

Il doit être évident, aux personnes de la Science, qu'un individu qui traverse rapidement un pays, acquerra la connoissance de ses traits géognostiques plus aisément qu'il ne peut espérer d'obtenir celle de sa minéralogie, parce que les rochers, différant des minéraux, occupent de grands espaces, et un échantillon détaché d'un endroit donne le caractère d'un grand nombre d'autres; mais les minéraux à l'exception de ceux qui entrent dans la composition des rochers, sont en dépôts partiels, et il faut pour les rencontrer ou que le visiteur, s'il est en visite pressée, y soit conduit par un hasard heureux, ou qu'ils soient très abondans dans les lieux où il les cherche.

En passant le Cap Pillard près de St. Joachim, Mr. Nixon observa une veine d'une substance verte et blanche, de trois à six pouces d'épaisseur, qui traversait le rocher. Ayant débarqué il détacha des échantillons, qui étant examinés subséquentement se trouvèrent être des mélanges de carbonate de Chaux, sous la forme de spath-calcaire, et une variété de calcaire fluat, appelé Chlorophane, dont les caractères sont donnés ci-dessous.

Couleur.—Verd léger vif.

Transparence

Transparence.—Forte transparence sur les bords.

Structure.—Lamelleuse, quelquefois indistinctement, approchant de la compacte : intimement associé à du felspath calcaire.

Lustre....Sombre, ou nul.

Dureté...A peu près celle du fluor.

Poudre....Vert blanc et rude.

Gravité spécifique...3. 0.

Effet dans l'Acide...Fait élever quelques bulbes, venant probablement du Spath calcaire auquel il est associé ; lorsqu'on jette sur

sa poudre de l'Acide sulphurique, il produit une vapeur blanche qui corrode le verre.

Phosphorescence...Placé sur une plaque de fer chauffé il donne une phosphorescence, (dans une chambre noire) d'un beau verd et de couleur pourpre. Dans l'eau bouillante, il produit une lueur pâle. Cette phosphorescence fut observée après que le minéral eût été exposé à l'action de l'Acide.

Effet du Chalumeau...Exposé à sa flamme extérieure, il ne décrépité pas, mais donne une phosphorescence d'un beau bleu, semblable à la flamme intérieure du chalumeau, et devient blanc : Exposé à cette flamme intérieure il forme une écaille d'un blanc sombre.

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EXTRAITS du Journal d'un Voyage d'Exploration depuis Québec jusqu'au Lac St. Jean, autour du dit Lac et de là à Québec, tenu par M. Nixon, 66e. Régiment, contenant les parties du dit Journal, relatives à la qualité du Sol, aux facilités qu'il y a d'y former des Etablissements et à d'autres objets qui ont un rapport immédiat avec la Mission, dont Mr. Nixon faisait partie.

A Tadousac, une chapelle, la maison du Commis, une boutique de Forgeron, deux Magasins et six Cabanes ou Graages, voilà en quoi consiste le poste où l'on laisse ordinairement six hommes ; j'y rencontrai un beau taureau de race anglaise, deux vaches, autant de vaux, sept moutons et un cheval ; on tire leur fourrage d'hiver de la Petite Rivière et de la Grande Rivière Bergeronne, la première à trois et la dernière à trois lieues et demi de Tadousac. Mr. Wagner rapporte que le premier endroit produit et fournit au poste d'excellent foin sauvage, et est susceptible d'en rapporter beaucoup plus qu'à présent ; on en obtient peu du dernier endroit, et tous deux sont d'accès difficile. Dans le port de Tadousac, il y a un ruisseau d'eau excellente.

Sur la rive gauche du Saguenay saillit un gros rocher appelé la Boule, et qui, selon le rapport, est à trois milles de Tadousac. Dans cet endroit du fleuve, l'un et l'autre rivage présentent un précipice effrayant, coupé presque perpendiculairement au fleuve.

Un des Commis des Postes me donna les renseignements suivans :—
" La navigation de la Rivière Ste. Marguerite est bien rude ; elle n'est accessible qu'aux petits canots. De chaque côté de cette rivière, la terre est couverte de bois de différentes espèces, et qui deviendront à mesure qu'il monte. On voit par ci par là du Frêne et quelques petites Erables. En montant jusqu'à la distance de vingt milles, on rencontre par endroit des morceaux de bonne terre, entrecoupés par des montagnes. Le cours de cette rivière est le même que celui du Saguenay. Ces morceaux de bonne terre sont de trois à cinq aunes de largeur. L'endroit suivant de terre arable est à la descente des Femmes, à onze lieues de la Rivière Ste. Marguerite, la largeur en est d'environ soixante acres, sur la rivière, et s'étend en arrière sur une montée, l'espace de deux milles. Il n'a pas examiné la terre, mais il en a jugé par l'apparence du bois. Il y a une petite rivière, qui ne lui a pas paru navigable pour des canots. A environ deux ou trois milles au dessus de cette pointe, la prochaine bonne terre que l'on trouve paraît s'étendre, sans interruption, jusqu'à Chicoutimi, et nous avons entendu dire qu'elle s'étendait en arrière, à une distance considérable. La première bonne terre que l'on rencontre du côté méridional du Saguenay, après qu'on a laissé Tadousac, est sur la rivière St. Jean, éloignée de neuf lieues ; il y a en cet endroit environ un mille carré de bonne terre, que la rivière divise en deux parties : vient ensuite la Baie de la Trinité, où il suppose que la quantité de bonne terre est la même qu'à l'endroit en dernier lieu mentionné. Ceci est à douze lieues de Tadousac, et cinq lieues plus haut la rivière vous mène dans la baie des Ha-ha, où la bonne terre est entrecoupée, en quelques endroits, par des montagnes qui descendent jusqu'au rivage. L'endroit suivant est à trois ou quatre milles de Chicoutimi, et s'étend en profondeur à perte de vue, et il y a aussi en ce lieu une vaste prairie. Le port de Tadousac est constamment ouvert ; des vaisseaux y sont entrés dans le mois de Mars, et l'on trouva libre de glace flottante. L'année dernière le Saguenay n'a pris que jusqu'à la rivière Ste. Marguerite, selon qu'il l'a appris des gens qu'on avait laissés au poste de Chicoutimi, qui y étaient descendus vers la fin de Mars. Il était lui-même au Petit Saguenay vers le 13 Avril dernier, et alors il n'y avait pas de glace plus bas que cette rivière."

Presque vis-à-vis la Boule les rivages du Saguenay prennent l'apparence d'un château en ruines ; le feu y a détruit le bois. A la gauche de la Boule, il y a une gorge profonde qui semble la séparer de la terre ferme.

11 Aout.—En arrière de notre camp notre attention fut attirée par un Roc escarpé, courant dans une direction N. E. et S. O., étant une continuation de la Boule, et composé de Granit et de Gneiss, entremêlés de couches de schiste amphibolique. En cet endroit Mr. Baddely détacha un morceau de fer oxidisé, d'un fragment de rocher. Dans les environs de l'endroit où nous étions campés, il y a assez de terrain végétal pour le pâturage ou pour donner du fourrage à Tadousac. Mr. Brownson a semé à ce poste un petit morceau de mil qui a fort bien réussi.

La Pointe Passe-Pierre est à une lieue de distance de la rivière, sur les bords de laquelle nous avons campé la nuit dernière. A la baie des Petites Iles de Passe-Pierre, il y a du côté de la terre ferme une cabane, et c'est le premier endroit de pêche des Postes du Roi. Il y a aussi une petite rivière, où les canots ne peuvent naviguer, à cause des rapides : elle est très étroite, et n'a qu'environ 150 pieds de large.

Il y a une grande différence entre les eaux qui coulent près du rivage et celles du milieu ; les premières sont comparativement tranquilles, lorsqu'il y a une grande houle dans le milieu du canal. A midi nous arrivâmes à la baie St. Etienne, éloignée de trois lieues de Tadousac ; une petite rivière vient s'y décharger, et il y a un bon havre et un excellent mouillage. Le havre est beaucoup plus grand que celui de Tadousac, et est à l'abri de tous les vents, à l'exception de celui de l'Est et du Nord-Est ; les bords de cette baie sont composés de terres de transport ; le bouleau et le peuplier ne paraissent que sur le côté occidental de la baie.

La Compagnie des Postes du Roi a une pêche à la rivière Ste. Marguerite, où dans une bonne saison l'on prend cinq ou six cents Saumons : elle a en cet endroit une cabane et un hangar. Dans l'Anse au Foin, il y a une petite rivière et de la bonne terre. La rivière Ste. Marguerite est navigable pour les canots, à la distance de 20 à 30 milles, elle a communément un acre de largeur, et environ deux à son embouchure. C'est un des meilleurs endroits de chasse pour les Sauvages. La première des Iles St. Louis où nous arrivâmes est couverte de Sapin, de Peuplier, de Bouleau, entremêlés de quelques Pruches. Ces Iles sont à six lieues de Tadousac. Nous honorâmes des noms de Victoria et de George, deux longues pointes, qui s'avancent de la rive gauche du fleuve, vis-à-vis des Iles St. Louis, et une autre près de la plus petite des Iles de celui de Cap Andrew.

La Baie de la Pointe Comfort est tout vis-à-vis St. Jean, ayant à droite la Pointe Comfort ; le rivage en est sablonneux, elle a une châte à droite, et le bois qui la borde est presque tout du Pin rouge.

Sous le rapport de la grandeur, la rivière Ste. Marguerite est la plus grande qui tombe dans le Saguenay, la rivière St. Jean vient ensuite puis

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puis suit la Trinité, fort ressemblante au Petit Saguenay, qui se range après elle. Le Petit Saguenay pénètre plus avant dans l'intérieur, prenant des branches jusque vers la Malbaie, et les Sauvages la fréquentent beaucoup comme endroit de chasse.

Dans la baie Half-Way, vis-à-vis la baie de Trinité, à gauche, se précipite une belle chute d'eau douce. Dans la baie de la Descente des Femmes, Mr. Wagner monta sur les hauteurs et découvrit une quantité considérable de Pin rouge, ce qui est un signe suffisant pour marquer que dans les différentes parties des environs, on pouvait trouver de ce bois précieux ; il rencontra aussi quelques touffes de bois franc, tel qu'on en trouve sur les bonnes terres ; le peu qu'il y avait de terres basses paraissent propres à la culture. Nous doublâmes le Cap à l'Est, à trois heures et demi, et nous nous trouvâmes à la vue de la baie des Ha-ha, qui est sans contredit la baie la plus magnifique que j'aie jamais vue ; partant du Cap à l'Est, elle s'avance trois lieues dans les terres. Après avoir doublé le Cap à l'Est, nous traversâmes de l'autre côté du Saguenay, et nous campâmes pour la nuit dans l'Anse aux Ours.

Vers 6 heures A. M. nous arrivâmes à la Baie des Rochers, ainsi appelée par le grand nombre de rochers qui se montrent au dessus de l'eau, et nous mîmes pied à terre à Chicoutimi vers 2 heures.

Chicoutimi est le principal Poste de la Compagnie, étant le dépôt de l'intérieur ; il s'y trouve une petite Chapelle bâtie par les Jésuites, il y a cent deux ans. Le terrain qui l'environne est excellent, ayant l'apparence d'être composé d'une marne riche, mêlé d'un bon sable. Mr. Andrews, le Commis du Poste, qui y reste depuis six ans, a deux bons quarrés de patates, de la plus belle apparence, et une couche de coucombres—l'année dernière il cultiva des melons en plein air. Tout ce qui croît à Montréal croît ici. Il nous informe que s'il était pour s'établir sur une terre dans le Saguenay, il se fixerait de préférence tout vis-à-vis du Poste du côté du nord, ou au sud à un quart de mille au-dessus. Sur une question à cet effet il répondit, que si un homme s'occupait uniquement du jardinage, il n'y a pas autour de Montréal un seul jardin qui égalerait le produit qu'on pourrait avoir en cet endroit. Dans le mois de Mai, dans les grandes mers du printemps, l'eau monte ici seize pieds.

19 Août.—Nous laissons Chicoutimi et embarquâmes à onze heures. La rivière à aller jusqu'au Lac Kenwangomi ou Tzinogomi est appelée Chicoutimi ; il y a sept portages ; le bois qui la borde consiste en épinette rouge et blanche, en peuplier et en merisier noir. Entre les portages de Chicoutimi et Maie, et entre Maie et Attim, le pays est plat et bien boisé, et paraît bien propre à la culture ; on y voit du Bouleau, du Merisier, du Peuplier, du Pin et de l'Épinette. En fouillant la terre au Portage des Chiens (Attim) la surface générale se trouve être de quatre à cinq pouces de sol végétal, sur un lit de sable d'à peu près la même épaisseur, et en d'autres endroits un sable mêlé de marne, en apparence d'une nature plus fertile. Je creusai en trois différens endroits au Portage de l'Enfant, et le sol m'y sembla d'une qualité bien fertile, composé d'une riche marne noire entremêlée d'un sable noir. Le pays, pour aussi loin que s'étendait la vue sembla très favorable à l'établissement ; on n'y voit pas une côte ; le bois de la même qualité qu'on vient de mentionner. Entre le Portage de l'Îlet et le Portage des Roches la terre est très belle ; au bout du dernier portage nous nous lançâmes dans le lac Kenwangomi, (Lac Long.) Ce lac offre mille points de vue charmans ; renferme nombre de belles baies et est bien boisé ; il y a trois îles couvertes de petits saules ; elles feraient d'excellentes prairies, si elles étaient défrichées. Un de nos gens tua à la pointe aux Sables un beau Lapin blanc, ayant les yeux rouges, de petites oreilles transparentes et la tête remarquablement petite.

21 Août. Au bout du lac, qui a environ six lieues de longueur, nous entrâmes par un canal court et étroit dans le lac Weque ; ce passage est généralement à sec, et forme un portage entre les deux lacs. Au bout de ce lac se trouve le portage de Kenwangomi, ou Weque Caputtigan, ayant au moins un mille de long, et tout-à-fait bien boisé ; Mr. Wagner lui donna le nom de l'Île Formosa, ou Belle Île ; c'est la hauteur de terre située entre les lacs Kenwangomi et Kenwangomichiche, le premier se déchargeant dans le Saguenay par la rivière Chicoutimi ; le second dans le lac St. Jean, par la rivière des Aunes. En creusant en différens endroits nous trouvâmes environ quatre pouces de sol végétal sur un lit riche de marne et d'argile. Au bout de ce portage se trouve le lac Kenwangomichiche (Lac moins long,) vers le milieu duquel nous entrâmes, à notre gauche, dans le lac Kasuskikeomi (lac d'eau claire,) appelée par les Canadiens Lac Vert ; il nous parut long : le point de jonction entre les deux lacs s'appelle Apolegoma.

Tout le terrain qui borde le lac Kenwangomichiche est couvert de Frêne et d'Orme ; en sortant de ce lac nous entrâmes dans la rivière des Aunes, ou Pashe-kasuinanishchi-zebe ; à l'embouchure de laquelle il y a de fort beaux joncs de huit à douze pieds de long. La terre parut bonne mais basse. De cette rivière nous tombâmes dans une autre qu'on appelle la Belle Rivière, qui se décharge dans le lac. L'entrée du lac offre une perspective des plus magnifiques, dont l'effet est encore augmenté en ce qu'on ne voit pas la rive opposée. Nous côtoyâmes le rivage du lac l'espace de quatre lieues, jusqu'au poste à l'embouchure de la rivière Metabitshuan, lat. 48° 23' 12", (endroit où finit le cours de l'eau) laissant à notre gauche la petite rivière Koushygish, où il y a une petite colline et un bocage d'Erable, où l'on fait le sucre nécessaire pour le Poste.

23 Août. Autrefois les Jésuites avoient en cet endroit trois cents acres de terre en culture, et il y en a maintenant tout au plus dix à quinze acres ; le reste retourne rapidement à son premier état. Il pousse maintenant dans le jardin des choux, des carottes, des pois, des fèves, des oignons, des patates, des citrouilles, du blé d'inde, des concombres, du froment, de l'orge, avec des betteraves et des navets. On nous montra deux pruniers plantés par les Jésuites, aussi bien que quelques gadelliers. Les personnes résidentes à ce poste sont, le commis, Mr. Murdoch, deux hommes, une femme et trois enfans, qui ont pour tout bétail, un taureau, une vache et une génisse ; quatre bâtimens, une maison, un hangar, une boulangerie et une étable, formant le poste.

Jacob Duchesne nous dit, que le climat était bien meilleur ici qu'à Chicoutimi, y ayant en général une différence de vingt jours ; il a passé ici trois hivers et trois étés ; chaque automne les têtes des patates sont gelées à Chicoutimi vingt à vingt-cinq jours plutôt qu'à ce Poste. Il y a maintenant douze jours que l'orge a été coupée, elle fut semée vers le trois de Mai ; le blé vers le 7 et le 10. Il avait travaillé aux travaux de l'agriculture jusqu'à l'âge de 16 ans, à la Malbaie.

24 Août.—Pendant que nous marchions pour rejoindre MM. Baddeley et Hamel, ce jour-là, Jacob Duchesne continua à nous faire part de ses observations. Il n'avait pas visité lui-même la Péninsule, mais les Sauvages disent que c'est généralement un pays uni, comme celui que l'on rencontre vers l'extrémité du lac Kenwangomi, et au pied du rapide, il y a quelques montagnes qui ne sont pas bien élevées. L'avant dernière année le vieux chef Thomas, qui avait été privé de son rang par la Compagnie pour quelque offense en fait de commerce, descendant vers la fin de Décembre du lac St. Jean à Chicoutimi, avec sa famille, s'arrêta à la baie Cushkouia sur le lac Kenwangomi, la glace n'ayant pas pris plus bas, et n'y ayant pas assez de neige pour aller à la raquette. Il se rendit de cette place à Chicoutimi avec ses deux fils, et retourna à la baie Cushkouia, chacun d'eux portant un sac de farine, et ils firent le voyage allant et venant, comme il en avait été informé, en cinq jours, et ils voyagèrent aisément. Le chef actuel Siméon est un grand marcheur : il peut partir le matin à la raquette de l'embouchure de la Grande Décharge, et se rendre sur la glace, à Chicoutimi, à 4 heures de l'après-midi du même jour. La route ordinaire se fait par la Belle Rivière et les Lacs, et prend trois jours ordinaires d'hiver. Une autre route d'hiver, est de traverser l'Île, à environ trois quarts de lieues de l'embouchure de la Belle Rivière, et d'aboutir à la pointe au Sable (Opowoka) faisant environ cinq lieues de pays tout-à-fait uni et bien boisé. Outre la principale décharge du lac Kenwangomi, il y en a une autre qui commence à une petite distance de la Pointe aux Sables et qui se décharge dans la grande à plus de la moitié de sa source. Il a été informé par Mr. Verrault qu'avant de se jeter dans la Grande Décharge, elle passe sous une montagne, et reparait à l'autre côté. Cette branche est navigable pour les canots, mais seulement le printemps. En entrant dans la baie Cushkouia, à la distance de dix à quinze arpens, nous tombâmes dans un petit lac, dont les eaux, après une course de cinq lieues, se jettent dans le lac Kenwangomishish, dans la partie supérieure de ce lac près du portage. L'hiver dernier deux Sauvages, Siméon et Nicolas, au retour de la chasse au Caribou et au Castor dans la Presqu'île, lui dirent qu'ils étaient descendus jusqu'à Cushkouia, et qu'ils n'avaient rencontré aucun lac, mais beaucoup de petites rivières. L'hiver dernier il avait été à une journée de marche du Poste, en marchant vers le S. E., traversant le Kuoshyish, ayant parcouru une distance de huit à dix lieues, et était revenu le même jour : le pays était uni ; les bois étaient le Merisier, le Frêne et l'Erable ; le pays au de là ressemblant aux autres parties aux environs du poste du lac St. Jean, qui ont l'apparence de montagnes lointaines, mais qui à l'approche offrent des collines et plateaux de terre, entrecoupées de belles vallées. Il y a à une lieue et demi, à la droite du poste, une sucrerie qui produit d'ordinaire sept cents livres de bon sucre.

Tout le rivage du lac St. Jean (Pca-Guawgomi) ce qui veut dire un lac dont le lit est peu profond) jusqu'à Koucouatimzelu (la rivière au Hibou), lat. 48° 37' 56", est un banc de sable d'un demi-acre à deux acres de large. J'ai monté ce matin une côte de sable très haute, et étant dessus j'ai eu une bonne vue de l'intérieur du pays, qui paraissait avoir une meilleure apparence ; cette opinion a été appuyée par les relations de MM. Hamel et Baddeley.

26 Août.—Mr. Baddeley ayant, à la demande de Mr. Stuart, joint le parti de Mr. Wagner, Mr. Hamel et moi après leur avoir souhaité à tous un bon voyage, montâmes à dix heures et demi la rivière Koucouatimi, dont les deux côtés étaient couverts de peuplier, de bouleau, de frêne, d'épinette et d'orme. Après avoir surmonté beaucoup d'embarras causés par des arbres tombés, nous réussîmes à faire une demi-lieue, et Mr. Hamel croyant inutile d'aller plus avant, nous primes terre chacun de notre côté, et nous pénétrâmes dans le bois environ un mille, ne trouvant partout qu'un sol sablonneux. Mes gens arrivés à un marécage, le traversèrent, et atteignirent une grosse roche, qui fut la borne de notre excursion ; le bois consistait en épinette blanche, sapin et peuplier. A mon retour au canot, je trouvai que Mr. Hamel avait rencontré la même espèce de terre : le terrain des deux côtés de la rivière, autant que nous avons avancé et pu voir, nous a paru uni. Depuis Koucouatim jusqu'à l'embouchure de la rivière Peribonea (la rivière curieuse) le bois est en général l'épinette noire, quelques peupliers, bouleaux, pins et cyprès ; le terrain est bas et marécageux, en ce que les eaux de source coulent sur les bancs de sable et restent stagnantes dans les trous.

27 Aout.—John Young, un de nos voyageurs, a été dix huit mois au service du poste de Chicoutimi : ce printemps il a été, de compagnie avec un autre homme, à la baie des Ha Ha (ce qui veut dire perspective s'ouvrant) et nous avons pénétré dans les bois environ une lieue, et nous avons trouvé un bon sol. Il me dit qu'il y avait trois rivières qui se jetaient dans la baie presque au même endroit ; que vis-à-vis le poste de Chicoutimi il y a un vieux chemin d'environ neuf milles de long ; il n'y a pas de hauteurs, mais il y a un marécage d'environ une demi lieue, après quoi le terrain est bon ; le bois, le bouleau, le cèdre et l'épinette.

29 Aout.—Nous arrivâmes à midi et demi à l'embouchure de la rivière au Rat Musqué et à trois heures et demi à la rivière Peribonea, lat. 40° 42' 37". Nous la remontâmes l'espace de vingt milles, ayant eu à traverser trois portages ; le lac Noh-oui-loo formait les deux derniers milles : en général nous rencontrâmes un bon sol. Sur la rive droite du lac, nous montâmes la rivière au Rum ; le bois, bouleau, épinette rouge et blanche et quelques pins ; les rivages bas et couverts de franc foin, en grande abondance.

7 Sept.—Vis-à-vis l'embouchure de la rivière au Rat Musqué, nous entrâmes dans une autre, au nord-ouest, à laquelle nous donnâmes le nom de David, en l'honneur de Mr. David Stuart, un des commissaires, et nous en suivîmes le cours l'espace de huit milles et demi, au bout desquels nous fumes arrêtés par des rapides et un portage. Après avoir cotoyé les rivages du lac depuis l'embouchure de la rivière Peribonea, l'espace d'environ sept milles, nous entrâmes dans la rivière Mistassini, lat. 48° 38' 55", ayant à notre droite un groupe d'Iles, auquel je donnai le nom de mon vrai et excellent ami, Thomas Leigh Goldie. Nous montâmes le Mistassini l'espace de neuf milles. Cette rivière est belle par sa largeur, ses Iles et ses bois, mais le sol en est très mauvais, étant de sable de chaque côté, et elle a très peu de profondeur.

10 Sept. Nous traversâmes à l'Île aux Couleuvres Manitou-Ministuki, (l'Île du Mauvais Esprit) avec une bouteille pour conserver un des serpens, mais après les recherches les plus minutieuses nous ne trouvâmes pas même une peau, que ces animaux jettent tous les printemps. Non loin de celle-ci est une autre île appelée la Grosse Ile, et entre elles deux s'élève un banc de sable sur lequel se rencontrent deux ou trois arbres solitaires. S'il y a des serpens sur l'Île Manitou-Ministuki, la seule raison que je puisse donner pour n'en avoir pas vu un seul, c'est que le soleil étant presque sur l'horizon, ils s'étaient enfoncés dans leurs trous pour la nuit.

11 Sept. Nous ne fîmes pas grand chemin ce jour-là, n'ayant fait que nous rendre à l'embouchure de la rivière Ouiguatshouan, vu que je désirais crayonner la chute, l'ayant vue de l'autre côté du lac, et Mr. Hamel ayant pris sur elle différentes intersections. Après beaucoup de fatigue et de difficulté, en montant et descendant des côtes d'une hauteur peu considérable, nous arrivâmes au pied de la chute, mais malheureusement du mauvais côté pour la voir du point le plus élevé. Cependant nous eumes bientôt oublié nos fatigues en admirant la beauté de cette chute, qui rivalise celle de Montmorency en hauteur et qui la surpasse de beaucoup par la distribution des ses eaux sur les rochers suspendus dans sa descente. La chute est à environ un mille de l'embouchure de la rivière, dans laquelle distance on ne rencontre pas d'eau tranquille, c'est un rapide continu ; j'ai appris que plus haut que la Grande Chute au commencement du Portage, il y en a une autre de près de cent pieds de haut.

13 Sept. La pêche du poisson blanc commence à l'embouchure du Ouiguatshouan, vers le quinze Octobre ; l'année dernière il en fut pris 300 dans un seul jour, et dans toute la saison plus de 1700. On les fit geler et ils servirent à nourrir les gens du poste et les sauvages jusqu'au printemps suivant ; chaque poisson pesant sur le tout de 1½ à 2 livres. La saison pour l'Avenanish commence vers le quinze mai et va jusque vers le vingt ou la fin de Juin. On le prend ordinairement à l'hameçon, et le poids en est de deux à trois livres.

J'obtins les renseignements suivans de Mr. Murdoch, commis au Poste :

“ Je ne crois pas qu'il puisse naviguer plus de dix vaisseaux en sûreté dans le havre de Tadousac ; à basse marée on peut amener un vaisseau tout prêt du rivage, car il est coupé à pic. Aux mers du printemps le rivage est à sec, le plus haut que montent les marées du printemps et de l'automne est 18 pieds, et en été elles montent communément 12 pieds. Dans l'Anse à Catherine, il y a une distance de trois quarts de lieue, formée par la pointe ou batture aux Allouettes et la pointe du Saguenay ; c'est ce qui forme l'anse Ste. Catherine, et il y a en cet endroit trente brasses d'eau. Il peut y entrer en sûreté trente vaisseaux du vent d'ouest ; le flux de la mer poussé par un vent d'est y cause une houle assez forte. La batture de roche qui s'avance de la pointe au Bouleau, environ deux mille, forme une espèce de demi-lune, ouverte du côté de l'est. Dans les mois du printemps ces rochers sont entièrement couverts, mais l'eau y est toujours agitée ; au bout de ces rochers il y a une petite Ile de sable que l'eau ne couvre jamais, cette Ile et les rochers forment ce qu'on appelle la Pointe et Batture aux Allouettes. Les vaisseaux de ligne peuvent naviguer jusqu'à la Pointe de roche, qui est à quatre lieues de Chicoutimi. A basses eaux ils peuvent monter,

même contre le vent, avec le flux de la mer ; mais il n'y a pour eux que deux endroits de mouillage entre la Pointe Ste. Catherine et la Pointe de Roches, et la Baie St. Jean et la Baie Ste. Marguerite, le premier à six, et l'autre à cinq lieues de Tadousac. Il y a des hayes en grand nombre pour les goëlettes de soixante à quatre-vingts tonneaux, et si l'ancrage n'est pas bon, elles peuvent amarrer à terre. Les vaisseaux de 80 tonneaux peuvent à haute marée monter jusqu'à Chicoutimi et jeter l'ancre près de la Grosse Roche ; à prendre de la pointe aux Roches il faudra, à cause des rapides et des basses qui se trouvent dans cette partie de la rivière, qu'ils profitent de la haute marée. Le havre de Chicoutimi est à l'ouest de la Grosse Roche, vis-à-vis la place de débarquement ; ils peuvent lâcher l'ancre et tirer le vaisseau à sec. Au dessus de la baie Ste. Marguerite le courant de la marée se fait à peine sentir dans les grandes mers du printemps et de l'automne. La mer monte jusqu'au pied de la chute des Terres-Rompues, qui est environ deux lieues au dessus de Chicoutimi, elle monte environ quinze pieds. La Grosse Roche est au moins de douze pieds de haut, et j'y ai vu l'eau à trois pieds au dessus. Je calcule la distance entre le poste de Chicoutimi et le poste dit lac St. Jean, par eau en canot, de vingt-trois à vingt-cinq lieues, et je considère la terre comme excellente entre ces deux places, excepté le côté ouest du lac Kenwangomi, qui est inégal et rocheux. Les bois qui y dominent sont, le sapin, l'épinette, le peuplier, l'orme et beaucoup de frêne, un peu de pin rouge, et presque pas de blanc. Le bouleau est celui qui s'y trouve en plus grande abondance ; on rencontre tout le long une grande quantité de bouleau noir ou à canot, et quelques érables et cèdres épars ça et là ; il n'y a presque pas de cyprès, si ce n'est lorsque vous arrivez à Koushigan, place où le sol s'élève. Les poissons les plus abondans entre Chicoutimi et Koushigan sont, la truite rouge, le watouche ou le brochet, la carpe et le doré, les deux derniers ne se trouvent que jusqu'à la chute de la Belle Rivière, la truite rouge dans le lac Kenwangomi et au Portage de l'Ilet, et en petit nombre dans le lac Wèque et le lac Kenwangomi ; le brochet et la carpe sont en grande abondance dans les deux derniers lacs. J'ai entendu dire qu'il y avait des éparlans dans le Lac Vert, mais je n'en ai jamais vu. Je crois qu'un vaisseau de soixante tonneaux peut naviguer dans le lac Kenwangomi, ayant tout lieu de supposer qu'il y a grande eau dans le milieu et le côté ouest. Le lac St. Jean est navigable pour un vaisseau plat de trente à soixante tonneaux. Les poissons qui y abondent sont, le brochet, la carpe, le doré, le poisson blanc, l'avenanish, le chabot, et un poisson appelé la munie, ressemblant en couleur à l'anguille, au chien de mer par la forme, à la morue par la tête, mais beaucoup plus plat, de la longueur moyenne de deux pieds et demi ; les sauvages l'aiment beaucoup bouillie, mais les blancs ne s'en nourrissent pas du tout, excepté du foie, qu'ils regardent comme un morceau friand ; on s'en sert aussi pour appâter pendant l'été. Je considère l'avenanish comme le meilleur poisson d'eau douce que j'aie jamais vu. Le lac St. Jean est très exposé aux vents du nord-ouest et du sud-ouest, qui poussent une violente houle sur le côté opposé. J'ai vu le lac, l'automne, dans cet état, et il y aurait eu un grand danger à le traverser, même de l'impossibilité vu le brisement des vagues. A l'abri du vent il n'y a pas de mers à une certaine distance, selon le point d'où donne le vent ; mais j'ai vu le lac ne présenter qu'une nappe d'écume.

“ Entre Chicoutimi et le poste du lac St. Jean, il y a une différence de 20 jours dans le climat. Je partis de Chicoutimi, l'automne dernier, vers le vingt-trois Septembre, et déjà les patates, les choux et les onions y étaient frappés de la gelée ; et étant arrivé au poste du lac St. Jean, je trouvais mes patates encore tout en fleurs : elles restèrent ainsi jusqu'au douze Octobre, que je les arrachai. Je crois que cette différence vient de la situation basse du terrain, et du voisinage de l'eau salée, à Chicoutimi. Tout ce qui pousse aux environs de Québec, vient ici, (au lac St. Jean,) même les melons ; j'en avais de ces derniers, mais les vers ont détruit les jeunes plantes. On ne peut passer en sûreté sur la glace du Lac St. Jean avant le dix Janvier : elle commence à se former sur le lac vers le dix Novembre, et à le couvrir entièrement vers le commencement de Janvier ; mais elle n'est pas praticable dans le même temps à cause des vents qui règnent alors. L'année dernière nous avons eu la première gelée le dix-sept octobre. Le lac est navigable tout au tour, mais pas au milieu, vers la fin d'Avril, et partout vers le huit au douze Mai. La terre sera en état de culture avant que le lac soit débarrassé, et dégelée à un pied au moins vers le premier Mai, jour auquel j'ai semé des pois ce printemps. J'en avais semé dix gallons, et j'en ai récolté plus de dix minots ; l'humidité de la saison a fait perdre environ le tiers de la moisson ; ils étaient prêts à être moissonnés le premier Septembre. La femme en nettoyant les pois pour la soupe, a amassé un demi-setier de froment, que, par forme d'expérience, j'ai semé le sept Mai ; je l'ai coupé le huit Septembre et il m'a donné un bon demi-minot de Winchester. Mr. Wagner prit au hasard deux épis de ce blé, et trouva que l'un avait quarante et un et l'autre quarante six grains. La paille avait poussé environ à la hauteur de quatre pieds. Le trois ou quatre de Mai j'ai semé un demi-minot d'orge, qui ayant été récolté, &c. le cinq Aout, a rapporté entre cinq à six minots. Une chopine de blé d'Inde semé le dix Mai, m'en a rendu au moins dix gallons ; une grande quantité avait été détruite par les vers : tous ces grains semés sans engrais. Je commençai à semer mes patates le dix et je finis le treize Mai, huit minots que je n'ai pas encore arrachés. L'année dernière la même quantité en tas m'a rapporté trois cents minots, il ne faut pas tant de semence qu'en rangs ; cette année c'est en rangs ; l'année a été très défavorable pour les moissons en général.

Appendice
(V.)
14 janvier.

Appendice
(V.)
14 Janvr.

“ La Seigneurie de Port-Neuf et celle de la Baie des Mille Vaches sont de terres excellentes ; dans la dernière on peut recueillir du foin pour au moins mille têtes de bétail, ce serait une bonne ressource pour des colons dans les commencemens de leur établissement, pour la nourriture de leurs bestiaux : la nature a presque tenu la terre en état de défrichement tout le long de la Baie, le bois est de bonne pousse, pin blanc et épinette. Du côté Est de la Baie le pays est plat jusqu'à une distance considérable, neuf lieues au moins, et il y a au fond de la Baie un ruisseau qui pourrait faire marcher un Moulin de six Scies et un Moulin à farine ; la Baie est très abordable pour de petits bâtimens.— Port-Neuf a un harre excellent, mais il n'y a que les petits vaisseaux qui puissent y entrer à haute mer seulement. Le sol y est aussi bon qu'à Mille Vaches, mais il est plus élevé, et le bois en est d'une qualité inférieure. Les deux Seigneuries sont contiguës et forment ensemble un front de six lieues sur quatre de profondeur. Il passe près de la maison une rivière qui forme le havre, protégé au Sud par un haut banc de sable, qui ne se couvre pas à haute mer.

14 Septembre.—A l'embouchure de la Petite Décharge, (Cushpetunish.) Mr. Hamel traversa sur l'île, tandis que John Young et moi nous descendîmes à côté du Rapide sur les rochers, jusqu'au lieu que nous nous imaginions être le confluent des deux décharges, qui se joignent à une petite distance de l'embouchure de la Petite Décharge ; là elles forment un petit Lac, de la grandeur du Lac Wéque à l'extrémité Ouest du Lac Kenwangomi. A notre retour au canot, nous nous enfonçâmes en ligne droite dans les buissons, et nous y trouvâmes des roches presque partout ; les bois sont, le pin, l'épinette, le cèdre (très petit,) et quelques bouleaux. L'île est petite, étant à peu près de la grandeur des autres qui se trouvent à l'embouchure des deux décharges, y ayant environ quatre milles de distance entre les deux extrémités. Toutes les îles de cette partie du lac sont rocheuses, et le bois y est mêlé. En vérité l'espace qui sépare les deux Décharges n'est qu'une réunion d'îlots ; tout le groupe occupe un espace d'environ cinq milles de long. Messrs. Baddeley et Hamel les honorèrent du nom d'îles de Dalhousie.

15 Septembre. A notre retour à Chicoutimi, nous entrâmes dans un lac situé à gauche de Kenwangomishish, que Mr. Hamel me fit l'honneur d'appeler de mon nom ; le pays des environs est plat et le sol bon ; bois, sapin, bouleau noir, quelques blancs, et quelques épinettes, orme et frêne. Nous entrâmes dans la baie des Prisonniers à notre gauche, dans le lac Kenwangomi, à trois heures et demi ; nous remontâmes la rivière Baddeley l'espace de sept milles ; cette rivière sort du Lac Young. Les bois les plus communs sur les différens rivages sont, le bouleau blanc, noir et gris, le sapin et l'aune.

16 Septembre. J'employai la nuit de ce jour à recevoir de John Young les renseignemens suivans, sur les productions et le climat de Chicoutimi :

“ Mr. Nicolas Andrews, commis au Poste de Chicoutimi, planta au commencement de Mai de l'année dernière, aussitôt après les dégels, onze minots de Patates ; elles furent arrachées à la fin d'Octobre, et en produisirent cent vingt-sept quarts, malgré que les Cochons en eussent détruit une grande quantité. On m'a dit que du temps de Mr. McLeod, il y a environ sept ans, on es-aya avec succès le Blé d'Inde, l'Avoine et les Navets ; les Concombres viennent très bien. Ce printemps je semai dans le jardin des bettes-raves, des oignons, des carottes, des raves et des concombres ; et tous sont venus à maturité. Il gèle toujours dix ou douze jours plutôt à Chicoutimi qu'au Lac St. Jean. L'automne dernier, lorsque je partis de Chicoutimi, vers la mi-Septembre pour me rendre à Assuapmousoin, les têtes de patates étaient toutes gelées. Cinq jours après je passai au Poste du Lac St. Jean, et elles y étaient aussi vertes que dans le mois de Juin. Je regarde la différence du climat comme venant de la proximité de l'eau salée à Chicoutimi. A Chicoutimi, trois ou quatre jours après que la gelée a laissé la terre, vers le cinq ou le six de Mai, on peut se mettre aux travaux de la culture ; la terre qui est à l'entour est excellente pour la culture. Les gelées deviennent régulières vers la fin d'Octobre. Il n'y a pas grande différence entre le climat de Québec et celui de Chicoutimi. Le Saguenay prend jusqu'à Ste. Marguerite ; le pont est généralement bon, excepté vis-à-vis les terres à foin à une lieue et demi de la maison : il est dangereux à cause des rapides, et en passant sur la glace, il faut prendre garde aux trous des Loups-Marins. Je considère comme excellent tout l'espace de terrain entre Chicoutimi et le Poste du lac St. Jean, excepté celui du lac Kenwangomi qui est rocheux ; sur ce lac on trouve de l'Épinette, du Bouleau blanc, quelques Pins rouges et blancs et quelques Sapins, jusqu'à ce qu'on arrive aux Aunes, où l'on rencontre de l'Orme, du Frêne, de l'Épinette, du Sapin et quelques Pins épars ça et là ; mais je crois que le meilleur terrain est sur la Belle Rivière.

“ Jusqu'où nous avons remonté la Rivière Perebonca, dans le Lac St. Jean, nous avons trouvé de bonne terre pour la culture. J'ai fait plusieurs voyages au Poste d'Assuapmousoin ; la terre y est basse et marécageuse ; dans les quinze premières lieues il y a quelques terres moyennés, mais de là jusqu'au Poste le pays est montagneux ; la rivière est un rapide continu, tout blanchi d'écume.

“ Ce printemps le Saguenay a été navigable jusqu'à Chicoutimi le dix-huit Avril ; et l'on considérerait cela comme une saison tardive. La navigation se ferme vers Noël, selon le temps que donnent les hautes mers.”

18 Septembre. Après avoir laissé la Pointe au Sable, nous tournâmes à notre gauche pour entrer dans la Rivière Pastagousie, qui nous conduisit dans une suite des plus beaux lacs, dont l'un d'une grandeur considérable, auquel je donnai le nom de Mr. Hamel. Nous poursuivîmes notre route jusqu'aux rapides, à six milles du lac Ken-

wangomi, le bois est à peu près le même. Nous rencontrâmes une rivière si obstruée de joncs que nous ne pûmes pénétrer bien avant avec notre grand canot.

A cette Saison il n'y a pas assez d'eau pour faire flotter un aussi grand canot que le nôtre, et ce fut avec beaucoup de difficulté que nous pasâmes les rapides. Pour des expéditions de cette sorte, je recommanderais de prendre, outre le grand, un plus petit canot, ce qui rendra les Portages plus faciles à passer et les recherches plus aisées à faire.

Le sol était bon, mais rocheux, mais en morceaux détachés. Avant de partir de Kenwangomi, nous passâmes une décharge considérable partant du lac qui, m'a-t-on dit, conduit par des rivières et des lacs à la Baie St. Paul.

20 Septembre. Nous partîmes du Poste de Chicoutimi à une heure et demi, et nous arrivâmes à un endroit où deux rivières se réunissent en bouillonnant ; la difficulté de monter la rivière en canot, ou de le porter par dessus une montagne extrêmement escarpée nous obligea de nous consulter ensemble et à renvoyer au Poste la plus grande partie de nos provisions et deux de nos hommes, tandis que Mr. Hamel, Natash, (le guide sauvage,) Gill, Young et moi entrerions dans le bois dans la direction de la petite rivière, qui sort du lac Kenwangomi et tombe dans la décharge. Nous gravâmes la montagne, vîmes un plateau d'une étendue considérable ; du sapin très petit, de l'épinette blanche, du bouleau blanc et du peuplier composaient le bois ; comme nous montions en canot nous vîmes de chaque côté de nous de bonne terre pour le défrichement. Jusque là les rapides sont magnifiques et impraticables pour les canots, de quelque grandeur que ce soit.

21 Septembre. A dix heures A. M. nous atteignîmes au sommet d'une hauteur à quatre cents pieds au dessus du niveau de l'eau, et de là nous vîmes une Chûte dont il y avait quelque temps que nous entendions le bruit. Nous rencontrâmes ensuite six chûtes successives ayant l'une avec l'autre dix pieds de hauteur ; la plus haute d'entre elle est coupée si perpendiculairement, qu'on peut passer dessous sans être incommodé. De là nous montâmes à la Grande Chûte qui a environ deux cents quarante pieds de haut, et nous en fîmes le dessin. Dans les eaux hautes du printemps, elle doit être réellement magnifique. La rivière s'appelle Pastagoutsi :

Je crois véritablement que ces chûtes se faisant entendre au loin dans le printemps, étant proches du Saguenay, et les Sauvages assurant qu'il n'y avait pas de grandes chûtes dans la rivière, mais seulement une suite de grands rapides, ont donné lieu à la renommée des fameuses chûtes du Saguenay que tout le monde avait entendues, mais que personne n'avait vues. Le terrain sur lequel nous passâmes est rocheux, mais où il y a du sol c'est un terrain bien fin : le bois, bouleau noir et gris et quelques pins, épinettes, beaux cèdres, épinettes blanches, et dans un endroit nous passâmes dans une grande Sucrerie de petites érables. Nous continuâmes à suivre le cours du Pastagoutsi jusqu'à une heure, et alors étant satisfaits de ce que nous avions vu du sol, nous prîmes la direction du Beau Portage, nous passâmes sur une plaine d'une bonne étendue ; nous essayâmes le sol en trois différens endroits, une fois dans le bois mêlé, une autre dans une épinettière, et la troisième fois dans une sapinière, et partout nous trouvâmes un sol bon pour la culture, mais le terrain des épinettières avait besoin d'être asséché. A environ un quart de mille du lieu où nous avions campé, il y a un grand bocage de bouleaux blancs d'une très haute pousse ; le terrain y étant soudé se trouva être sablonneux. Nous passâmes ce jour là quatorze ruisseaux d'une eau excellente.

Jusqu'à présent je n'ai encore rencontré aucun bois, qui pût empêcher un bon bucheur d'en abattre et d'en mettre en tas six ou sept acres par mois. Parlant à Natash des Chûtes du Saguenay, elle dit qu'il n'y en avait aucune, mais seulement une suite de très grands rapides, et qu'elle n'avait jamais entendu aucun Sauvage en parler ; elle est âgée de plus de 50 ans. Elle me dit qu'il y a sur la même rivière des Chûtes plus hautes que celles que nous vîmes bien ; que le nom sauvage du lac, auquel j'ai donné le nom de Mr. Hamel est Assinigaashlets (un rocher qui est là,) mais toute la rivière, depuis le Lac Kenwangomi jusqu'à sa jonction avec le Saguenay, garde le même nom ; il y a six portages, deux très longs, l'un d'eux plus long que l'autre, les quatre autres plus courts. Sur la rive gauche de la rivière il y a de longues pointes et pas de côtes ; où nous arrivâmes le dix-huit était la hauteur des terres, d'où les rapides commencent et continuent sans interruption. Sur le pied de la marche d'un blanc, il faudrait six jours pour aller au lac Kenwangomi en suivant la rivière, jusqu'à l'endroit où elle se décharge dans le Saguenay.

Nous essayâmes le terrain dans une buissonnière mêlée, et nous trouvâmes du sable mêlé d'une terre jaune ; une heure après nous arrivâmes à un marécage étendu que nous passâmes, et nous fûmes de retour au Poste de Chicoutimi à deux heures, ayant passé pendant le jour quinze ruisseaux.

23 Septembre. Ce soir Mr. Corneau me donna un plan du pays entre Chicoutimi et son Poste à Shippashaw. Je n'ai rien oublié des renseignemens qu'il donna, et je les ai marqués sur le plan. Il me donna aussi les noms de divers lacs et Rivières, qui ne sont pas sur la Carte que Mr. Perrault laissa au Poste du Lac St. Jean, pour Mr. Stuart.

La maison du Poste de Chicoutimi fut bâtie en 1794 et 1795. A la distance de 170 pieds du rivage est une roche de 11 pieds de haut, et la mer monte 5 pieds au dessus ; c'était, il y a quelques années, un amusement favori des gens du Poste, de sauter dessus ; la rivière a fait cet empiétement depuis les quarante années dernières.

(Signé) W. NIXON,
Escrivaire, 65e. Rég.

A ANDREW STUART et DAVID STUART, Ecuyers, Commissaires pour l'exploration des Terres du Saguenay, Lac St. Jean, &c. &c.

Appendice
(V.)
14 janvier.

Messieurs,

AYANT eu l'honneur d'être employé comme Arpenteur sous vos ordres, dans l'expédition du Saguenay je m'empresse de vous faire rapport de l'emploi de mon tems dans les visites et opérations que j'ai faites suivant mes instructions de la partie droite du Lac St. Jean, des Rivières tributaires, des Décharges et de la Presqu'île formée par la décharge du Lac d'un côté et par la Rivière Chicoutimi, les Lacs, la Belle Rivière et la rivière Kuspahigan de l'autre.

J'ose me flatter que vous voudrez bien me pardonner les expressions et citations mal digerées qui ne seront malheureusement que trop communes dans le cours de mon Journal. Néanmoins je m'efforcerai à vous rendre mon Rapport aussi intelligible que possible, et à vous indemniser par des faits authentiques, lesquels seront j'espère corroborés par mes deux Honorables Compagnons de Voyage, M. M. Baddeley et Nixon, pour l'éloge des quels, ma plume étant trop stérile, je m'abstiendrai de détailler les peines qu'ils se sont données pour se rendre utile à l'expédition, même dans les recherches les plus minutieuses, comme vous pourrez voir par leur rapport. Espérant que vous voudrez bien m'accorder l'indulgence désirée, je prends la liberté de me souscrire ;

Messieurs,

Votre très dévoué, &c.

J. HAMEL, Arpt.

EXPEDITION DU SAGUENAY

Lac St. Jean, &c. &c.

Journal tenu par Joseph Hamel, Arpenteur.

MERCREDI 6 Août 1828. Ayant fait embarquer notre butin hier au soir à bord de la goëlette La Clarisse, commandée par Augt. Dechêne de la Rivière Ouell, du port de cinquante-trois tonneaux, et ayant reçu ordre de me rendre de bon matin pour embarquer, je me rendis sur le quai à cinq heures et demi et y trouvai Mr. Baddeley qui attendait. Bientôt après Messrs. Stuart, Wagner et Bowen arrivèrent, puis enfin Mr. Nixon ; et aussitôt après, nous embarquâmes, et l'ancre fut levée à sept heures et trois quarts A. M. Nous trouvâmes à bord cinq Voyageurs et deux canots destinés pour l'expédition : elle était composée comme suit :

Andrew Stuart, Ecuyer, Commissaire, F. H. Baddeley, Ecuyer, Lieut. R. E. Mr. Henry Nixon, Lieut. 66e. Régt. Benedict Paul Wagner, Ecuyer, Mr. Ed. Bowen et moi.

Voyageurs.

Guillaume Gill,
Grégoire Laneuville,
Alexis Boisvert,
Noël Paquet,
Joseph Béland.

Le vent étant de l'est, il nous fallut louvoyer tout ce qui nous restait de marée, et nous parvîmes à l'ancien chantier du Trou St. Patrice (Patrick's Hole) à trois lieues au bas de Québec, sur l'île d'Orléans, où nous débarquâmes à onze heures et un quart A. M. Des provisions furent débarquées et nous dinâmes à deux heures sous le hangard du chantier, qui est maintenant abandonné. A quatre heures P. M. nous reçûmes ordre d'embarquer et à quatre heures et un quart nous le fîmes, toujours vent contraire ; à cinq heures notre goëlette fut hélée par une chaloupe, aussitôt le capitaine amena dans le vent, puis la chaloupe approchant, nous reconnûmes que c'était Mr. Proulx, l'un des Arpenteurs de l'expédition que nous avions laissé à Québec le matin, à 7 heures. Comme la goëlette n'était qu'à demi lestée, le vent augmentant, et étant vis-à-vis de l'église de St. Jean Ile d'Orléans, il fut jugé convenable de relâcher au havre de la Rivière Lafleur, un mille et demi plus haut, où nous débarquâmes vers neuf heures et logeâmes chez la veuve P. Pouliot.

Jeudi 7 Août. Le vent est du même côté et aussi fort qu'hier, en conséquence ne pouvant partir, je pilotai après déjeuner Messrs. Baddeley, Nixon et Bowen à travers les champs sur les terres des nommés Lachance et Blouin en recherche de minéraux et végétaux ; nous nous rendîmes jusqu'au bois, distance d'environ deux milles, puis nous retournâmes avec quelques succès de part et d'autre et arrivâmes au logis à onze heures et demie A. M. A midi Mr. Baddeley et moi prîmes la hauteur méridienne du Soleil à la porte de notre logis, i. e. chez la veuve Pouliot, et trouvâmes que la latitude était 46° . 53'. 40'', nord. Vers

quatre heures le vent ayant diminué et la marée commençant à basser, on embarqua, et toujours en louvoyant nous parvîmes au havre de la Grosse Ile, où nous débarquâmes vers neuf heures P. M. et y couchâmes assez à notre aise.

Vendredi 8 Août. Nous mîmes à la voile vers cinq heures A. M. avec un vent favorable et vîmes jeter l'ancre à un mille et demi au sud-ouest du Saguenay et à environ trois milles de terre, où il nous fallut passer la nuit.

Samedi 9 Août. Mis à la voile de grand matin pour entrer dans le havre de Tadousac, avec un très petit vent d'ouest, lequel ayant manqué, nous fîmes transportés par les courants près de l'île Rouge, où il fallut mouiller à sept brasses d'eau, et à environ douze milles de terre. A dix heures A. M. remis à la voile avec un joli vent d'ouest qui nous transporta dans deux heures à Tadousac ou nous arrivâmes trop tard pour prendre la hauteur méridienne du soleil. Mr. Brownson, Garde-Côte, vint à notre bord avant notre débarquement et rendus au poste il nous reçut assez poliment. Je commençai aussitôt à lever le plan du Poste et du havre de Tadousac et ne finis cette opération qu'après le coucher du Soleil.

Dimanche 10 Août. Occupé toute la matinée à recevoir les provisions destinées pour le Canot no. 2, lequel ne pouvant porter autant, on fut contraint d'en mettre une partie dans la chaloupe destinée à mener le parti formant l'expédition à Chicoutimi. A une heure le parti embarqua dans la chaloupe commandée par Mr. Brownson, et très encombrée de butin, le vent dépendant de l'est, nous mîmes à la voile en entrant dans le Saguenay, mais malheureusement il nous manqua à trois milles et demi de son embouchure, ce qui nous empêcha de doubler le cap de la Boule sur la rive gauche du Saguenay et vis-à-vis duquel les courants sont très forts ; nos deux canots néanmoins le doublèrent et furent camper à une très petite distance de là, tandis que nous fûmes contraints de camper misérablement dans l'anse au-dessous, où n'ayant qu'une petite hache et du bois vert, nous passâmes une très mauvaise nuit, la pluie tombant du nord-est en abondance.

Lundi 11 Août. Les canots étant inquiets de notre sort, vinrent nous trouver vers neuf heures et Mr. Proulx s'embarqua dans l'un d'eux. Nous laissâmes sans regret notre camp à dix heures a. m., la mer commençant à monter avec un petit vent d'est ; après avoir été à la voile toute la journée, nous vîmes camper à environ vingt milles de l'embouchure du Saguenay, dans une baie qui fut nommée par la suite Bay of Comfort, y ayant trouvé assez de bois sec pour nous faire entretenir un bon feu toute la nuit.

Mardi 12 Août. Le vent était à l'ouest, nous embarquâmes à neuf heures contre le vent et la marée, et débarquâmes à midi pour prendre

Appendice
(V.)
14 janvr.

une altitude méridienne, mais il était trop tard. A midi trois quarts, nous rembarquâmes et à deux heures p. m. nous entrâmes dans une baie sur la rive gauche, vis-à-vis la rivière de la Trinité, qui fut nommée après Half-Way Bay, i. e. à trente six miles de Tadousac suivant le calcul des Voyageurs, mais qui devrait être réduit d'au moins 15; si non 14. Mr. Baddeley et moi nous nous occupâmes jusqu'à onze p. m. à prendre diverses observations, puis embarquâmes pour faire route, et avons de cette marée gagné la Descente de la Femme, distante d'environ seize milles au dessus de Halfway bay.

Mercredi 13 Août. Avant d'embarquer Mr. Baddeley et moi nous primes la hauteur méridienne du soleil et trouvâmes que la latitude était $48^{\circ} 22' 9''$ nord. A trois heures et demi doublé le cap à l'est. A cinq heures et un quart la mer ayant déjà baissée près d'une heure et le courant étant très fort contre nous, nous entrâmes dans une Baie (Bear's Cove), sur la rive droite du Saguenay pour y camper. A sept heures et demi p. m. Mr. Proulx arriva avec les deux canots; à neuf heures comme nous étions occupé Mr. Baddeley et moi à faire diverses observations le temps se couvrit et bientôt après il tomba une forte orage qui fut suivie de pluie régulière, qui dura toute la nuit. Vers onze heures nous fumes informés qu'un petit canot appartenant à Mr. Brownson, et dans lequel il y avait un baril de Rum avec les pieds de boussole de Mr. Proulx était parti en dérive. Les deux autres canots furent envoyés à la recherche de celui-là sans succès.

Jeudi 14 Août. Nous partimes d'ici à cinq heures et demi a. m. à la rame et à sept heures un quart mîmes à la voile avec un petit vent favorable, remîmes à la rame vers onze heures, débarquâmes vers une heure p. m. à environ un mille et demi au bas de Chicoutimi pour nous y rendre à pied, étant tous mouillés par la pluie régulière d'aujourd'hui. Nous y arrivâmes enfin à deux heures p. m. et fumes très bien accueillis par Mr. Andrews, Commis du Poste, lequel mérite à tous égards les plus hautes louanges pour l'attention qu'il a portée à l'expédition, et ce serait manquer de reconnaissance par chacun de nous en particulier de ne pas le lui témoigner publiquement. Une heure après notre arrivée, le canot qui s'était échappé dans la nuit précédente fut ramené au poste par Guillaume Gill et deux autres voyageurs, qui dirent l'avoir trouvé à environ six milles au dessus d'où il était parti et sur la rive opposée; il était parti du montant, ce qui donne une forte indice du pouvoir de la marée à onze milles du bas de Chicoutimi! Mr. Baddeley et moi passâmes la veillée à épier le passage de plusieurs étoiles, mais ne fumes pas plus heureux cette nuit que les trois précédentes, en raison que l'atmosphère se couvrait de nuages avant leur passage.

Vendredi 15 Août. Je fus occupé à faire préparer les provisions et bagage pour partir le lendemain pour le lac St. Jean, par la rivière Chicoutimi &c, suivant l'arrangement que Mr. Stuart venait de faire; que je partirais dans le canot No. 2 avec Mr. Baddeley qui en aurait le commandement; que nous nous rendrions immédiatement au Lac St. Jean, et que commençant nos opérations du côté droit du lac, nous explorerions toute cette partie du lac entre la Grande Décharge et la rivière Assuapmousoin, où doit se rendre le Député Arpenteur Général; mais si par hasard il n'y fut pas encore parvenu, nous continuerons jusqu'à sa rencontre. Mr. Stuart devait monter au lac St. Jean, dans un petit canot avec Mr. Brownson; Mr. Proulx devait explorer la baie des Ha-Ha et Messrs Wagner, Nixon et Brown dans un grand canot explo-reraient la Presqu'île formée par la Grande Décharge, la Rivière Chicoutimi, les Lacs, &c. &c. Pris aujourd'hui la hauteur méridienne du soleil et trouva que la latitude de Chicoutimi était de $48^{\circ} 24' 37''$ Nord.

Samedi 16 Août. Nous fimes passer dix pièces dans le Portage de Chicoutimi long de deux milles, et reçumes nos instructions par écrit, mais nous ne pumes partir en conséquence de la pluie qui tomba dans la matinée.

COPIE DES INSTRUCTIONS.

Instructions to Mr. Baddeley and Mr. Hamel.

You are requested to proceed to lake St. John, entering that lake by the Belle Rivière, and in the first instance to make an exploring Survey of the country lying between the Grand Outlet of that lake and the river Assuapmousoin.

If the Deputy Surveyor General should not then have reached that river, you are requested to continue your exploring survey until you shall meet that Gentleman with his party. Your return will be either by the Grand Outlet or by the Belle Rivière as you think best. Another party being employed to survey the Peninsula lying between the Belle Rivière and the Lakes on the one side and the Grand Outlet on the other, all the objects of the mission will be attained without your descending the latter stream. You are furnished with a letter from the sub-lessee of the Posts to the Clerks in charge, which will entitle you to any assistance that you may require from them.

Chicoutimi 16th Aug. 1828.

(Signed) A. STUART,

Commr

Dimanche 17 Août. Une partie de notre bagage ayant été passée hier, nous nous considérâmes comme en route et nous eumes aucun scrupule de faire passer le reste et partir. Nous laissâmes donc Chicoutimi à midi et Messrs. Nixon et Bowen vinrent nous accompagner jusqu'à notre embarquement. Nous embarquâmes vers une heure et demie avec trois voyageurs, Guillaume Gill, John Young et Alexis Boisvert. A quatre heures et demie en passant le portage des Chiens, nous rencontrâmes deux Canadiens, deux Sauvages et une Sauvagesse venant d'Assuapmousoin, à cinq heures et demie nous étions au bout du portage de l'Enfant où nous campâmes en conséquence de la difficulté que nous aurions éprouvée à trouver plus loin une place pour camper. La terre dans le portage de Chicoutimi est ou glaise bleue pure ou mêlée de sable et les bois sont pins rouges et cyprès, bouleaux, épinettes, sapins, &c. quelques pins blancs. Dans la partie de la rivière que nous avons montée aujourd'hui, les bois dominans sont épinettes et bouleaux, le terrain paroît uni et le sol, quoique léger sur les bords, cultivable.

Lundi 18 Août. Il plut toute la nuit; nous laissâmes notre camp à huit heures avant midi, et après avoir essuyé plusieurs orages, nous fumes contraints de camper à une heure au bas du heau Portage en conséquence de la pluie et craignant de gater nos provisions. Les bois dominans sont jusqu'ici sapins, épinettes blanches, bouleaux, trembles, quelques pins blancs et mérisiers. Le terrain paroît sablonneux; il plut tout le reste de la journée.

Mardi 19 Août. La pluie continua toute la nuit et le vent était nord-est. Vers dix heures le vent changea à l'ouest; à midi on était sur le Portage des Roches, où on trouva que la latitude était de $48^{\circ} 14' 38''$. En dinant il nous survint une orage et du tonnerre qui nous empêcha de partir avant trois heures et trois quarts p. m. Les orages étant fréquentes nous ne pumes aller plus loin qu'à la Pointe au Sable du côté nord du lac Tshinuagamitsh, jusqu'au portage de l'Ilet. Le terrain paroît très uni et propre à la culture, mais depuis ce portage jusqu'au lac Tshinuagamitsh il est inégal et rocailleux.

Mercredi 20 Août. Nous embarquâmes à sept heures et un quart; à huit heures et demie Mr. Baddeley et moi débarquâmes au côté nord du lac pour prendre des échantillons des rochers. A dix heures un quart nous étions vis-à-vis l'embouchure de la rivière Upikubatsh; ici on a trouvé du Felspar mêlé de fer magnétique; nous primes la hauteur méridienne du soleil qui donna ici pour latitude $48^{\circ} 16' 25''$. Nous arrivâmes à quatre heures au bout du lac, c'est-à-dire à la hauteur des terres. Nos voyageurs firent deux voyages dans le portage Tshinuagamitsh et nous campâmes sur le bord du lac Tshinuagamitsh, laissant un voyage à faire dans le portage pour le lendemain. Les bois sur les bords du lac Tshinuagamitsh sont bouleaux, cyprès et pins rouges de moyenne qualité, sapins, épinettes, et le terrain est de glaise mêlé de sable. Il y a sur les bords du lac Tshinuagamitsh ou nous sommes campés, des frênes et de l'épinette blanche. Le vent fut au nord-ouest toute la journée.

Jeudi 21 Août. Nous embarquâmes vers neuf heures a. m. A onze heures, entrâmes dans les joncs de la rivière des Annaies, nous dinâmes au portage des Annaies d'environ vingt cinq chaînes de long, puis rembarquâmes aussitôt; mais comme cette rivière est très étroite et sinueuse, et que les aunes la croissent en endroits, nous fumes contraints de débarquer Mr. Baddeley et moi, guidés par Gill, pour suivre le long de la rivière dans un sentier mal frayé. Nous arrêtâmes pour camper près de la Belle Rivière ou notre canot n'arriva qu'à sept heures. Il y a de beaux fonds tout le long de cette rivière, dont la terre est très bonne; les bois sont ormes, frênes auziers, aunes &c. tous bois propres à la bonne terre.

Vendredi 22 Août. Le vent était au sud-ouest; à cinq heures et demie, Mr. Baddeley et moi nous mîmes en route à pied et à six heures arrivâmes à la Belle Rivière; nous rembarquâmes à six heures trois quarts, et à sept heures et demie débarquâmes au portage de la Belle Rivière long de dix-huit chaînes; de ce portage, en descendant, la rivière prend le nom de Kuspahigan. Les courans de la Belle Rivière sont très réguliers jusqu'à la chute, mais ils sont beaucoup plus forts depuis le portage jusqu'au lac St. Jean. Le terrain est d'une qualité supérieure du côté droit des Rivières, depuis la rivière des Annaies jusqu'au lac. Il y a tout le long de la Belle Rivière de belles pointes couvertes d'ormes, frênes. La plus haute écore n'a pas plus de trente pieds de hauteur et dessus on y trouve des trembles, épinettes, sapins, quelques pins et bouleaux, et de chaque côté de la rivière Kuspahigan le terrain qui est de terre à grain (Loam) est bas et boisé en partie d'ormes, frênes et brossailles. Nous arrivâmes au lac St. Jean à midi, et nous y dinâmes. Nous fimes route ensuite pour la Grande Décharge, mais nous ne pumes y parvenir et fumes contraints de camper sur une des Iles, dont il y en a un grand nombre entre les deux Décharges, et les quelles nous nommâmes Dalhousie Islands. Ces Iles sont toutes de roc et incultivables. L'abondance de fer magnétique dont ces rocs sont composés rend la boussole inutile dans les environs; et parmi les échantillons que Mr. Baddeley prit sur l'Ile où nous campâmes, j'en découvris qui avaient une vertu polaire.

Samedi 23 Août. Le vent étant à l'ouest, nous embarquâmes à huit heures et demie et nous nous rendîmes à la rive nord de la Grande Décharge, à neuf heures et demie. Comme c'était ici où nous devions commencer nos opérations, nous y demeurâmes toute la journée et la nuit,

nuit, afin d'y prendre des observations astronomiques; je m'occupai de plus durant la journée à opérer trigonométriquement.

Dimanche 24 Aout. Nous nous mîmes en route vers onze heures, et à environ un mille et demi de notre point de départ nous trouvâmes un ruisseau que nous prîmes d'abord pour une rivière, mais l'ayant remonté pour environ un demi mille, nous reconnûmes que c'était vraiment un très petit ruisseau et que dans la crue des eaux le lac s'élevait jusqu'ici. En conséquence nous retournâmes; le côté droit de ce ruisseau est boisé de trembles, sapins, frênes et brossailles, et la terre est très propre au foin, mais le côté gauche dont les écores sont d'environ dix pieds de haut est sablonneux, et tient à la Savanne. Depuis le départ jusqu'à ce ruisseau, l'écore du lac haute de six à dix pieds est de sable, et derrière il y a une Savanne profonde d'environ un demi mille, mais qu'on ne peut traverser, parce qu'elle est inondée. Pourtant on découvre du grand bois d'épinette, &c. derrière. Nous continuâmes notre route et vinmes camper à trois quarts de mille de la Rivière Cocuathimi, et jusqu'ici la Savanne et les Ecores sont les mêmes.

Lundi 25 Aout. Le vent à l'ouest, et le lac étant trop agité, nous ne pûmes faire route. En conséquence je partis avec Gill pour reconnaître le terrain, et bientôt j'arrivai à l'embouchure de la Rivière Cocuathimi; alors je renvoyai Gill pour en informer Mr. Baddeley, afin que s'il était possible, il fit route, mais au lieu de voir arriver le canot, je vis venir à moi Mr. Baddeley et Mr. Nixon du parti de Mr. Stuart qui m'informèrent que ce dernier, avec les autres Messieurs de l'expédition étaient en route pour faire le tour du lac. En conséquence nous revînmes à notre camp, et il nous fallut y passer le reste du jour; nous ne nous attendions pas ni Mr. Baddeley ni moi au changement projeté par Mr. Stuart. Car ce Monsieur désirant que Mr. Baddeley fut visiter le terrain derrière la baie St. Paul, il jugea à propos de lui substituer Mr. Nixon, et cette nouvelle fut un coup de foudre pour moi, vu que nous sympathions si bien d'humeur; mais pourtant je n'eus pas raison de me plaindre après avoir connu Mr. Nixon.

Mardi 26 Aout. Nous mîmes en route chacun dans nos canots, comme suit: Mr. Stuart s'en retournant à Québec dans le canot de Mr. Brownson et trois Voyageurs. Messrs. Baddeley, Wagner, Bowen et Goldie, ce dernier du parti de Mr. Bouchette, en deux canots avec six Voyageurs, pour faire le tour du lac, puis retournant par Chicoutimi se rendront à la Malbaie et iront reconnaître le prétendu Volcan de la Baie St. Paul; excepté Mr. Wagner qui joindra Mr. Proulx et entrant par la rivière St. Jean, sortiront par la Rivière Malbaie. Dans mon canot Mr. Nixon remplace Mr. Baddeley avec quatre voyageurs; nous explorerons cette partie du lac jusqu'à l'embouchure de la rivière Assuapmoussoin, remontant toutes les rivières qui se rencontreront sur notre route, et ensuite nous visiterons la Presqu'île, formée par la Grande Décharge d'un côté et par la rivière Shikutimish ou Chicoutimi, les lacs Tshinuagamitsh, Tshinuagamitshish, la rivière des Aunaies, la Belle Rivière et la rivière Kuspahigan de l'autre. Nous nous laissâmes à l'embouchure de la rivière Cocuathimi, se donnant un cri d'adieux, et ne devant point nous rencontrer qu'à Québec. Nous remontâmes cette rivière jusqu'à environ un mille et demi de son embouchure ou là trouvant trop étroite et trop embarrasée pour aller plus loin, je pris parti de retourner. Mais auparavant, nous fumes Mr. Nixon et moi chacun d'un côté de la rivière avec deux hommes reconnaître le terrain, que nous trouvâmes sablonneux, couvert d'épinettes, sapins et trembles, et très peu propre à la culture. Nous nous rendîmes ce soir à la Pointe aux Couleuvres, distante de la Grande Décharge en suivant les sinués du lac d'environ onze milles, où nous campâmes.

Mercredi 27 Aout. Il me fut nécessaire de faire certaines protractions jusqu'à midi, ensuite je commençai le chainage d'une base à travers des brossailles, afin de m'assurer de la largeur du lac.

Jeu 28 Aout. Il plut jusqu'après dix heures. Je continuai ma base tout le reste du jour. La savanne continue toujours le long du lac jusqu'ici; le vent se mit à l'Est durant un orage qui eut lieu vers le soir, et il continua de ce côté une partie de la nuit.

Vendredi 29 Aout. Le vent fut à l'ouest et le temps très couvert; nous arrivâmes à l'un des bras de la rivière Peribouka à une demi heure après midi, et après avoir diné nous laissâmes une partie de nos provisions en cache, n'en prenant qu'une quantité suffisante pour monter une rivière (Musk Rat River) qui par sa largeur et sa profondeur ne devant pas nous mener loin et que nous croyons être la rivière Periboudraiche comme représentée sur la Carte de Panet. Nous joignîmes la rivière Peribouka vers trois heures après midi, ayant été contraint de débarquer à plusieurs reprises pour alléger le canot et le faire passer à travers les joncs qui abondent dans ce bras. On ne peut trouver de meilleure terre que celle de chaque côté de ce bras; elle est basse et complantée d'ormes, frênes et aunes, et une fois égoutée feraient des prairies superbes. Nous remontâmes dans le Pribouka environ quatre milles et demi et campâmes sur la rive gauche. Le terrain tout le long jusqu'ici est glaise mêlée de sable et très propre à la culture, et les bois sont épinettes, trembles, bouleaux, merisiers et pins blancs çà et là tous grands, mais d'une moyenne grosseur, (les pins exceptés.)

Samedi 30 Aout. Le vent à l'ouest ce matin, nous continuâmes notre route et fîmes trois portages dans la journée, le dernier avec beaucoup de

difficultés étant obligés de le faire sur des rochers escarpés. Le terrain est semblable jusqu'au pied du premier portage, mais du premier au quatrième portage où nous avons campé, il y a des Caps de roc d'environ cinquante pieds de haut. Les bois sont en général épinettes, bouleaux, quelques ormes et frênes. Le vent fut tantôt à l'est et tantôt à l'ouest toute la journée et le soir il était à l'est.

Dimanche 31 Aout. Le vent fut à l'ouest toute la journée et il fit beau temps. Nous fîmes laver notre linge et celui des hommes.

Lundi 1er Septembre. Nous continuâmes à remonter la rivière, et au bout du portage nous découvrimmes un joli lac parsemé d'Iles que nous nommâmes N-dha-ouiloo, surnom qu'Andrew Stuart Ecuyer, Commissaire tient de la Tribut Huronne, en sa qualité de Chef honoraire. Avant d'arriver au bout de ce lac sur la rive droite, nous entrâmes dans une jolie rivière large de trois perches à son embouchure, que nous remontâmes environ un mille, nous fumes contraints de retourner à cet endroit en conséquence de son peu de largeur, et qu'elle est embarrasée; elle fut nommée Rum par Gill, l'un de nos voyageurs, en raison de la couleur de son eau. Le terrain de chaque côté du lac et dans cette rivière est très bon, et le bois est en général épinettes rouges et blanches, bouleaux, sapins et pins, çà et là; rendu au bont du lac long d'environ quatre milles, nous trouvâmes une jolie chute dont Mr. Nixon prit la perspective, tandis que je passai le portage long d'environ vingt-cinq chaînes avec Gill et Boisvert, au bout duquel n'apercevant que rapides, je pensai ne devoir aller plus loin, tant parce que nous étions court de provisions que parce que nous pensions être dans la rivière Periboudraiche, laquelle devait être bien inférieure en largeur, &c. à la Rivière Peribouka. Le terrain et le bois m'ont paru semblables, i. e. aussi uni et bon qu'au bas des premiers portages et le long du lac. On vint camper au dessus des deux premiers portages, le vent étant à l'est et apparence de pluie.

Mardi 2 Septembre. Nous arrivâmes au lieu où nous avions laissé nos provisions en cache, à midi, tous mouillés, car il avait plu fort, toute la matinée, le vent venant de l'ouest. La pluie continua toute l'après midi.

Mercredi 3 Septembre. Comme John Young est très malade et n'a rien mangé depuis plusieurs jours, nous résolûmes, Mr. Nixon et moi de le mener au Poste de Métabetchuan; en conséquence Mr. Nixon partit de bon matin avec Gill et Boisvert pour ce poste. Je restai avec Terreau et m'occupai à protracter, &c. durant les quatre jours qu'il fut absent.

Jeu 4 Septembre. Il fit une pluie si terrible toute la journée le vent venant de l'est, que je n'en étais pas même à l'abri dans ma Tente.

Vendredi 5 Septembre. Il plut jusqu'à onze heures; époque où le vent changea à l'ouest.

Samedi 6 Septembre. Vent sud-ouest, beau temps, dans l'après-midi, comme je devenais de plus en plus inquiet de mon canot, je traversai avec Terreau le bois et la Savanne et me rendis près du lac, mais je ne pus le découvrir. Je remarquai en traversant la Savanne que si elle était égoutée, elle produirait du foin; car le franc foin y abonde. Vers huit heures après midi entendis un coup de fusil très éloigné, je pensai alors que c'était mon canot qui ne pouvait trouver l'embouchure de la rivière, je ne me trompai pas et je fis immédiatement tirer un coup de fusil, lequel ainsi que trois autres que je fis tirer en réponses aux leurs, ne fut point entendu par eux. Il arriva enfin à neuf heures un quart, et Mr. Nixon m'apporta une lettre privée de Mr. Stuart, avec quelques rafraichissemens. Il m'apprit que Mr. Bouchette avait fait le tour du lac et qu'il s'en retournait.

Dimanche 7 Septembre. Nous embarquâmes à sept heures et demie A. M. et passant par le lac nous visitâmes cette partie de la Rivière Peribouka qui est depuis le petit bras jusqu'à son embouchure, distance d'environ trois milles et un quart. Nous fumes visiter une Baie sur la rive droite de la rivière et vis-à-vis l'entrée dans le petit bras et nous y trouvâmes une jolie rivière, laquelle d'après les informations que j'en ai eues est la rivière Periboudraiche que nous nommâmes alors David River en mémoire de David Stuart, Ecuyer, l'un des Commissaires. Elle est d'environ dix chaînes de large à son embouchure et vient de l'est; nous la remontâmes jusqu'au premier portage, distance d'environ neuf milles et demi de son embouchure. Le terrain de chaque côté est généralement bas et quoique léger i. e. sable mêlé de glaise, il est passablement cultivable, les bois sont bouleaux, épinettes, pins, sapins, quelques ormes, frênes et saules. Je passai le portage long de six chaînes et aussi loin que je pus découvrir le bois me parut semblable, en conséquence nous résolûmes de retourner et vinmes camper où le parti de Mr. Baddeley avait campé le vingt six Aout, que nous reconnûmes par une inscription conçue en ces termes, "Exploring expedition encamped here on the night of 26th August 1828. God save the King. Lat. 48° 42' 37". Le vent fut à l'ouest toute la journée et vers quatre heures il se refroidit beaucoup.

Lundi 8 Septembre. Le vent était au nord-ouest et il y avait le matin grande apparence de pluie; à huit heures et demie nous embarquâmes comme il commençait à pleuvoir légèrement; à neuf heures et trois quarts

Appendice
(V.)
14 janvr.

quart la pluie ayant augmenté considérablement, nous entrâmes dans une petite rivière que nous nommâmes ensuite Boisvert, et où nous débarquâmes; dans l'après diner, nous avançâmes dans cette rivière environ un demi mille, et fumes contraints de retourner, parce qu'elle devenait trop étroite et trop embarrassée. Le tremble, l'épinette blanche et le bouleau sont les bois dominant, et le sol est un mélange de sable et glaise.

Mardi 9 Septembre. Nous embarquâmes à six heures et un quart après avoir marché près d'un mille à l'eau dans le lac pour alléger le canot, et nous entrâmes dans les Iles de Mistassini, d'où pour parvenir à la rivière, il nous fallut faire traîner le canot et marcher à l'eau, la plupart du temps. A une heure et demie, nous entrâmes dans la rivière Mistassini superbe par sa largeur, qui est d'au moins un mille et demi à cet endroit; mais quand au sol de chaque côté, il n'est que de sable, et les bois sont épinettes, cyprès et bouleaux, quelques ormes sur les bords; nous la remontâmes environ dix milles et n'apercevant aucun changement, nous prîmes la résolution de retourner, dans l'humble persuasion qu'elle n'était pas nommée à tort dans certaines Cartes La Rivière de Sable. Nous vinmes camper au lieu où nous avions laissé une partie de nos provisions en cache en entrant dans la rivière.

Mercredi 10 Septembre. A six heures et demie nous laissâmes notre camp des Iles de Sable ou Mistassini et vinmes déjeuner où Mr. Baddeley avait couché le vingt-sept d'Aout dernier, que nous reconnûmes par une Etiquette conçue en ces termes.

"Exploring party encamped here on the 27th August 1828—
"all well; Meridian alt. of a star Double angle 99° 37', index
"error + 22".

nous nommâmes cette Pointe Baddeley's Post Office, et nous la laissâmes à dix heures et demi. Bientôt après, nous entrâmes dans l'embouchure de la rivière Assuapmoussouin à travers de petites Iles couvertes de brossailles, et vers midi nous débarquâmes sur la rive droite de cette rivière un peu au dessous de l'île la plus avancée dans la rivière; tout le terrain depuis la Rivière Mistassini jusqu'à la Rivière Assuapmoussouin est sablonneux, et les bois sont en général épinettes, sapins, bouleaux, quelques trembles et pins çà et là. Nous dinâmes à cet endroit et comme le but de notre mission se trouvait rempli, pour ce qui regarde l'Exploration de cette partie du Lac, nous nous mîmes en route pour le Poste de Metabetchuan. A deux heures et un quart nous débarquâmes à la Pointe Bleue, sur laquelle on s'attendait de trouver des fruits de Cerises, Prunes, Framboises, &c. mais nous n'en trouvâmes que les arbres; nous trouvâmes les décombres de la cheminée de la maison de l'ancien Poste où Mr. Taché fit commerce des pelleteries durant vingt-deux années. Nous rembarquâmes vers trois heures et vinmes camper à la Pointe aux Pins, afin d'aller visiter l'île aux Couleurs; ce que nous effectuâmes le même jour, mais n'en rencontrâmes aucunes, probablement parce qu'il était trop tard. Le vent fut à l'ouest toute la journée.

Jeudi 11 Septembre. Le vent fut si fort de l'Ouest que nous ne pûmes faire route avant une heure de l'après midi et nous arrivâmes à 4 heures à l'embouchure de la rivière Ouiatshuan, et comme Mr. Nixon désirait fortement prendre la vue de la Chûte de cette Rivière, qui est à environ un mille de son embouchure, nous arrêtas ici, et partîmes immédiatement avec Terreau, l'un de nos hommes qui était sorti par cette rivière avec Mr. Bouchette et qui prétendait connaître la Chûte. Mais au lieu de nous mener par le chemin du Portage, par lequel on pouvait se rendre à environ quinze chaînes d'icelle, il nous achemina le long de la rivière, et il nous fallut nous armer d'un nouveau courage, pour y parvenir à travers nombre de vallées et collines, communes aux approches de rivières dont les écores ne sont pas moins de deux ou trois cents pieds de haut. Néanmoins en y arrivant nous fumes dédommagés des fatigues que nous venions d'éprouver par la magnificence de cette Chûte, qui ne le cède en rien par sa hauteur à celle de Montmorency, près de Québec, mais qui la surpasse par la distribution de ses eaux à travers des rochers escarpés, comme on pourra voir par la vue qu'en prit Mr. Nixon, dont les capacités sont très rares en cet art, et qui ne manquera pas de donner une copie fidèle. Nous nous rendîmes à notre canot à 6 heures, et trouvâmes notre tente élevée, car nos voyageurs s'apercevaient que le vent augmentait, et s'imaginant que nous reviendrions tard, avaient cru se préparer par avance, quoique nous leur eussions dit que nous pensions faire route et nous rendre au Poste. Alors nous y passâmes la nuit; le vent fut fort au Nord-Ouest. Le bois le long du Portage jusqu'à la Chûte est d'une qualité supérieure à toute place que j'aie visité jusqu'ici, étant un mélange de Cèdres, Merisiers, Erables, Epinettes, Pins, &c. et le terrain où je l'ai sondé était très propre à la culture.

Vendredi 12 Septembre. A six heures et un quart nous embarquâmes avec un fort vent de Nord-Ouest qui nous empêcha de faire la traversée au lieu ordinaire et nous contraignit à voguer le long de la côte jusqu'au Poste de Metabetchuan où nous arrivâmes à dix heures et trois quarts, et y trouvâmes Mr. Alexander Murdoch, Commis du Poste, gentilhomme très respectable et qui nous reçut très hospitalement.

Samedi 13 Septembre. Comme il nous avait été nécessaire de faire cuire du pain et faire laver notre linge nous ne pûmes partir de ce Poste que dans l'après diner, et en partant nous eûmes une salutation de plusieurs coups de fusil que nous retournâmes de la même manière. Le

vent fut au Sud Ouest toute la journée et le temps couvert. Nous nous rendîmes à Kuspahigan vers huit heures et y campâmes.

Dimanche 14 Septembre. Nous explorâmes cette partie du Lac depuis Kuspahigan jusqu'à la rive droite de la Grande Décharge, et reconnûmes que tout le long du Lac dans cette partie, le terrain est de sable, mais à très peu de distance on y trouve de la terre franche, comme nous pûmes le reconnaître en entrant dans une petite rivière à un mille et demi au nord de Kuspahigan, que nous remontâmes de quinze à vingt chaînes avant de la trouver trop embarrassée. La Petite Décharge est à cinq milles de Kuspahigan, et l'île entre les deux Décharges a du côté du Lac environ un mille et demi, du côté de la Petite Décharge un demi mille, et du côté de la Grande Décharge deux milles. Nous revînmes coucher à notre camp de Kuspahigan où nous y avions laissé notre bagage. Le vent fut au sud ouest toute la journée. Comme Gill a une douleur aiguë dans les reins qui le rend même incapable de gouverner le Canot, il ne nous reste que trois hommes que l'on ne peut partager pour traverser la Presqu'île et renvoyer le canot, conséquemment il faudra nous rendre à Chicoutimi.

Lundi 15 Septembre. Nous embarquâmes à sept heures 40 minutes nos provisions et bagage formant deux voyages dans les Portages. Nous nous rendîmes près du Portage Tshinuagamish où nous campâmes, en traversant les Aunais par terre, je m'éloignai dans le bois et reconnu que le terrain était uni et bon.

Mardi 16 Septembre. Le matin nous fumes visiter un petit Lac du côté nord du Lac Tshinuagamish et qui le joint par un petit canal de trois chaînes de long sur une chaîne de large, auquel je donnai le nom de Lake Nixon. Il y a des fonds de terre noire couverts d'Aunes tout à l'entour du Lac et sur les écores hautes d'environ vingt-cinq pieds, jusqu'à la distance d'au moins un mille que je visitai; on y trouve un terrain uni, le sol est de terre à grain superbe (Loam) et les bois sont sapins, mérisiers, épinettes, quelques bouleaux, et je n'y vis qu'un pin. On pourra voir un échantillon du terrain au nos. XXII et XXIII des collections de Mr. Nixon. Le lac a trente six chaînes de long sur une ligne sud-ouest et nord-est et dix chaînes de large. A dix heures et un quart nous embarquâmes pour faire route, mais d'après les informations que j'avais eues par divers canaux que les deux Lacs étaient joints par un Déroit du côté nord du Portage Tshinuagamish, nous entrâmes dans un Canal de deux chaînes de large et au bout de vingt-cinq chaînes nous entrâmes dans un bassin large de douze chaînes sur vingt chaînes de long à l'extrémité duquel nous trouvâmes une petite rivière large d'une chaîne embarrassée d'Aunes, laquelle ressemble beaucoup à la rivière des Aunais; nous montâmes environ douze chaînes dedans et fumes contraints de retourner en conséquence des aunes. Nous montâmes Mr. Nixon et moi à travers des rochers sur les écores droites, hautes d'environ 50 pieds, et il nous apparut que nous étions sur un cap de roches qui ne se continuait pas loin, et le peu de terre que nous y trouvâmes était de la même qualité que dans les échantillons ci-dessus cités. Les bois aussi loin que nous pûmes découvrir, étaient un mélange d'épinette, sapins et mérisiers, tous d'une haute taille. Le cour général de cette rivière est Est, ce qui corrobore fortement le rapport de la jonction des deux Lacs; nous descendîmes et arrivâmes au Portage à midi, nous passâmes ce Portage long de 1 1/5 mile et dinâmes, puis repartîmes de là à 3 heures, dans l'intention de visiter tout ce qu'il y avait de remarquable du côté nord du Lac Tshinuagamish. Le terrain tout le long de ce Portage est composé de glaise bleue mêlée de sable, d'une très bonne qualité, et les bois sont épinettes blanches, mérisiers, bouleaux, sapins et pins rouges. Nous nous rendîmes le soir à environ deux milles et demi dans la Petite Rivière de la baie Coughkouia ou dans la prétendue jonction des deux Lacs et y campâmes.

Mercredi 17 Septembre. Nous remontâmes cette rivière sur une course ouest sud-ouest, environ 4 1/2 milles, ce qui fait 7 milles de son embouchure, et ne pouvant aller plus loin par les aunes qui l'embarassent, nous fumes reconnaître le terrain, et à environ un demi mille, Mr. Nixon découvrit un petit lac dont cette rivière forme la décharge, lequel il nomma Lake Young, et qui peut avoir 7 chaînes sur 30. Tout le terrain que nous traversâmes pour y parvenir est rocailleux, et le peu de terre qu'on y trouve est terre noire. Tout le long de cette rivière, le terrain est complanté d'épinettes rouges et blanches, quelques pins, bouleaux et sapins, et la terre est de même mélange de glaise et sable. Le vent fut de l'ouest toute la journée, et augmenta le soir: nous campâmes à la pointe de Sable, où le parti de Mr. Bouchette avait couché le 11 Septembre.

Jeudi 18 Septembre. Nous embarquâmes vers 6 heures et à 60 chaînes de la pointe de sable, nous entrâmes dans la décharge du lac, laquelle se nomme Pastagoutsi, et à la chaîne de lacs qui se rencontre près du lac Tshinuagamish, Mr. Nixon donna le nom de Lake Hamel. Nous descendîmes cette rivière jusqu'au pied du premier rapide, distante d'environ 6 milles de son embouchure, où l'eau nous ayant manqué nous rebroussâmes chemin. Le bois tout le long de chaque côté, est bouleaux, épinettes, pins, sapins, &c., et la terre est bonne, mais rocailleuse. Nous arrivâmes au bout est du lac Tshinuagamish à 11 heures, i. e., au portage de roches, et continuâmes notre route, puis arrivâmes en fin au poste de Chicoutimi au soleil couchant.

Vendredi 19 Septembre. J'amena mes livres tandis que les hommes se préparaient au départ pour la visite de la Presqu'île, pour la quelle je sentis plus que jamais le besoin d'un guide, et ne pouvant trouver de sauvage qui connût tant soit peu le local, je fus contraint d'engager une vieille femme du nom de Nastash, qui prétendait s'y connoître. Le vent fut à l'ouest toute la journée.

Samedi

Samedi 20 Septembre. Notre pilote ayant retardé notre départ, nous ne pûmes l'effectuer que dans l'après-dîner—nous partîmes en canot pour remonter le Saguenay, jusqu'à l'embouchure de la rivière Pastagoutsy; mais lorsque nous fûmes vis-à-vis la rivière des Terres Rompues, les rapides devinrent impossibles à franchir, et il fut résolu de prendre pour quelques jours des provisions, et de renvoyer le canot au poste par Boivert et Terreau, afin de voyager par terre. Toute la rive droite du Saguenay jusqu'aux Terres Rompues, est de glaise bleue, comme aux environs du poste de Chicoutimi. Le vent fut à l'est.

Dimanche 21 Septembre. Après deux heures de marche, nous parvîmes à la rivière Pastagoutsy, à quelques chaînes de son confluent avec le Saguenay: nous trouvâmes une chute à cet endroit de la rivière, haute d'environ 240 pieds, dont Mr. Nixon prit la vue. Nous dirigeâmes notre course vers le sud, i. e., tenant la rivière Pastagoutsy à droite, notre guide déclarant ne rien connaître au nord de cette rivière, et voyageâmes toute la journée sur un terrain très plane, complanté comme suit:—1o. Mélange d'épinettes, sapins, mérisiers, quelques érables et bouleaux terre à grain grise. 2o. Epinettière, terre à grain fraîche. 3o. Mélange d'épinettes, sapins, mérisiers et bouleaux, terre à grain. 4o. Bouleaux, terre à grain, mélange de gros sable: nous croisâmes plusieurs ruisseaux qui se déchargent dans le Saguenay. Le vent fut à l'est, et la chaleur excessive.

Lundi 22 Septembre. Nous séparâmes le parti de manière que Mr. Nixon prit Young et la pilote, et je partis de mon côté avec Gill dirigeant notre course vers Chicoutimi, où j'arrivai vers 5½ heures, p. m., et y trouvai Mr. Nixon qui venait d'arriver, aussi fatigué que moi. Je ne trouvai ce jour aucune différence dans le bois et sol, le terrain étant toujours très plane. Je croisai, en ce jour, 16 ruisseaux qui vont tous au Saguenay. Le vent fut à l'ouest, et le tems très chaud. Je pris le soir, la variation du compas, par l'étoile Polaire, que je trouvai de 17° 12" ouest.

Mardi 23 Septembre. Mes instructions étant remplies autant que faire se pouvait sans guide, et durant le tems que je devais passer dans ces contrées, il ne me restait plus qu'à hâter mon retour à Québec, et en conséquence j'ordonnai aux hommes de faire toute diligence pour laver leur linge et le notre, afin de partir le lendemain. Le vent fut à l'est.

Mercredi 24 Septembre. Il plut jusque vers onze heures du vent d'est, et nous laissâmes le poste de Chicoutimi dans l'après-dîner, puis nous vinmes coucher à Bear's Cove.

Jedi 25 Septembre. Nous partîmes à 4 heures A. M., mais le vent forçant trop au lever du Soleil, il nous fallut mettre à terre au sud du Cap à l'est. Vers 9 heures, nous nous rembarquâmes, mais à 10½ heures le vent et la marée étant contre nous, il nous fallut mettre à terre de nouveau. Nous rembarquâmes à 3 heures, le vent étant à l'est, et ne débarquâmes qu'à 8 heures dans Half Way Bay.

Vendredi 26 Septembre. Le tems était calme et il pleuvait, néanmoins, nous nous embarquâmes vers 6 heures, et nous rendîmes à la Baie des Roches non sans danger, le vent soufflant fort de l'ouest. A midi et demi, comme nous désirerions nous rendre à Tadousac, nous embarquâmes, quoique le vent n'eût pas diminué et la mer montante encore; et après avoir couru les plus grands dangers de couler à fond en doublant les pointes, nous arrivâmes, enfin, à Tadousac, où nous rencontrâmes Mr. Andrews, commis du poste de Chicoutimi, qui était détenu par le vent.

Samedi 27 Septembre. Le gros vent de nord-ouest nous empêcha de partir avant 5 heures P. M., et nous vinmes coucher à la rivière aux Canards.

Dimanche 28 Septembre. Le tems fut calme, et nous nous rendîmes le soir à la rivière Malbaie.

Lundi 29 Septembre. Nous continuâmes notre route avec un tems calme, et vinmes coucher dans la Baie Verte, à une demie lieue à l'ouest de la rivière de la Baie St. Paul.

Mardi 30 Septembre. Nous ne pûmes nous embarquer avant 6½ heures, par la longueur des battures qui sont de glaise à mer basse, et à 8 heures le vent soufflant trop fort du ouest, nous fûmes contraints de mettre à terre vis-à-vis l'église de la Petite Rivière, où nous passâmes la journée; nous y trouvâmes le Capitaine Bayfield, avec le quel nous passâmes une partie de l'après-dîner.

Mercredi, 1er Octobre. Le vent ayant diminué, nous nous mîmes en route vers 7 heures, et quoique nous fûmes contraint de mettre à terre dans la matinée par le gros vent, nous parvîmes à passer les caps, et arrivâmes sur les battures de St. Joachim au soleil couchant; mais comme la mer était basse, il nous fallut attendre jusqu'à 8 heures pour entrer dans la rivière Blondaine, d'où il nous fallut sortir, immédiatement pour gagner la grande rivière entre St. Joachim et St. Anne.

Jedi 2 Octobre. Le vent fut à l'est, et la pluie abondante, jusques vers midi, où le vent changea; néanmoins nous embarquâmes vers 8 heures et sans égard ni au vent ni à la marée, nous continuâmes notre route, jusqu'à vers 2 heures P. M., qu'il nous fallut débarquer au Montmorency pour gommer le canot; nous rembarquâmes immédiatement après, et

arrivâmes enfin à Québec vers 4 heures, tous sains et saufs. N'ayant pu rencontrer ni Mr. Lampson ni son commis, je laissai mon canot à la charge de Gill, pour délivrer le bagage.

Dans le Journal ci-dessus, j'ai pris garde de ne rien mentionner des informations que j'ai reçues durant mon voyage, mais me suis contenté à rapporter ce que j'ai réellement visité, et par où j'ai passé, référant à l'appendice que je filerai avec mon plan, pour la désignation particulière des lieux, &c. Ainsi, j'ose me flatter que vous voudrez bien l'accueillir avec, aussi, les plus profonds respects de celui qui à l'honneur de se souscrire,

Messieurs,

Votre très humble et très

Obeissant Serviteur,

J. HAMEL, Arp. tr.

Québec, 8 Novembre, 1828.

APPENDICE OU SUPPLEMENT au Rapport de JOSEPH HAMEL, Arpenteur dans l'expédition du Saguenay, &c. &c. &c.

COMME il serait difficile de trouver dans mon Journal du premier coup d'œil l'endroit où se trouverait la désignation d'un lieu, et de plus ne m'étant attaché en journalisant qu'aux faits, ne mentionnant pas même la latitude des différens endroits que j'ai parcouru, (ayant tenu des notes à part) j'ai crû devoir joindre le présent Appendice, qui servira de Supplement à mon Journal et d'explication à mon plan.

Il comprendra la désignation des lieux, leurs noms vulgaires en français, leurs significations en langue montagnaise, etc. Autant que j'ai pu me le procurer, la latitude par observation et la longitude par à compte, la qualité du sol et des bois, avec quelques réflexions sur les avantages de coloniser une partie du Bas-Canada, qui ne le cède en rien à aucune autre place déjà établie, que j'ai visité jusqu'à présent.

Tadousac—Est situé sur le fleuve St. Laurent, et à l'est de l'embouchure du Saguenay. Il y a un havre qui ne peut contenir plus de six vaisseaux, encore qui seraient obligés de porter des ancres à terre. La compagnie des Postes du Roi y ont un poste de traite avec les sauvages, comprenant neuf bâtimens, pour magasins, hangars, etc. outre la maison du poste, de 60 pieds sur 20 et une chapelle de 25 pieds sur 20. Un missionnaire vient tous les ans y passer quelques tems. Les plus grandes marées s'élevent à cet endroit 21 pieds. Longitude ouest de Greenwich 69° 13' et latitude 48° 6' 44".

Ste. Catherine, dans l'embouchure du Saguenay, et du côté sud-ouest, environ 50 vaisseaux peuvent y être en sûreté de tous vents, excepté de celui du ouest.

La Boule est un rocher remarquable par sa hauteur et par sa forme et les courants du baissant son très forts vis-à-vis, elle est à trois milles de l'embouchure du Saguenay et du côté nord-est.

Rivière Ste. Marguerite. Elle est située du côté nord-est du Saguenay, et à environ seize milles de l'embouchure du Saguenay. C'est la plus grande rivière qui s'y décharge depuis Tadousac jusqu'à Chicoutimi.

Isles St. Louis. Elles sont au nombre de trois et toutes de roc, mais la première que l'on trouve en remontant le Saguenay est la plus grande et a environ un demi mille de long et est du côté sud-ouest du Saguenay, le bout sud-est qui fut nommé en passant *old ways point* est à environ 13½ milles de l'embouchure du Saguenay: Les deux autres bien plus petites, sont du côté nord-est et près de terre.

Rivière St. Jean. La Rivière St. Jean est située du côté sud-ouest du Saguenay, il y a un bon mouillage dit-on pour toutes sortes de vaisseaux, il y a sur ses bords et à son embouchure environ un mille carré de terre cultivable, longitude 69° 42' et latitude 48° 13' 15".

Rivière de la Trinité. Cette rivière du côté sud-ouest du Saguenay doit son nom à trois gros caps sur les bords du Saguenay, et au nord-ouest de son confluent. Elle est dans une baie très profonde, où on y fait la pêche au saumon. Elle est environ à mi-chemin de Tadousac à Chicoutimi, c'est pourquoi la baie du côté opposé et qui était auparavant nommé le ruisseau de la Trinité, fut nommé par l'expédition, *Half-way-Bay*.

La Descente des Femmes, c'est une baie du côté nord-est du Saguenay au fond de laquelle il y a un petit ruisseau, elle est à environ 42 milles de Tadousac et elle doit son nom à une aventure mélancolique de plusieurs sauvages,

Appendice
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sauvages qui se trouvant réduits à la dernière famine en parcourant les bois pour faire la chasse, les quels se voyant ainsi réduits, envoyèrent leurs femmes pour chercher du secours, et c'est ici où elles sortirent. La marée s'élève ici 17 pieds, et la longitude $70^{\circ} 11'$ et la latitude $48^{\circ} 22' 09''$.

Baie des Ah! Ah! Elle est à gauche en montant le Saguenay et si bien ressemblante au maître bras du Saguenay que plusieurs voyageurs s'y sont mépris—il y a des divisions sur l'origine de son nom, c'est pourquoi je n'en dirai rien; elle a environ 9 milles de profondeur et est aussi large que le Saguenay.

Chicoutimi.—C'est l'entrepôt de la Compagnie des postes du Roi et le seul poste de commerce sur la rivière Saguenay; il est à environ 58 milles de Tadousac, il est situé sur la rive gauche et au confluent de la rivière Chicoutimi avec le Saguenay; il y a à ce poste quatre batisses comprises l'église ou chapelle, un missionnaire y vient tous les ans passer comme à Tadousac quelques temps, c'est dans les mois de juin et juillet, et il demeure dans les deux places environ six semaines. Le sol est ici de glaise bleue et quoiqu'il y ait des rochers, ça et là, il est très propre à la culture, on y fait que des patates et légumes, pour l'usage de la maison seulement, et on va chercher le foin pour les bestiaux à neuf milles au bas de Chicoutimi, sur la rive gauche du Saguenay. La marée s'élève ici 16 pieds au-dessus dans les hautes marées. On y vient en goëlette, et il n'y a pas de doute qu'on pourrait y venir avec des vaisseaux quinqués; longitude $70^{\circ} 34'$, latitude $48^{\circ} 24' 37''$ variation du compas $17^{\circ} 12'$ ouest.

Presqu'île.—La Presqu'île formée par la grande décharge d'un côté et par la rivière Chicoutimi, les lacs Kenuagomi, Kenuagomishish, la rivière des Annaïs, La Belle Rivière. Le Kushpagan et une partie du lac St. Jean, et de l'autre, est entre les $70^{\circ} 34'$ et $71^{\circ} 27'$ de longitude ouest de Greenwich et entre les $48^{\circ} 14' 38''$ et les $48^{\circ} 34'$ de latitude nord.—Le sol qui est de terre à grain, en général est très propre à la colonisation, les bois sont pin rouges, cyprès, bouleaux, sapins, épinettes blanches, mérisiers, trembles, etc. tous d'une taille moyenne, excepté les pins que l'on trouve çà et là qui sont très grands, mais en général annonçant être d'une mauvaise qualité. Le terrain, une fois sur les écores, est planche et étant établi, en commençant par Chicoutimi, qui devrait toujours être le rendez-vous principal, on pourrait par degré ouvrir un chemin qui communiquerait avec le lac St. Jean, lequel serait autant plus facile, qu'il n'y a qu'une rivière de conséquence à traverser la Pastagoutsi, encore que l'on peu passer à gué, excepté dans la crue des eaux; elle contient environ 245,000 acres en superficie, et conséquemment pourrait contenir 2450 habitans à 100 acres chacun. Le climat est au moins aussi tempéré que celui des environs de Québec, mais environ 15 jours plus tardif qu'au poste du lac St. Jean, rivière Métachuan,

Rivière Chicoutimi.—La rivière Chicoutimi est une des décharges du lac Kenuagomi et après une course au nord nord-est de $17\frac{1}{2}$ milles elle se jette dans le Saguenay près du poste Chicoutimi, à environ 58 milles de l'embouchure de ce dernier. Il y a sept portages dans cette rivière entre Chicoutimi et le Lac Kenuagomi. Les écores de chaque côté de cette rivière n'excèdent pas 30 pieds, mais à environ dix chaînes au-dessus on trouve un second écore d'environ la même hauteur. Les bois et sol sont les mêmes que dans la Presqu'île.

Portage Chicoutimi, ou Skecutimish Caputagan.—Ce portage long de deux milles est sur la rive gauche de la rivière Chicoutimi et est très planche, à l'exception d'une vallée causé par un petit ruisseau près de l'extrémité sud-ouest.

Portage de la Poussière, Meia Caputagan. Il est à 62 chaînes du Portage Chicoutimi, et a 9 chaînes de long.

Portage de L'enfant, Washkow Caputagan. Est à 33 chaînes du Portage de la Poussière et a sept chaînes de long, il tire son nom à un accident qui arriva, il y a environ 50 ans, à un sauvage qui en passant ce portage avait laissé un jeune enfant dans son canot, le quel fut entraîné par le courant dans une chute très forte et la mata sans chavirer, au grand étonnement du père et de tous ceux qui ont vu cette chute.

Ile au Sépulchre. Elle est à environ quatre milles du portage de l'enfant, et tire son nom de deux noyés qui y furent enterrés.

Beau Portage, Milow Caputagan. Il est à six cents dix-neuf chaînes du Portage de l'Enfant et a treize chaînes de long.

Portage de l'Islet, Ministouki Caputagan. Il est à quatre vingt dix-neuf chaînes du Beau Portage et a trente trois chaînes de long; il doit son nom à une Ile qui se trouve dans le milieu et qui est plus longue que le portage; on peut sauter ce portage.

Portage des Roches, Assini Caputagan. Il est à cent quarante huit chaînes du portage de l'Islet, et a vingt chaînes de long dans la crue des eaux, mais dans les basses eaux, il est beaucoup plus court.

Lac Kenuagomi, Lac Long. D'environ vingt trois milles et un quart sur environ un demi mille de large. Ses écores du côté sud, sont en partie

des caps de roches, mais du côté nord, elles sont beaucoup plus douces à l'exception de deux ou trois caps de roches. Au bout ouest de ce lac on en trouve un autre du nom *Wiqui*, de forme circulaire et d'environ douze chaînes de diamètre et communique avec le premier par un canal de douze à quinze pieds de large sur trois chaînes de long.

Rivière Pastagoutsi. Est une seconde décharge du lac Kenuagomi et se décharge dans le Saguenay à environ onze milles du nord-ouest de Chicoutimi; on dit que dans sa course elle passe sous une montagne, mais je ne l'ai point vu.

Baie de Cushcouia. Dans cette baie il y a une jolie rivière nommée Baddeley, laquelle est supposée former la jonction de deux lacs Kenuagomi et Kenuagomishish, mais dont on ne pourrait s'assurer qu'en hiver vu qu'elle est embarrassé d'aunes.

Portage Kenuagomi, ou Insula Formosa ou Belle Ile. Il est long de quatre vingt seize chaînes, est à la hauteur des terres et sépare les lacs Wiqui et Kenuagomishish.

Lac Kenuagomishish, ou Petit Lac Long. Il a environ six milles de long sur douze à trente chaînes de large, ses écores sont environ les mêmes que celle du lac Kenuagomi, du côté nord; en entrant dans ce lac on trouve la rivière Baddeley ou la prétendue jonction des lacs, et à trente chaînes du même côté, on y trouve le lac Nixon de trente six chaînes de long sur dix chaînes de large, dont les écores d'alentour n'excèdent pas vingt cinq pieds de haut et le sol sur icelles est d'une qualité supérieure et tout de terre grasse.

Rivières des Annaïs ou Pashikanuninashish.—La rivière des Annaïs est la décharge du lac Kenuagomishish et se décharge dans la Belle Rivière: et quoiqu'on la compte de neuf milles en suivant ses sinuosités, elle n'a réellement que trois milles en ligne droite, et elle a environ une chaîne de large; il n'y a qu'un portage de canot dans cette rivière, le quel a vingt cinq chaînes de long; il est à environ un mille du lac Kenuagomishish, et de là à gagner la Belle Rivière, il y a un sentier, que ceux qui n'ont rien à faire dans les canots préfèrent prendre en raison de ce que la rivière est très embarrassée d'aunes et que les canots ne peuvent y passer qu'avec difficulté.

Rivière Kushpagan (une place où on monte). La rivière Kushpagan commence au confluent de la rivière des Annaïs et va jusqu'au Lac St. Jean; de ce même confluent, elle prend le nom de Belle Rivière, sa longueur en suivant ses sinuosités est d'environ sept milles trois quarts sur une à deux chaînes de large; à environ mi-chemin à aller au lac, il y a un portage de dix-huit chaînes de long, c'est le plus difficile ou le plus dur pour les porteurs dans toute la Traversée de Chicoutimi au Lac St. Jean.

Lac St. Jean ou Peauggomi (Lac Plat). Le lac St. Jean est à cinquante-sept milles et demi de Chicoutimi, et il est entre les $71^{\circ} 29'$ de longitude ouest de Greenwich et entre les $72^{\circ} 9'$ et les $48^{\circ} 23'$ et les $48^{\circ} 42' 37''$ de latitude nord, il a environ trente milles sur vingt, et quatre vingt dix milles de circonférence, huit rivières, presque toute de la première classe se jettent dans ce lac, savoir; Peribaunca, Mistassini, Assuapmousin, Oéguatshouan, Oüiguatshganish, Metabetshouan, Kuspygish et Kuspagan; au moindre vent du nord-ouest les vagues s'élèvent à une hauteur prodigieuse, ce qui rend alors la navigation en canot très dangereuse, les eaux en tems de pluie croissent aussi très rapidement, mais diminuent pres-qu'aussi vite surtout du vent nord-ouest. Il y a deux canaux qui déchargent ce lac, mais à proprement parler il n'y en aurait qu'un, car ils se réunissent en un, à environ deux milles du lac, et alors ils prennent le nom de Rivière Saguenay, à l'exception de la groupe d'îles, qu'il y a vis-à-vis les décharges et que l'on nomma *Dalhousie Islands*, il y en a deux autres du côté sud du lac, l'île au couleuvres, (Mani'ou, Ministuck en langue sauvage, où il y a aux mauvais esprits.) et la Grosse Ile: On prétend que sur la première on y trouve des couleuvres en grande quantité, elles sont à environ deux milles de la terre ferme.

Peribaunca.—La Rivière Curieuse. On peut appeler cette rivière la plus belle et la plus propre à la colonisation qu'il y ait dans ces contrées, elle offre un terrain planche composé de terre grasse et complantée de trembles, bouleaux, épinettes rouges et blanches, sapins, pins rouges et blancs épars, cyprès. mais suivant mon humble opinion on ne doit rien conclure d'après ces bois, car on trouve également dans toutes les parties du pays des trembles, des bouleaux et des pins, (bois qui sont ordinairement les indices de mauvaises terres) sur la glaise et sur les rochers et les sables. Ainsi comme, généralement dans le District de Québec, le tremble pousse en abondance dans les terres nouvellement brûlées et non cultivées. Je suis fort porté à croire que c'est une des premières cause de cet incident. Plus on remonte cette rivière, plus on trouve les terres avantageuses et sans le malheureux accident cité dans mon journal, je l'aurais remonté jusqu'aux montagnes de l'est que l'on dit être à environ 90 milles de son embouchure, mais en supposant qu'il n'y aurait que 75 milles de cultivable sur cette rivière, et qu'on établirait deux rangées de concessions de chaque côté, on pourrait y loger près de deux mille habitans à 100 acres chacun, l'embouchure de cette rivière est dans la plus grande latitude, nord du Lac St. Jean, c'est à savoir $48^{\circ} 42' 37'$ et elle vient de l'est nord-est, elle a environ quarante chaînes de large et les courants sont réguliers jusqu'aux chutes que l'on rencontre

rencontre à environ neuf milles de l'embouchure, elles sont au nombre de trois et au dessus d'icelles on tombe dans le Lac Nahaoui-loo, long d'environ quatre milles sur un mille, de large, il y a plusieurs îles à son entrée et des pointes superbes du côté sud est; une jolie petite rivière nommée Rum River se décharge dans ce lac du côté nord-ouest; var. 16° 40' ouest.

David River.—Elle vient du nord, et se décharge dans la Peribonea à trois milles et un quart du lac, est sur la rive droite, et paraît navigable aux canots à une grande distance, jusqu'au premier portage qui est à environ neuf milles et demi de son embouchure.

Rivière Cocuathimi.—Elle est la seule entre la grande décharge et la Peribonea, et de très petite conséquence, car elle est très embarrassée, ce qui la rend difficile ou même impossible à remonter; var. 16° 40' ouest.

Rivière Rat-musqué, (Musk-Rat River). C'est une branche du Peribonea qui est à environ milles au sud du maître Bras et que j'ai désigné dans mon journal sous le nom de Petit Bras; lequel forme une île dont le côté sur la Rivière Peribonea est de trois milles et un quart, elle fut nommée Rat musqué, en conséquence de ces animaux qui y abondent.

Rivière Mistassini.—La Rivière Mistassini mérite à tous égards le nom que plusieurs géographes lui ont donné, c'est à savoir, la Rivière des Sables; car dans les neuf milles que j'ai remonté, non seulement les îles sont de sable, mais la rivière se trouve en plusieurs endroits croisée par des bancs de sable. Elle a trois milles de large à son embouchure comprenant une groupe d'îles à travers les quelles sortent divers canaux qui peuvent induire le voyageur étranger en erreur, mais au nord de ces îles ainsi qu'au dessus d'icelles le canal n'a pas moins d'un mille et demi de large, les sables que charroyent cette rivière rendent le lac si plat qu'il y a à peine trois pieds d'eau à trois milles au large de son embouchure, dont la latitude est de 48° 40'.

Assuapmoussin ou Assuap, (Le Guet de L'original). C'est une rivière de la première grandeur qui se décharge dans le lac St. Jean, elle a environ un mille de large. La Compagnie des Postes du Roi, y a un poste de traite à environ quinze lieues de son embouchure, elle n'est qu'un rapide continué depuis ce poste jusqu'au lac; il y a quelques îles couvertes de brossailles dans son embouchure sur la rive gauche.

Rivière Ouatshuan.—Elle vient du ouest et est dans les 48° 27' de latitude, nord et dans les 71° 58' de longitude; il y a environ un mille de son embouchure une chute superbe que l'on peut voir du côté opposé du lac.

Rivière Metabetschuan.—La Rivière Metabetschuan est dans les 48° 28' 12" de latitude, c'est la seule place où la Compagnie des Postes du Roi ont un poste de traite avec les sauvages; les jésuites y avaient autrefois un établissement avec une certaine quantité de terre en culture, mais aujourd'hui on ne trouve aucunes vestiges de cet établissement.

Comme le but de l'expédition et celui des arpenteurs en particulier était de s'assurer si cette partie du Bas-Canada était propre à la colonisation; je ne terminerai point sans faire remarquer aux amis de l'agriculture que la Presqu'île, qui s'étend depuis le Poste de Chicoutimi jusqu'au Lac St. Jean, et les deux côtés de la Rivière Peribonea que j'ai exploré, méritent à tous égards d'être établie, tant pour la qualité du sol que pour

la température qui l'emporte sur celle des environs de Québec, et en commençant à établir à Chicoutimi, qui devrait toujours être l'entrepôt entre Québec et la Nouvelle Colonie, on verrait bientôt des chemins ouverts jusqu'au Lac St. Jean, lesquels faciliteraient la communication entre les établissements qui viendraient de suite sur la Rivière Péribonea et autres places sur le lac dont je n'ai point fait rapport comme n'étant pas de mon ressort.

Ainsi quoique je sois très persuadé que je n'ai rempli que très imparfaitement les désignations, etc.—que j'ai prétendu donner dans le présent Appendice,—Je terminerai cependant en vous priant de me permettre que je me souscrive avec le plus profond respect,

Messieurs,

votre très dévoué et

très obéissant serviteur,

J. HAMEL, Arpt.

Appendice (V.)

14 janvier.

TABLE METEOROLOGIQUE, par l'Arpenteur ci-dessus.

1828	Matin.	Midi	Soir	Remarques:
Aout				
6	Est	(a) Est	Est	(a) Comme il était impossible de découvrir sur quel point du compas était le vent, je ne me servirai que des deux points Est et Ouest.
7	"	"	"	Il plut la nuit
8	Ouest	Ouest	Calme	
9	"	"	Ouest	
10	Est	Est	Est	Pluie abondante toute la nuit
11	"	"	Calme	
12	Ouest	Ouest	"	
13	Calme	Est	Ouest	Orages durant la nuit
14	Est	Calme	Calme	Pluie toute la journée
15	Calme	"	"	Temps couvert } Aurore Boréale,
16	Ouest	Ouest	Ouest	Orages durant le jour
17	Ouest	"	Ouest	Pluie toute la nuit
18	"	"	"	Pluie régulière depuis midi jusqu'au lendemain
19	Est	Ouest	Ouest	Orage à midi
20	Ouest	"	"	
21	"	"	"	
22	"	"	"	
23	"	"	"	
24	"	"	"	Vent fort toute la journée. Orage le soir
25	"	"	"	
26	"	"	"	
27	"	"	"	
28	"	"	Est	Orage très forte le soir
29	"	"	Ouest	Temps couvert
30	"	Est	Est	
31	"	Ouest	Ouest	Temps clair
Sept.				
1	Est	Est	Est	Temps couvert
2	Ouest	Ouest	Ouest	Pluie toute la journée
3	"	"	"	
4	Est	Est	Est	Pluie très forte toute la journée
5	Est	Ouest	Ouest	Pluie jusqu'à midi
6	Ouest	"	"	Beau temps
7	"	"	"	Il fit froid le soir
8	"	"	"	Pluie depuis 10h. jusqu'au soir
9	"	"	"	Beau temps
10	"	"	"	Brume le matin
11	"	"	"	Vent très fort
12	"	"	"	"
13	"	"	Calme	Temps couvert toute la journée. Aurore Boréale
14	"	"	Ouest	
15	"	"	"	
16	"	"	"	
17	"	"	"	Beau temps. Aurore Boréale
18	"	"	"	
19	"	"	"	
20	Est	Est	Est	
21	"	"	"	Beau temps
22	Ouest	Ouest	Ouest	Très chaud } Do.
23	Est	Est	Est	Pluie la matinée
24	"	"	"	
25	"	"	"	
26	Calme	Ouest	Ouest	Très fort
27	Ouest	"	"	
28	Calme	Calme	"	
29	"	"	"	
30	Ouest	Ouest	Ouest	Très fort
Oct.				
1	"	"	"	
2	Est	Ouest	Ouest	Pluie jusqu'à midi

J. H.

JOURNAL du PARTI EXPLORATEUR de la RIVIERE ST. MAURICE, formant une des expéditions envoyées sous la direction des Commissaires nommés par le Gouvernement, pour mettre à exécution un Acte de la Législature Provinciale du Bas-Canada.

RECUES par le Canal de l'Arpenteur-Général des instructions de la part des Commissaires Andrew Stuart et David Stuart, Ecuyers, nommés par le Gouvernement pour mettre à exécution un acte de la Législature Provinciale, en date du 21 Juillet dernier, pour aller au Lac St. Jean, en traversant le pays qui s'étend depuis la rivière St. Maurice, pour en explorer une partie, et revenir à Québec par le Saguenay.

Ayant eu conséquence faits des préparatifs pour ce service, je m'embarquai à bord du Chambly, bateau-à-vapeur, le Lundi 21 Juillet, à 7 1/2 heures P. M. et j'y rencontrai M. Goldie du 66e Régiment, et M. Davies, qui avaient bien voulu partager les travaux les fatigues et les incommodités qu'on pouvait attendre d'une expédition aussi aventureuse.

Mardi 22. Débarqué aux Trois-Rivières le lendemain matin à 9 1/2 heures. Je me rendis chez M. Bayden, agent de M. Lampson, au service de la Compagnie des Postes du Roi; il me conduisit au canot qui avait été préparé pour l'expédition, et fait d'après les ordres des Commissaires.

Considérant l'étendue de pays que l'expédition du St. Maurice était pour traverser, les rivières et ruisseaux nombreux qu'il lui fallait monter et descendre, et le grand nombre de portages qu'il lui fallait faire, outre l'incertitude où l'on était sur la distance et la position du Lac St. Jean, et de là l'incertitude sur le temps que l'on prendrait à traverser ce territoire, tout cela m'obligeait à prendre un canot capable de transporter un parti de huit personnes au moins, avec les provisions nécessaires pour les nourrir pendant au moins l'es-

pace d'un mois, mais qui ne fut pas en même temps trop grand pour causer des délais dans les portages.

C'est pourquoi, je fus bien d'avis que celui qu'on avait préparé était de dimensions suffisantes pour répondre au dernier objet, mais ne crus pas qu'il put suffire à porter les gens et les provisions en même temps, et en conséquence on se procura d'un canot plus petit.

Le second pas à faire, et il était essentiel à l'exécution du service qu'on avait entrepris, c'était d'obtenir des sauvages des nations des Algonquins et des Têtes-de-Boule, qui font la chasse le long du St. Maurice et de ses rivières tributaires, les renseignements nécessaires sur la meilleure route à prendre pour aller au Lac St. Jean. Il avait assemblé au passage, un peu en dehors de la ville, plusieurs familles sauvages, de diverses parties du pays, et qui étaient venus pour recevoir du Gouvernement leurs présents annuels, et je fus leur parler avec MM. Goldie et Davies, M. Bayden nous accompagnant. Plusieurs de ces gens étant alors dans un état ou d'ivresse ou de sommeil profond, je ne pus pour cette fois recevoir les renseignements que je cherchais. Cependant un nommé J. Bte. Cerète, commis au service de la compagnie, qui paraissait bien connaître le St. Maurice, nous dit qu'il ne connaissait d'autre communication au route avec le Lac St. Jean, que par la rivière Késikan, qui tombe dans le St. Maurice au dessus du Mont au Chêne, qui est environ 300 milles au-dessus des Trois-Rivières, la source de cette rivière étant jointe par des portages et des Lacs avec la Rivière Assuapmoussin, qui se décharge dans le Lac St. Jean.

Cette

Appendice
(V.)

14 Janvr.

Cette route, bien que probablement la meilleure et la plus recommandable, parut cependant me porter quelques centaines de milles au nord du lac St. Jean, ce qui en une manière nous empêcherait de constater la nature du terrain entre le rivage nord du St. Laurent et le lac St. Jean, dans le territoire du Saguenay. C'est pourquoi je cherchai quelques chasseurs des rivières qui se déchargent dans le St. Maurice, aux environs des postes de la Tuque, et l'en m'adressa à un nommé Bastonnais, chasseur d'une rivière qui porte son nom, et qui me fut recommandé comme connaissant parfaitement toutes les parties du pays, où se trouvent les immenses terrains de chasse, appartenant à lui et à sa famille.

Il décrivit clairement et traça à la manière des sauvages sur une feuille de bouleau la route pour aller par la rivière Bastonnais, par des portages et des lacs, jusqu'aux eaux qui se déchargent dans le lac St. Jean. La seule difficulté à craindre eut été la nécessité de débarrasser les portages pour faire passer un grand canot dans ces endroits qui ne sont propres qu'à recevoir de petits canots sauvages de 2½ brasses généralement.

Trouvant pour plusieurs raisons, cette route préférable à celle du Mont au Chêne, je n'hésitai pas un moment à me décider pour elle. Le sud-ouest étant chargé de gros nuages qui présageaient l'orage, nous retournâmes immédiatement à la ville.

Mercrèdi 23.—Ce jour là nous eûmes le canot additionnel des sauvages tentés au passage, et nous engageâmes un des gargons de Bastonnais, pour nous servir de guide à travers les terrains de chasse de son père, et tout fut préparé pour notre départ, le lendemain matin, si le temps le permettait.

Jeudi 24.—A 9½ heures A. M. l'expédition du St. Maurice partit des Trois-Rivières, le plus grand canot portant Vivier, timonier, Jean Villeueuve, avironnier, Jersau, avironnier du milieu, et le guide, le jeune Bastonnais, Mr. Davies et moi, et la plus grande partie des provisions. Dans le petit canot étaient Décotéau, timonier, et Jean Biyot, avironnier, avec Mr. Goldie et le restant du bagage, &c., &c.

Nous arrêtâmes au passage, qui est à environ 1 mille en montant la rivière St. Maurice, pour un plan de la route que le père de notre jeune guide avait dressé pour lui, après quoi nous poursuivîmes notre jeune route dans le St. Maurice, en cotayant le rivage pour éviter la force du courant—nous passâmes quelques établissements dans la seigneurie du Cap de la Magdeleine.

Le terrain, surtout du côté de l'ouest, approche beaucoup d'un sol sablonneux, couvert de pin blanc, d'épinette et de bouleau blanc. Par endroits, quelques touffes d'un riche feuillage vient diversifier l'aspect monotone qui règne sur les rivages de la rivière. Ce fut sous l'une d'elles, sur le bord d'un petit ruisseau qui descend des hauteurs dont la pente douce forme le rivage, que nous nous arrêtâmes pour dîner; après nous poussâmes à l'eau, et les voyageurs entonnèrent leurs chansons caractéristiques.

Nous n'observâmes aucun changement marqué dans le sol ni dans le bois. Les rivages en approchant des Forges s'élèvent plus fièrement et à une hauteur considérable; les Forges sont sur la rive ouest, à environ 9 milles au dessus des Trois-Rivières. Nous débarquâmes en cet endroit, tandis que les voyageurs transportèrent les canots au haut du rapide autour de la Pointe à la Hache.

Cet établissement considérable et de valeur, appartenant à l'Église. Mathew Bell, écr. est calculé par sa situation, sa localité, et les grands travaux en fer qui s'y font, à devenir une place de beaucoup d'importance.

Nous joignîmes les canots à la Pointe, où j'ordonnai de camper, ce qui fut fait, malgré la confusion qui accompagne toujours un premier campement.

Vendredi 25.—Il fit toute la nuit une grande pluie, qui ne cessa que le matin.

La rivière étant rapide au dessus de la Pointe à la Hache, et difficile à naviguer pour des canots fortement chargés, nous nous décidâmes à marcher jusqu'à la chute Gabelle, distance d'environ 6 milles.

A l'exception de quelques hauteurs, le chemin passe sur un terrain assez uni. La terre varie beaucoup dans sa qualité; où le sol de marne et de sable domine elle est couverte de pin, de tremble, de sapin, d'épinette et de bouleau; où il est argileux, d'érable, de hêtre, *basswood*, parsemés généralement de bouleau noir et jaune. Dans un endroit je remarquai une épinette blanche dans un endroit marécageux, espèce de terre mouvante, où l'on trouve ordinairement le minéral dont on se sert aux forges.

Nous arrivâmes au pied de la chute de la Gabelle, pendant une forte pluie, à l'incommodité de laquelle il faut joindre l'importunité presque intolérable des brûlots et des maringouins. Par après comme le temps s'éclaircissait, arrivèrent les voyageurs avec les canots, et en peu de minutes fut fait un feu réjouissant, qui fit sécher nos hardes.

La chute de la Gabelle, qui a environ 25 pieds de haut, se précipite par un endroit resserré de la rivière, qui quoiqu'il n'ait rien de bien pittoresque, est très intéressant pour le géologue, car outre le calcaire qui abonde en cet endroit, on dit qu'on trouve dans les environs beaucoup de grès et autres minéraux.

Le terrain aux environs de la chute est un sol arable, contenant cependant beaucoup de gravier mêlé avec la marne qui repose sous la couche végétale.

Les provisions, le bagage et les canots ayant été transportés au dessus du portage, qui est d'environ 1550 verges, nous entrâmes dans les canots à l'embarquement supérieur, et nous avançâmes vers la chute de Grais, qui est environ à ½ lieu au dessus de celle de la Gabelle, où nous campâmes à mi-portage. La chute de Grais, qu'on peut considérer comme une simple cascade, est séparée en plusieurs canaux formés par des îlots ornés d'un riche feuillage, et offre un point de vue agréable du bas du Portage. Le terrain offre des apparences très favorables pour des établissements en grand.

Samedi, 26.—Nous achevâmes le transport des provisions et des canots, &c. &c., au dessus du portage, qui a environ 1030 verges de long, et passe sur un terrain d'une bonne qualité, dont le sol est une marne noire riche, reposant sur un lit de claie blanche; bois mêlé, cèdre, bouleau noir et blanc, baume, sapin, érable et pin blanc.

En laissant le Grais, le sol s'améliore, et les rives de la rivière présen-

tent de chaque côté un riche feuillage, surtout en approchant de l'Isle aux Tourtres, qui est d'une espèce de terrain alluvial et très fertile: l'orme, le basswood, le hêtre, et le bouleau y sont mêlés avec l'épinette, le baume, le pin et le cèdre.

Nous doublâmes la Pointe Chevalier, environ 1½ lieue au dessus du Grais, et passâmes, sur le côté ouest, un portage de 150 verges, tandis que nos voyageurs tiraient les canots à la cordelle contre le rapide et le courant qui règne vis-à-vis la Pointe. Delà nous avançâmes jusqu'au bassin de Shawenagan, jusqu'à ce que venant vis-à-vis le passage étroit qui forme le canal du St. Maurice, nous eûmes en partie la vue de la chute prodigieuse de Shawenagan, dont je fis l'esquisse sur le lieu; et cette esquisse, tout imparfaite qu'elle soit, peut donner une idée de la grandeur du sujet quelle offre au naturaliste et géologue. Nous mimâmes pied à terre en entrant dans la baie, où j'ordonnai de camper.

Peu de chûtes ou de plaçes portent des marques aussi extraordinaires d'une catastrophe ou convulsion de la nature, que Shawenagan; car il paraît évident que son lit actuel a été creusé par quelque fracture antérieure dans le sol, dont la position est verticale. Si nous considérons qu'au dessus de la chute le St. Maurice cours ordinairement de l'est vers le débarquement supérieur, que la distance entre celui-ci et le débarquement inférieur n'est que de 341 verges, formant ainsi une péninsule composée de lits calcaires couverts d'une couche épaisse d'argile et de marne, que l'eau aurait pu, selon moi, creuser aisément, il est surprenant que la rivière détourne tout-à-coup son cours vers le sud-est; et se divisant en deux canaux elle se précipite d'une hauteur de 150 pieds en ligne perpendiculaire, et se lance avec furie contre le rocher inférieure qu'elle déchire, et cette énorme masse d'eau force son passage à travers un canal qui n'a pas plus de 30 verges de large. Je ne doute pas cependant que la petite péninsule ne forme avec le temps une nouvelle île, et que le St. Maurice précipitera ses eaux près de l'embouchure de la rivière Shawenagan. Mais l'art pourrait percer un canal à peu de frais, si l'on considère les avantages qui pourraient en résulter, dans le cas où il se ferait de grands établissements sur le St. Maurice. Nous fîmes une excursion dans le haut de la rivière Shawenagan, appelé par d'autres Manigouito, (le pied d'un rapide.) Le terrain qui borde les deux côtés de la rivière est excellent. Le bois y est mêlé, savoir, érable, hêtre, sapin, pin, bouleau noir, &c. &c.

Dimanche 27.—Nous observâmes la hauteur et l'azimuthe du Soleil, d'où je déduisis la latitude 46° 30', et la variation du compas 10° ouest. A 2½ heures P. M. nous transportâmes le bagage, les provisions, les canots etc. au delà du portage, qui traverse la péninsule, lequel présente d'abord une montée escarpée, jusqu'au haut de la côte, et descend ensuite jusqu'à la place d'embarquement, où nous primes les canots. La rivière, en cet endroit, est parsemée d'îles ornées d'un riche feuillage, et boisées d'épinette, de sapin, de cèdre, de bouleau et de pin, avec quelques ormes par si par là. Nous débarquâmes à la Pointe au Serpent, d'où nous découvrirent le Portage des Hêtres, (distance de près de 4 milles,) où étant arrivés nous campâmes, à 5½ heures P. M.

Lundi, 28.—On peut regarder les Hêtres plutôt comme un rapide que comme une cascade, que les habiles pilotes saute fréquemment dans de grands canots; mais ils doivent bien connaître le cours du canal, que les voyageurs appellent le fil de l'eau. Cet endroit est à environ 6½ milles au N. E. de Shawenagan, qui est à environ 7 lieux N. W. de l'embouchure du St. Maurice.

Nous explorâmes le portage, qui a environ 616 verges à aller jusqu'au débarquement supérieur, et qui passe en partie sur un terrain d'une qualité bien ordinaire un peu rocheux et boisé de hêtre, de sapin, d'érable, de pin et de quelques bouleaux et cèdres. Les hommes achevèrent le transport du bagage, &c. à 9½ heures A. M., temps auquel nous laissâmes les Hêtres. La rivière prend alors son cours ordinaire vers le Nord-Est, et la rapidité de ses eaux nous força de tenir la terre. Les rivages deviennent plus élevés, la rive droite est bien boisée, et le sol est une marne légère et sablonneuse, généralement boisé d'épinette, de pin, de bouleau, d'un peu de cèdre et de baume.

Arrivés au rapide du rocher nous sortîmes des canots qui furent tirés à la cordelle jusqu'au haut du rapide; nous fîmes à pied environ 100 verges, et nous débarquâmes dans les canots, après avoir essayé un violent orage de pluie, qui tomba sur nous en torrents. Après cela nous arrivâmes à la chute de la Grand'Mère, qui est à environ 2 lieux au-dessus des Hêtres. La nature, quoiqu'elle n'ait pas donné à cette chute la grandeur ni la hauteur de celle de Shawenagan, y a rassemblé une suite d'objets agréables qui dédommage pleinement le voyageur des peines et des dangers qu'il rencontre dans les portages, dans les rapides, etc. Deux îles placées dans la largeur de la rivière d'une chute en font trois, et chacune différente l'une de l'autre; la rivière a en cet endroit 15 chaînes de large. La chute de l'est et la plus considérable des trois par la masse d'eau qui se précipite perpendiculairement d'une hauteur d'environ 30 pieds, est entre la rive est et la grande île, qui est couverte de la verdure éternelle de l'épinette et du sapin, et présente une belle nappe d'eau.

La chute du milieu est la moins remarquable des trois, et tombe dans un plan incliné, qui s'éloigne d'environ 20° du plan vertical; cette chute et celle de l'ouest mient en dessous la seconde et petite île, qui est une grosse masse de roc dont le sommet est couvert en partie d'épinette, de sapin, de bouleau blanc et de pin.

Nous passâmes le portage qui est sur la rive Ouest, située E. N. E. et 330 verges sur un terrain de qualité moyenne boisé d'épinette, de sapin, de bouleau blanc et de pin.

Nous dinâmes pour la première fois sur une espèce de poisson particulière à cette partie de la rivière, et que les voyageurs appellent *Whahatoosec*.

Les canots ayant été chargés nous continuâmes notre route. La rivière conserve son cours ordinaire nord-est. Nous passâmes une rivière qui se décharge à droite, et qui sort de trois Lacs dans l'intérieure, et malgré la force du courant contre lequel nous montions, nous arrivâmes au Petites Pilles, à environ 2½ milles au-dessus des chûtes de la Grand'Mère. Nous campâmes à 5 heures, et nous renvoyâmes deux hommes dans le petit canot au dernier portage chercher l'éponge, article très utile et indispensable, qu'ils avaient négligemment oublié.

Les Petites Pilles, qu'on devrait plutôt appeler les Petites Filles, peuvent être

être regardées plutôt comme un rapide, trop dangereux cependant et trop difficile à descendre en canot, quoique quelques voyageurs aient couru, et avec succès, le risque de le sauter.

Le terrain que j'observai présente les mêmes caractères qu'en bas des Forges, un sol léger et sablonneux, de même que la qualité dominante des bois qui se trouvent sur les rivages de la rivière, comme le bouleau, le sapin, l'épinette, et le pin blanc. Dans la soirée du même jour j'observai la hauteur de la lune au méridien, et le transit de diverses étoiles autour du pôle; la latitude qui en était le résultat et la variation du compas, 10° 15' Ouest. Vers 8 heures les hommes furent de retour avec l'éponge.

Mardi 29. Nous mesurâmes le portage du rivage Ouest, et il a 264 verges de long. De là nous embarquâmes dans les canots, et passâmes un groupe d'îles, (au nombre de cinq,) qui pourraient faire d'excellens pâturages, si elles étaient défrichées. Nous arrivâmes à l'embouchure d'une rivière considérable, sur la rive droite; cette rivière communique avec 11 lacs et par autant de portages avec La Tuque, d'où le St. Maurice détourne son cours à l'O. N. O. jusqu'au portage des Grosses Pilles, à environ 4½ milles au-dessus des Petites Pilles.

Le terrain devient ici inégal et brisé, le sol sablonneux et nullement propre à la culture, ne produisant, surtout sur la rive de l'est, que du bouleau et du sapin d'une chétive venue.

Le courant est bien fort, et en faisant le tour de la pointe, il devient presque un rapide. Les Grosses Pilles ne sont qu'une cascade de 15 à 20 pieds de haut; cependant il faut faire de toute nécessité un portage de 32 verges, au bout duquel la rivière présente subitement à l'œil une scène toute nouvelle; le rivage droit s'élève en falaises perpendiculaires de 250 à 300 pieds de haut, dont l'une en particulier ressemble fort au Cap aux Diamants. Le roc se compose principalement de granit primitif, plongeant environ 45° N. E. Il croît dans les crevasses du rocher quelques buissons, tandis que le sommet est épaisément boisé de sapin, d'épinette et de petit bouleau blanc.

Nous nous arrêtâmes à midi pour prendre la hauteur du soleil, qui venait à se couvrir de nuages, m'empêcha de faire une observation.

Nous passâmes l'Isle aux Fraises, qui est une jolie île de près d'un demi mille de long. La rivière ayant en cet endroit 15 à 18 chaînes de largeur, court généralement N. N. O.; la terre offre des deux côtés un aspect montagneux sous les tous rapports, et ne présente aucune avantage pour le défrichement ni pour la culture, au moins dans le voisinage du St. Maurice et à plusieurs milles dans l'intérieur, comme on le découvre par intervalle de la rivière même.

Le courant est d'une rapidité surprenante, et il fallut tous les efforts du parti, pour arriver à une prairie sur la rive droite, au-dessous de l'Isle au Bouleau, pour y asseoir notre camp.

Mercredi 30. Nous arrivâmes à la rivière Metinac, joli cours d'eau qui se décharge du côté est de la rivière St. Maurice, à environ 11 milles au-dessus des Grandes Pilles, d'où le cours est généralement N. N. O.

Cette rivière communique par des portages et des lacs avec La Tuque. Le St. Maurice en cet endroit tourne son cours vers le O. S. O. à aller jusqu'à la Rivière et l'Isle des Cinq, environ 10 milles au-dessus, vis-à-vis l'Isle inférieure de Matawin, où on prend une route pour se rendre par 5 lacs et 4 portages au Grand lac Matawin, qui est la source de la rivière de ce nom, 20 chaînes au-dessous de l'embouchure de laquelle nous campâmes.

A peu d'exceptions près des rivages de la rivière sont irréguliers et montagneux et peu propre à la culture. Les seules espèces de bois qu'on y voit sont le bouleau blanc, l'épinette, le tamarack, et le pin rouge, et quelques cèdres. En plusieurs endroits les rivages sont arides et le courant extrêmement rapide. A un endroit appelé le rapide Manigousse nous fûmes obligés de débarquer du canot pour mettre les voyageurs en état de monter le rapide.

Jeudi 31. Nous nous mîmes en route ce jour-là à 5½ heures du matin. Au-dessus de l'Isle supérieure de Matawin, située à environ ¼ de mille, et qui est d'une excellente terre, un ruisseau appelé le Chat en Algonquin entre le rivage Ouest. La terre est encore montagneuse de quelque côté, et n'offre aucun avantage au défrichement pour l'avenir.

Nous passâmes la montagne au Caribou, qui s'élève à la hauteur de près de 200 pieds, et présente une face rude de granit, au pied duquel règne un courant très rapide. Environ 3 milles au-dessus se trouve la montagne à l'Oiseau du même côté de la rivière, sur la rive est. L'Oiseau, comme les gens l'appellent, a près de 250 pieds de haut, et le roc dont la pente est formée s'éloigne de 40° du plan vertical, vers le N. E.

A environ un demi mille au-dessus de cette montagne, je constatai par la hauteur du soleil au méridien, la latitude 47°. Le cours ordinaire de la rivière depuis l'Isle inférieure de Matawin jusqu'à la montagne à l'Oiseau, est nord dans une distance d'environ 10 milles. De là jusqu'à l'Isle aux Noix, distance de 6 milles, elle tourne vers le N. O. Ce fut l'endroit où nous campâmes. Le terrain de cette Ile est d'une excellente qualité, ce qui fait un grand contraste avec les deux côtés de la rivière, qui surtout sur la rive Ouest, n'offre que des côtes et des falaises arides de granit. L'épinette, le sapin, le bouleau blanc, et le pin sont les bois dominans sur ces côtes.

Vendredi 1er août.—Nous laissâmes l'Isle le matin de bonne heure et nous arrivâmes à la rivière Batiscan, qui se décharge du côté ouest. Elle communique avec la grande rivière Batiscan par 5 portages et 4 lacs, d'où elle tire son nom. Le premier lac est d'une grandeur considérable, et n'est qu'à environ une lieue de la rivière Saint-Maurice. Sur la rive opposée à l'embouchure de la rivière Batiscan, la côte devient particulièrement haute et escarpée et s'élève en caps saillans de 200 pieds de haut environ.

Dès nous arrivâmes à la Rivière au Rat, large cours d'eau sur la rive ouest, entre laquelle et la petite Rivière au Rat se trouve un plateau alluvial formé par ces rivières au pied des hautes montagnes; en cet endroit la compagnie de la Baie d'Hudson tient un poste de commerce, qui consiste en un magasin, deux maisons et un très bon jardin, qui fournit au poste tous les légumes nécessaires. La maison est un bâtiment pour l'agent résidant.

En laissant le poste nous fûmes assaillis par un fort orage de grêle, contre lequel nous ne pouvions nous procurer aucun abri, vu que nous montions le long d'un banc de sable d'environ 70 pieds d'élévation, tandis que le rivage est continué d'être montagneux. Environ un mille au-dessus du poste la

côte s'élève à 300 pieds, laissant voir de nombreuses falaises qui plongent généralement au nord-est. Après cela nous atteignîmes la pointe au Tonnière, pendant une forte pluie, accompagnée de tonnerre, et qui dura toute la nuit, les coups de tonnerre étant répétés par les montagnes avec un effet surprenant. Ce fut là que nous campâmes, à 5½ heures.

Samedi 2 août.—Il y a vis-à-vis de la pointe un rapide considérable que nous montâmes, et passant plusieurs falaises qui s'élèvent de 200 à 300 pieds perpendiculaires, nous doublâmes une Ile appelée La Pêche, où les sauvages et les gens du poste de La Tuque, se rendent fréquemment pour pêcher, et on y prend annuellement une grande quantité de poisson blanc, de doré, de carpe, d'achigan, de brochet et d'anguilles. Après cette Ile nous atteignîmes l'embouchure de la rivière du Bastonais à 2 heures, malgré la pluie qui était tombée en abondance depuis notre départ de la pointe au Tonnière. L'embouchure du Bastonais est à environ 10 milles au-dessus de l'Isle aux Noix, sur la rive est du Saint-Maurice, qui en cet endroit court généralement du nord au nord-est. La terre aux environs devient meilleure, quoique la côte opposée continue d'être montagneuse et incultivable.

Trouvant qu'il était nécessaire d'avancer jusqu'au poste de trafic de La Tuque, afin de pouvoir, s'il était possible, obtenir quelques nouveaux renseignements sur l'avantage qu'il y avait à monter la rivière Bastonais, je laissai les provisions et le petit canot avec deux hommes à l'embouchure du Bastonais, et prenant le restant des gens dans le grand canot nous continuâmes à monter le Saint-Maurice, qui au-dessus de l'Isle, devient d'une largeur considérable; et ses rivages quoique encore montagneux, ne sont pas aussi irréguliers ni aussi montagneux qu'au-dessus de la rivière Bastonais. A la distance de 4 milles on découvrit le sommet conique de La Tuque, qui tire de là son nom. Arrivé au débarquement inférieur du portage au pied de la cataracte, nous traversâmes le portage qui passe sur un terrain sablonneux qui produit beaucoup de bluets, et est boisé de pin rouge, d'épinette et de cyprès.

Nous fûmes reçus avec hospitalité par le commis résident, qui est un jeune Canadien. Ne connaissant nullement le pays, il ne put nous donner aucun renseignement additionnel à ceux que je possédais déjà, et il n'y avait personne au poste pour remédier à ce défaut.

Dimanche 3.—Je me préparai à prendre hauteur, ce que je fis avec beaucoup de difficulté, à cause des marquois et des brulots qui me tourmentaient, et qui sont en cet endroit en plus grande quantité qu'en aucune autre partie du pays, ce qui provient sans doute de l'étendue des terrains bas et marécageux que sont aux environs du poste, et aux vastes prairies qui sont dans les lacs situées à peu de distance de là. Dans les printemps les eaux montent à une hauteur extraordinaire, car on a trouvé des racines d'arbre au haut de grands arbres, dans les prairies et auprès du poste. La colline conique de La Tuque sépare le poste de la chute, qui a environ 50 pieds de haut. Le roc se compose principalement de granit, contenant du quartz, du mica et du felspath.

Le poste de la Tuque est au 47° 18' 32" de latitude nord par observation, et 73. 0 0 longitude ouest par rapport, variation du compas 11° 0 0 ouest; c'est un poste de trafic pour la compagnie des postes du roi et pour la compagnie de la Baie d'Hudson, qui ont chacune un établissement en cet endroit, ce qui naturellement excite un esprit d'opposition, injurieux peut-être aux deux parties, et finalement pour être les naturels. L'établissement des postes du roi consiste en un magasin, un hangar et deux maisons; celui de la Baie d'Hudson, en une maison seulement, qui est cependant le meilleur bâtiment du poste.

Au-dessous du poste le Saint-Maurice a environ un demi mille de large, et de là on découvre la rivière Croche, la rivière Vermillon et la rivière Bastonais du nord. On prend à l'embouchure de la dernière rivière de beaux dorés et achigans, qui sont une bonne source d'approvisionnement pour le poste. Le terrain conserve au loin le même caractère montagneux qu'il a au-dessus de La Tuque, et est sous tous les rapports nullement propre à la culture.

L'hiver commence vers la fin d'octobre, et la neige disparaît et la rivière est libre de glace vers la fin de mai. Mais la température de l'été est à-peu-près la même qu'à Québec, et l'hiver est extrêmement froid. Le poste de La Tuque, en se réglant sur le cours général du Saint-Maurice, est astronomiquement N. N. O. avec les Trois Rivières et en est à 100 milles en suivant le cours de la rivière—d'après la récapitulation des distances arrangées dans la table qui suit:

TROIS-RIVIERES.

9	Forges.														
4½	5½	Portage de Gabelle 550 verges.													
16	7	1½	Grais do 103½ do.												
21½	12½	7	5½	Shawenagan 55½ verges											
28½	19½	14	12½	7	Hêtres 616 do.										
34½	25½	20	18½	13	6	Grande Mère 335 verges.									
37½	26½	23	21½	16	9	3	Petites Pilles 200 verges.								
42	33	27½	26	20½	13½	7½	4½	Grande Pilles 32 verges.							
53	44	38½	37	31½	24½	18½	15½	11	Rivière Metinac.						
63½	54½	49	47½	42	35	29	26	21½	10½	Portages des Cinq et Ile.					
73½	64½	59	57	52	45	39	36	31½	20½	10	L'Oiseau ou Bird Mountain.				
79½	70½	65	63	58	51	45	42	37½	26½	16	6	Isle au Noix.			
86	77	71½	69½	64½	57½	51½	46½	44	33	22½	12½	6½	Poste de la riv. au Rat.		
95½	86½	81	79	74	67	61	58	53½	42½	32½	22	16	9½	Rivière Bastonais.	
100	91	85½	83½	78½	71½	65½	62½	58	47	36½	26½	19½	15½	11½	Poste de La Tuque.

Appendice
(V.)
14 janvier.

A

X

Appendice
(V.)
14 janvr.

Lundi 4.—Nous partîmes du poste de la Tuque, et traversâmes le portage qui a 1474 verges jusqu'à l'embarquement inférieur, et de là nous atteignîmes l'embouchure de la rivière Bastonais, à temps pour prendre la hauteur du soleil au méridien, d'où je déduisis la latitude $47^{\circ} 14' 30''$

A une heure P. M. nous nous éloignâmes des rivages du Saint-Maurice, et nous montâmes la rivière Bastonais. La largeur en varie de 20 à 25 verges, et trace son cours à travers une étendue de terre alluviale excellente, bornée par les hauteurs adjacentes, qui coupent la rivière dans son cours et forment une chute de près de 130 pieds de haut. Nous arrivâmes au portage sur la rive gauche, à environ 30 chaînes N. N. E. de l'embouchure de la rivière. Ce portage que j'appellerai no. 1, se trouva être de 325 verges, à aller jusqu'à l'embarquement supérieur au haut de la chute, qui est formée de trois cascades séparées. L'endroit serait tout-à-fait propre à un moulin.

Entrés dans les canots nous poursuivîmes notre route généralement N. N. E., le cours de la rivière étant bien tortueux et descendant avec une grande rapidité l'espace d'environ $1\frac{1}{2}$ mille. Les rivages nous parurent bien propres à y asseoir des établissemens, quoique pourtant jusqu'à peu de distance du rivage, car les montagnes suivent le cours général de la rivière. Alors tout-à-coup elle se détourne au S. S. E. et entre dans un petit lac, sur lequel nous essayâmes une furieuse tempête de pluie et de grêle. Autour de ce lac la terre est basse, excepté du côté du sud, où elle s'élève à une petite distance de l'eau. Le bois dominant, que j'ai observé jusqu'ici, est l'épinette rouge, le sapin, le bouleau, le pin rouge et quelques érables.

Nous atteignîmes le pied du grand portage et nous campâmes à 5 heures.

Mardi 5.—Nous envoyâmes de bonne heure, avant déjeuner, les hommes chargés chacun de deux paquets de provisions et du bagage à l'embarquement supérieur, et il était midi lorsqu'ils revinrent chercher les canots.

Nous passâmes le portage que je trouvai avoir près de 4 milles de long; il passe sur un terrain inégal, en plusieurs endroits marécageux et montagneux. Le premier est très sec et quelquefois rocheux, et boisé principalement d'épinette, de sapin, de bouleau et de cèdre. Les côtes sont couvertes de sapin, de bouleau, de pin et de quelques érables. Le sol est généralement une terre sablonneuse et légère. L'embarquement supérieur est situé sur un petit lac d'environ $\frac{1}{2}$ mille de long et $\frac{1}{4}$ mille de large. La terre offre la même apparence que celle du portage.

Il était six heures lorsque le transport du bagage et des canots fut achevé. Malgré je désirais avancer un peu davantage, s'il était possible, c'est pourquoi nous embarquâmes dans les canots et nous traversâmes le petit lac, d'où nous entrâmes par un canal resserré dans le grand lac Wagagamacke, comme le soleil se caclait derrière les hauteurs lointaines. La scène qu'il offrit à nos regards était vraiment magnifique, et celle-ci n'en fut rendu que plus impressionnée par le sillon de nos légers canots sur la surface polie de son cristal limpide, et par les chansons caractéristiques des voyageurs que répétaient les échos du rivage. Les cris perçans du Huard, dont ce lac abonde, venaient encore ajouter de temps en temps à la douce sensation de cette scène du désert.

Le lac paraît être d'une forme très irrégulière, et il s'en étend une partie vers le sud. Nous dirigions notre course E. S. E. Les baies ou sont si profondes, qu'il ne suffit pas d'y passer pour se former une idée de leur grandeur. On peut cependant en estimer la largeur à une lieue. La perspective y est diversifiée par quatre ou cinq îles, qui toutes étaient situées au nord de notre course. Au S. O. la terre nous parut montueuse, et dans les parties qui s'élevaient graduellement des bords du rivage, le bois nous parut être principalement de l'épinette, du pin et du bouleau.

A 8 heures nous doublâmes plusieurs îles qui sont situées à la tête du lac à l'embouchure de la rivière Bastonais, que nous montâmes jusqu'au rapide et au 3e. portage, le lac ayant environ 11 milles de long.

Nous campâmes à la lumière des torches, et il était une heure avancée dans la nuit, lorsque nous nous abandonnâmes au repos. Nous observâmes la hauteur de l'étoile polaire, latitude $47^{\circ} 6' 8''$.

Mercredi 6.—Beau temps. De bonne heure ce jour là, les canots et le bagage furent transportés au haut du portage, que je trouvai avoir 270 verges; il passe, dans une direction générale E. S. E., sur un terrain pauvre et rocheux, boisé d'épinette, de bouleau blanc, de cèdre et de *basswood*. La rivière suit le portage, du côté droit; il y a une cascade perpendiculaire d'environ 20 pieds de haut. Nous embarquâmes dans les canots et poursuivîmes notre course en montant la rivière, dans la direction générale de l'est, et nous arrivâmes au 4e. portage. Les rivages sont bas et d'un maigre terrain; il paraît quelques côtes dans les derrières. Le bois est principalement le tamarack, le bouleau et le pin blanc, quelques cèdres et épinettes rouges.

Le 4e. portage à 100 verges de long, et nous reprîmes de nouveau la rivière Bastonais qui est très tortueuse et étroite, courant généralement de l'est au nord.

Nous fîmes un autre petit portage pour éviter un rapide roide, qui n'est cependant pas impraticable pour de petits canots. La terre quoique encore basse est de meilleure qualité et est susceptible de culture.

Nous entrâmes dans le lac appelé le Petit Wagagamacke, et depuis son issue jusqu'au 6e. portage nous marchâmes dans la direction E. N. E. Il est environné de petites collines couvertes principalement de sapin, d'épinette et de pin; le sol est sablonneux. Il a environ $1\frac{1}{2}$ lieue dans sa plus grande longueur et 2 milles de largeur. Le portage se trouva être bien long et bien rude, c'est pourquoi il fut impossible de transporter tout le bagage, dont le transport fut remis au lendemain, pour ce qui restait, et nous campâmes sur les bords du lac de Wagagamacke.

Jeudi 7.—Nous partîmes à 7 heures A. M. et mesurâmes le portage qui a $1\frac{1}{2}$ mille de long traversant un terrain rompu et inégal, boisé de baume, de pin, de peuplier, de sapin et d'épinette et un petit lac environné de la même espèce de terre; ce lac se décharge de le petit Wagagamacke.

Après avoir passé ce lac, nous arrivâmes au 7e. portage, qui a 135 verges de long, et qui atteint les bords du Long Lac, qui a environ $3\frac{1}{2}$ de longueur, et en quelques endroits environ $\frac{1}{4}$ mille de largeur. Les rivages sont mon-

teux, rocheux, et le terrain en est sablonneux, et ils sont couverts de bouleau blanc, d'épinette, de sapin et de petit pin. Il s'étend N. E. et S. O., et à son extrémité se trouve le 8e. portage qui a 1150 verges de long. Ce portage conduit le long de l'élévation qui borde un marais étendu du côté du sud, jusqu'à un petit étang, qui est les dernières eaux de la rivière Bastonais. Ce petit étang dont le fond est une fondrière profonde, et qui est environné d'une immense savanne d'épinette blanche, donne matière aux spéculations des géologues. On y trouve en quantité près de la décharge de gros cailloux roulés, entassés les uns sur les autres sur les bords du lac, et qui couvre la terre à plusieurs verges de distance en arrière. Il n'y a sur la surface du sol aucun vestige, d'où l'on puisse conclure que ces cailloux; qui sont de granit avec des veines de quartz et de feldspath, et dont plusieurs sont couverts d'une mousse épaisse, ont été entraînés en cet endroit par un torrent. Il me paraît cependant que le seul moyen de rendre compte de la présence de ces roches, serait de supposer qu'à une époque peu reculée l'eau couvrait toute cette étendue de terre basse, qui forme maintenant le grand marécage. Je pris ici la hauteur du soleil, qui me donna la latitude $47^{\circ} 17' 7''$. Ayant traversé l'étang qui abonde en une espèce de grandes sangsues, nous fîmes le 9e. portage qui a 730 verges, et qui aboutit à un autre étang de la nature du précédent, et qui est la première eau de la rivière Batiscaan. Nous traversâmes alors le 10e. portage, qui a 550 verges, à travers une épaisse savanne d'épinette et de sapin, et qui mène à un autre lac de près de $\frac{3}{4}$ de mille de long, autour duquel la terre est encore basse et marécageuse.

Nous traversâmes ce lac jusqu'au 11e. portage, où nous campâmes à 7 heures.

Vendredi 8.—Il fit durant la nuit une pluie continue, accompagnée d'éclairs et de tonnerre. A 8 heures les canots et le bagage étaient de l'autre côté du portage, que je trouvai avoir 530 verges de long. La terre s'élève après la savanne où nous avions campé, et s'abaisse ensuite jusqu'à un marais ou cirque un petit ruisseau, où nous lançâmes les canots. Ce ruisseau aboutit à un autre étang rempli de sangsues, au bout duquel setrouve le 12e. portage. La terre conserve encore le caractère d'une savanne d'épinette, et généralement de la pire espèce de cette sorte de terre, n'étant boisée que d'épinette blanche et de tamarack.

Le 12e. portage a 1030 verges de long, traversant un terrain de la même nature, jusqu'au dernier lac à l'ouest de la rivière Batiscaan, auquel l'on arrive par le 13e. portage d'environ 800 verges sur un terrain uni, boisé d'épinette, de bouleau et de sapin.

La rivière Bastonais que notre guide nous dit en être ici que la branche nord-ouest, a environ une chaîne ou 22 verges de large. Les rivages en sont bas, et le sol est principalement un sable blanc, qui produit en abondance des raisins de bois. Le bois dominant est le tamarack, le sapin, le bouleau et quelques pins. Le cours général de la route depuis le portage du Wagagamacke supérieur, jusqu'à la rivière Batiscaan, est environ nord-est, et de 11 milles.

Nous descendîmes le Batiscaan dans une direction S. E., l'espace d'une demi-lieue, et nous débarquâmes au 14e. portage sur le rivage nord-est. Le courant de la rivière est doux, et nous observâmes quelques hauteurs sur le rivage sud-ouest, à environ un mille dans l'intérieur, jusqu'où paraissait s'étendre cette terre basse et marécageuse. Nous campâmes à ce portage à 6 heures P. M. Le soir de ce jour là nous eûmes des perdrix pour le souper, M. Goldie en ayant tué quelques-unes à une petite distance du camp.

Nous observâmes la hauteur de l'étoile polaire; latitude en déduite $47^{\circ} 19' 30''$ et variation $11^{\circ} 45'$ ouest.

Samedi 9.—Les voyageurs ayant transporté une partie des effets de l'autre côté du portage avant déjeuner, il fut trouvé nécessaire de nettoyer à la hache un passage pour le grand canot, ce qui occasionna beaucoup de retardement. Le portage est d'environ 9 stades de long et passe sur un terrain rude et inégal, qui d'abord marais enfoncé devient une montagne escarpée, d'où l'on descend à une marais semblable à l'autre, qui s'étend jusqu'au bord d'un autre étang à sangsues, courant environ N. et S. et ayant $\frac{1}{2}$ mille de long. Les rochers que j'y observais étaient entièrement de granit et de gneiss; le sol est généralement une terre sablonneuse et légère, recouverte d'une couche légère de sol végétal.

Nous traversâmes le petit lac qui n'a pas plus de 6 chaînes, jusqu'au 15e. portage; le fond en est boueux et a si peu de profondeur, qu'il fallût s'y prendre à plusieurs reprises pour transporter les effets de l'autre côté, l'air n'étant d'aucun usage et ne pouvant atteindre le fond de la vase qui a plusieurs pieds de profondeur. Le 15e. portage a environ 130 verges de longueur jusqu'à un lac, qui est d'un caractère bien différent, quoique bien près du précédent. Le fond en est graveleux et l'eau claire; il est au dessus du dernier étang dans lequel il décharge un petit ruisseau. Le portage fait, nous rejoignîmes M. Davies, qui avait pris le devant, et était rendu au 16e. portage au bord du lac. La figure en ressemble fort à celle d'un oiseau au vol; la terre qui l'environne prend un caractère plus grand, sans en être pourtant plus propre aux fins de l'agriculture. Le sol est sablonneux, et la côte ou la rive où nous primes notre frugal repas est couverte de bluets, ce qui fut pour nous une douceur additionnelle, après l'oulette froide qui nous fut servi pour le dessert.

Nous traversâmes le 16e. portage, qui à environ 1100 verges de long, et passe sur une terre de moyenne qualité dans une certaine distance, le sable étant mêlé de marne sous un lit épais de sol végétal; le bois est épinette, un peu de bouleau blanc, de cèdre, de sapin et de baume. En approchant d'un petit lac où nous lançâmes nos canots, au bout du portage, la terre devient encore humide et marécageuse; boisée d'épinette et de sapin. Nous arrivâmes par une descente rapide au bord du lac, au tour duquel la terre est généralement basse et couverte d'épinette et de sapin.

Ce lac traversé, nous passâmes le 17e. portage, qui a 290 verges; il divise les eaux qui coulent dans les deux branches N. E. et N. O. de la rivière Batiscaan, et consiste en un marécage étendue qui va jusqu'au bords du lac, premières eaux de la branche N. E. du Batiscaan; ce lac a environ un mille de long.

La terre est basse aux environs de ce lac, et à son extrémité se trouve le 18e. portage, qui n'a que 150 verges de long et aboutit aux bords du lac Edouard; un joli cours d'eau rapide suit le portage et tombe dans le lac par une

une cascade de 15 pieds, en présentant un site avantageux pour un moulin. Nous campâmes en cet endroit à 7½ heures, ce qui était un peu tard pour les préparatifs que nous avions à faire contre la pluie qui approchait et qui avait tombé légèrement, en différens temps du jour.

Dimanche 10.—Il plut tout le jour, si bien que nous ne nous hasardâmes pas à poursuivre notre route.

Lundi 11.—Le temps s'éclaircissant vers 9 heures A. M., nous partîmes du 18e. portage à 10½ heures. A environ un mille de là le lac s'agrandit en s'étendant vers l'E. S. Est. Nous passâmes cependant dans un canal étroit formé par la pointe N. O. de la grande Ile et la terre ferme, et cotoyant les bords N. O. du lac, nous arrivâmes à un endroit où il s'élargit considérablement et où il y a une autre Ile d'une grande étendue, au nord ouest de laquelle nous passâmes, entre elle et le rivage nord ouest, d'où nous fîmes route pour la Pointe au Diner, distance d'environ 9 milles du dernier portage, par la course que nous avions suivie. En cet endroit la terre s'élève graduellement en jolies collines, boisées de sapin, d'épinette, de bouleau blanc et de pin. Le sol m'a paru être d'une terre grasse mêlée, et je crois que quelques parties du lac Edouard seraient susceptibles d'amélioration.

Le lac Edouard, qui tire son nom d'un chasseur sauvage de Batiscan, peut être regardé comme formé de deux lacs, en ce qu'une grande Ile s'étend presque d'une extrémité à l'autre, et en quelques endroits elle a presque trois lieues de large. La plus grande nappe d'eau est, selon le rapport du guide, celle que nous avons passée dans le passage du nord-ouest. Le passage du sud-est est fréquenté par les chasseurs qui viennent de Batiscan.

Ayant dîné à la Pointe, où des marques récentes sur les arbres et des vestiges de campement, autour duquel étaient épars des crânes d'ours et arêtes de poissons, faisaient voir que plusieurs familles sauvages y étaient demeurées pour une saison de chasse—nous continuâmes nos progrès sur le lac, qui tient un cours plus droit. La terre paraît plus élevée, et les rivages sont en plusieurs endroits rocheux et arides. Comme il soufflait alors un joli vent en poupe nous mîmes une voile à chacun de nos canots, qui furent poussés au pied de six milles à l'heure. Le vent nous laissa comme nous arrivions à la pointe N. E. de la Grande Ile, après que nous eûmes passé plusieurs petites Iles qui forment un joli point de vue avec les collines d'alentour.

Au delà de l'Ile et doublé la Presqu'île, le lac se contracte à ½ de mille et le terrain devient plus montagneux et plus inégal, et s'élève en plusieurs endroits en falaises de granit; le bois qui croît sur ces montagnes est du sapin, du tamarack et des petits bouleaux blancs. Au bout du lac, à environ 9 milles de la Pointe à Diner, il entre dans le lac une rivière d'environ 18 verges de largeur, que nous montâmes l'espace d'un mille; c'est un cours d'eau tranquille qui traverse un terrain de transport, qui s'étend jusqu'aux pieds de quelques hauteurs, de la même espèce de terrain et de la même apparence que celui mentionné en dernier lieu, et nous tombâmes dans un joli lac, environné de montagnes, qui n'ont aucune apparence favorable pour des établissemens. L'ayant traversé jusqu'au portage no. 19, nous campâmes à 7 heures.

Mardi 12.—De grand matin les voyageurs passèrent le portage avec tout le bagage, et en revenant abattirent plusieurs arbres qui auraient nui au transport des canots.

Ce portage, qui a 500 verges, conduit à un lac dont les eaux coulent à l'est dans la branche N. E. de la rivière Batiscan. La terre aux environs est montagneuse et rocheuse.

Le 20e portage passe sur une montagne, de laquelle nous descendîmes à une petite rivière, formant la branche N. E. de la rivière Batiscan qu'on monta environ 170 verges du 21e portage.

La direction générale de notre route entre la branche N. O. et la branche N. E. est à peu-près E. N. E., et à 30 milles. La dernière qui coule S. S. Ouest est presque de niveau avec la première, vu qu'il faut l'aide d'un baromètre pour s'apercevoir de la différence. Le 21e. portage qui a environ 140 verges se termine à un petit lac qui est à peu-près dans la même localité que les étangs à sangsues, auxquels il ressemble beaucoup, le terrain qui l'environne étant bas et marécageux.

Après cet étang nous passâmes le 22e. portage, ou le portage rocheux, qui à mi-distance est coupé par un ruisseau rapide qu'il faut passer; toute la longueur du portage étant de 530 verges jusqu'à l'embarquement, sur la rivière qui court au sud-ouest. En cet endroit je constatai, par observation, la latitude 47° . 29' 45".

A une petite distance du portage nous entrâmes dans un petit lac, qui resserré dans la distance d'environ 1 mille, s'élargit de nouveau en approchant du 23e. portage, d'où le lac s'accroît encore en dimensions dans une direction est, mais nous dirigeons notre course vers le nord. Depuis le 20e portage le caractère général du sol est d'être une vaste savanne de tamarack, et ce fut avec peine que nous pûmes trouver un endroit sec au 23e portage.

Nous laissâmes alors les dernières eaux de la rivière Batiscan, et nous traversâmes dans ce portage un terrain assez uni couvert en grande partie d'une savanne d'épinette et qui aboutie aux bords d'un autre étang à sangsues, qui est les premières eaux de la rivière Bastonais du nord, qui se décharge environ une demi lieue au-dessus du poste La Tuque, et dont on a déjà fait mention.

Le portage se trouvant long, ayant environ 1½ mille de longueur, et trouvant impossible de camper dans la savanne, qui est une espèce de terre montante ou de marécage, nous remîmes au lendemain le transport d'une partie des provisions, et nous traversâmes l'étang jusqu'au 24e portage, qui est à la décharge qui se dirige avec rapidité vers le nord. Ayant passé ce portage, qui a 375 verges, nous campâmes sur le bord d'un ruisseau qui descend des hauteurs et tombe dans le lac au portage.

L'espace de terrain que nous parcourâmes ce jour-là n'est nullement propre à faire des établissemens présentant les deux extrêmes, terrains tantôt bas et uni, tantôt élevé et escarpé. Les rochers qui forment ces hauteurs sont principalement de granit, plongeant à un angle de 45° vers le N. E. n'ayant d'ailleurs aucune stratification régulière, on découvre du quartz et du mica, de même que de d'hornblende, dans les fragmens qui sont détachés du haut des rochers. Le bois que nous y avons observé en plus grande quantité, est l'épinette, le sapin, le bouleau blanc, un peu de cèdre et de pin.

Nous observâmes les azimuths et la hauteur de l'Etoile Polaire d'où nous déduisîmes la latitude 47° . 32' 0" ; variation 12° . Ouest.

Mercredi, 13.—Il tomba le matin une pluie légère; cependant nous envoyâmes les gens chercher le restant des provisions et le grand canot au 23e. portage, et à leur retour nous avançâmes sur le lac, qui a environ 1½ milles de long—à son extrémité nord nous descendîmes l'espace d'environ 1 mille une petite rivière à fond bas et rocheux, jusqu'au 25e. portage, qui n'a qu'environ 150 verges, à travers un terrain bas et marécageux. Ce portage aboutit au Lac Croche, et il faut absolument un guide pour trouver l'embarquement du portage—le sol aux environs de ce lac est sous tous les rapports bas et marécageux, boisé principalement de tamarack et de sapin. Le 26e. portage est dans un petit havre ou baie, d'où coule la rivière jusqu'au prochain lac; ce portage a comme l'autre 150 verges jusqu'au lac, qu'il faut traverser pour arriver au 27e. portage.

En laissant ce lac qui s'étend de l'Est vers l'Ouest et qui est environné d'un terrain bas et uni, le portage passe sur un sol de la même espèce, et descend une côte considérable pour arriver à la rivière Bastonais, ce qui fait le premier degré sensible dans le niveau avec l'étendue de terrain plat qui paraît exister depuis le long lac sur le 8e. portage, jusqu'au 27e. portage qui a 800 verges de largeur.

Nous embarquâmes dans les canots et descendîmes la rivière qui court généralement vers le nord. Les bords en sont couverts d'épinette rouge et de beaume, et présente le meilleur sol que j'aie rencontré depuis mon départ du St. Maurice. A environ une lieue au-dessous du portage nous passâmes un petit lac, où j'observais que l'épinette blanche se mêlait avec la rouge, ce qui marque que la terre y est d'une qualité inférieure; 4½ milles au-dessous de ce lac il faut faire un portage. A partir du lac, la rivière s'agrandit considérablement, et est par endroits de 1½ à 2 chaines; généralement les bords sont bas, quoique rocheux et élevés par endroits. Le bois dominant est l'épinette rouge, ce qui est un signe favorable à l'égard de la nature du sol.

Ce petit portage, le 28me depuis le St. Maurice, est sur la rive est, et évalue une cascade de 15 pieds. L'espèce des rochers qu'on trouve en cet endroit, est le granit, plongeant 60 deg. S. O. A un demi mille au-dessous de ce portage nous arrivâmes à la tête d'un rapide, et ayant débarqué sur la rive ouest, nous lançâmes les canots jusqu'aux pieds de ce rapide, où nous embarquâmes de nouveau et continuâmes notre route. Le courant descend rapidement jusqu'à un autre rapide ou plutôt cascade où l'heure avancé nous obligea de camper sur le portage qui est sur le rivage Ouest.

Depuis le 28me portage le pays a pris une aspect montagneux, s'élevant à une hauteur considérable, et se monte en falaises dans l'intermédiaire et aux pieds du dernier rapide. Le roc qui est de granit et qui forme le rivage Ouest de la rivière est presque vertical, ne s'éloignant de cette coupe que d'environ 10°. le rivage s'élève à environ 50 pieds, et le sommet en est couvert de mousse, tandis que le rivage opposé forme un plan horizontal qui s'étend jusqu'aux pieds de la montagne qui s'approche de la cascade du 29e. portage. En cet endroit la rivière se resserre dans un canal étroit formé par des falaises menaçantes qui s'élèvent à environ 50 pieds perpendiculaires. Les deux rivages diffèrent l'un de l'autre sous tous les rapports; celui de l'Est est d'une configuration irrégulière, plongeant environ 45° S. E. tandis que celui de l'Ouest, un peu au dessous du précipice, est plat jusqu'aux pieds d'une hauteur considérable, qui va de parallèle avec la rivière, et aux pieds de laquelle court le portage, qui a 300 verges jusqu'aux pieds ou à la base de la chute.

La rivière Bastonais ne paraît pas avoir formé son lit actuel, car je ne vis aucune trace de roches roulées au dessus de son niveau, en examinant l'apparence et l'état des rochers qui généralement paraît avoir été réduit dans sa position actuel par quelque catastrophe évidente, et la fracture qui en aura été la suite aura ouvert un canal à la rivière; car au dessus du 28e. portage où les montagnes sont encore à une distance et où le pays forme un plan horizontal au nord-ouest, la rivière prend une direction subite de leur côté, et laisse la plaine pour suivre son cours à travers ces montagnes. Une circonstance très remarquable qui me frappa, c'est que plusieurs côtes qui ne tiennent nullement à aucune chaîne adjacente, s'élèvent au milieu de la grande plaine, généralement en forme de cônes, et sont visibles à une grande distance.

Judi, 14.—De grand matin les canots et les provisions furent transportés au bas du portage, à l'embarquement, au pied de la chute, qui a 15 pieds de haut. Nous arrivâmes à un rapide au bas duquel les canots furent envoyés déchargés et nous fîmes un petit portage, (No. 30.) de 70 verges, qui passe à travers une savanne d'épinette rouge et de tamarack. Depuis cet endroit la rivière circule S. S. O. entre les hauteurs, et nous sautâmes plusieurs rapides, jusqu'à la tête d'une chute considérable, et au 31e. portage, de 300 verges de long. Nous atteignîmes plusieurs endroits où les rivages sont formés de falaises escarpées, qui caractérisent la nature des hauteurs et des montagnes qui paraissent suivre le cours général de la rivière et qui s'éloignent en approchant de la chute. En cette endroit la rivière se resserre en un canal étroit et forme une cascade d'environ 50 pieds, qui est divisée en petit canaux par deux îles, qui augmente le fracas du torrent, qui bouillonne avec un effet magnifique en se précipitant sur les rochers. Les îles sont couvertes de mousse et de petits sapins, tandis que le pays environnant est généralement boisé de la haute épinette rouge, diversifié par la surface unie et roulée des rochers dans le voisinage de la chute, dont la blancheur contraste avec la couleur sombre du sapin, ce qui donne à cette scène intéressante un effet, que nous n'avions pas senti, depuis que nous avions laissé le St. Maurice.

Nous dînâmes ce jour-là sur le doré et la carpe qu'on avait pris dans un moment au pied de la chute. Après cela nous poussâmes jusqu'au lac Kajoualwang, un mille au dessous du Portage Doré.

Nous aperçûmes à une distance, une île considérable, sur laquelle je me dirigeai, N. N. O. Après avoir fait 3 milles, nous arrivâmes à une ouverture dans le rivage est, qui nous découvrit une belle nappe d'eau baignant le pied de la côte. Nous arrivâmes à l'île jusqu'à laquelle la largeur moyenne du lac est d'environ un mille, et qui est ainsi jusqu'à la contraction du lac à un demi mille. Sur les bords de ce lac, la terre conserve beaucoup des caractères du lac Edouard. Les côtes ne s'élèvent pas à une hauteur bien considérable et sont couvertes d'épinette, de sapin, de bouleau blanc et de pin. Nous suivîmes le resserrement du lac, l'espace de 2 milles environ, et nous observâmes que l'apparence du terrain s'améliorait; le sol est stérile et est plus plat. Le lac s'étend jusqu'à 2 milles de large environ, formant à l'Ouest une large baie, d'où sort la rivière Bastonais, qui pénètre dans le pays et se décharge dans le St. Maurice. Le guide qui a fréquemment monté et des

Appendice
(V.)
14 janvier.

endu cette rivière, dit qu'il n'y a pas plus de 20 lieus entre le lac et le St. Maurice, et qu'on peut en monter, ou de La Tuque, en huit jours, et faire la descente en 5 jours, n'y ayant dans toute cette distance que cinq portages.

Nous courions alors vers le nord, à la tête du lac, en passant une grande île de près d'un mille de long. La largeur moyenne de cette partie du lac est d'environ 1½ mille. L'aspect général de ce pays est plus grand, et il y en a quelques parties que je crois susceptibles d'amélioration et d'être établies. Nous campâmes à la tête du lac, où je constatai trigonométriquement la distance exacte de divers points, l'île et une montagne bleue dans le lointain, située à l'extrémité sud du lac et faisant partie des hauteurs aux environs du Portage Doré, d'où par notre course sur le lac elle est éloignée d'environ 11½ milles, ce qui met la longueur du lac Kajoualwang d'environ 10½ milles. Il plut la plus grande partie du temps que nous fîmes sur le lac, avec un gros vent du sud, qui venant à s'augmenter comme la pluie cessait à notre approche de la tête du lac, poussait avec violence les lames contre le rivage sablonneux, sur le bord duquel nous campâmes. L'atmosphère se débarrassant des nuages, j'obtins du transit de plusieurs étoiles circo-polaires au dessus du méridien, la latitude $47^{\circ} 48' 30''$.

Vendredi 15.—Il plut depuis minuit jusqu'à dix heures du matin, heure à laquelle nous partîmes. Montant alors les eaux de la rivière Bastonais nous passâmes un petit lac environné de hauteurs d'un aspect défavorable, boisées de tamarack et de bouleau blanc, jusqu'au 32e. portage, qui a près d'une demi lieue de long, et courant dans une direction presque nord et sud. Le terrain qu'il traverse dans cette distance est tour-à-tour marécageux et montagneux. Dans le premier cas, en laissant le lac, nous passâmes sur un terrain assez uni mais rocheux, jusqu'au pied d'une haute montagne, que nous gravâmes et descendîmes dans un sentier bien rude et bien tortueux, qu'il fallu souvent élargir en abattant les plus gros arbres, pour permettre aux voyageurs d'y passer avec les canots. Ce fut ainsi que nous parvîmes à la base de la montagne, et à passer une savanne plantée de la plus mauvaise espèce de bois, d'épinette blanche et de tamarack, et qui mène au dernier lac des eaux de la rivière Bastonais ou du St. Maurice. Une pluie forte et continue nous empêchant de poursuivre notre route, nous fûmes obligés de camper au milieu de cette savanne.

Samedi, 16.—De grand matin nous nous mîmes en marche avec la perspective d'une continuation de beau temps.

Nous observâmes sur les deux rivages du lac des traits caractéristiques tout-à-fait différents; celui de l'est est montagneux et couvert de sapin, d'épinette de pin et de bouleau blanc; celui de l'ouest est une savanne immense d'épinette, et incultivable.

Nous arrivâmes au 33e. portage, (1130 verges) qui conduit, à travers un brûlé et généralement un terrain très pauvre et rocheux, au lac Quaquagamacksis, et aux premières eaux qui tombent dans le lac St. Jean, celles de la rivière Ouatichouan, qui y tombe aussi dans le coin S. O.

La direction général de ma route depuis la rivière Batiscau jusqu'à la division des eaux, fut presque nord, et forme une distance d'environ 33 milles. Aux environs du lac Quaquagamacksis la terre est sous tous les rapports un désert aride et désolé, le feu y ayant brûlé le bois, qui est maintenant remplacé pour une pousse de tremble, de peuplier, de petits sapins et bouleaux blancs. Le sol est bien rocheux et sablonneux.

On s'aperçoit à peine que le terrain s'élève, il y a cependant une montée graduelle d'environ un demi-mille dans le portage, et un petit ruisseau qui se jette en venant du nord dans Quaquagamacksis, où nous lancâmes de nouveau les canots, et nous embarquâmes sur les eaux qui coulent dans le lac St. Jean.

Après qu'on a passé une île de roche, le lac se resserre l'espace d'environ un demi mille; il s'élargit ensuite, et nous tombâmes dans un petit canal rapide et tortueux. La terre est maintenant devenue toute-à-fait base et prend le caractère d'une savanne, environnant cette partie du lac. Nous descendîmes la rivière, et passant à l'extrémité de deux petits lacs ou étangs, situés dans la savanne étendue, qui couvre cette portion des pays, nous atteignîmes le 34e. portage, qui n'a que 60 verges, ju-qu'à d'autres étangs, semblables aux premiers, et qui conduisent par un petit canal à un lac d'environ un mille de long, aux environs duquel la terre prend un caractère plus hardi; de là on monte la rivière jusqu'au 35e. portage.

Ce portage passe à travers une savanne de tamarack, et a 530 verges jusqu'à l'embarquement aux pieds du rapide, que sautèrent M. M. Gouldie et Davies; ensuite nous arrivâmes, à une petite distance de là, l'entrée de la rivière dans un lac.

Entrant par le côté ouest du lac, où la terre est alluviale dans une certaine étendue, nous fûmes en état d'en voir les dimensions, jusqu'à ce que nous fûmes arrivés vers le milieu, où la réunion d'une variété d'objets présentait le point de vue le plus agréable.

Nous dirigeâmes toute notre attention à chercher la décharge du lac, qui d'après le plan que son père avait donné à notre jeune guide, devait se trouver du côté est. Ayant passé quatre îles, dont deux avaient environ trois quarts de mille de long, nous entrâmes en conséquence dans une baie profonde, où je supposais qu'était la continuation de la rivière Ouatichouan; mais nous ne pûmes trouver d'issue en cet endroit, et nous avançâmes vers le haut du lac. Il a presque un mille de large, et les rivages en sont escarpés, et couverts de sapin, d'épinette et de bouleau blanc.

Nous passâmes la Pointe Verte ainsi appelée pour le contraste que sa verdure légère fait avec la couleur sombre des côtes adjacentes, étant toutes couvertes de la même espèce de bois, et nous arrivâmes à la Presque-Ile, situé à environ 4 milles de l'entrée, vis-à-vis laquelle je remarquai sur le rivage Ouest une baie et quelques terres plates, présentant l'apparence d'une rivière qui viendrait de ce côté. C'est pourquoi nous continuâmes notre route au nord de l'île et d'une autre Presque-Ile, qui ne tient au rivage que par une étroite langue de terre. Je traversais alors le lac au nord vers une petite baie, et ne trouvant pas la rivière que je cherchais, je côtoyai le rivage Est, observant que la terre prenait une apparence favorable à l'extrémité de ce lac, et paraissait susceptible de culture. C'était une étendue de terrain bien boisé de frêne, de sapin, d'épinette, de pin et de beaume; et nous arrivâmes ensuite à un canal considérable qui mêle à celle du lac ses eaux rougeâtres et légèrement rapides.

Ne trouvant pas la décharge de ce côté du lac, il me vint à l'esprit quelle pouvait-être où j'avais vu l'apparence d'une issue, vis-à-vis la Presque-Ile;

nous y traversâmes immédiatement, sans y trouver pourtant l'issue désirée.

L'Ouatichouan a en cette endroit environ deux chaînes et demi de large et coule avec un fort courant qui nous poussa à la tête d'un rapide. Il était trop tard pour hasarder de le sauter ou même pour chercher un portage, et nous campâmes sur le rivage du nord, qui est haut et escarpé.

Dimanche, 17.—Ayant ainsi trouvé que le plan du sauvage était incorrect et la connaissance de notre guide ne s'étendant pas aussi loin vers le nord, je fus fortement porté à croire au cours Ouest que prenait cette rivière et d'une manière presque directe avec le St. Maurice quelle pouvait-être la rivière Croche ou quelques cours d'eau tributaire de la première; malgré cela je me déterminai à la descendre quelques milles, sauf à considérer ensuite quelle voie nous adopterions pour parvenir au lac St. Jean, car nos provisions commençaient à baisser considérablement, et avaient enduré beaucoup de dommage des pluies fréquentes que nous avions essayées, depuis notre départ des Trois-Rivières.

Sous ces circonstances nous continuâmes à descendre la rivière, les voyageurs sautant les rapides et nous marchant sur le rivage jusqu'à leurs pieds, ce qui nous fit faire un portage plus long que nous l'avions cru, les hommes ne trouvant pas de place d'embarquement pour nous recevoir. A la fin cependant ayant rejoint les canots, nous embarquâmes et sautâmes un rapide continue jusqu'à un petit lac, d'où la rivière coule au sud-ouest. Dans l'incertitude où nous étions, nous fîmes le portage de la montagne et le 36e., où le grand canot chavira justement au haut d'une cascade par la timidité d'un novice, et je fus sur le point de perdre ma théodolite et autres instruments.

En laissant le portage nous gravâmes une haute montagne de roche, dont le pied est battu par la rivière qui tombe de cascade en cascade. Du haut de la montagne l'œil découvrit au sud-ouest une plaine immense, ressemblant à une mer par son grand éloignement. Je suppose que ce ne peut-être autre chose que la pente générale du pays vers le lit de la rivière St. Maurice, et je regretait beaucoup de n'avoir pas un baromètre de montagne, qui m'aurait mis en état de constater l'élévation où nous étions au dessus du niveau du plat pays.

Après être descendus de la montagne nous nous trouvâmes dans une savanne de tamarack, jusqu'à un cours d'eau dormante, où se termine le portage, qui a 1 mille et 3 perches de long, et dont la direction générale est environ N. O. Rien ne nous faisait espérer que la rivière changerait son cours — se trouvant être des eaux du lac St. Jean, ce qui arriva à notre grand plaisir, car ce cours d'eau dormante, formé en apparence par les pluies inaccoutumées, nous conduisit à la rivière, qui court vers le nord et qui avec ce cours d'eau forme une île considérable. Nous descendîmes la rivière, qui parcourt en cet endroit une grande étendue de terrain d'alluvion, qui est susceptible des améliorations de l'agriculture. Il croit ici des joncs d'une hauteur considérable, dont les racines en les arrachant enlèvent une terre noire d'une nature argileuse.

Il y a quelques montagnes que nous remarquâmes en approchant du grand lac, que nous atteignîmes à environ 2½ milles au dessous du portage de la montagne. Le lac à l'embouchure de la rivière est environ d'une demi-lieue de large et court dans une direction N. 3° E., que nous suivîmes, en prenant le milieu du lac. La terre sur ses rivages est haute et montagneuse, boisée de sapin, de pin, d'épinette et de bouleau blanc; en plusieurs endroits les rivages sont escarpés et rocheux, et l'aspect en est défavorable à la culture, quoique les vallées puissent-être bien bonnes pour cette objet.

Passant vis-à-vis l'entrée d'une rivière sur le côté est, je fus examiner si ce n'était pas la décharge du lac, mais je trouva que c'était un cours d'eau tributaire du lac, venant de l'E. N. E., je portai de là à la pointe nord de l'île, entre laquelle et la terre ferme il y a une annaye qui bouche le passage. Ne voyant pas de canal, et désirant prendre quelques points et intersections trigonométriques des objets remarquables, nous campâmes à la tête du lac près d'un banc de sable, qui me fournit une ample base.

Lundi, 18.—Il plut la plus grande partie du jour, et les voyageurs employèrent ce temps à faire des avirons, dont plusieurs avaient été brisés dans les nombreux rapides que nous avions descendus depuis peu. La pluie cessant vers cinq heures de l'après-midi, je demandai à mettre les canots à l'eau, et nous fûmes avec un nouvel espoir à la recherche d'une issue avant de camper. Ayant passé l'annaye qui bouche le passage entre l'île et le rivage et virant au nord autour de la Pointe à l'Aviron nous vîmes la continuation du lac des Commissaires. Le passage qu'il présenta à la vue découvrait dans la grandeur et la magnificence des objets la main toute puissante de la nature.

Les rivages sont sourcilieux et escarpés et s'élèvent à une hauteur considérable, et ils sont dominés par deux caps énormes d'environ 350 à 400 pieds de haut, situés sur le rivage oriental. Ayant atteint le pied du cap le plus au sud et étant débarqué sur le rocher, nous le gravâmes, et nous traversâmes avec beaucoup de difficulté au cap du nord. Le bois ayant brûlé, il y a plusieurs années sur leurs sommets, il a laissé à découvert l'aridité et la nudité à de la couche végétale qui les recouvre.

Du haut du cap nous découvriâmes à 20 à 30 milles à l'ouest un pays brisé et montagneux, montrant en quelques endroits les sommets blancs de hauteurs semblables à celle d'où on les apercevaient, faisant contraste avec le restant du pays qui est boisé de sapin, d'épinette, de tamarack et de pin. Une rivière d'une bonne grandeur, parait entrer au sud-ouest, ayant un plateau alluvial à son entrée, et delà montant dans les coulées qui lui servent de lit. En jetant les yeux vers le haut du lac, qui est parsemé de plusieurs îles, je remarquai une grande baie au nord-est, dans laquelle je supposai que pouvait-être l'issue; cependant en voyant le grand corps d'eau qui s'étendait au nord, je me décidai à continuer ma route sur le lac, et en conséquence nous descendîmes les caps et nous embarquâmes dans nos canots.

Nous passâmes les îles qui sont rocheuses, mais bien boisées de bouleau, de sapin, et d'épinette. Il soufflait un gros vent du nord, qui refroidit l'air à un tel point que nous fîmes bien aises de nous trouver à l'abri de la Pointe de Sable, où nous campâmes et fîmes un grand feu qui rétablit nos forces abattues, après avoir fait sept milles depuis notre dernier campement, malgré le temps considérable que nous avions passé aux Caps.

Mardi, 19.—Nous nous occupâmes avant le déjeuner à prendre 10 triangles de divers objets.

Nous

Nous partîmes de la Pointe de Sable à 9 heures, nous passâmes plusieurs hauteurs arides et brisées, montrant un pays d'un aspect sauvage, surtout du côté oriental, le rivage opposé n'ayant pas été ravagé par le feu, et les rochers sont couverts de sapin, d'épinette, de bouleau etc. à la végétation desquels fournit une légère couche végétale. Nous atteignîmes les côtes aux bluets, qui sont une succession de caps arides, semblables à ceux situés au dessous de la Pointe de Sable, mais encore plus élevées et d'un aspect plus sauvage encore, par plusieurs falaises escarpées qui font face au lac; il n'y croît aucun arbre, et le sommet des hauteurs qui sont au pied des rochers sont couvertes d'une sorte de bluets d'une grosseur remarquable, ce qui leur a fait donner le nom de Côtes aux Bluets.

Désirant fortement avoir du haut d'une de ces montagnes, s'il était possible, la vue du pays qui s'étend entre elles et le lac St. Jean, nous cotoyâmes le rivage, cherchant un endroit propre au débarquement, car il est en cet endroit d'un accès difficile et dangereux. Ayant trouvé un débarquement, M. Gouldie et M. Davies prirent des chemins différents, et je me rendis en ligne droite au pied de la falaise, que je gravis en partie à l'aide des arbrisseaux et des sapins qui poussent dans les crevasses des rochers, jusqu'à la hauteur d'environ 100 pieds, où ne trouvant plus aucun moyen de monter davantage, le rocher devenant plus escarpé et la position des lits étant presque verticale, ne s'en éloignant que de 15 à 20 degrés. Cela fait que les lits qui sont de granité et de gneiss sont plus aisément séparés du rocher, dont on voit déjà à la base des blocs d'un volume considérable. Je descendis au canot, où les autres partis me rejoignirent bientôt: ils n'avaient pu découvrir aucune apparence de lac, mais l'aspect général du pays était une rudesse, que j'avais découverte en partie de la position où j'avais atteint sur le rocher; on apercevait aussi une rivière entrant du côté occidentale du lac entre les montagnes qui lui prêtent un lit. Ayant repris notre route, nous tombâmes dans une grande baie dans laquelle entre une rivière considérable, ce qui m'ôta presque toute espérance de trouver la décharge du lac de ce côté là. Ayant pris terre sur un roche ou île aride j'observai la hauteur du soleil au méridien, — lat. 48° 17', et delà nous nous rendîmes au haut du lac, que je trouvai avoir près de 7 lieues de long, la largeur commune depuis la Pointe à l'Aviron étant d'environ 1 mille.

Ne trouvant pas d'issue, je me déterminai à retourner à la Baie à la Grêle, la première grande baie que j'avais observé du cap. En passant par les montagnes aux Bluets nous essayâmes un orage de grêle et de pluie, accompagné d'un gros vent du nord, ce qui rendit notre position vraiment périlleuse, étant le long d'un rivage où donnait le vent et balottés par une forte houle qui poussait le canot avec une vitesse surprenante. Nous atteignîmes la Baie à la Grêle, qui se trouva être l'entrée de la rivière Oniatouan. Nous y fûmes assaillis par un orage de grêle et de pluie, les grains de grêle étant d'une grosseur extraordinaire. Nous arrivâmes en peu de temps au haut d'une petite cascade, où nous fîmes un portage (le 37e. depuis le St. Maurice) de 400 verges de longueur, à un demi-mille au bas duquel sur le rivage sud-est se rencontre le 38e. portage, de 223 verges, après-quoi nous tombâmes dans un petit lac qui s'ouvre sur le lac Bouchette, où nous campâmes à 7½ heures sur un banc de sable, à la veille d'une tempête qui se préparait vers le sud.

La direction générale entre la Baie à la Grêle et le lac Bouchette est environ E. N. E.—2½ milles d'un terrain brisé et montagneux; la différence de niveau entre ce lac et celui des Commissaires étant de 50 à 60 pieds.

Mercredi 20. Nous partîmes de grand matin, dans un beau temps, et après avoir passé ce lac, qui a environ 4 milles de long et autour duquel la terre s'élève considérablement et laisse voir un sol sablonneux très léger, nous entrâmes dans le lac Oniatouan, d'environ 1½ de long et 1 mille de large.

En cherchant la décharge nous fîmes le tour de l'île qui est situé à l'extrémité du lac; la terre y paraît d'une meilleure qualité que celle que nous avions vu jusqu'alors. Elle conserve le même caractère en descendant la rivière Oniatouan, qui descend avec grande rapidité, qui fait faire le 39e. portage, de 550 verges, sur le rivage Occidental. En cet endroit l'orme, le bouleau noir, le pin, le sapin et l'épinette se trouvent mêlés et poussent sur une marne argileuse recouverte d'une riche couche végétale. En laissant ce portage la rivière acquiert une grandeur considérable, prenant une largeur d'environ 60 verges, et la terre est tout à fait propre à recevoir des établissements; les bords en sont boisés de frêne, de bouleau noir, d'orme, d'épinette, de sapin et de baume et de quelques pins blancs. Le cours général de la rivière est environ N. N. O., et nous atteignîmes dans cette ligne le 40e. portage, au-dessous de quelques petits rapides que nous sautâmes, et d'une petite rivière qui s'élève à droite jusqu'à un petit lac, qu'on aperçoit de la rivière. Le 40e. portage est sur le rivage Est et de 660 verges de long, et à une stade au-dessous est un rapide qui est divisé en deux canaux par une île. La rivière prend alors une direction nord et descend avec une grande rapidité, souvent interrompue par des rapides que les voyageurs sautèrent presque tous. Ils montraient dans ces occasions, à conduire leurs canots, une habileté et une dextérité qui m'étonnaient toujours. En arrivant au rapide, Vivier, pilote de mon canot, débarquait généralement et examinait l'état du rapide avant d'en tenter la descente. S'il était d'avis de débarquer on faisait un portage; s'il était d'avis de sauter je pouvais me fier à son expérience, qui avait été mise à nombre d'épreuves, pendant qu'il était au service du Capit. Franklin, dans sa dernière expédition pour chercher un passage au nord; ce célèbre voyageur et navigateur fait souvent mention de lui dans ses ouvrages. Les mouvements des rameurs sont entièrement réglés par ceux du pilote, qui dirige son attention à suivre le cours de l'eau, ou comme on l'appelle "le Fil de l'Eau." Quand ils tombent dans les bouillons, on lève les avirons, et le canot dans son passage prend souvent une lame; lorsqu'il faut regagner le chenal, le pilote et les rameurs (ou avironneurs) tirent du même côté, ce qu'ils appellent "rembarrer."

Le guide montrait d'une manière frappante dans la descente d'un rapide, un sang-froid et une dextérité naturels; la facilité, et en même temps ce degré d'indifférence, accompagnée d'un certain souris d'assurance, avec la quelle il maniait son aviron, tout cela était vraiment caractéristique. Ajoutons à cela l'aspect sauvage des objets environnants; sa longue chevelure noire flottant au gré du vent, et l'immobilité et le silence général des restant du gens, qui ont les yeux attachés sur la contenance des deux acteurs agissant de la scène, cet ensemble inspirait un degré d'intérêt qu'on ne peut décrire.

Nous fîmes le 41e. portage sur le rivage oriental; il a 440 verges de long, et la rivière y est divisée en deux canaux par une grande île. De là nous arrivâmes au portage de l'île (42) où l'on fait un petit portage de 20 verges en traversant l'île, qui abonde en diverses espèces de petits fruits, tels que groseilles sauvages, bluets, &c., &c.

La terre cesse alors de présenter cette apparence favorable à la culture, étant en plusieurs endroits rocheuse et montagneuse, et en d'autres marécageuse; le bois dominant est l'épinette, le tamarack, le sapin et quelques bouleaux blancs. A environ un demi-mille au dessous de ce portage nous arrivâmes à la Grande Chûte, où l'on traverse, sur la rive occidentale, un portage de 600 verges, pour arriver à l'embarquement inférieur et au bassin. Les rochers sont tous granitiques et d'inclinaison irrégulière, la terre pauvre et rocheuse et ne produisant presque que du sapin et du tamarack. Ayant lancé les canots en bas de la chute que je suppose de 50 pieds de haut, nous partîmes du 43e. portage et à environ 3 stades au dessous se trouve le 44e. portage, sur le rivage S. E. En laissant la place de débarquement on monte une haute montagne, d'où l'on en aperçoit une toute semblable sur le rivage opposé, et l'on descend à la rivière qui est encore très rapide. Le portage se trouva avoir trois-quarts de mille de long et il traverse un terrain bien inégal et bien rocheux, dans lequel nous perdîmes souvent le sentier légèrement battu. Nous fûmes obligés de camper tard sur un terrain tout-à-fait différent, sur des rochers arrondis en grande partie, et nous remîmes le transport des canots à travers le portage jusqu'au lendemain.

Malgré le nombre des rapides et des portages que nous passâmes ce jour là, nous descendîmes encore 18 milles dans la rivière, qui tombe à cette distance environ 250 pieds au dessous du niveau du lac Oniatouan. Les rapides succèdent l'un à l'autre de bien près, ce qui rend la navigation de la rivière, en la descendant, presque impraticable, vu qu'il y a un grand nombre de rapides qu'on ne peut sauter. J'avais une fois espéré que la terre deviendrait meilleure ou qu'elle continuerait d'être ce qu'elle est entre le lac et le 41e. portage, mais il en a été autrement, car depuis le 42e. portage les rivages ont montré les apparences les plus défavorables à l'établissement et aux objets de l'agriculture. Nous obtîmes la latitude 48° 22", par observation de l'étoile polaire. La variation avait augmenté au 14½° ouest.

Jeudi 21.—Nous étions alors si courts de provisions qu'il ne nous restait plus qu'un morceau de lard, et un peu de fleur endommagée pour quelques repas seulement; notre graisse était presque toute consommée, et il ne restait plus qu'une chopine ou environ de liqueur spiritueuse, que nous réservâmes pour notre arrivée au lac Saint-Jean, que des circonstances aussi pressantes nous faisaient chercher avec le plus grand empressement. Mais la latitude que j'avais obtenue me persuadait vivement que nous n'étions plus qu'à quelques milles du point désiré, étant sous l'impression que Charlevoix avait mis le lac Saint-Jean vers 48° 30" de latitude. C'est pourquoi n'y ayant plus que 8 milles géographiques de distance, j'espérais arriver au lac ce jour là, et je le dis au parti. Ainsi donc dès le point du jour nous transportâmes le restant du bagage, et nous embarquâmes dans les canots au pied du rapide, où la rivière est parsemée d'un nombre d'îles, et nous arrivâmes au 45e. portage sur le rivage septentrional, pour éviter un grand rapide, que sautèrent cependant les canots déchargés et conduit par le pilote et par les rameurs. Le portage qu'a un demi mille de long, passe en partie sur des hauteurs partie à leurs pieds, jusqu'aux quelles la direction générale de la rivière depuis le 43e. portage est environ est, et d'où elle est nord jusqu'à quelques rapides que nous sautâmes jusqu'au long rapide de la chute ainsi appelé d'un ruisseau, qui se précipite du haut des rochers escarpés qui forment les rivages de la rivière.

Avant d'arriver au pied du rapide notre grand canot embarqua, en passant le bouillon, environ 12 seaux d'eau, qui l'emplirent presque. Le petit canot qui nous suivait, outre qu'il prit beaucoup d'eau dans le bouillon, frappa aussi sur une roche, par la maladresse du pilote, qui ne prit pas le bon cours de l'eau; mais heureusement il arriva au pied du rapide avant d'enfoncer. M. Gouldie montra, dans cette occasion, un grand sang-froid, étant lui-même dans le canot, qui fut tiré au rivage et vidé pour être réparé au prochain portage, que nous atteignîmes à environ un mille au dessous du rapide.

En examinant le canot, on trouva, outre l'écorce qui était fendue dans le devant, qu'une des courbes était cassée, ce qui demandait une réparation immédiate. Pendant ce temps là, quatre des voyageurs, le guide et nous-mêmes, nous nous mîmes à traverser le portage, les premiers ayant pris beaucoup d'avance sur nous.

En arrivant au haut de la montagne nous aperçûmes, à notre très grande joie, le lac Saint-Jean, sans pouvoir cependant distinguer aucun objet immédiat, mais c'était comme une mer lointaine, ou un nuage fixé à l'horizon; notre imagination tira la conclusion. En descendant, l'inclinaison graduelle de la terre, dans une certaine distance, lui donne un caractère tout différent, et elle est boisée de bouleau noir, d'épinette, de pin et de quelques érables. L'argile se montre à la surface, qui est arrosée par plusieurs ruisseaux qui coupent le sentier qui paraît ici bien battu et être journellement fréquenté. Après qu'on est descendu environ 250 pieds sur un terrain de transport au pied des hauteurs, on trouve un sol d'une qualité excellente, étant ce qu'on appelle ordinairement terre grise, qui produit de l'érable, du sapin, du frêne, du pin, de l'épinette et un peu de cèdre.

Nous passâmes une rivière assez considérable, à trois quarts de mille au delà de laquelle nous rencontrâmes un bocage superbe de cèdre, bordant le rivage du lac Saint-Jean, et à 6½ heures, P. M. nous vîmes, avec délectation toute particulière se déployer la nappe étendue d'eau que présente ce beau lac. Les îles lointaines et la vue qui se perdait au delà augmentaient l'intérêt et notre admiration comme si c'eût été un nouvel atmosphère qui se fut ouvert devant nous, après avoir été bornés à la sphère limitée de rivières, de savannes, de montagnes, d'étangs et de petits lacs.

Nous choisîmes un site pour camper sous les cèdres, qui ombragent le rivage sablonneux ou alluvial du lac, et en cette occasion ayant divisé ce qui restait de liqueur spiritueuse entre les gens et nous-mêmes, nous bûmes avec applaudissement la santé du roi George, pour le succès qui accompagnait ainsi la première expédition envoyée sous les auspices de la législature coloniale, pour explorer cette portion vaste, mais peu connue du Bas-Canada.

Vendredi 22.—Comme nos deux canots demandaient indispensablement quelques réparations, pour nous mettre en état d'avancer sur le lac, avec sûreté, à la recherche du poste de trafic; après qu'ils avaient été apportés de l'extrémité supérieure du portage, qui se trouva de 2½ milles de long, et qui est le 46e. depuis la rivière Saint-Maurice, et désirant en même temps obtenir la latitude et la variation, à l'embouchure de la rivière Oniatouan, par

Appendice
(V.)
14 janvier.

par un nombre d'azimuts solaires, vu que le jour était très favorable à cela, je me décidai à rester à ce campement pour toute cette journée, et de ne partir pour le poste que le lendemain matin. D'après plusieurs observations et les hauteurs égales du soleil et un milieu avec les azimuts de l'étoile polaire, et la hauteur de la lune et de Venus au méridien, que la latitude de l'embouchure de la rivière Ouatchouan, à notre campement, était de 48° 30' 15" Nord et la variation du compas 15° 40' Ouest.

En rejetant la vue en arrière sur le territoire que j'avais traversé entre le Saint-Maurice et le lac Saint-Jean, je le trouve entrecoupé de rivières et de leurs tributaires sans nombre, qui aboutissent généralement à des lacs, et les immenses marais ou savanes qui couvrent cette section du pays. Le trait essentiel de la terre c'est son état défavorable à la culture, n'étant presque composé que d'un sol léger et sablonneux, ou rocheux. Il s'y rencontre grand nombre de chaînes de montagnes sans continuité. Les rochers escarpés, qui en plusieurs endroits laissent à découvert leur aridité naturelle, ne sont généralement composés que de granite d'unestratification irrégulière. Les montagnes disparaissent aux hauteurs entre les différentes eaux, où le caractère commun est d'être une savanne immense d'épinette ou de tamarack, souvent rocheuse ou d'un terrain tremblant et marécageux. Le bois qui y domine est l'épinette, le tamarack, le sapin, le bouleau blanc, le pin et un peu de cèdre.

On trouve autour de quelques grands lacs un peu de terre cultivable, mais de si difficile accès qu'elle est destinée à être toujours inculte et déserte. A la vérité, dans l'ensemble cette partie du pays me paraît être encore au premier degré de sa formation, dont un Géologue, je crois pourrait aisément suivre les traces, et il peut arriver que le temps perfectionne des terrains qui sont maintenant nullement propres à la culture.

Récapitulation des portages et des distances traversés depuis le St. Maurice jusqu'au lac St. Jean.

La distance que nous avons parcourue dans cette route par les 46 portages, en prenant toutes leurs longueurs réunies, est d'environ 24 milles, et le transport du bagage, des provisions et des canots à ordinairement triplé le chemin.

La Table suivante montrera toute la distance, aussi bien que les distances respectives des points remarquables qui se rencontrent sur la route.

TABLE DE DISTANCES.

Entrée de la rivière Bostonias.

9	Grand Wagagamacke.																	
21	12	Portage 5e.																
26	17	5	Wagagamacke Inférieure.															
34	25	13	8	Portage de la division des eaux Bastonais et Batiscan.														
45	29	17	12	4	Branche nord-ouest du Batiscan.													
45	56	24	19	11	7	Lac Edouard.												
69	60	48	47	35	51	24	Portage 20e—sur la branche nord-est du Batiscan.											
71	62	59	45	57	55	26	2	Portage 24. Division des eaux Bastonais et N. [Bastonais.										
87	78	66	61	55	49	42	18	16	Lac Kagoualwang.									
92	85	71	66	58	54	47	55	21	5	Port. 55. Lac Quaquagamacke et premières eaux de la Riv. Ouatchouan.								
99	90	78	75	65	61	54	50	28	12	7	Lac Quaquagamacke, ou 55e. Port.							
107	98	86	81	75	69	62	58	56	40	15	8	Montagne, ou 56e Portage.						
111	102	90	85	77	74	66	42	40	47	19	12	4	Lac des Commissaires.					
118	110	98	95	85	81	74	50	48	55	27	20	12	8	Baie de grêle ou 57e.				
126	118	106	101	95	89	82	58	56	65	55	28	20	16	8	Portage 59.			
141	155	121	116	108	104	97	75	71	68	59	45	55	51	25	15	Portage 44.		
146	140	128	125	115	111	104	80	78	75	57	50	42	58	50	22	7	Ouatchouan ou 56e port	
150	142	150	125	117	113	106	82	80	77	59	52	44	50	52	24	9	L. St. John	

Samedi 23.—Nous partîmes de bonne heure ce jour là pour le poste du commerce à l'entrée de la rivière Metabetschuan, et un bon vent du sud-ouest nous permit de suspendre l'usage des avirons et de monter une voile qui nous mena à la Pointe à la Traverse, de là cotoyant le rivage du lac, S. E. et S., nous passâmes la Pointe au Bouleau et arrivâmes à la Pointe au Raisin, d'où nous eûmes le plaisir particulier d'apercevoir l'habitation du Post sur le rivage oriental du Metabetschuan. Une chanson de Voyageur et la décharge d'un fusil amenèrent sur le rivage les habitants, qui à notre approche répondirent à notre décharge.

A notre débarquement nous fûmes reçus par M. Andrew Stuart, un des Commissaires, qui avec M. Wagner, M. Nixon et M. Bowen n'avait précédé notre arrivée que la veille; ils formaient une des expéditions qui monta le Saguenay. Après les compliments et félicitations réciproques convenables à l'occasion, j'appris que comme on avait désespéré que le parti du St. Maurice put parvenir au lac, on avait chargé le service qui m'était assigné de monter l'Assouapmousoin et d'explorer les bords S. et S. O. du lac St. Jean, au parti de M. Hamel, alors sur le lac aux environs de la Grande Décharge. Notre heureuse arrivée fit revivre le projet original, avec les instructions additionnelles de la part de M. Stuart, savoir que j'explorerais le pays qui s'étend au sud-est de la Belle Rivière, &c. &c. borné d'un côté par l'embouchure de cette rivière, et de l'autre par le territoire de Chicoutimi, au lieu de la Péninsule qui avait été auparavant proposée.

Un repas abondant, composé de légumes cultivés par l'industrie de Mr. Murdoch, commis au au poste de commerce pour la Compagnie des postes du Roi, et les douceurs apportées par l'autre parti et rappela nos appétits affamés à leur ton naturel, n'ayant vécu, depuis les derniers quinze jours, que sur de la farine sure et de la graisse—quelquefois sur de la soupe aux pois.

Dimanche, 24. A 10 heures, le Commissaire et le parti laissèrent le poste pour aller faire le tour du lac. Etant nécessaire d'avoir une certaine quantité de farine mise en pain pour la commodité du parti pendant l'exploration, ce qu'on ne pouvait faire que pour une heure trop avancée pour partir, je pris avec moi deux hommes dans le grand canot, étant le seul qui restait, M. Stuart ayant trouvé expédient de réduire mon parti de voyageurs d'un homme (Terreau) et du guide. M. Goullie étant dans la nécessité de retourner à Québec, plus à bonne heure qu'il ne l'aurait pu en toute vraisemblance en restant de mon parti, il s'attacha à M. Baddeley, ce qui nous priva de notre aimable compagnon militaire. Je montai le Metabetschuan, qui un peu au-dessus de son embouchure s'étend en un large bassin qui va jusqu'aux pieds des rapides, où nous débarquâmes et d'où je fis une excursion à gauche ou sur le rivage oriental jusqu'au sommet des montagnes qui commandent le poste et qui en sont à environ 3 milles. J'y trouvai la terre d'une qualité médiocre, étant en grande partie composée d'une marne rouge mêlée de petit gravier et de claie, à une petite profondeur au dessous du sol végétal. Le bois dominant en cet endroit est l'épinette, le bouleau noir et blanc, le basswood, le sapin, le pin, le peuplier et quelques érables.

Avant voyagé environ 2 milles, et ne trouvant pas le portage comme je m'y attendais, je retournai au poste, où M. Davies était demeuré pour classer les échantillons qu'on avait recueillis dans l'intérieur du pays.

L'établissement du poste consiste en une maison pour le commis résident, un magasin, une boulangerie et une étable ou grange, avec un jardin spacieux, qui produit des légumes en abondance, surtout des patates pour l'usage des habitants du poste. Il est sur le même site où les Jésuites avaient un établissement dans le 16e. siècle, et on remarque encore les raies de charrue sur les terrains aux environs du jardin, qui étaient alors en état de culture et qui sont maintenant couverts d'une pousse d'épinette, de tremble, de sapin, de bouleau et de pin, et dont une partie produit du mil. Les pommiers et les pruniers qui à la connaissance de plusieurs ont été vus au poste, sont devenus sauvages et sont disparus. Le Metabetschuan, qui signifie "un endroit où finit le cours de l'eau," est une belle grande rivière, profonde à son entrée dans le bassin au pied du rapide; sur ses rivages près du poste on trouve une variété de coquillages de mer et autres restes organiques dont M.M. Davies et Baddeley ont recueilli plusieurs beaux échantillons; ce dernier est un officier du génie, qui a offert ses services pour suivre l'expédition la vue de faire des recherches dans la géologie, qui est sa science favorite. Cette nuit se passa à faire des observations sur les étoiles polaires, par le moyen desquelles et avec le secours d'observations solaires prises précédemment, j'obtins la latitude 48° 27', et la variation du compas 15° 30', au poste.

Lundi, 25.—Ayant pris la quantité de provisions nécessaires pour monter la rivière Assouapmousoin et explorer certaines parties des bords du lac, nous partîmes du poste à 10 heures. Suivant à pied le rivage au sud, je pris les distances et les directions suivantes pour servir de base pour obtenir les intersections des hauteurs les plus apparentes du côté nord-est du lac, et de la Pointe Bleue et des Iles du côté occidental, et en même temps pour avoir des renseignements plus exacts sur la qualité du sol et du bois.

A commencer au point occidental de l'embouchure de la rivière Metabetschuan.

Directions.	Distances.		REMARQUES.
	Chaînes.	hainons	
N 21 O	13	0	Orme, basswood, érable, Claie, marne,
N 51 O	6	30	
N 83 1/2 O	9	67	Ile du Nord et de l'O'c N. 34 W. Pin blanc et rouge, peuplier, bouleau.
S 13 O	6	16	
S 75 O	25	10	Epinette, sapin et cèdre, à la Pointe aux Aulnes et une petite rivière.
S 81 O	19	20	
S 85 O	19	25	Aulnes et orme, bonne terre. Savannes et pointe aux Rocher. Sol sablonneux. Cèdre, épinette et pin. Côte S. 20 E. Pointe aux Roches. Roches, calcaire, plong. 45 N. Sapin, baume et pin blanc. Pointe aux Roches; peuplier, bouleau, orme,
Ouest	21	50	
N 80 1/2 O	12	0	Aulnes et orme, bonne terre. Savannes et pointe aux Rocher. Sol sablonneux. Cèdre, épinette et pin. Côte S. 20 E. Pointe aux Roches. Roches, calcaire, plong. 45 N. Sapin, baume et pin blanc. Pointe aux Roches; peuplier, bouleau, orme,
N 36 1/2 O	2	0	
N 48 O	18	83	Aulnes et orme, bonne terre. Savannes et pointe aux Rocher. Sol sablonneux. Cèdre, épinette et pin. Côte S. 20 E. Pointe aux Roches. Roches, calcaire, plong. 45 N. Sapin, baume et pin blanc. Pointe aux Roches; peuplier, bouleau, orme,
N 74 O	4	17	
N 32 O	9	0	Aulnes et orme, bonne terre. Savannes et pointe aux Rocher. Sol sablonneux. Cèdre, épinette et pin. Côte S. 20 E. Pointe aux Roches. Roches, calcaire, plong. 45 N. Sapin, baume et pin blanc. Pointe aux Roches; peuplier, bouleau, orme,
N 70 1/2 O	5	50	
N 16 O	8	0	Aulnes et orme, bonne terre. Savannes et pointe aux Rocher. Sol sablonneux. Cèdre, épinette et pin. Côte S. 20 E. Pointe aux Roches. Roches, calcaire, plong. 45 N. Sapin, baume et pin blanc. Pointe aux Roches; peuplier, bouleau, orme,
N 54 O	5	50	
N 74 O	1	50	Aulnes et orme, bonne terre. Savannes et pointe aux Rocher. Sol sablonneux. Cèdre, épinette et pin. Côte S. 20 E. Pointe aux Roches. Roches, calcaire, plong. 45 N. Sapin, baume et pin blanc. Pointe aux Roches; peuplier, bouleau, orme,
N 75 O	11	85	
N 21 O	12	0	Aulnes et orme, bonne terre. Savannes et pointe aux Rocher. Sol sablonneux. Cèdre, épinette et pin. Côte S. 20 E. Pointe aux Roches. Roches, calcaire, plong. 45 N. Sapin, baume et pin blanc. Pointe aux Roches; peuplier, bouleau, orme,
N 41 O	23	0	
N 61 O	3	0	Aulnes et orme, bonne terre. Savannes et pointe aux Rocher. Sol sablonneux. Cèdre, épinette et pin. Côte S. 20 E. Pointe aux Roches. Roches, calcaire, plong. 45 N. Sapin, baume et pin blanc. Pointe aux Roches; peuplier, bouleau, orme,
N 21 O	12	0	
N 41 O	23	0	

Un gros vent du N. O. accompagné de grêle et de pluie, nous obligea de camper sur le rivage à 3 heures.

Mardi, 26. Nous fîmes une excursion dans l'intérieur, dirigeant notre course S. S. Est, et nous traversâmes un sol d'une excellente qualité, à aller jusqu'à environ un mille du lac, le terrain se composant d'argile marneuse riche, appelée communément terre grise, qui s'étend jusqu'au pied d'une hauteur, sur laquelle la terre est d'une marne plus légère; et à environ une demie lieue j'atteignis la plus haute élévation, où le pays devient boisé d'épinette, de sapin, de tamarack et de bouleau blanc. La première qualité de terre que j'ai rencontrée et que je viens de mentionner est boisée de bouleau noir, de frêne, de baume, de pin, d'orme, de basswood, et d'érable, mais en petite quantité; la seconde, sur l'élévation, à moins de bouleau noir, de frêne, de sapin, d'érable et d'orme. Ayant retourné aux camp et le vent s'étant bien modéré, mais y ayant encore une forte houle sur le lac, je me remis à explorer ses bords comme je l'avais commencé depuis le Metabetschuan.

Directions.	Distances.		Remarques.
	Chaines	Chainons	
N. 39 O.	17	0	Rivage rocheux, orme, sapin sur les bords, et épinette, sapin en arrière, marne mêlée, bonne terre.
N. 40 O.	29	50	Nous passâmes partie de la distance sur une côte de roche; recueillimes des échantillons de marbre blanc, de pierre à calumet, de pétrifications végétales et d'autres restes organiques. Les rochers plongent 45°. N. E. Le bois remarqué est épinette, cèdre, frêne et pin.
N. 66 O.	5	50	Grosse Ile, gisant N. 20°. O. Pointe à la Traverse, N. 29°. O. Pointe Bleue, N. 25°. O. marbre vert roulé; orme, bouleau, sapin, épinette, frêne blanc, tremble.
N. 33½ O.	8	0	Bouleau noir, frêne, épinette et sapin.
N. 42½ O.	16	50	Rivage rocheux, calcaire, plonge 35°. N. E.
N. 54 O.	12	50	Rivage sablonneux.
N. 32 O.	11	0	Même qualité.
N. 45 O.	11	50	Carrières étendues de calcaire et d'ardoise.
N. 46 O.	9	25	Orme, frêne, sapin, épinette, Bonne terre.
N. 40½ O.	8	0	Pointe aux Aulnes.
N. 10½ O.	3	0	
N. 17.30 O.	20	48	Tremble, orme, sapin.
N. 43½ O.	7	25	} 105° -20' } 115 45
N. 68½ O.	16	0	
N. 87½ O.	9	75	Carrière de calcaire, falaises 20 pieds perpendiculaires.
N. 48 O.	21	0	Cèdre, sapin, épinette.
N. 49½ O.	11	25	Pin, frêne.
N. 16 O.	7	0	
N. 21 O.	13	35	Rivage pierreux.
N. 28 O.	9	0	Peuplier, frêne, cèdre.
N. 33 O.	3	75	Rivage sablonneux; terrain alluvial ou de transport.
N. 37 O.	8	26	Une petite rivière, 12 chainons de large; orme, frêne, cèdre, sapin, bouleau noir. Excellente terre.
N. 11½ O.	19	50	Quelques peupliers et épinettes.
N. 20 E.	9	0	
N. 59 E.	14	0	
N. 18½ E.	5	0	Pointe au bouleau.
			Nous campâmes à 6½ heures. La nuit étant favorable pour faire des observations, je trouvai la latitude de la pointe 48°. 29' 30." et la variation 15°. 45'.
			Mercredi 27.
N. 34½ O.	37	0	Marne argileuse, excellente terre, sapin, orme, épinette et frêne.
N. 63 O.	18	0	
N. 20 O.	9	0	Pte. s'étendant 8 chaines.
N. 47 O.	12	16	Bois mêlé.
N. 48 O.	17	0	Rivage sablonneux.
N. 64 O.	15	68	Peuplier, sapin, bouleau, épinette.
N. 52 O.	10	0	
N. 35½ O.	14	0	Bois brûlés, situation d'un poste.
N. 34 O.	15	17	
N. 15 O.	10	78	Cèdre, peuplier et épinette.
N. 19 E.	12	50	
N. 15½ O.	6	65	
N. 47 O.	10	0	Gisement de la Grosse Ile.
N. 84½ O.	15	16	Rivage de sable et
N. 54 O.	20	0	Une Ile.
N. 48 O.	10	0	Gisement Pte. Bleue, Grosse Ile,
S. 69 O.	7	50	Carrière de calcaire et d'ardoise,
N. 14 O.	7	50	Pointe à la Traverse,
S. 18 O.	13	27	Ardoise régulière, bancs horizontaux.
S. 14 O.	6	0	Angle avec la chute, 29°.
S. 13 O.	7	44	Excellente terre, sapin, tremble, épinette, orme.
S. 83 E.	4	42	165 chaines en traversant la baie Ouitchouan, jusqu'au camp à l'entrée de la rivière.
S. 58½ O.			Procédés trigonométriques.

pieds de hauteur perpendiculaire; de-là vient le nom d'Ouitchouan, qui signifie en langue créenne, "vois-tu la chute"; il faut faire en cet endroit un portage. Les hauteurs en laissant la rivière continuent leur direction occidentale pour une certaine distance; après quoi elles paraissent courir du Nord-Ouest. Elles sont couvertes d'épinette, de sapin et de pin, et ont environ 6 à 700 pieds d'élévation.

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Avant ainsi achevé le relèvement de la base et exploré les bords Sud du lac, nous partîmes de la rivière Ouitchouan, à l'entrée de laquelle se trouve une petite Ile, et nous avançâmes pour explorer les bords occidentaux du lac. La cèdrière dont il a été fait mention plus haut n'est pas d'une grande étendue, et après qu'on l'a laissée le bois prend un caractère bien différent, n'étant principalement composé que de sapin, d'épinette, de bouleau blanc, de pin et de tremble, indiquant un sol beaucoup plus léger que celui qui domine du côté du sud.

Nous passâmes la rivière Ouitchouanish, aux environs de laquelle il paraît y avoir une grande étendue de terrain uni et de bonne terre. Cette rivière est à environ 3½ milles de l'Ouitchouan; après qu'on l'a laissée le lac se confond avec ses nombreuses baies, et le rivage est pierreux en plusieurs endroits, la terre s'y élevant en bancs horizontaux de calcaire, couvert principalement d'épinette, de peuplier, de bouleau blanc et de pin rouge et blanc en petite quantité.

Nous atteignîmes la Pointe Bleue, à environ 6½ milles nord quart est d'Ouitchouan. C'est une pointe de rocher couverte de mousse, et d'une pousse de petits cèdres, d'où les bords du lac courent ouest nord-ouest, décrivant une très grande baie, autour de laquelle il paraît y avoir de bonne terre, étant boisée de frêne, de sapin, de beaume, d'épinette et de cèdre, et unie dans une grande étendue. Nous étant tirés des canaux difficiles, formés par une multitude de petites Iles couvertes d'aulnes situées dans la baie, nous dirigeâmes notre course N. N. O. pour arriver à l'embouchure de la rivière Assouapmousoin que nous atteignîmes à 8 heures, et nous campâmes sur la rive orientale, près du camp de M. Verrault.

Jeudi 28.—Nous fîmes un dépôt des provisions et du bagage dont nous pouvions nous dispenser, et nous nous préparâmes à monter la rivière Assouapmousoin. A l'entrée de la rivière la terre est d'une très bonne qualité, et est principalement composé de terrain de transport, déposé sur un lit de claie et de marne, à une profondeur considérable au dessous. Il y a à l'embouchure deux Iles, dont l'une en particulier n'a pas moins d'une demie lieue de long, et le bois qui y pousse est orme, frêne, sapin et aulnes. La largeur de la rivière n'est pas moins de ¾ de mille à son embouchure, et au dessus de la grande Ile elle a près d'un demi mille.

En montant la rivière, je remarquai que la terre située sur la branche occidentale est meilleure que celle de la branche orientale. C'est généralement un terrain de transport, montrant dessous une couche végétale une marne argileuse, appelée terre grise, reposant sur un lit de claie blanche, sous laquelle l'on trouve quelquefois un lit de marne bleue et molle, qui plonge dessous la surface de l'eau. Le bois consiste principalement d'orme, de frêne, de cèdre, de sapin, de beaume, d'épinette rouge, de pin blanc et rouge, de bouleau jaune, et de peupliers et de bouleaux blancs en petit nombre. Quoique sur le rivage oriental, cette couche inférieure de terre existe plus ou moins, néanmoins la proportion de sable mêlée avec la marne est plus considérable, et le bois consiste de tamarack, de bouleau blanc, d'épinette, de sapin, de beaume, de tremble et de pin; on remarque communément sur l'un et l'autre rivage du cyprès et un pin rouge, ou pin de Norvège. A 1½ lieue et au dessus d'une autre grande Ile, la rivière devient peu profonde, et le courant descend avec beaucoup de vitesse, et change sa course de N. 30 O. à S. 25 O., jusqu'à un groupe de trois Iles du même caractère que celle déjà décrite. De là la rivière court généralement N. N. O., et devient très rapide. Ici l'on laisse les avirons et l'on prend les perches; un peu au dessous d'un petit portage nous reprîmes les avirons; ce portage passe sur les rochers du rivage oriental, et est à 5 milles au dessus du groupe d'Iles.

Ce premier Portage a 130 verges de long, et pendant l'été passe sur les rochers de la rivière, mais dans le printemps par le bois. A environ trois quarts de mille au dessus de ce Portage est le Portage du Saumon, sur le rivage occidental, ayant 1200 verges, et passant partie par le bois, partie sur le rivage.

La Rivière Assouapmousoin offre en cet endroit deux cascades différentes, dont la supérieure est cependant une chute plus perpendiculaire de 15 pieds, et présentant dans le bassin situé au pied un site avantageux pour un moulin; de là elle dirige sa course au sud-est, et tombe sur les rochers-brisés, et se divise en deux canaux, presque au pied du Portage, par un petit rocher.

Dans le bassin ou baie, au débarquement supérieur, se trouve une Ile bien boisée d'un demi mille de long. Après le Portage nous tombâmes dans la rivière au Saumon, qui court S. O. dans l'intérieur du pays, qui cesse d'être susceptible de culture à environ 6 à 7 milles de son embouchure, où la terre devient savanneuse et couverte de plaines immenses, qui ne produisent que de l'épinette blanche, et est un pays propre à la chasse du Caribou.

Le temps menaçant l'orage, nous campâmes sur l'Ile vis-à-vis l'embouchure de la rivière, à 5 heures P. M., et aussitôt le vent se mit à souffler d'une force assez violente pour repousser le courant de la rivière et pour arracher des arbres, que nous entendions tomber de tout côtés. Ce tourbillon soudain fut suivi par des torrens de pluie, qui ne cessèrent que tard dans la nuit.

Vendredi 29.—Nous laissâmes l'Ile de bonne heure ce jour là. La largeur commune de la rivière est d'un peu plus d'un quart de mille, et le cours en est très rapide. Les rivages offrent encore une excellente qualité de terre et très susceptible de culture. Le sol est principalement une glaise argileuse, sur un lit de claie blanche; on y aperçoit souvent de la marne, mais à une profondeur considérable au dessus de cette dernière. Le bois est orme, frêne, épinette, pin rouge, et de la plus belle crue; en plusieurs endroits cependant, surtout sur la rive orientale, la glaise renferme beaucoup de sable, quoique les couches inférieures soient de la même espèce. Le bois dominant est l'épinette, le sapin, le bouleau blanc, le tremble, et le cyprès.

Le cours ordinaire de la rivière depuis le Portage du Saumon jusqu'au au troisième Portage, est Nord 7° Est, cela fait une distance de 7 milles environ; ensuite E. N. E. environ un mille jusqu'à une Ile, alors N. N. O. 2½ milles jusqu'au Portage à l'Ours. Au troisième Portage le sol présente un caractère plus sablonneux; le peuplier, le bouleau blanc, le pin, et le tamarack sont les espèces de bois les plus communes sur les rivages; et

Arrivé vis-à-vis la Grosse Ile, qui est à un mille et demi en traversant de la Pointe à la Traverse, je visitai l'Ile, qui a environ 2½ milles de circonférence; la terre y est de bonne qualité, boisée d'épinette, d'orme, de pin et de frêne. De ce point je constatai trigonométriquement la distance de la Petite Ile, de la Pointe Bleue et du Banc de Sable. M. Davies en faisant le tour de l'Ile trouva des blocs de granit. La Petite Ile est à près de deux milles de distance à l'ouest de la Grosse Ile; mais je n'eus pas le temps d'y aller, étant essentielle de monter la rivière Assouapmousoin, avec M. Verrault, qui m'avait devancé le matin allant avec des canots chargés au poste de trafic sur le lac Assouapmousoin; et qui devait m'attendre à l'embouchure de cette rivière, c'était là une occasion bien favorable pour acquérir beaucoup de renseignements locaux pour l'avantage du service auquel j'étais employé, la position et les noms des portages, etc. Je crus que je devais en profiter.

Avant de laisser l'Ile, j'observai la hauteur du soleil au méridien, lat. 48. 26°; et je remarquai une chaîne de montagnes, qui court depuis le M3tabetsuan en suivant les bords méridionaux du lac et coupe la rivière Ouitchouan, causant la belle et superbe chute d'Ouitchouan, qui a 236

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et le sol se détériore encore, comme on approche du Portage à l'Ours. Ce Portage est à l'Est de la chute, qui a au moins 50 pieds perpendiculaires, et a un très bel effet. Il a environ 1½ mille de long, et passe à travers une forêt de cyprès, de petits pins blancs et de Sapins, que produit un sol sablonneux, à une grande profondeur audessous duquel se trouve l'argile.

Du débarquement supérieur il y a ¾ lieu au Petit Portage à l'Ours, qu'a 350 verges de long, et traverse une étroite langue de terre. En cet endroit la rivière décrit un croissant en tombant sur les rochers d'une manière bien pittoresque. Entre ces deux Portages, on ne voit des deux côtés de la rivière que des rivages de sable, ce qui donne une bien pauvre idée du pays. De ce Portage il y a ¾ de mille à aller aux rapides de Pemouka et au Portage du rivage sud; le cours ordinaire de la rivière étant Est et Ouest. Ce portage a 600 verges par dessus les rochers, qui dans le printemps sont couverts par les eaux, dans lequel cas l'on fait le Portage sur le rivage du Nord.

Nous traversâmes la rivière à l'embarquement supérieur, et nous montâmes au Portage de Pemouka, ou "dernier pin" ainsi appelé parcequ'il est vis-à-vis le dernier pin que l'on voit dans l'intérieur du pays. Il a ¾ de mille de long, et passe par une savanne d'épinette blanche et de tamarack. Comme il était tard, nous campâmes à l'embarquement supérieur sous les cyprès qui bordent la rivière.

Cette nuit j'obtins la hauteur de la lune et de plusieurs étoiles circumpolaires, d'où je déduis la latitude 49° 0' 30" et la variation du compas 9° S seulement, diminution extraordinaire qu'il faut attribuer aux rochers, qui doivent être imprégnés de fer magnétique, quoiqu'en faisant l'application de plusieurs échantillons, je ne pusse appercevoir aucune attraction sensible.

Samedi 30.—Ayant monté jusqu'à la rivière Assouapmoussouin, ce qui faisait une distance de plus de 30 milles, je trouvai qu'en passant le Portage à l'Ours, j'avais été au-delà de la région de la bonne terre et propre à la culture, ayant, après avoir passé ce Portage, rencontré un sol dont le caractère général était d'être sablonneux, et qui à ce dernier Portage devenait encore inférieur, le pays n'étant propre qu'à la chasse du caribou et du rat.

Mr. Verrault qui voyagea de compagnie avec nous et qui connaît parfaitement bien le pays, m'informa, que l'aspect actuel du sol pouvait s'étendre jusqu'au pied des Grandes Rapides, environ 3 lieues plus haut, mais là la terre devient tout-à-fait incultivable, étant traversée par une chaîne de montagne de roche, qui ne produisent que du sapinage et de l'épinette. Quo cette chaîne est une continuation des montagnes qui coupent la rivière Oniatshouan, et par là entourent une vallée étendue située entre elles, et le lac aboutit à la rivière Assouapmoussouin, comme un Point. Il était par conséquent inutile de monter la rivière davantage, ou à perdre vainement le temps à chercher de la bonne terre, au-delà du Portage de Pemouka. c'est pourquoi nous nous séparâmes de Mr. Verrault, et descendîmes la rivière pour retourner au lac.

Passant à la rivière au Saumon, nous levâmes le filet qui avait été tendu à l'entrée de la rivière, et nous y trouvâmes un brochet, quelques carpes et un doré, tous d'une bonne grosseur. Nous arrivâmes à notre dépôt, à l'embouchure de la rivière Assouapmoussouin à 6 heures P. M. et nous vîmes par des remarques inscrites sur un morceau de cèdre que Mr. Baddeley et son parti l'avaient visité le 27 courant, le jour même de notre départ du haut de la rivière.

Dimanche 31.—Après une nuit bien orageuse, accompagnée d'éclairs, il fit beau le matin, et après avoir pris une série d'angles à l'embouchure de la rivière Assouapmoussouin (mot qui signifie "guette l'élan qui est ici") de divers objets marqua et remarquables, qui se trouvaient autour de moi; savoir: les montagnes qui s'étendent à l'Ouest de la chute Onitshouan, celles qui sont en arrière de la rivière Metabetshouan, la Pointe Bleue, &c., nous embarquâmes dans le canot et marchâmes vers la rivière Mistassini, "la Grosse Roche."

Suivant N. O. les bords du lac qui paraissent bas et de niveau, boisés d'épinette, de sapin, de bouleau et de pin, nous atteignîmes, à 3 milles de l'Assouapmoussouin, les battures de sable qui sont à l'entrée de Mistassini, et qui paraissent s'étendre à une distance considérable dans le lac, et ce fut avec peine que nous doublâmes la pointe N. E. de la rivière, qui a 3 milles de traverse à partir de la pointe méridionale.

Ayant l'avantage d'avoir une base étendue sur les bas fonds, je déterminai plusieurs distances dans le haut de la rivière Mistassini, à près de deux lieux, et à travers le lac St. Jean, les montagnes de Metabetshouan et d'Onitshouan, la Pointe Bleue. Le terrain le long de la rivière Mistassini, offre dans cet espace un aspect favorable aux établissements, quoique, d'après les renseignements reçus de Mr. Verrault, il paraîtrait y avoir de grandes étendues de terre incultivable, entre la rivière Assouapmoussouin et la rivière Mistassini. Malgré cela, vu la proximité de ces deux rivières, et l'aspect général du pays, en montant la première, je suis porté à croire qu'il y a de grandes portions de terre entre elles susceptibles de culture.

En partant de la rivière Mistassini, dont la largeur ordinaire est de près d'un demi-mille, nous éprouvâmes beaucoup de retardement, en étant obligés de traîner le canot sur les bas fonds qui s'étendent à ½ lieu du rivage: ce qui me porta à supposer que le lac St. Jean est généralement bas, ce que semble comporter le sens du nom sauvage de ce lac; Peakugami (Lac Plat.) Après avoir passé les bas fonds, nous nous dirigeâmes vers le nord-ouest pour arriver à la rivière Peribouka (rivière curieuse.) Je remarquai que le caractère du pays différerait essentiellement des rivages sud et ouest, étant bien bas et plat, et que le bois consistait en épinette blanche, bouleau blanc, tremble, cyprès, pin rouge et blanc, espèces de bois qui dénotent un sol léger et sablonneux.

On découvre avec facilité la terre sur les bords qui sont vis-à-vis, c'est-à-dire au sud, tandis que de là il est possible d'apercevoir l'immense étendue de terrain qui va jusqu'au pied d'une chaîne de montagnes considérables et sans doute c'est la continuation des montagnes qui traversent la rivière Assouapmoussouin aux grandes rapides et qui par là bornent la grande vallée du lac St. Jean de ce côté là.

A environ 10½ milles de Mistassini, nous débarquâmes, et campâmes à un mille et demi environ à l'ouest de la rivière Peribouka, sur le rivage. Cette nuit fut très favorable pour faire des observations, et en conséquence je trouvai la latitude de notre camp que était, 48° 51' 30"; la variation du compas était de 16° 30' ouest.

Lundi 1er septembre.—Ayant aperçu sur le bord opposé la chute d'Onitshouan, qui a justement l'apparence d'une tâche blanche au milieu des montagnes, je supposai une base d'un quart de mille, et je déterminai exactement la hauteur et la distance de la chute gisement S. 16° 30' ouest, 26½ milles, hauteur de la montagne 720 pieds, et celle de la chute 236 pieds perpendiculaires. Je constatai aussi la largeur du lac, bien près du poste de Metabetshouan, d'une élévation bien saillante, étant 32 milles de distance, laquelle élévation je savais être à 8 milles des bords du lac, ce qui donnerait au lac près du poste la largeur de 29 milles, ce qui s'accorderait d'assez près avec la différence de latitude en milles légaux—(statute miles.)

Ayant fait une petite excursion dans l'intérieur, je montai d'abord sur une petite élévation qui est parallèle aux rivages, et de là je descendis dans une savanne d'épinette, qui est au dessous du niveau du lac, et cette espèce de terrain paraît être d'une grande étendue. Nous partîmes du camp à 9½ heures. Nous traversâmes l'embouchure de la rivière Peribouka, qui paraît avoir ¾ mille de large, et nous eûmes la vue de la grande vallée, qui s'étend environ dix milles au nord, jusqu'à des montagnes qui courent vers le sud-est. Je dirigeai ma course sur la pointe Saint-David, à 9½ milles de là, et à cette distance je remarquai que les bords du lac sont généralement bas, et le sol d'une nature sablonneuse; le bois est le cyprès, le sapin, l'épinette, le tremble et le pin. Le lac est aussi en cet endroit peu profond, et les bas fonds courent à une distance du rivage, on les appelle bas fonds de Peribouka.

Depuis la pointe Saint-David jusqu'à la pointe Saint-André, nous côtoyâmes le rivage, qui est très bas, et qui paraît être d'une nature sablonneuse et marécageuse; le bois est le cyprès, pin rouge et blanc d'une bonne qualité, sapin, épinette, bouleau blanc et tremble. A la pointe Saint-André nous traversâmes le lac aux bancs de sable qu'on peut appercevoir de cet endroit, si le temps est serein, S. 75 E. 4½ milles, qu'il entre dans le lac un petit ruisseau appelé Comethieu. On en aperçoit aisément la chute d'Onitshouan, gisant S. 54°. Je constatai trigonométriquement que la distance en était 26 milles. La terre autour de la baie est bien basse, et d'une espèce sablonneuse, et du même caractère qu'à Peribouka.

En partant des bancs de sable, nous passâmes quelques îles et rochers arides, fortement imprégnés de fer magnétique, comme on le voyait par l'attraction que l'aiguille aimantée avait pour les fragmens de ces rochers. De là dirigeant notre course environ E. S. E., nous passâmes au milieu des nombreuses îles, qui sont à l'entrée de la grande décharge. Il soufflait un vent assez frais du nord-ouest, qui causait une forte houle, qu'on ne sentait pas beaucoup à l'abri des îles, mais lorsque nous eûmes passé un groupe de ces îles, qui n'étaient que clairement boisées, nous nous trouvâmes exposés aux vagues, qui étaient si hautes que nous fûmes obligés de mettre dans une petite baie, où nous campâmes sur le rivage. En cet endroit, je détachai quelques fragmens des rochers qui formaient la pointe de la baie; ils étaient fortement imprégnés de fer magnétique, et avait un effet double d'attraction et de répulsion sur l'aiguille aimantée; M. Davies en recueillit plusieurs échantillons.

Nous explorâmes la rive méridionale de la petite décharge, qui est à environ un demi mille de la baie; ici je trouvai un échantillon de coquillage de mer, qui sûrement y avait été transporté par les glaces du printemps des bords méridionaux, le seul endroit du lac, entre la rivière Metabetshouan et la pointe à La Traverse, où l'on trouve des restes organiques. La terre y offre un aspect plus favorable, le sol est formé d'une glaise jaune, mêlée de petit gravier; le bois est l'épinette, le bouleau blanc et noir, le cèdre, le baume, le pin rouge et blanc, mais en petit nombre.

Mardi 2.—Le vent quoique abattu de beaucoup, soufflait encore une brise fraîche accompagnée de pluie, lorsque nous laissâmes notre camp. Les îles étaient tellement imprégnées de fer, que je me trouvais dans l'impossibilité de régler une direction pour notre course; cependant ayant passé au sud de ces îles, nous gagnâmes la terre ferme, que nous longeâmes, à cause de la force de la houle. Ce ne fut pas sans un grand danger, à cause des basses de Kushpahigan, qui courent au loin dans le lac, que nous débarquâmes à l'embouchure de la Belle Rivière ou Kushpahigan "endroit où on monte." Les voyageurs poussèrent alors dans le lac, en nous laissant sur le rivage, car je désirais examiner de plus près la nature du terrain, et je constatai d'aussi près que possible la distance de Kushpahigan au poste. La direction et la distance sont comme suit:

- S. 75 O. 40m.—Pin rouge, cyprès, quelques ormes.
- S. 65 O. 40m.—Frêne, orme, bouleau, épinette et pin rouge.
- S. 60 O. 80m.—Frêne, orme, bouleau, épinette et pin rouge.
- S. 55 O. 75m.—Épinette, frêne, peuplier et bouleau blanc.
- S. 53 O. 45m.—do de terrain de transport.
- S. 54 O. 100m.—Frêne, orme, épinette, tremble et cèdre.
- S. 30 O. 15m.—A la petite rivière Kushpahiganish, "où il y a une petite montée."

Les voyageurs qui avaient été ballottés par la houle de la rivière Kushpahigan, poussèrent alors directement à cette rivière, ce qui leur permit de mettre le canot à l'abri de l'orage. Nous campâmes temporairement pour nous faire sécher, après quoi M. Davies et moi nous nous mîmes en chemin pour nous rendre au poste, en suivant le rivage, ayant averti d'abord les voyageurs de gagner le poste aussitôt que la tempête serait apaisée. Nous primes les directions et les distances suivantes:

- N. 86 O. 25 chaînes.—Bouleau blanc, peuplier, cèdre, alluvion.
- S. 72 O. 75 " Orme, épinette, bouleau blanc, cèdre.
- S. 85 O. 55 " Rivages élevés de claie, surface de glaise, épinette, bouleau noir et baume.
- N. 40 O. 35 " Pin, bouleau, peuplier, épinette, bonne terre.
- S. 75 O. 60 " Bouleau noir, sapin, pin et peuplier, rivage de claie, surface de glaise.
- N. 75 O. 15 " Do do do.
- N. 25 O. 25 " Bonne terre, beaucoup de marne au dessous de la claie.
- S. 70 O. 140 " Pin, peuplier, bouleau, 5 pieds de glaise jaune au dessus de la claie, qui est molle et blanche.

N. 45 O. 20. " Au poste de Metabetshouan, où nous arrivâmes à 6 heures, et où nous apprîmes que M. Baddeley et Goldie avaient laissé le poste la veille, vers 3 heures. Le temps ayant continué à être orageux, nous ne pouvions pas nous attendre à ce que les voyageurs arrivassent ce jour là.

Mercredi.—

Mercredi 3.—Les voyageurs arrivèrent au poste à 10 heures A. M. Il fallut faire encore du pain, et pendant ce temps là je pris avec moi trois hommes dans le canot, pour monter jusqu'au portage, sur le rivage occidentale du Metabetshouan et pour explorer quelques parties du pays dans cette direction. Étant débarqué dans le bassin du côté du sud, on fit avec difficulté le portage du canot dans la distance d'un quart de mille, après quoi il fut impossible d'avancer avec le canot, que nous laissâmes derrière, pour continuer à traverser le portage. Il est assez uni dans l'espace d'une demi-lieue, après quoi il s'élève aussitôt qu'on a passé une petite rivière, que je trouvai fortement imprégnée de carbonate de fer et de soufre.

Le pays alors devient plus inégal, sans pourtant que la terre en soit moins bonne; je passai de temps en temps au pied d'une falaise perpendiculaire en traversant une riche savanne de frêne et d'épinette, d'aune et de cèdre entremêlés; le sol étant une terre noire argileuse. Ayant descendu une montagne à environ 4 milles du débarquement, jusqu'à la petite rivière qui court au nord, nous campâmes à 7 heures, la nuit menaçant d'être pluvieuse.

Jeudi 4.—Nous continuâmes le portage, malgré la pluie continue, et après avoir fait environ un mille, nous atteignîmes l'embarquement supérieur de la rivière Metabetshouan; à cette distance le sol est d'une espèce légère et sablonneuse, couvert de peuplier, de sapin, de baume et généralement peu avantageux pour y former des établissements. La rivière Metabetshouan, à l'endroit où je la traversai, n'est qu'un ruisseau peu profond et très rapide, ne présentant sur ses bords que des terres peu avantageuses.

Nous fumes de retour vers cinq heures au poste, où était arrivé avec un homme malade, M. Nixon qui était attaché au parti de M. Hamel, qui avait été dans la parti septentrionale du lac. La pluie continua à tomber en torrens, et ne laissait pas espérer grande chose pour le lendemain.

Vendredi 5.—Je demandai à M. Murdoch, le commis du poste, une certaine quantité de provisions, pour que je fusse en état d'explorer la partie du pays au S. E. de la Belle Rivière, jusqu'au territoire de Chicoutimi. La pluie qui était tombée depuis le matin, ne cessa que vers 2 heures, et nous nous préparâmes à laisser le poste. Nous partîmes à 4 heures, M. Nixon avec nous allant rejoindre son parti, et nous débarquâmes à Kuspahigan vers 6 heures, et nous campâmes sur le rivage est de l'embouchure de la rivière. Le vent soufflait du S. O., apparence de beau temps.

Samedi 5.—Matin seréin—nous observâmes la Pointe Bleue, gisant N. 43½ ouest—Grosse Ile N. 48° 30' O.—Pointe à la Traverse N. 55½ O. Montagne d'Ouatchouan, aux environs de la chute N. 65°.—Pointe au Raisin N. 79° O.—Une montagne particulière dans la chaîne du nord, gisant N. 33° E.

Ayant pris des provisions pour quelques jours nous montâmes le Kuspahiganish l'espace d'environ sept milles; cette rivière présente dans ses rivages alluviaux un composé de glaise claiuse. Dans les endroits où ils s'élèvent à une certaine élévation, la glaise se trouve sous un lit de glaise plus légère et sous le sol végétal. Le terrain est généralement d'une quantité excellente, boisé d'orme, de frêne, de bouleau noir, de basswood, d'érable et de sapin. Sur les endroits élevés du rivage, les principales espèces de bois sont le pin, l'épinette, le sapin, le bouleau blanc, le cèdre et le baume. Le pin blanc et rouge est d'une bonne quantité.

Ayant été bien retardés par la rapidité du courant, et par l'obstruction causée par de grands arbres qui étaient tombés en travers de la rivière; nous fumes obligés de couper un passage, et nous ne pumes faire que 7 milles, à laquelle distance la rivière devient très étroite, et la navigation tout-à-fait arrêtée par des arbres tombés. Nous campâmes sur le rivage orientale.

Dimanche 6.—Je pénétrai environ deux milles dans l'intérieur, et rencontrai un terrain bien entre coupé et inégal, pas cependant d'une nature rocheuse, le sol étant une riche claiie ou terre jaune, de quelques pieds de profondeur. Le bois le plus commun sur cette élévation, qui est au moins 150 pieds au dessus du lit du Kuspahiganish est le bouleau blanc et jaune, l'épinette, l'érable, le sapin, le frêne, l'orme et une bonne espèce de pin blanc et rouge. Ce terrain quoique défavorable à la culture ferait d'excellens pâturages.

De retour au camp, nous remarquâmes tout auprès un pin d'environ 12 pieds de circonférence, uni par la racine à une très grande épinette. Nous remarquâmes dans le canot pour retourner à l'embouchure de la rivière, qui dans la nuit avait baissée de près de 18 pouces, ce qui nous mis encore dans la nécessité de nous couper un nouveau passage à travers les arbres tombés dans la rivière. Nous remarquâmes que cette rivière est bien peu fréquentée par les chasseurs, car je ne remarquai aucune marque quelconque sur les arbres, et je vis par nombre de sentiers de castor et de loutres, qu'ils ne sont pas beaucoup visités ni troublés par les chasseurs sauvages.

Nous arrivâmes à l'embouchure de la rivière à 4 heures, et en partîmes à 5 pour nous rendre à Kuspahigan, où nous arrivâmes à 6½ heures, P. M., il faisait un gros vent du sud, accompagné de pluie. Nous campâmes sur le rivage du nord-est.

La table suivante montre les distances respectives des endroits remarquables sur les bords du lac St. Jean, constaté partie par des observations trigonométriques, partie par mesurages et estimations.

TABLE DE DISTANCES.

Embouchure du Kuspahigan ou Belle Rivière.												
5	Kuspahiganish.											
10½	5½	Poste de Metabetshouan.										
20	15	9½	Pointe à la Traverse.									
25	20	14½	5	Chûte de Ouatchouan.								
33	28	22½	13	8	Pointe Bleue.							
41	36	30½	21	16	8	Embouchure de Assouapmoussouin.						
47	42	36½	27	22	14	6	Mistassini.					
61	56	50½	41	36	28	20	14	Peribouka.				
78	7	67½	58	43	45	27	31	17	Rivière Coucouathimi.			
83	78	69½	63	48	50	32	36	22	5	Grande Décharge.		
88	83	74½	68	53	55	37	41	27	10	5	Petite Décharge.	
99	94	85½	79	64	66	48	55	38	21	16	11	Embouchure de Kuspahigan ou Belle Rivière.

Avant de finir avec le lac St. Jean, je prendrai la liberté de présenter quelques observations générales sur les traits caractéristiques du pays environnant, de sa localité et de ses avantages.

Le lac St. Jean est situé dans une immense vallée, et est le réservoir de grand nombre de grandes rivières et ruisseaux qui s'y déchargent, et dont plusieurs prennent leurs sources dans les hauteurs qui séparent le territoire de la Baie d'Hudson du Bas-Canada, déposant en descendant des montagnes qui forment cette grande vallée, les matériaux propres à améliorer et fertiliser le sol. Le lac est presque circulaire, la plus grande largeur est de 30 milles, depuis Metabetshouan jusqu'à Peribouka, et sa moindre largeur est d'environ 18 milles, depuis la Pointe St. David jusqu'à la Pointe Bleue, et il couvre en superficie environ 510 milles carrés.

L'étendue de terre cultivable du côté du sud du lac, entre les bords du lac et les montagnes, qui traversent les rivières Metabetshouan et Ouatchouan, à la distance commune de 5 milles du lac, peut-être d'environ 80,000 ou 100,000 acres en superficie. Cette étendue de terre est composé d'une excellente qualité de terrain, étant généralement une riche terre noire, souvent argileuse, ayant quelques intervalles sablonneux, et est ordinairement couverte d'une belle couche végétale. Les principales espèces de bois qui couvrent ce terrain sont le bouleau noir et jaune, le frêne, le sapin, le bass, le cèdre, l'épinette, le pin rouge et blanc, et l'érable, qui fournit une quantité suffisante de sucre pour l'usage des habitants du poste de commerce.

Ces montagnes continuent à courir vers l'occident depuis la chute d'Ouatchouan, l'espace d'environ 8 à 10 milles, de là elles prennent une direction nord-ouest vers la rivière Assouapmoussouin, qu'elles traversent aux Grand Rapides, laissant par là une vallée dont le côté occidental du lac et le rivage occidental de la rivière Assouapmoussouin forment le front; cette vallée forme une superficie d'environ 200 à 250,000 acres. Une si grande étendue renferme probablement une variété de sols bons et mauvais. Mais en en jugeant d'après les bords occidentaux du lac, et le terrain du rivage occidental de la rivière Assouapmoussouin, il doit y avoir dans cette vallée une grande étendue de terre susceptible d'être cultivée et établie. On peut mettre sur la même ligne les terres qui bordent la rivière Mistassini; de là à l'est depuis les bords septentrionaux du lac St. Jean jusqu'aux montagnes qui courent au sud-est depuis les Grandes Rapides de la rivière Assouapmoussouin, forment une partie de la grande vallée du lac St. Jean, le pays est bien bas, et c'en est le caractère principal. On trouverait, peut-être, le long de la rivière Peribouka, de la terre propre à la culture, mais, à cela près, le sol paraît être léger et sablonneux, et boisé généralement d'épinette, de sapin, de pin rouge et blanc, de bouleau blanc, de tremble et de tamarack.

Le lac St. Jean n'est pas assez profond pour la navigation des goélettes, au moins à une distance considérable des rivages qu'on ne peut aborder qu'en bateaux plats ou en canots d'écorce, à cause des bas fonds nombreux qui s'étendent des rivages dans le lac, surtout à l'entrée des rivières. Le lac abonde en plusieurs sortes de poissons, tels que le doré, la carpe, et l'achigan; la truite, le poisson blanc, l'anguille, le brochet, et un poisson particulier appelé *wenashish*. On prend maintenant une grande quantité de poisson à l'embouchure de la rivière Ouatchouan, qui paraît être l'endroit le plus propice pour tendre des filets, et où le poisson se trouve en plus grande abondance qu'en aucune autre partie dulac. On le sale et embarille pour le commerce.

Pour se former une idée du climat, il faudrait une expérience de quelques années. Cependant, dans le temps que je suis resté au lac, j'y ai trouvé la température égale à celle de Québec, avec un ciel clair et sans nuages, et un atmosphère plaisante et salubre. En traversant le pays je trouvai les nuits beaucoup plus froides qu'au lac St. Jean.

Le lac gèle vers la mi-novembre, et est libre de glace vers la fin de mai; l'intervalle réservé à la végétation est ainsi bien courte, mais elle est très rapide, car une petite quantité de froment qu'on avait semé au poste approchait rapidement à la maturité; il y avait long-temps que les patates étaient en fleur, et nous en mangâmes pendant notre séjour au lac.

Lundi, 7 Septembre 1829.

Il plut ce matin là. Nous partîmes de l'embouchure de la rivière Kuspahigan, pour la monter; le cours général, dans l'espace d'environ une demi-lieue, en est presque sud; nous remarquâmes des deux côté de la rivière un plateau alluvial, qui s'étend à certaine distance des rivages, jusqu'à une élévation qui paraît conserver une direction parallèle avec la rivière; le sol du plateau est d'une nature bien argileuse, à la surface du quel perce par endroit une terre grasse très riche, ou de sol végétal; les principales espèces de bois qui poussent sur ce terrain de transport sont l'orme, le frêne, le sapin, le bouleau noir et blanc, l'aune, l'épinette et le pin. Cette étendue de terrain porte les traces d'une inondation du printemps, jusqu'au pied de cette petite élévation, qui approche graduellement de la rivière, au dessus du second mille où le cours du Kuspahigan ou Belle-Rivière est environ sud-est quart d'est, jusqu'au portage, à environ six milles de son embouchure.

Dans ces derniers quatre milles, le courant devient rapide et profond; les rivages sont par endroits très élevés, et la terre est encore excellente en plusieurs endroits, la qualité du sol étant généralement des lits de claiie blanche et bleue, sous une couche d'une glaise riche, communément rouge, avec plus ou moins d'épaisseur au dessus de la dernière; le bois le plus commun est l'orme, l'épinette, le bouleau noir, jaune et blanc, le frêne, le peuplier, le pin et le baume, quelques cèdres et aulnes. Au débarquement inférieur du portage de la Belle-Rivière, la rivière se contracte à environ dix verges, présentant une cascade très intéressante et pittoresque dont les eaux mugissantes se précipitent sur les rochers, et dont l'effet est relevé par l'aspect sauvage du pays environnant, où des rochers perpendiculaire de 75 pieds paraissent suspendus sur le bassin de la rivière. Ce lieu offre un site très propre à des moulins ou autres ouvrages de cette nature.

Le portage est sur le rivage occidental, et a un quart de mille de long, passant d'abord sur une haute élévation, où le terrain est encore uni jusqu'à l'embarquement au dessus d'une autre chute d'environ vingt pieds de haut, faisant ensemble la différence d'élévation, d'entre 50 à 60 pieds.

En cet endroit la terre est de bonne qualité, étant un composé d'une glaise noire argileuse, sous une riche couche végétale; les différentes espèces de bois sont l'épinette rouge, le frêne, le baume, le bouleau noir et blanc, le cèdre, l'orme, le pin rouge et blanc. Cette espèce de terre forme le principal trait du pays, le long des rivages de la Belle-Rivière, jusqu'à la rivière des Aulnaies, environ 2½ milles au dessus du portage, où la rivière se met à courir vers le sud-est. En cet endroit la Belle-Rivière forme un large bassin, au milieu duquel se trouve une Ile d'une excellente terre. La rivière y entre à l'extrémité du sud-est, en formant une cascade de 10 pieds qui,

Appendice
(V.)
14 janvier.

qui se précipite par une contraction de la rivière qui a au plus deux ou trois verges de large. Ensuite du côté du nord-est du bassin entre la rivière des Aulnais, en formant un petit courant, appelé dans le langage sauvage ou Créenne "Peshikaonnamishushibi" "des Aulnes." Ce fut en cet endroit où nous campâmes, après une pluie qui avait duré presque toute la journée.

Mardi 8.—Les voyageurs trouvant qu'il était absolument nécessaire de réparer le canot, pourquoil leur fallait quelque temps, M. Davies et moi nous montâmes à la Belle-Rivière. En explorant le rivage oriental, dans la distance d'environ trois milles, je rencontrai un terrain inégal et montueux, élevé en quelques endroits près de 100 pieds au dessus du lit de la rivière, dont le cours général depuis le bassin est environ sud-sud-ouest, et qui n'a pas plus de 30 verges de largeur. Dans les environs des petites rivières qui se déchargent dans la rivière principale, je remarquai quelques bon lits de marne bleue molle, et souvent une grande quantité de claie formant les côtés ou les pentes des terrains élevés; ce fut du sommet d'une de ces hauteurs que j'observai, à une distance d'environ 6 milles, et nous restant au sud, une rangée de montagnes courant à l'est, et paraissant être une continuation de celles qui coupent la rivière Kuspahiganish. L'étendue de pays située dans cet espace est d'un terrain inégal, et généralement boisé d'épinette, de pin, de baume, de bouleau; sur les bords de la rivière on rencontre le frêne, l'orme, le sapin et le baume.

Ayant trouvé que jusque là le terrain était d'une qualité arable, nous retournâmes au camp, dans l'intention de monter la rivière à quelque distance considérable dans le canot, mais en examinant l'état et la quantité de nos provisions, je trouvai que M. Murdoch, le commis du poste, ne m'avait fourni que la moitié de ce que je lui en avais demandé dans mon mémoire. Ainsi réduit, je crus qu'il aurait été pour nous de la dernière imprudence de hazarder encore une journée pour monter dans la Belle-Rivière, tandis que nous avions près de 50 milles à faire pour nous rendre à Chicoutimi.

Nous partîmes du camp à 3 heures P. M. et nous commençâmes à monter la rivière des Aulnais, ainsi justement appelée à cause des aulnais épais qui croissent sur les rivages et qui en se croisant embarrassent le passage de la rivière, qui est extrêmement tortueux; de sorte que ce fut avec la plus grande difficulté, que nous fîmes un mille, au bout duquel nous campâmes sur le rivage septentrional, à l'endroit même où avait campé le parti de l'Assonapmoussin, le 21 d'août.

Les rivages de cette petite rivière sont formés d'un terrain de transport; le sol est généralement d'une nature argileuse, boisé d'orme, de frêne, d'épinette, de quelques pins et sapins; à environ un quart de mille de distance, on aperçoit sur le rivage méridional une éminence qui suit le cours général de la rivière, qui est sud-est. Pendant que les voyageurs s'occupaient à dresser le camp, je me mis à suivre un sentier, qui au bout d'environ 30 chaînes me conduisit au campement du bassin. Ayant ainsi découvert le portage des aulnes, je me déterminai à le continuer à pied le jour suivant.

Mercredi 9.—Les voyageurs s'étant embarqués facilement pour monter la rivière, qui paraît encore obstruée par des aulnes, je fis le portage à pied avec M. Davies, et nous tinmes les routes et fîmes les remarques suivantes:

Cours du portage des Aulnais.

- S. 25' E. 4 chaînes—Nous rencontrâmes un ruisseau courant S., la terre élevée à gauche, glaise et claie.
- S. " " 4 " Autre ruisseau; bois, frêne, épinette, bouleau, sapin et pin.
- S. 5° O. 12 " Ruisseau sortant d'entre les montagnes à la gauche desquelles passe le portage.
- S. 10 O. 5 " Rencontrâmes un ruisseau, terre de nature humide et savanneuse, épinette, baume, pin et tamarack.
- S. 0° 2' 22 O. " Rencontrâmes un ruisseau, foud de claie, savanne d'épinette et de tamarack, quelques frênes et cèdres.
- S. 15° E. 12 " Do. do. bonne terre, mais demandant beaucoup d'assèchement, le terrain s'élevant.
- S. 25 E. 20 " Continuâmes aux pieds des hauteurs qui sont d'une élévation peu considérable, remarquâmes de semblables élévations suivant le rivage opposé de la rivière. Le sol est une terre noire ou claie au-dessous de la couche végétale, qui est d'une épaisseur considérable, épinette, sapin et tamarack, quelques bouleaux et pins blanc.
- S. 40 E. 20 " Haute montagne à gauche, la terre dans cette direction de qualité défavorable, composée généralement d'une glaise sablonneuse, boisée d'épinette, de bouleau et de pin blanc.
- S. 35 E. 20 " Encore terre humide et savanneuse, cependant de bonne qualité, boisée d'épinette, de frêne, d'aulnes, de baume et de bouleau noir.
- S. 45 E. 10 " Jusqu'au bassin au pied de la chute où l'on fait un portage, dans le voisinage de la chute le terrain un peu rocheux, mais le sol généralement bon, étant une terre rouge argileuse; frêne, orme, sapin, épinette, aulnes et pin.
- E. 3 " Terre rocheuse.
- S. 45 E. 10 " Epiuette, bouleau, pin.
- S. 55 E. 10 " Chute des aulnais d'environ 12 pieds. La rivière tombe sur un rocher de granit, inclinaison 75° N. O.; bois aux environs du lieu, épinette, baume, peuplier, quelques frênes, bouleau et pin blanc.
- S. 75 E. 4 " Terre rocheuse, épinette et sapin.
- E. 4 " Gravimes un rocher, granit, gneiss.
- S. 2 " Jusqu'à l'embarquement supérieur sur la surface aride du rocher.

Les voyageurs ayant fait ce portage, et n'y ayant plus d'aulnes, nous embarquâmes dans le canot. La terre que je remarquai, chemin faisant, était un riche terrain de transport, boisé d'orme, de frêne, d'épinette, de sapin et de quelques pins et bouleaux noirs, et la rivière devenant plus large, nous aperçûmes par intervalles une chaîne de montagnes courant vers le sud. Ayant monté la rivière l'espace d'environ de 2½ milles où la rivière des Aulnais à environ deux chaînes de large, nous entrâmes dans le lac Tsiamagomishish.

Nous continuâmes à avancer l'espace d'environ un mille et demie, le lac n'ayant jusque là pas plus de dix chaînes de large, et le pays environnant étant tout-à-fait plat et uni, le sol d'une nature sablonneuse, et n'offrant que la vue du tamarack, du bouleau et du pin blanc. Nous remarquâmes du côté du sud, un petit canal qui nous conduisit au lac Vert, Kaskukikéomi, "le lac limpide," nom bien appliqué, car les eaux en sont si claires, qu'à la profondeur de plusieurs brasses, on découvre le fond du lac, qui est de claie, ayant en même temps une teinte verte, qui lui a fait donner son nom français; les eaux faisant un contraste très singulier avec celles du lac Tsiamagomishish, qui sont d'une couleur blanchâtre, et n'ont aucune transparence.

Le lac Vert a environ un demi-lieue de long, et environ un demi-mille de large, s'étalant sur ses bords un point de vue d'une grandeur attrayante et singulière. Une suite de hautes montagnes borde le rivage méridional du lac, ne laissant qu'une lisière très étroite de terre cultivable, entre le lac et le pied des montagnes, qui est boisée d'épinettes, de sapin et de pin. Du côté du nord, il n'y a qu'une petite langue de terre, qui divise le lac Vert du lac Tsiamagomishish, où il y a d'assez bon pin rouge, quelques pins blancs, de l'épinette et du bouleau blanc; l'extrémité occidentale du lac est basse et unie, à une distance considérable, la terre est de bonne qualité, et est bien boisée d'épinette, de bouleau, de cèdre, de sapin, et de quelques pins. De là on a la vue du lac Vert, et des points de vue qui l'environnent.

En passant dans le canal entre les deux lacs, je remarquai un morceau d'écorce de bouleau attaché dans une direction particulière au bout d'une perche, et sur lequel avait été tracé par quelques chasseurs sauvages, la course qu'ils avaient suivie en montant une certaine rivière, et qui avait été laissé la sans doute pour l'information d'autres chasseurs sauvages, qui devaient les rejoindre. C'est un signe de rendez-vous usité parmi les nations des Abénaquis et des Algonquins, qui vraisemblablement avaient visité ces lieux, et s'en retournaient à leurs propres endroits, comme cela paraissait par la direction des rivières.

Ayant monté le lac Tsiamagomishish l'espace d'environ un mille au delà du lac Vert, à laquelle distance la largeur varie depuis 8 jusqu'à 12 chaînes, le rivage étant formé d'une succession de baies et le terrain d'un sol bas et marécageux, d'une nature bien sablonneuse et boisé d'épinette, de tamarack, de sapin et de cèdre, nous suivîmes un canal étroit qui nous conduisit à un petit lac, du côté du nord, et d'environ trois quarts de mille de long, sur 8 à 10 chaînes de large, aux environs duquel la terre est basse et marécageuse, mais s'élevant légèrement du côté du nord vers quelques hauteurs dans cette direction. Près de l'entrée de ce canal est un roc singulier de granit, presque isolé dans le lac, uni à la terre ferme par une langue de terre de la même espèce de terrain savanneux, qui caractérise celui qui environne le lac. Il fait aussi contraste avec le pays adjacent, et il est presque dépouillé d'arbres, la pousse actuelle n'étant qu'une espèce main de bouleau blanc, d'épinette et de tremble; l'apparence du roc ressemble beaucoup à celle de la chaîne de montagnes, qui continue à l'est depuis le lac Vert vers le lac Tsiamagomi, y ayant un espace considérable de terrain uni entre ces montagnes et les bords du lac Tsiamagomishish.

Ne sachant où trouver le portage de Tsiamagomi, nous continuâmes à monter dans le lac jusqu'à une petite rivière, qui comme celle des Aulnais est si remplie d'aulnes, qu'il était hors de toute probabilité que le portage passât dans cette direction; cependant cela nous donna occasion d'examiner la terre de cette partie du lac, qu'est d'une bien meilleure qualité, et qui est boisée de frêne, d'épinette rouge, de sapin, de pin et d'aulnes. Nous retournâmes donc à une baie profonde que j'avais remarquée dans notre route, et où nous trouvâmes l'embarquement du portage Tsiamagomi, où nous campâmes à 7 heures, à 3½ milles de l'extrémité inférieure du lac.

Jedi 11.—J'observai la latitude par la hauteur de l'étoile polaire au méridien, 48° 1". Le canot ayant été transporté de l'autre côté du portage de très bonne heure, nous fûmes en état de faire route à 9 heures, et je fis les remarques suivantes sur les routes, le bois et le sol. Le commencement est de la bonne terre, glaise argileuse, boisée d'épinette, de frêne, de pin, d'orme, de peuplier de bouleau noir et jaune et de sapin.

- N. 70 E. 4 chaînes.—Sommet de montagne, bouleau jaune, épinette et pin.
- S. 45 E. 30 " Sommet d'élévation, bouleau blanc, baume, peuplier et pin.
- S. 35 E. 6 " Pin rouge et blanc, peuplier et bouleau, glaise sablonneuse.
- S. 30 E. 12 " Descente graduelle, sable, bois semblable à celui ci-dessus mentionné.
- S. 35 E. 20 " Glaise légère mêlée de gravier, bouleau blanc, tremble et pin.
- S. 30 E. 12 " Descente, meilleur sol, bouleau noir, épinette, pin, sapin et tremble.
- S. 40 E. 6 " Jusqu'au débarquement sur les bords du lac Ouhiqui, petit lac d'environ un demi-mille de longueur, sur un demi-mille de largeur. Ce lac forme la source des eaux de la rivière Chicoutimi, et présente dans la distance la vue des hautes montagnes de Tsiamagomi.

Ayant passé le canal étroit qui communique entre le lac, nous tombâmes sur le beau lac de Tsiamagomi (lac long) et nous aperçûmes la succession des hautes montagnes qui s'élèvent tout-à-coup de ses bords, du côté du sud, contrastant les hauteurs moins considérables de ses rivages septentrionaux.

Nous

Nous avançâmes environ 2½ milles—course S. 40 E. Le lac est d'un demi-mille à ¾ de mille. Les bords méridionaux s'élèvent en hauteurs d'environ 300 pieds de haut, boisées d'épinette, de bouleau blanc et de tremble; la terre est si rocheuse et des rochers sortent en falaises en tant endroits, que ce côté du lac est presque incultivable. Le côté du nord, quoique moins montagneux, présente, dans l'espace de plus d'une demi-lieue, un rivage ferré, s'élevant en plusieurs endroits en falaises de granit, dont la base est baignée par les eaux du lac. Le sommet en est couvert de cyprès et d'une espèce de pin nain, quelquefois appelé pin de Norvège.

Arrivés au pied d'un rocher perpendiculaire, élevé environ 100 pieds au dessus du niveau du lac, et qui paraissait suspendu au dessus du canot, nous aperçûmes une autre partie du Tsiagomi, offrant à la vue la chaîne de montagnes à la distance, et montrant les traits du lac.

A partir de ce point ou rocher, le lac git S. 62 E. et à mesure moyenne, près d'un mille de largeur. A midi nous entrâmes dans une petite baie, à environ 5 mille de là, du côté du nord, et nous obtînmes la hauteur du soleil, au méridien, latitude 48° 1'. Nous recueillîmes ici quelques fragments d'un rocher, fortement imprégné de fer magnétique, et beaucoup de sable noir répandu sur le rivage. De ce côté la terre est plus unie, mais tout-à-fait sablonneuse et boisée d'épinette, de peuplier, de pin rouge et de bouleau blanc. Nous traversâmes de l'autre côté, et entrant dans une grande baie nous arrivâmes à l'embouchure de la rivière Upikubatch, qui n'est qu'une succession de rapides jusqu'à son entrée; c'est pourquoi laissant là le canot, je montai à pied l'espace d'environ un mille le long du rivage du nord-est, en gravissant en plusieurs endroits les rochers escarpés et brisés qui forment le rivage. Le côté du sud est couvert d'une succession de hauteurs rocheuses qui paraissent s'étendre en arrière à quelque distance de la rivière, et qui en suivent le cours ordinaire.

Par la même raison que je ne pus explorer la Belle Rivière, je ne pus monter la rivière Upikubatch, qui cependant, d'après l'aspect du pays, ne promettait d'une pareille entreprise aucun résultat satisfaisant. Ayant laissé l'embouchure de cette rivière, qui est environnée de montagnes de roches, nous passâmes plusieurs falaises élevées à plus de 300 pieds, laissant à leur base une petite lisière de terre unie qui va jusqu'au bord du lac. Mais vis-à-vis une rivière assez considérable, les hauteurs touchent encore au lac; cette rivière entre dans le lac du côté du nord, et je la montai environ un mille.

Le terrain qui borde cette rivière contraste singulièrement avec celui de la rivière Upikubatch, car cette première entre dans le lac avec un léger courant, après avoir coulé sur un large lit, bordé de chaque côté par une savanne basse d'épinette. La teinte rouge de l'eau indiquerait qu'elle traverse, dans un espace considérable dans l'intérieur une étendue de pays de la même espèce.

De là nous arrivâmes à la Pointe au Sable, à 6 heures, où nous campâmes sous un gros pin, qui pendant la nuit nous mit à l'abri d'un orage, qui soufflait du nord-ouest avec une violence surprenante. Il n'y a que peu de chose à dire du lac Tsiagomi sous le rapport de l'agriculture, quoiqu'il y ait beaucoup à dire de la beauté et de la sublimité des points de vue qu'il présente. La succession non interrompue de rochers brisés qui bordent le rivage méridional de ce lac, et qui ne sont que clairement boisés d'épinette, de bouleau blanc et d'un pin rouge nain, ôte toute possibilité et tout moyen de former des établissements de ce côté du lac. Sur le rivage du nord, dans l'espace d'environ 6 milles du lac Ouhqui, la terre est aussi nullement susceptible de culture, parce qu'elle s'élève en falaises, dont le sommet est couvert de petits pins rouges, d'épinette et de tremble; de là jusqu'à la rivière du côté du nord, la terre quoique sablonneuse, peut être en quelques endroits susceptible d'amélioration. Après cela prend un caractère rocheux et montagneux. Les personnes qui l'ont explorée peuvent mieux dire, ce qu'elle est dans l'intérieur.

La Pointe au Sable est une Presque-Ile de terrain de transport, formée à l'entrée d'une rivière, qui entre dans le lac du côté du nord. Vis-à-vis de cette rivière, du côté du sud du lac, il y tombe une petite rivière d'entre les montagnes, qui en forment le lit, et la cascade qui se trouve à son entrée dans le lac présente un site bien avantageux pour un moulin et autres établissements de cette nature, tandis que la pointe au Sable serait une belle situation pour un village, par sa position avantageuse sur le lac.

Vendredi 12. Quoique le temps menaçât pluie, le vent cependant s'était abattu, et nous laissâmes la pointe à 9 heures A. M. Nous dirigeâmes notre course au centre du lac Tsiagomi, S. 68 E. et nous continuâmes à remarquer les mêmes traits que ceux que nous venons de décrire plus haut. Continuant à avancer en ligne droite, nous atteignîmes la profondeur du lac, qui est environné par des rochers élevés, dont quelques-uns découvrent des falaises arides d'environ 200 pieds d'élévation. De là on peut observer les traits caractéristiques du pays sur les bords du lac Tsiagomi, dans la distance de près de 20 milles, ce qui est environ la longueur du lac.

N'ayant pas trouvé l'issue du lac, nous cotoyâmes le rivage septentrional vers une grande baie, que nous avions remarquée de ce côté, en montant à la tête du lac, vis-à-vis laquelle, du côté du sud, une rivière appelée Upika, entre avec une grande rapidité d'entre les montagnes élevées qui en forment le lit. Ayant doublé une pointe de roche élevée qui coupe la vue d'une partie du lac, nous aperçûmes un léger courant coulant au nord-est, qui nous conduisit à l'embouchure de la rivière Chicoutimi, mot qui signifie, "en avant c'est encore profond," et presque immédiatement à la tête du portage des Roches. La longueur du lac Tsiagomi est d'environ 19 milles, depuis le lac Ouhqui jusqu'au portage des Roches, et la largeur commune en est de près d'un mille.

Le portage des roches a environ 200 verges de long, passant sur les rochers qui dans le printemps se couvrent d'eau. En cet endroit la rivière Chicoutimi tombe d'environ 15 pieds à aller à l'embarquement inférieur, au bassin, qui est environné par de hautes montagnes.

Après avoir laissé le bassin qui a environ trois quarts de mille de longueur, nous descendîmes la rivière Chicoutimi, qui coule avec rapidité considérable l'espace d'environ 1½ mille. La rivière est bordée de rochers d'environ 200 pieds d'élévation. Là se terminent les montagnes, s'arrêtant vers la région de la rivière Tsiagomi. La terre sur les rivages s'aplanit et paraît s'améliorer, étant boisée d'épinette, de sapin, de pin, de quelques ormes et cèdres; quelquefois à gauche dans les endroits où le feu a consumé le sol végétal, le roc a été laissé à nu.

On arrive ensuite au portage de l'Ile, à 3½ milles au-dessous du portage des Roches, d'où l'on s'y rend en suivant une direction générale N. E.

La direction générale du portage de l'Ile, est d'environ S. 75 E. 20 chaînes jusqu'à l'embarquement inférieur, en passant sur un terrain d'une bonne qualité, le sol étant d'une terre noire très riche, boisée de bouleau noir, d'épinette, de pin et de frêne.

La rivière est divisée en deux canaux, par une grande Ile; le canal du sud est rempli de cascades et de rapides, tandis que celui du nord-est n'est qu'un rapide continu, qu'on saute souvent avec les canots.

Après avoir laissé le pied de ce portage, nous atteignîmes le Beau Portage, situé à deux milles au-dessous, à laquelle distance, la rivière a, largeur commune, environ quatre chaînes. D'abord le rivage droit est élevé et rocheux, tandis que le gauche possède un sol d'une bonne qualité, boisé d'orme, de frêne, d'épinette, de bouleau et de pin. En approchant du Beau Portage qui passe sur le rivage droit, la terre acquiert un sol d'un caractère léger, étant un terrain jaune grossier, mêlé d'une grande proportion de sable; il est boisé d'épinette, de bouleau blanc, de pin et quelques ormes.

Après avoir passé ce portage, qui a environ 250 verges de long, passant sur une espèce de terre de moyenne qualité, composée principalement d'une glaise sablonneuse, boisée de bouleau blanc, de pin rouge, de peuplier et d'épinette, et qui évite les cascades, qui ont environ 20 pieds d'élévation en total, nous continuâmes à descendre la rivière Chicoutimi, l'espace de 7½ milles, jusqu'au portage de l'Enfant; les rivages montrent à cette distance une grande amélioration dans le terrain et dans le bois, le premier étant communément une glaise argileuse, et le dernier de l'épinette, de l'orme, du frêne, du sapin, du pin, du bouleau noir et blanc et quelques cèdres. La rivière qui varie depuis 4 jusqu'à 6 chaînes de largeur est parsemée, en quelques endroits, d'Iles bien boisées, et qui sont pour la plupart alluviales. Le cours général de la rivière entre le Beau Portage et le Portage de l'Enfant, est environ N. N. O. A un certain détour nous rencontrâmes un canot, contenant une famille sauvage; ils exprimèrent leur étonnement, en voyant un canot d'étrangers par un sourire ou rire silencieux, particulier aux Montagnais, d'où on leur a appliqué l'épithète sauvage de Papinashuahrieux ou ricaneurs. J'essayai de leur adresser quelques paroles qu'ils ne parurent pas comprendre, et nous continuâmes notre route.

Le Portage de l'Enfant, d'environ 200 verges de long, ainsi appelé de ce qu'un canot, où était un enfant, s'étant détaché de son amarrage, où il avait été négligemment attaché, descendit, sans qu'il arrivât le moindre accident à l'enfant la chute de l'Enfant, qui a entre 40 à 50 pieds d'élévation, y compris les cascades.

Le sentier passe sur une assez bonne terre, le sol étant une glaise jaune boisée d'épinette, de frêne, de cèdre, de peuplier, d'orme et de pin.

De l'embarquement inférieure, il n'y a que 20 chaînes en traversant le bassin au pied de la chute à aller au portage du Chien, sur le rivage droit de la rivière. Ce portage, qui a aussi environ 200 verges de longueur, passe sur une bonne espèce de terre, et évite une cascade d'environ 15 pieds de hauteur. Il est boisé de cèdre, de sapin, de bouleau, d'épinette rouge, de pin blanc et rouge.

Etant embarqués dans le canot nous sautâmes une partie des rapides. Nous remarquâmes en descendant la rivière, que la terre conserve ce caractère propre à la culture, qui se montre plus ou moins depuis le portage de l'Ile, et aussi quelques petites rivières qui se déchargent de l'un et de l'autre côté de la rivière principale.

Nous atteignîmes l'embarquement du portage, vulgairement appelé Ka-Ka, de 1½ mille, au haut d'une chute élevée, sur le bord de laquelle est une petite Ile qui sépare la chute en deux.

Comme il était trop tard pour passer ce portage, nous campâmes à l'embarquement, ayant fait ce jour là environ 21 milles, et passé cinq portages.

Samedi, 13.—Nous pénétrâmes environ 2 milles au sud-est sur un terrain très uni, et nous observâmes l'excellente qualité du sol, étant une glaise argileuse rouge, mêlée par endroit d'un petit gravier sous une riche couche végétale une belle pousse de bois mêlé couvre cet espèce, tel que frêne, orme, sapin, bouleau jaune et noir, baume, épinette, *basswood*, érable et cèdre en petit nombre. Cette étendue de terre basse paraît être considérable en courant vers le sud et sud-est.

Ayant rejoint le parti, qui avait déjà fait le transport du peu d'effets qui nous restait et du canot, nous partîmes du pied de la chute qui a environ 45 pieds de haut, et nous descendîmes jusqu'au portage de Chicoutimi, au dessus de la chute, où la rivière se contracte en moins de 25 verges, tandis que vis-à-vis du portage la rivière a environ 5 à 6 chaînes de large. Ce portage est à environ un mille au-dessous de celui de Ka-Ka; la terre dans cet intervalle est d'une excellente qualité, le bois étant orme, frêne, pin, sapin et quelques bouleaux blancs.

Course du portage de Chicoutimi.

L'élévation Commencent.

S. 45 E.	3 chaînes—	Sommet de hauteurs.
15 E.	7 "	Ravine et ruisseau, bonne terre, claie et glaise.
45 E.	6 "	Érable, Épinette, bouleau noir et pin.
S. 72 E.	8 "	Haute montagne à gauche, terrain inégal et rocheux, épinette, pin blanc.
N. 35 E.	6 "	Épinette, pin blanc.
N. 20 E.	10 "	Ditto ditto terrain rocheux.
10 E.	10 "	Au pied d'un rocher, bouleau blanc, épinette et peuplier.
Nord	12 "	Meilleure terre, bouleau noir, épinette, sapin, quelques peupliers; fin des montagnes.
N. 10 E.	8 "	Bonne terre, bois mêlé, glaise, argileuse, bouleau noir, épinette, érable, quelques cèdres et pins.
N. Est	12 "	Descente à droite.
S. 80 E.	12 "	Terrain rocheux, montée à droite.
N. 80 E.	8 "	Terrain pauvre.
N. 45 E.	10 "	Portage passant sur des rochers arides.
N. 65 E.	10 "	Petit baume, épinette et pin.

Appendice
14 Janv.

N. 45 E. 6	chaines—	Descente graduelle, érable.
N. 75 E. 6	"	<i>Basswood</i> , épinette et baume.
N. 44 E. 8	"	Descente; moyen terrain.
N. 80 E. 8	"	Baume, sapin, érable.
S. 80 E. 4	"	Pin rouge peuplier, épinette.
N. 45 E. 4	"	Descente d'une montagne.
N. 78 E. 16	"	Jusqu'au bord de l'abatis de l'établissement des postes du Roi.

En cet endroit nous contemplâmes du haut d'une éminence qui commande le havre de Chicoutimi, le noble cours du Saguenay, qui coule avec un silence majestueux vers son confluent avec le St. Laurent. Quoiqu'il ne possédât pas ici les traits hardis de la rivière Tsiamagomi, néanmoins la largeur de la rivière, jointe à la scène frappante qu'offre le groupe de bâtiments élevés sur le bord de l'eau, et la petite chapelle solitaire érigée sur l'éminence adjacente, tout cela réuni présentait un assemblage d'objets, qui nous récompensa amplement pour les privations que nous avions éprouvées, en parcourant une étendue de pays d'environ 500 milles, en traversant 64 portages, et en risquant nos jours en plusieurs occasions, dans la descente inévitable de plusieurs mauvais rapides, pour parvenir à ce bras de la mer.

Nous descendîmes au poste, et nous fûmes reçus à la maison de M. Barnston, M. Andrews, commis résidant au poste étant absent, en voyage à Québec. Nous apprîmes que M. Wagner et M. Proulx, l'arpenteur, n'étaient partis du poste que quelques heures avant notre arrivée, pour aller monter la rivière St. Jean, qui tombe dans le Saguenay, et traverse le pays jusqu'à St. Paul et à la Malbaie. Nous employâmes le restant du jour à faire la recapitulation des distances qui suit, à prendre à l'embouchure de la rivière Kushpahiganou Belle-Rivière, à aller jusqu'au poste de Chicoutimi, non compris la longueur des moindres portages, formant ensemble la longueur de deux milles.

TABLE DE DISTANCES.

Embouchure de la Rivière Kushpahiganou Belle Rivière.

6 Portage de la Belle Rivière, 500 verges.											
8 $\frac{1}{2}$	2 $\frac{3}{4}$	Embouchure de la Rivière des Aulnais.									
10 $\frac{3}{4}$	4 $\frac{1}{4}$	2	Chûtes des Rivières des Aulnais et Portage, 700 verges.								
16 $\frac{3}{4}$	10 $\frac{3}{4}$	8	6	Haut du Lac Tsiamagomishish ou Port Tsiamagomi.							
17 $\frac{3}{4}$	11 $\frac{3}{4}$	9	7	1	Lac Oniqui $\frac{1}{2}$ mille, Tsiamagomi.						
37 $\frac{3}{4}$	31 $\frac{1}{4}$	28 $\frac{1}{2}$	26 $\frac{1}{2}$	20 $\frac{1}{2}$	19 $\frac{1}{2}$	Portage des Roches, 200 verges.					
40 $\frac{3}{4}$	34 $\frac{3}{4}$	33	30	24	23	3 $\frac{1}{2}$	Portage de l'Islet, 440 verges.				
42 $\frac{3}{4}$	36 $\frac{3}{4}$	34	32	26	25	5 $\frac{1}{2}$	2	Beau Portage, 250 verges.			
50 $\frac{1}{4}$	44 $\frac{1}{4}$	41 $\frac{1}{4}$	39 $\frac{1}{4}$	33 $\frac{1}{4}$	32 $\frac{1}{4}$	13	3 $\frac{1}{4}$	9 $\frac{1}{4}$	Portage de l'Enfant, 200 verges.		
50 $\frac{1}{2}$	44 $\frac{1}{2}$	41 $\frac{1}{2}$	39 $\frac{1}{2}$	33 $\frac{1}{2}$	32 $\frac{1}{2}$	13 $\frac{1}{2}$	3 $\frac{1}{2}$	9 $\frac{1}{2}$	4 $\frac{1}{2}$	Portage du Chien, 210 verges.	
52 $\frac{1}{4}$	46 $\frac{1}{4}$	43 $\frac{1}{4}$	41 $\frac{1}{4}$	35 $\frac{1}{4}$	34 $\frac{1}{4}$	15	11 $\frac{1}{4}$	9 $\frac{1}{4}$	21 $\frac{1}{4}$	Portage Ka Ka, 200 verges.	
53 $\frac{1}{4}$	47 $\frac{1}{4}$	44 $\frac{1}{4}$	42 $\frac{1}{4}$	36 $\frac{1}{4}$	35 $\frac{1}{4}$	16	12 $\frac{1}{4}$	10 $\frac{1}{4}$	32 $\frac{1}{4}$	1	Portage de Chicoutimi.
55 $\frac{1}{2}$	49 $\frac{1}{2}$	46 $\frac{1}{2}$	44 $\frac{1}{2}$	38 $\frac{1}{2}$	37 $\frac{1}{2}$	18 $\frac{1}{2}$	14 $\frac{1}{2}$	12 $\frac{1}{2}$	53 $\frac{1}{2}$	2 $\frac{1}{2}$	Chicoutimi.

Faisant en tout une distance de 55 $\frac{1}{2}$ milles depuis le lac St. Jean jusqu'à Chicoutimi.

Dimanche 14.—Ce jour étant favorable pour faire des observations, je fis mes préparatifs pour prendre une suite de hauteurs et d'azimuths, propres à donner la latitude et la variation.

Les observations du matin étant prises, je visitai la chapelle avec M. Davies et les voyageurs. Elle est située sur une élévation sur la pointe qui projette dans le bassin au pied de la chute de Chicoutimi; la longueur en est de 25 pieds au plus, sur 15 de large. L'autel qui est uni, et les peintures et gravures qui sont suspendues dans l'intérieur de la chapelle portent évidemment les traces du temps. L'apierre sépulcrale avec l'épithape en long du père Cocar, mort dans le siècle dernier a été cassée en plusieurs endroits, et c'est avec peine qu'on peut comprendre l'inscription qui est en latin et mal disposée.

Un missionnaire catholique visite Chicoutimi deux fois l'année, et enseigne aux naturels les premiers principes de la religion, dont les jésuites avaient composé en langue Créenné un catéchisme qui circule parmi eux.

L'établissement de la Compagnie des Postes du Roi, situé à l'extrémité orientale de la péninsule, au confluent de la rivière Chicoutimi et du Saguenay, consiste en une maison commode pour le commis ou agent résidant, laquelle est bâtie sur une colline qui commande la vue sur le Saguenay et le havre; un magasin, judicieusement placé près de l'endroit du débarquement; une boulangerie, étables et granges; plusieurs pièces de terre en culture et un jardin pourvoient le poste de plusieurs sortes de légumes, de patates surtout, et même de quelques douceurs pour la table.

Le sol aux environs de Chicoutimi est principalement de claie, ne contenant pas assez de terre grasse pour le rendre généralement assez bon; cependant on peut améliorer ce sol très facilement lorsqu'on a de l'engrais à la main,

Ayant pris une observation au méridien et complété les hauteurs et les azimuths de l'après-midi, je trouvai que Chicoutimi était au 48° 25' 5" de latitude, et la variation moyenne par ces instrumens 20° 15' ouest; une si grande différence avec la variation observée au Lac St. Jean ne peut-être attribuée qu'à des causes locales, vu qu'il y a quelque minéral bien attractif dans les rochers en arrière du poste. Ces observations furent corroborées par les hauteurs de l'étoile polaire et des circonfolaires

Lundi 15.—Nous pénétrâmes environ 5 milles dans une direction S.S. Est, à partir du Cap St. François, au dessous du poste, à aller vers la baie des

Has! Nous traversâmes dans cette partie une étendue de terre excellente composée d'une glaise argileuse, sous une riche couche végétale, couverte d'une pousse de bois mêlé, tel que frêne, sapin, bouleau noir, baume, peuplier, bouleau blanc, pin, quelques érables et *basswood*.

Nous passâmes un petit lac et traversâmes plusieurs ruisseaux qui répandent la fertilité sur leur passage, et qui découvrent dans les ravines qu'ils creusent, un lit de la claie bleue durcie et par endroits d'une espèce de marne blanche; ces ruisseaux ont leurs lits formés en partie d'un petit gravier.

Il y a beaucoup de ressemblance dans la surface et le caractère de cette étendue de terrain et celui que j'ai exploré au portage Ka Ka, et qui se rencontre généralement sur les rivages de la rivière Chicoutimi.

Dans mon retour au poste, je remarquai du côté méridionale du Saguenay une rivière, que je montai jusqu'aux pieds d'une chute, où la compagnie du nord-ouest a érigé un moulin, pendant qu'elle avait les Postes du Roi. La chaussée, qui est à 100 verges du débarquement est encore assez bonne, mais le moulin tombe en ruine; la dalle qui prend au haut de la chute est tout-à-fait insuffisante, aussi bien que les autres parties de l'ouvrage, qui sont destinées à faire marcher deux scies; la charpente, en y faisant quelques réparations pourraient encore servir plusieurs années. Ayant pris à la hâte un esquisse de la chute, comme la nuit approchait rapidement, je retournai au Saguenay, et j'arrivai au poste à 8 heures P. M. fatigué plus que jamais de la fatigue du jour.

Mardi, 16.—Désirant connaître la nature et le caractère du terrain le long du Saguenay, aussi bien que le cours et la grandeur de cette rivière jusqu'à la rivière des Terres Rompues, je montai à pied le long du rivage méridionale et partie le long du rivages septentrional du Saguenay, qui garde sa direction générale, qui est d'environ ouest-quart-nord-ouest, jusqu'à la rivière des Terres Rompues, et près de deux lieues au dessus de Chicoutimi, ayant, largeur commune, un demi-mille.

Le rivage du nord est formé de hauteurs brisées et montueuses, ordinairement boisées d'épinette, de petit pin rouge et bouleau blanc, laissant cependant par endroit une lisière de claie unie entre elles et les bords de la rivière. Le rivage méridional présente une surface horizontale et un terrain d'une excellente qualité, et découvre un sol de claie glaiseuse, boisé d'épinette, de bouleau noir, de pin, de sapin, de cèdre, de frêne et d'orme. L'intérieur du pays du Saguenay paraît bien arrosé des deux côtés par un nombre considérable de ruisseaux que je traversai, et qui ont généralement la teinte du terrain qu'ils ont traversé.

Le Saguenay n'est navigable que jusqu'à la rivière des Marais, où il commence à couir vers le sud-ouest et devient obstrué par des rapides et des rochers. La mer y monte 7 pieds, et au portage des Terres Rompues, environ 1 mille au dessus du confluent de cette rivière avec le Saguenay, le flux de la mer est très imperceptible. Deux milles au dessous de ce portage, le Saguenay présente des baies nombreuses rempli de rapides et bordé de rivages élevés et rocheux, et il se contracte en une largeur d'environ 10 chaines, mais c'est ce qu'il ne fut pas possible de constater, non plus que d'explorer au delà d'une rivière que je crus être la rivière des Terres Rompues, qui entre du côté du nord-ouest, avec une succession de chûtes et de cascades. J'aurais été bien aise de voir les chûtes du Saguenay, dont on entend souvent parler au poste, mais que personne n'a encore visitées.

Nous retournâmes au portage que j'explorai l'espace d'environ 1 mille, en traversant un terrain d'une très bonne espèce, cependant, le sol en est, dans la plus grande partie, de claie et par endroits d'une glaise riche; le bois est mêlé, étant frêne, épinette, sapin, cèdre, érable, *basswood*, et quelques pins rouge et blanc.

Arrivés au bords d'une côte formée de claie, à plus de 150 pieds au dessus du lit de la petite rivière des Marais qui coule à ses pieds, j'aperçus une succession de hauteurs semblables de claie s'étendant à une distance considérable, et dont la blancheur contraste d'une manière singulière avec la couleur de l'épinette, du sapin et du pin, qui en couronnent le sommet; ressemblant à la lave jetée par quelque éruption, et je crois qu'elles ont été formée de cette manière.

Nous fûmes de retour au poste à 8 heures.

Mercredi, 17.—Ayant examiné la chute de Chicoutimi, qui a 40 à 50 pieds de hauteur, se précipitant à travers un canal étroit sur les rochers qui interrompent son cours rapide, jusqu'au bassin qui forme partie du havre de Chicoutimi, je me mis à faire des sondes dans le havre, à basse marée, et je trouvai que, quelque sûr qu'il fût sous le rapport des vents et du mouillage, il ne pouvait répondre aux vaisseaux d'un port considérable, sans qu'ils touchent à basse mer, car les vaisseaux qui tirent plus de 1 $\frac{1}{2}$ brasse d'eau ne peuvent parvenir jusqu'au bassin de la Rivière Chicoutimi, à cause de l'étroit canal qui reste entre les battures qui s'étendent de la Pointe aux Trembles et de la Pointe Chicoutimi, où je trouvai entre 1 brasse et 1 $\frac{1}{2}$ brasse, tandis que dans le canal il y a au plus deux brasses d'eau, sur un fond de sable et de claie. De l'autre côté des battures, qui avancent environ 300 verges dans le Saguenay, les vaisseaux peuvent mouiller à 3, 4 et 5 brasses d'eau, près du Cap St. François, ce qui est, je crois, l'étendue du havre, environ 1 mille au dessous du poste. Les vaisseaux sont exposés à un courant extrêmement fort au reflux de la mer, ce qui exigerait, qu'outre leur ancres ils fussent amarrés à terre.

A partir du cap pour se rendre au poste la direction à suivre est ouest et quart nord-ouest, et quand on est par le travers de la Pointe aux Trembles on entre dans le petit chenal, S. O. et sud quart sud-ouest, en portant sur la Pointe de la Chapelle, approchant à quelques verges du rivage.

La mer monte entre 16 à 18 pieds perpendiculairement en quatre heures et demi de flux; le havre et cette partie du Saguenay gèle entre le 1er et le 5 décembre, et la débâcle a lieu entre le 10 et le 15 de mai. Vu sa centralité entre le lac St. Jean et le St. Laurent, Chicoutimi est le havre du Saguenay, et sa localité offrant une grande étendue de terre cultivable aux environs, rendra probablement cet endroit le marché pour le commerce de toute cette partie du pays.

Il était 5 heures P. M. lorsque nous fîmes nos adieux aux habitans hospitaliers du poste, et partîmes pour descendre à Tadoussac.

Lorqu'on

Lorsqu'on est à la Rivière au Moulin, environ 2 milles au-dessous du poste, le Saguenay commence à courir à peu près nord-est quart de nord $\frac{1}{2}$ N., l'espace de près de 3 milles, acquérant une largeur considérable, qui est d'environ un demi-mille au confluent de cette petite rivière. Le rivage du N. O. prend un aspect montueux, tandis que le rivage du sud-est est généralement plus horizontal et paraît présenter quelques endroits de bonne terre.

On aperçoit dans le nord-est une chaîne de montagnes d'une hauteur assez considérable, courant du nord-ouest, et là pliant leur direction générale à celle du Saguenay.

Nous passâmes la Rivière au Caribou, qui sort d'entre les hauteurs du côté du nord-ouest et paraît être une grande rivière, que je supposai avoir pu être explorée par M. Proulx. C'est pourquoi je me rendis à la Pointe de l'Islet, d'où apercevant une lumière du côté opposé de la rivière, nous restant est quart nord-est, nous nous dirigeâmes vers cet endroit, car la nuit approchait rapidement. Une lune resplendissante communiquait son éclat argentin à la vaste surface du Saguenay, et donnait une apparence magique à une multitude d'objets réunis pour exciter l'admiration et l'intérêt du Canadien envers son pays natal. Une pareille scène ne se présente jamais pour une première fois sans faire regretter qu'elle ait été jusque là inconnue et inappréciée.

Tout en faisant ces réflexions nous arrivâmes aux prairies, où un grand nombre de voix salua l'arrivée de confrères voyageurs.

Peu de personnes peuvent imaginer les commodités d'un wigwam tel que celui où nous entrâmes, par l'hospitalité d'un nommé Jérôme L'Onge; sa famille, un sauvage Montagnais et leurs enfans composaient tout leur cercle domestique assis alors autour du feu, dont la lumière produisait un effet singulier sur les figures qui l'environnaient.

Ce Jérôme L'Onge est un Canadien de la paroisse des Eboulemens, et a passé la plus grande partie de sa vie soit au service de la compagnie du Nord-Ouest, soit à celui de la compagnie des Postes du Roi; et il nous en conta beaucoup de ses voyages à travers le pays sauvage.

Ayant été stationné pendant plusieurs années au lac Mistassini pour faire le trafic avec les sauvages, il dit que l'étendue du lac est bien peu connue, car il mit trois jours à le traverser dans l'endroit le plus étroit, allant d'île en île, qui sont dans cette partie particulière du lac. Il suppose que la distance entre elles et la terre ferme n'est pas moindre de 30 milles, ce qui donnerait au lac dans cette partie environ 90 milles de largeur. Les sauvages mettent ordinairement tout l'été, une partie du printemps et de l'automne, pour se rendre du haut du lac Mistassini à son extrémité inférieure. Ce qu'on peut dire de moins de la grandeur de ce lac immense, c'est de supposer qu'en dimensions il ne le cède pas de beaucoup au Lac Supérieur.

La rivière Rupert qui y prend sa source est bien plus considérable que le Saguenay; il l'a descendu jusqu'à une journée de marche de la Baie St. James; il suppose que la distance entre la Baie et le lac Mistassini est d'environ 50 à 60 lieues.

Il a aussi fait le voyage entre le poste d'Assouapmoussouin, et le lac Mistassini, en marchant généralement dans une direction N. N. E. Ce voyage se fait en trois semaines ou environ, en mettant 4 lieues à la journée. Il suppose que le lac reste par le nord des Sept Îles et du St. Laurent, et on traverse dans l'intérieur de ce pays plusieurs lacs plus grands que le lac St. Jean, et il dit qu'il y a beaucoup plus d'eau que de terre, et cette dernière tout-à-fait hors d'état d'être soumise à la culture, n'étant formée que de masses de rochers, de falaises, et de marécages immenses, sans arbres et offrant un pays tremblant, où dans des milles de distance on ne rencontre que quelques tamaracks: c'est le domaine de l'origan et du caribou; ils se nourrissent de la mousse qui croît sur les rochers et traversent en bandes ces vastes plaines.

Les sauvages qui chassent dans ce misérable pays, qui cependant abonde en pelleteries de différentes espèces, ont beaucoup diminué en nombre, depuis le temps où la compagnie du Nord-Ouest tenait les Postes du Roi, et surtout depuis peu, qu'on a introduit parmi eux des liqueurs fortes, dont ils font un usage si immodéré, que plusieurs en meurent. Lorsque la famine attaque une famille de Montagnais, c'est l'usage parmi eux que, lorsqu'il en tombe quelqu'un victime de la faim, on l'enterre sur le lieu, et les autres transportent immédiatement le camp à un autre endroit, et ainsi de suite jusqu'au dernier survivant, qui abandonne entièrement l'endroit et s'enfonce à l'aventure dans les bois jusqu'à ce qu'il succombe lui-même sous les rigueurs de la faim.

La petite vérole, apportée avec les effets et les hardes qu'on leur donne en échange pour leurs pelleteries, a souvent enlevé 50 à 100 personnes dans un jour. Il n'y a présentement qu'environ 50 à 60 familles qui font le commerce aux postes de la compagnie, tandis que sans ces causes destructives on aurait pu en compter au moins 500.

La compagnie de la Baie d'Hudson emploie ordinairement, pour transporter ses marchandises à Mistassini, des berges qui conduisent des hommes régulièrement formés à cela, et qui pour la plupart sont metifs: dans les portages ces berges sont traînées sur des rouleaux. On se sert de canots de cèdre pour aller dans les petites rivières à la recherche des sauvages pour leurs pelleteries, car on ne peut trouver dans ce pays d'écorce de bouleau pour en faire des canots.

Jeudi 18.—Nous employâmes ce jour à explorer les deux rives du Saguenay, et à prendre des intersections de la Pointe aux Roches, de la pointe ———— et d'autres pointes dans la rivière pour des fins trigonométriques. Nous passâmes du côté du nord plusieurs rivières à fonds de claie principalement, dont les plus remarquables s'appellent la Loutre et Rivière aux Outardes. On remarqua que les hauteurs faisaient une assez forte attraction magnétique; et des fragmens qu'on en emporta, ont laissé voir un peu de minéral de fer.

Nous avons campé dans les prairies étendues, qui sont fauchées tous les ans pour l'usage du poste; elle présentent un sol de claie, qui cependant en approchant des hauteurs est couvert d'une riche couche végétale—les hauteurs sont rocheuses et nullement propres à la culture.

Du côté opposé de la rivière, qui a en cet endroit un mille de large, se

décharge la rivière des Vases ou Tomisticobish; à son embouchure s'avance une batture et un rescif dangereux qui se couvre à haute mer; nous trouvâmes ici quelques beaux échantillons de marbre rouge.

Vendredi 19. Nous partîmes des prairies à 9 heures et nous continuâmes à descendre le Saguenay, dont les rivages s'élèvent en ces endroits en falaises arides et en rochers clairement boisés de bouleau, de sapin, d'épinette et de quelques cyprès et pins nains.

Ayant passé la rivière ———— qui se décharge dans le Saguenay, du côté du nord, nous doublâmes la pointe aux Roches, restant S. 55 E. 7 $\frac{1}{2}$ m. à la pointe de l'Islet; et ensuite le ruisseau Peltier, qui se précipite entre les rochers escarpés qui forment son lit. A partir de ce ruisseau, qui est situé au fond de la baie Saint-Jacques, on fait route au sud jusqu'au cap à l'est, à environ 18 milles de Chicoutimi, la Pointe aux Roches nous restant au N. O. $\frac{1}{4}$ O. 5 $\frac{1}{2}$ m. Nous débarquâmes en cet endroit, afin que je pusse prendre quelques intersections et points trigonométriques de la baie des Has.

La baie de Ha! Ha! ou baie des Has! a 7 $\frac{1}{2}$ milles environ de profondeur nous restant au S. 75 O. dans laquelle direction se trouvent les hauteurs bleues de Tsiamagomi, éloignées de 28 à 30 milles, et qui s'élèvent au dessus du pays plat, qui caractérise le terrain aux environs de la baie.

On suppose que le nom de Ha! Ha! à été donné à cette baie par les français, lorsqu'ils montèrent le Saguenay pour la première fois, parce qu'ils entrèrent dans cette baie, la prenant pour la continuation du Saguenay; mais voyant leur erreur en arrivant au fond de la baie, ils prononcèrent à plusieurs reprises le mot Ha! Ha! qui est resté à la baie. De là ils dirigèrent leurs courses sur le Cap à l'est, où le Saguenay se resserre dans l'espace d'environ 48 chaînes, ayant de l'autre côté le Cap à l'ouest, ce qui donne à cet endroit l'apparence d'une grande rivière qui se déchargerait de ce côté, plutôt que celle du Saguenay lui-même. La baie des Has paraît évidemment avoir été formée par la nature comme le siège principal du commerce de toute cette partie du pays ou de territoire: 1^o A cause de la grande étendue de pays plat qui l'environne, et qui court jusqu'au lac Tsiamagomi et jusqu'à Chicoutimi, comme il a déjà été observé. 2^o Par le havre qu'elle offre pour les vaisseaux de ligne de la première classe, qui peuvent entrer directement dans la baie, avec presque le même vent qu'il leur faut pour monter le Saguenay, et mouiller dans la seconde baie, qui paraît avoir été formée tout exprès pour servir de darse, et qui selon moi serait une place très propre pour une foire de commerce. 3^o Enfin, par la facilité qu'il y a à ouvrir un chemin jusqu'à Chicoutimi, ou directement jusqu'au haut du lac Tsiamagomi, et encore par la facilité qu'il y aurait à établir une communication par eau entre cette baie et le lac, pour éviter la route tortueuse et difficile de la rivière Chicoutimi, la différence du niveau n'excedant pas 250 pieds, dans une distance de 4 $\frac{1}{2}$ à 5 lieues, par le pays plat qui sépare ses deux points. La baie est protégée par le Cap à l'est, et les hauteurs dominantes qui en forment l'entrée, tandis que le premier s'élevant jusqu'à la hauteur de 500 pieds commande la vue jusqu'à la distance de 12 milles dans le bas de la rivière, et garde avec le Cap à l'ouest l'entrée dans la partie supérieure du Saguenay.

Suivant la base du Cap, qui en quelques endroits présente une face escarpée et en d'autres des masses brisées de granite, qui de temps en temps se détachent du sommet et s'amoncellent irrégulièrement, dans les interstices desquelles quelques épinettes et bouleaux nains ont trouvé assez de sol végétal pour prendre racine; nous arrivâmes au ruisseau rapide et à une baie, sur le rivage septentrional du Saguenay, appelés l'Ance et le Ruisseau des Femmes, et nous campâmes à 6 $\frac{1}{2}$ heures. Vers 8 heures il s'éleva un gros vent du sud-est, qui pendant la nuit produisit une tempête et une forte houle sur la rivière.

Samedi 20.—Il faisait un vent si fort, qu'il était impossible de s'exposer aux eaux agitées du Saguenay, dans notre frêle canot d'écorce.

Le Saguenay a ici environ une demi-lieue de large, et les rivages en sont formés de rochers élevés et escarpés; près du Ruisseau des Femmes ils s'élèvent en forme de cônes jusqu'à la hauteur de 400 à 500 pieds, clairement boisés d'épinette, de bouleau blanc et de pin rouge d'une espèce rabougrie.

Dimanche 21.—Le vent ayant diminué, la mer paraissait s'être calmée considérablement; c'est pourquoi nous nous hasardâmes à sortir de la baie, mais la houle se trouva extrêmement forte, lorsque nous doublâmes la première pointe, ce qui nous obligea de retourner à notre camp.

A 9 heures nous fîmes une tentative plus heureuse, et quoique la mer nous balotta fortement, nous avançâmes facilement, en suivant la base des falaises, qui forment le rivage ferré du côté nord du Saguenay, formé par une chaîne de rochers arides, qui montrent des fractures d'un aspect qu'on rencontre rarement, selon moi, joint à l'effet qu'elles produisent sur l'esprit par la crainte d'un danger constant qu'elles inspirent, même lorsque le calme règne; car il est arrivé quelque fois qu'un revolin de vent se précipitant des hauteurs a mis en pièces le perroquet de quelques vaisseaux, et souvent mis les petits vaisseaux qui naviguent entre Tadousac et Chicoutimi, en danger imminent.

C'est pourquoi nous éprouvions une sensation toute particulière, à chaque fois que l'œil surprenant une petite baie ou un courant d'eau qui pouvait offrir une bonne place de débarquement; et nous en passâmes plusieurs jusqu'au ruisseau de La Trinité, 14 milles du Cap à l'Est, qui présente un emplacement sûr pour les chaloupes et les canots.

A partir de ce ruisseau, il y a environ 5 milles à aller à l'Anse et Rivière La Trinité sur la rive méridionale, où il paraît y avoir un havre sûr pour les chaloupes et goélettes et un peu de terre cultivable dans les profondeurs; les hauteurs baissant graduellement jusqu'aux bords de la rivière, tandis qu'à l'entrée le Cap La Trinité s'élève à une hauteur non moindre de 800 pieds; une partie est coupée perpendiculairement à la surface du Saguenay.

Nous tombâmes ensuite dans l'Anse Saint-Jean, qui est pareillement sur la rive méridionale, à environ 6 $\frac{1}{2}$ milles au dessous de la rivière La Trinité; et il paraît y avoir un havre sûr et spacieux pour des goélettes.

L'acclivité graduelle du pays qui environne ce havre donne un aspect favorable à la terre, et je crois qu'on pourrait y trouver quelques milliers d'acres de terre susceptible de culture.

Appendice
(V.)

14 janvr.

Du côté septentrional du Saguenay, plusieurs ruisseaux se précipitent du haut des rochers, sans présenter aucun abri ni havre aux bateaux battus des vents contraires.

Le Petit Saguenay se trouve aussi sur la rive méridionale, à environ 4 milles au dessous de l'Anse Saint-Jean, et offre un havre très commode pour des bateaux.

La course générale du ruisseau de La Trinité jusqu'à la Pointe aux Ecrits ou Petit Saguenay, est S. 35 E. 15 milles. A partir de ce point les hauteurs, quoique encore arides et escarpées, ne paraissent pas aussi élevées. Ici de même qu'en plusieurs parties du rivage septentrional du Saguenay, je remarquai une grande attraction magnétique sur l'aiguille, d'où je conclus que les rochers qui constituaient les rochers étaient fortement imprégnés de fer magnétique, ou qu'ils possédaient de leur nature cette influence attractive sur l'aiguille.

Ayant passé deux petites îles de roche qui longent le rivage septentrional, nous arrivâmes à l'île Saint-Louis, qui est une masse élevée de granite, clairement boisé de sapin, d'épinette, de bouleau blanc et de peuplier; elle a environ 60 chaînes de long et un demi-mille de large; tout près de son extrémité sud-ouest se trouvent deux autres petites îles de roche. Le Saguenay a ici environ 1½ mille de large et offre un mouillage sûr à l'abri des hauteurs, et les vaisseaux peuvent jeter l'ancre en toute sûreté près de l'île Saint-Louis.

Nous passâmes ensuite l'embouchure de la rivière Sainte-Marguerite, du côté du nord du Saguenay. La mer était basse, et je remarquai un rescif rocheux qui la traverse. A mer haute les goélettes pourraient trouver en cet endroit un havre sûr, de même que dans la baie jusqu'à l'embouchure de la rivière, qui paraît être un cours d'eau assez considérable.

Comme nous ne pouvions trouver d'eau douce pour camper sans remonter la rivière bien haut dans la baie, qui est une vaste marais salin, nous continuâmes à la faveur du calme parfait de la rivière, et de la lumière de la lune, que nous perdions cependant de vue assez souvent derrière les rochers élevés et escarpés qui forment encore en cet endroit les traits principaux du Saguenay, dont la largeur en laissant la baie Sainte-Marguerite se ressère à moins d'un mille. Après être descendus environ deux milles sans avoir changé de point de vue, nous eûmes la chance d'arriver à un petit ruisseau qui se précipitait sur le flanc du rocher, ou nous emplîmes d'eau douce les vaisseaux vides que nous avions, dans la crainte ou nous étions d'être obligés de passer la nuit dans le canot, mais ayant aperçu un endroit moins escarpé, nous tentâmes débarquement, ce que nous fîmes avec beaucoup de peine. Le canot et le bagage furent montés à environ 25 pieds de haut sur le rivage, pour éviter la haute mer. Alors on fit du feu avec le bois que la marée précédente avait jeté sur le rivage, et après avoir prêté pendant quelque temps l'oreille aux récits merveilleux des voyageurs, que la froidure de la nuit avait réunis autour du feu, nous cherchâmes parmi les rochers une place pour reposer.

Lundi 22.—Nous fumes réveillés à deux heures par le bruit et la confusion causés par le reflux de la mer, qui obligea les gens de changer le bagage de place et de le placer plus haut. Au point du jour, lorsque la mer fut assez haute pour nous permettre de mettre le canot à l'eau, nous quittâmes notre misérable campement. Après qu'on a passé le Ruisseau des Grosses Roches qui entre dans le Saguenay du côté N. E., où je remarquai une moindre élévation dans les terres, la rivière tourne son cours au sud, et reçoit la rivière St. Etienne, qui se décharge du côté occidental, environ 1 mille au-dessus de la dernière. De là le Saguenay court S. E. quart d'est, jusqu'à son confluent avec le St. Laurent. En plusieurs endroits les rivages sont coupés à pic, et sont, largeurs communes, d'environ 1 mille de large. Nous passâmes du côté nord, la baie St. Catherine, qui, si ce n'était du mouillage, paraîtrait former un havre pour les vaisseaux, qui seraient protégés de tous côtés par les hauteurs qui l'environnent.

Ensuite nous atteignîmes l'embouchure du Saguenay qui est de 60 à 70 chaînes de large, et remarquable par des traits frappants et hardis. Ayant alors doublé la Pointe de l'Îlet, nous entrâmes dans le havre et débarquâmes à Tadousac à 8 heures P. M.

Cet établissement est le plus considérable des Postes du Roi, étant composé de 13 bâtimens, y compris une chapelle. La résidence de l'agent de la compagnie est un joli bâtiment d'un étage et d'une grandeur commode, avec un assez bon jardin, dont une partie produit avec d'autres endroits aux environs les légumes que consomment les gens du poste. La chapelle est à peu près des mêmes dimensions que celle de Chicoutimi. Son toit rouge et son clocher, joints aux bâtimens environnans, la rangée de petites pièces de campagne sur le bord de la plaine s'étendant jusqu'au pied des montagnes qui s'élèvent à une hauteur considérable, laissant à découvert en plusieurs endroits les rochers nus ou montrant les ravages destructeurs du feu, qui a teint les bois dont leurs sommets sont couverts, laissent par endroits le pin élevé dépouillé de ses branches dominant sur les érucées d'épinettes et de bouleaux qui lui ont succédé; la belle venue de sapins qui s'élèvent en autant de cônes au-dessus de la terrasse, qui, je crois, fut une fois le siège des fortifications des français, située à l'ouest du ruisseau qui se précipite du haut des montagnes, dont les sommets sourcilieux font un contraste d'un effet tout particulier avec les sapins qui sont à leurs pieds; tout cela réuni ensemble forme un point de vue des plus agréables, lorsqu'on monte dans le havre, ou qu'on double la pointe de l'Îlet en descendant du Saguenay.

Nous trouvâmes que Tadousac était par la latitude 48° 5' 54", et que la variation du compas était de 16° 23' 45" ouest. Son havre est formé par la péninsule ou l'Îlet, qui le sépare du Saguenay au sud-ouest et de la terre ferme au nord-est; il a environ un tiers de mille en travers et près d'un demi-mille en profondeur à basse-marée. Le rivage, sur lequel de grandes pêches à saumon, s'étendent à une distance considérable, se ressère grandement les dimensions du havre. Celui-ci est néanmoins très sûr et protégé par les montagnes environnantes de la plupart des vents qui règnent dans le St. Laurent, excepté les vents du sud qui peuvent battre les vaisseaux à haute marée, car alors l'île Blanche et la Batture-aux-Allouettes qui les protégeraient à basse marée, sont couvertes d'eau.

A basse marée, l'entrée du canal jusqu'au havre de Tadousac est difficile, et pour les vaisseaux qui descendent le St. Laurent, qui doivent courir presque en droite ligne sur le plâtre de l'île Verte, portant au S. E. du havre, et passer ensuite au nord de l'île Blanche à l'extrémité de la Batture-aux-Allouettes, en évitant en même temps la batture qui court à quelque distance de la pointe nord-est du havre; elle est beaucoup moins difficile

pour les vaisseaux qui montent d'en bas. Un phare qui serait placé sur l'île Rouge rendrait beaucoup plus facile l'entrée du havre de Tadousac, en même temps qu'il servirait à indiquer la route à tenir pour passer dans le chenal nord du St. Laurent. Le havre est ouvert aux vaisseaux et libre de glace, depuis le mois de mai, jusqu'à la mi-septembre.

Au poste j'eus occasion de voir plusieurs des naturels de la nation Montagnaise des deux sexes; cette nation habite l'immense étendue de pays située entre le St. Laurent et le territoire de la baie d'Hudson. L'habillement des femmes est singulièrement bigarré de diverses couleurs: il consiste ordinairement en un morceau de drap bleu bordé de drap écarlate, dont elles font ordinairement leurs vêtements de dessous, et en un manteau d'indienne peinte; elles jettent leurs cheveux de chaque côté de la tête et en font une tresse attachée avec du ruban ou du galon rouge; elles ont une prédilection particulière pour ce dernière article. Elles portent généralement une capuche de forme conique, de drap rouge, bleu, vert ou blanc, d'où pend une longue queue de cheveux aussi attachée de tavelle rouge. Elles fument et boivent des liqueurs fortes comme les hommes, dont l'habillement est généralement très négligé, et composé ordinairement de quelque vieille redingote ou capote bleue, ou d'une chemise d'indien et de culottes de toile. Les Montagnais, ou nation Montagnaise, (en langue sauvage, "rieurs ou moqueurs,") sont généralement un peuple doux et humain. Ils n'ont pas d'habitation fixe, et ils errent dans les limites qui leur sont assignés pour la chasse. Ils vivent de la chasse et de pêche, qui venant souvent à manquer, surtout dans ces dernières années, sont une des causes qui, jointe à l'usage immodéré des liqueurs fortes et à la petite vérole qui s'introduit quelquefois parmi eux, réduit considérablement leur nombre.

Ils ont de l'éloignement à cultiver la terre, attendant leur subsistance d'autres sources; et ils n'ont parmi eux d'autres tradition qu'un léger souvenir de l'ordre des jésuites, qui leur enseignèrent les premiers principes du culte religieux.

La nature a fortifié le territoire du Saguenay, sous le rapport militaire, et le rend imprenable par un ennemi étranger; ses montagnes, ses lacs, ses rivières et les marais qui sont situés entre lui et le St. Laurent forment une vaste barrière impénétrable. La clef de ce pays est sans contredit Tadousac. Une bonne forteresse bâtie sur la péninsule commanderait le port et l'entrée du Saguenay.

RECAPITULATION et TABLEAU des distances depuis Chicoutimi jusqu'à Tadousac; et des endroits remarquables sur le Saguenay:

TABLE DES DISTANCES.

Chicoutimi.											
7½	Les Prairies:										
12½	5	Pointe aux Roches.									
18	10½	5½	Cap à l'Est, ou La Baie de Has!								
32	24½	19½	14	Ruisseau de la Trinité, côté N. E.							
37	29½	24½	19	5	Rivière et havre de la Trinité:						
43½	36	31	25½	11½	6½	Rivière et havre de St. Jean, côté S. O.					
47½	40	35	29½	15½	10½	4	Petit Saguenay.				
52	44½	40	34	20	15	8½	4½	Île de St. Louis.			
54	46½	42	36½	22	17	11½	6½	2	Rivière Ste. Marguerite.		
58	50½	48	40	26	21	14½	10½	6	4	Rivière St. Etienne.	
68	60½	56	50	36	31	24½	20½	10	14	10	Tadousac ou Embouchure du Saguenay.

Mardi 23.—Nous partîmes de Tadousac, à 10 heures, pour nous rendre à Québec. En traversant, de l'Îlet, l'embouchure du Saguenay, nous fumes exposés à la houle, appelée par les marins "Rangs de marées ou clapotage," causée par la rencontre du courant de la rivière et du flux de la mer. Il soufflait fort du sud-ouest et ce ne fut qu'avec les plus grands efforts et la manœuvre la plus adroite que nous réussîmes à doubler la Pointe-aux-Allouettes, après quoi nous débarquâmes à la Pointe-aux-Bouleaux, environ deux milles au-dessous de Tadousac. Je remarquai en cet endroit une étendue de terre excellente allant jusqu'aux pieds des hauteurs, située entre la baie des Allouettes et la Rivière aux Canards, et que nous passâmes après que le vent se fut un peu calmé. Ensuite les rivages s'élèvent en falaises rocheuses d'une hauteur considérable: Nous atteignîmes une cabane de pêcheurs sur la pointe rocheuse de la baie des Echafauds aux Basques, où nous campâmes à 6 heures.

La baie des Echafauds a environ un mille de profondeur et est environnée par des hauteurs. A son entrée se trouvent deux îles de roche, dont la plus grande est clairement boisée de sapin et de bouleau blanc.

Mercredi 24.—Nous partîmes à 9 heures au milieu d'un épais brouillard, qui nous fit tenir les bords du rivage, qui est une côte ferrée, et ce fut avec beaucoup de difficulté que nous passâmes les battures de la baie des Rochers. Le ciel s'éclaircit avec un grès vent du sud-ouest, qui nous obligea de débarquer à une cabane de pêcheurs du côté ouest du Port à la Femme; une batture considérable et un rescif de rochers en rendent l'entrée très difficile à basse mer; il s'y jette une petite rivière qui se précipite du haut des montagnes qui forment le caractère de la côte.

Nous passâmes la Rivière Noire, qui forme les bornes de la Baie Murray à l'est, ensuite nous atteignîmes le port au Persil, vers quatre heures et demi, et le vent venant à s'élever il nous fut impossible de doubler la pointe, et il nous fallut attendre le beau temps.

Jeudi 25.—Nous ne pûmes laisser le port au Persil avant midi, à cause du vent qui soufflait encore fort. A 7 heures du soir nous arrivâmes à la paroisse de la Malbaie. La nuit était bien sombre, et nous remarquâmes beaucoup d'éclairs dans le sud.

Vendredi

Vendredi 26 — La pluie nous empêcha de nous mettre en marche avant 9 heures, temps auquel nous laissâmes la Malbaie, et à 2 heures nous passâmes devant les beaux établissemens des Eboulemens dont les champs verdoyans couronnent les sommets des hauteurs taillées en amphithéâtre, et présentent un point de vue agréable aux voyageurs.

Vers 4 heures le vent venant à souffler fort du nord-ouest nous entrâmes dans la Baie St. Paul ; mais nous ne pûmes nous rendre au village à cause de la batture de sable qui couvre la baie à marée basse, nous nous dirigeâmes sur la pointe ouest, que nous atteignîmes à 6½ heures, et nous campâmes sur le bord du chemin.

Samedi 27. — Nous partîmes à 8 heures A. M. ; il faisait un beau temps mais encore un gros vent du S. O., ce qui nous obligea de relâcher à la seigneurie de la Petite Rivière, à 10 heures. Je partis à pied pour passer les caps, mais ayant arrêté à un petit établissement, et le dernier de la seigneurie, occupé par des pêcheurs qui gardent de grandes pêcheries à l'anguille, les gens me conseillèrent de ne pas tenter cette marche, parceque la marée qui allait monter, m'aurait atteint en peu de temps.

M. Davies et les voyageurs ne purent partir avant 6 heures, pour se rendre en cet endroit, où nous campâmes sur le rivage.

Dimanche 28. — Nous partîmes à 6 heures, et passâmes le Cap Maillard et le Cap Tourmente ; nous atteignîmes ensuite les premiers établissemens de St. Joachim, où j'achetai des provisions pour notre monde, celle que nous avions prises à Chicoutimi étant épuisées.

Un vent frais et favorable de N. E. nous mit en état d'atteindre les établissemens de l'Île d'Orléans, vis-à-vis du Chateau-Richer, où nous campâmes à 5 heures.

Lundi, 29. — Nous partîmes de l'Île d'Orléans à 7 heures et nous débarquâmes au quai de Hunt, à Québec, vers 11 heures : l'expédition du St. Maurice ayant parcouru, depuis le 21 d'août, un circuit de près de 800 milles, et en en exceptant 90 milles seulement faits en canot d'écorce, cette distance formant une superficie de 12,190 milles carrés.

Donné sous mon seing à Québec,

le 24e. jour de décembre, 1828.

JOS. BOUCHETTE, le jeune,

Député-Arp.—Général.

(vraie copie.)

JOURNAL de l'Exploration du Saguenay et autres parties des Terres de la Couronne, situées au Nord du Fleuve St. Laurent.

AYANT reçu ordre d'Andrew Stuart, Ecuyer, un des Commissaires, de vive voix, de me trouver en la Ville de Québec, le premier jour de mois d'août, afin de partir pour cette expédition ; en conséquence le treute et un de juillet 1828 ; je suis parti de chez moi, de Sainte Marie Nouvelle-Beauce, et je me suis rendu en ville, là où j'ai resté jusqu'au sixième jour du dit mois d'août en attendant une goëlette pour descendre à Tadousac.

6me. jour d'août. — Nous sommes parties de la ville de Québec et nous nous sommes rendus au dit Poste de Tadousac le neuf à midi et demi, là où nous avons fait débarquer les provisions de la dite goëlette, et le 10me. jour nous sommes parties pour monter dans la Rivière Saguenay jusqu'au Poste Chicoutimi, qui est à environ vingt cinq lieues de l'embouchure du Saguenay. Ce même jour nous ne nous sommes rendus qu'à l'endroit appelé la Boule, là où nous avons rencontré le courant si fort avec la mer baissante, que nos rameurs n'ont pas pu doubler la pointe de la dite Boule avec la chaloupe, alors nous avons été obligés de rentrer dans l'Anse et y camper.

11me. jour. — J'ai débarqué de la chaloupe et j'ai rembarqué dans un canot, nous avons été camper sur un petit rocher, qui est à environ un mille et demi au-dessus des Îles Coquette, et sur la rive Nord du dit Saguenay depuis l'embouchure de cette dite rivière à venir ici, elle est bordée par des rochers qui sont très hauts et escarpés et qui sont presque tous de figure ronde.

12me. jour. — Je me suis rendu dans une petite anse qui est à environ trois milles au dessus de l'Ance St. Jean, mais du côté opposé, là où j'ai été obligé de mettre à terre par rapport que le vent d'ouest était trop fort pour les canots, et là j'ai été retenu jusqu'à trois heures après midi. Alors le midi j'ai observé la latitude, que j'ai trouvé être de 48 degrés 14 minutes et 2 secondes nord. La variation m'a paru être de 18 degrés ouest, mais je crois qu'elle est augmentée par des couches de pierre magnétique qu'il y a dans les rochers desquelles j'ai extrait des petits morceaux pesant environ une demi ou trois quarts de livre, et qui faisaient mouvoir l'aiguille aimantée d'un degré et demi à deux degrés après qu'elle était fixée à son point nord. A trois heures le vent étant un peu plus faible, je me suis rembarqué et ai continué jusqu'à une anse, qui est vis-à-vis de l'Anse appelée Trinité et du côté opposée, là où j'ai trouvé des Messieurs qui montaient en chaloupe, et qui étaient retenus par la mer baissante, laquelle s'abaisse et s'élève de vingt et un pieds verticalement. A 11 heures et demi nous sommes rembarqués, et nous avons continué le reste de la nuit.

13me. jour. — A 10 heures du matin j'étais rendu à l'Ance au Sable, là j'ai été retenu par le vent d'ouest jusqu'à deux heures de l'après-midi, la latitude de cette place est de 48 degrés 19 minutes et 9 secondes nord. A deux heures le vent étant bien abaissé, j'ai continué et je me suis rendu à la petite anse qui est au dessus du Cap à l'ouest, là où j'ai trouvé les Messieurs du parti qui montent dans la dite Chaloupe, et j'ai campé avec eux.

14me. jour. — Nous nous sommes rendus au dit Poste de Chicoutimi tous ensemble.

15me. jour. — Andrew Stuart, l'un des Commissaires a consulté sur les moyens les plus expédiens et les plus convenables pour cette dite expédition.

16me. jour. — J'ai reçu des Instructions de mon dit Seigneur Andrew Stuart, en date du même jour et à deux heures après midi, en conséquence je suis parti à 3 heures, accompagné de deux voyageurs seulement pour aller explorer la Baie des Ah ! Ah !, le pays adjacé à la dite Baie est aussi celui adjacé à Chicoutimi tel que mentionné dans mes instructions.

Le même jour je me suis rendu aux Prairies, distance du dit Poste Chicoutimi d'environ 9 milles là où j'ai resté jusqu'au lendemain pour faire coudre quelque verges de toile ensemble afin de me faire une espèce de tente pour mon voyage.

17me. jour. — Je me suis rendu au Cap à l'Ouest, à l'entré de la dite baie, où étant, j'ai commencé à entrer dans la dite baie, en suivant la rive septentrionale ; laquelle est bordée par des forts rochers qui sont tous arides et qui se prolongent jusqu'à environ cinq milles et demi ; au bout desquels ils se dirigent vers le nord, et leur direction donne un élargissement à la dite baie d'environ un mille de profondeur vers le nord, et qui forme une Anse, qui à environ deux milles de large à son entrée, sur un mille de profondeur, laquelle offre une très bonne sûreté pour nombre de vaisseaux, de quel grosseur qu'ils soient, le mouillage est très bon, et varie en profondeur depuis 15 à 35 brasses. Cette Anse est un port où les vaisseaux seront à l'abri de tous les vents.

18me. jour. — J'ai exploré le terrain au nord, de la dite Ance, jusqu'à environ deux milles en profondeur ; la rive est entrecoupée par des petits rochers, mais qui ne s'étendent pas bien loin en profondeur, et aussi par des petits côtes, à la suite desquels il y a de très beaux vallons. Les espèces de bois dominantes dans les vallons, sont du cèdre, épinette, aunaie, bouleau, frêne, &c. La qualité du sol est un lit de terre végétale, de deux à trois pouces d'épais qui repose sur un fond de marne, marqué No. 4, sur les petits côtes, le terrain est sablonneux, et les espèces de bois sont, du pin, rouge et jaune, (d'une cru assez considérable et qui paraissent très bons) de l'épinette, sapin, bouleau, &c. Deux gros ruisseaux qui viennent du nord, tombent dans le front de cette dite Anse, et sur la rive de laquelle il y a beaucoup de pierre à chaud, qui sont de différentes figures et grosseurs étant détachées les une des autres. Au milieu de cette Anse, il y a un petit rocher qui forme un petit promoteur et ce dans la partie nord.

19me. jour. — J'ai exploré le terrain qui est à l'ouest de la dite Baie, au nord de la Rivière Vasigamenke et au sud du premier ruisseau, qui se trouve au nord d'elle, jusqu'à la profondeur d'environ quatre milles, au bout desquels j'ai traversé vers le sud, jusqu'à la dite rivière, Vasigamenke, distance d'environ 2 milles, et ensuite j'ai descendu, à la dite Baie en suivant les vallons de cette dite rivière.

Cette partie de territoire est coupée sur la rive de la dite Baie par un moyen rocher, jusqu'à la distance d'un quart de mille, ensuite il disparaît ; le bon terrain commence et est horizontal environ deux tiers de milles, après cela sa surface est inégale, elle est souvent interrompue par des moyennés cavités dans la plus part desquelles passent des petits courants qui coulent à la dite Rivière Vasigamenke et d'autre fois par des valons d'une assez grande étendue, dans lesquels on y trouve un lit de terre végétale, de sept à huit pouces d'épais qui repose sur un front de glaise marqué No. 11 ; les espèces de bois sont du liard, frêne, cèdre, épinette, mérisier, aunaie, &c. sur les bords des élévations, il y a une assez grande quantité de bon pin rouge d'une cru moyenne, le sol est presque tout du sable blanc et rouge, et lorsque les sommets de ces élévations est peu étendu, vers le centre on y trouve des cèdres d'une cru considérable et en abondance, avec lesquels il y a des aunaies, le sol est un lit de terre noir qui repose sur un fond de glaise, marqué No. 10. La Rivière Vasigamenke à environ quatre chaines et demi de large dans sa moyenne largeur, elle est très rapide et coule sur un lit de glaise, le volume d'eau qu'elle entraîne, est assez considérable et depuis son embouchure à monter jusqu'à environ trois milles dans la dite rivière, elle a changé son cours en plusieurs places, il y a des grèves à présent dans le milieu d'elle, qui ont six à neuf chaines de large et soutient sur un quart de mille de longueur.

20me. jour. — J'ai exploré le terrain entre la Rivière Vasigamenke et celle de Wissouscoué ; partant de la dite baie, en suivant la dite rivière Vasigamenke, il y a un joli vallon qui s'étend environ un mille en profondeur, les espèces de bois sont du liard, frêne, cèdre, épinette, sapin, aunaie, &c. et le sol est un lit de terre végétale de 11 à 12 pouces d'épais, qui repose sur un fond de glaise marqué No. 12, ensuite le terrain relevé graduellement, les espèces de bois sont de l'épinette, cèdre, sapin, aunaie, &c. d'une cru très petite, le sol est un lit de terre végétale de 9 à 10 pouces d'épais qui repose sur un sol de glaise marqué No. 13 ; à 2 milles et demi une forte côte à monter sur laquelle il y a du pin rouge et jaune d'une cru assez considérable, et le terrain est sablonneux, le front est une terre grise marqué No. 14 ; à 3 milles et demi, commence un très beau vallon, les espèces de bois sont du liard, cèdre, sapin, épinette, aunaie, &c. le sol est un lit de terre noir, de trois à quatre pouces d'épais, qui repose sur un de grasse ; à 5 milles commence l'épinette d'une cru très petite, mêlée d'aunaies, le sol est un lit de terre noire qui repose sur un front de blanche sablonneuse.

A 6 milles, c'est du bois mêlé, et le terrain est très bon, ici j'ai traversé vers le sud-est, pour approcher la Rivière Wissouscoué, environ deux milles, et ensuite j'ai descendu à la dite baie en suivant cette dernière rivière, à une certaine distance, et j'ai trouvé à peu près la même variété dans le bois et dans le sol que j'ai trouvé en montant vers l'autre.

Dans la nuit du 20 au vingt-et-un, étant campé à l'embouchure de la Rivière Vasigamenke, j'ai érigé un méridien par l'étoile polaire et la grande ourse, et j'ai trouvé la variation de 17 degrés et un quart ouest, suivant l'aiguille aimantée de ma boussole que j'ai observé, en juillet dernier, au méridien de Québec, et qui avait alors 13 degrés et 30 minute de variation ouest, la différence de variation d'ici à Québec, est trois degrés et trois quarts.

21me. jour. — J'ai traversé du côté sud de la dite baie, et dans cette partie il y a une petite île de 6 chaines de longueur sur 3 de largeur, et qui n'est rien autre chose qu'un petit rocher sur lequel il y a des cyprès et qui est éloignée de

Appendice
(V.)

14 Janvr.

La terre ferme environ un demi mille, qui assèche à mer basse. Dans la partie la plus méridionale, de la dite baie, se perd la Rivière Wissusecoué qui est à peu près de même largeur que celle de Vasigamenke, laquelle vient du sud-ouest et que j'ai remonté par le côté sud, jusqu'à environ quatre ou cinq mille, ces écores sont un peu élevés, mais une fois cette côte montée, le terrain est généralement plat, et est en plus grande partie un lit de terre végétale qui repose sur un front de glaise, les espèces de bois dominantes sont du liard, bouleau, cèdre, épinette, sapin et aulnaies; dans cette dite rivière à environ deux milles de son embouchure, il y a une belle place de moulin.

Revenu à la dite baie, j'ai constaté sa largeur, que j'ai trouvée être de deux milles et demi, et sur une ligne courante nord magnétique.

22^{me} jour—J'ai exploré le terrain au sud de la dite baie, il y a environ un demi mille de terrain horizontal, qui est un lit de végétale de 8 à neuf pouces d'épais, qui repose sur un front que je crois être de la marne, et que j'ai marqué No. 27, les espèces de bois dominantes sont du cèdre, liard d'une crue considérable et qui sont mêlés d'aulnaies; ensuite le terrain relève très doucement; à un mille et demi, il y a une forte côte à monter, qui est très escarpée, après cela le terrain est entrecoupé par des fortes cavées, les espèces de bois sont de l'épinette, sapin, pin jaune, bouleau, cèdre, &c. d'une crue assez considérable, le sol est un lit de terre jaune de 4 à 5 pouces d'épais, qui repose sur un front de sable rouge marqué No. 21, ce même terrain continue jusqu'à environ 2 milles et demi; ensuite commence la chaîne des rochers qui sont très hauts et arides, sur lesquels j'ai prolongé mes pas environ 4 ou 5 milles, espérant qu'ils disparaîtraient, mais au contraire ils paraissent toujours s'élever de plus en plus. Revenu à la rive de la dite baie, j'ai descendu jusqu'à la première anse à l'est d'ici, en explorant les petits rochers qui sont sur la dite rive.

23^{me} jour—J'ai monté vers le sud jusqu'à environ trois milles et je n'ai trouvé rien autre chose que des rochers très arides; rendu au bout de ces trois milles, j'ai reconnu que cette chaîne de rocher est la continuation de celle qui borde la rivière Saguenay, et alors j'ai vu, que c'était temps perdu de continuer ainsi mon exploration, de manière que je me suis décidé à retrograder sur mes pas, et je me suis embarqué pour aller plus à l'est ou vers l'entrée de la dite baie; à environ deux milles à l'est d'ici j'ai trouvé un gros ruisseau, qui se perd dans la dite baie, là où j'ai débarqué et j'ai trouvé un petit vallon, de 40 ou 50 acres en superficie, à la suite duquel la même chaîne de rocher recommence, de là j'ai continué à descendre jusqu'à l'anse ouest de la pointe au Fort; là où j'ai campé, et ensuite j'ai été explorer la dite pointe du Fort, sur laquelle j'ai trouvé le terrain qui borde la rive, entrecoupée par des petits rochers qui s'élèvent par degrés et ensuite l'élévation devient plus roide, l'espèce de bois dominante est du bouleau, le sol est du sable blanc et rouge, ce terrain se prolonge environ un demi mille, ensuite est la chaîne de rocher tout le long de la rive méridionale de la dite baie, depuis la dite pointe au Fort à aller à la rivière Vasigamenke, il y a des battures qui assèchent à mer basse qui varient en profondeur depuis 5 à 15 acres, sur lesquelles il y a beaucoup de foin de grève.

24^e jour—J'ai exploré l'anse qui est à l'est de la dite Pointe au Fort qui contient environ 400 acres de terre en superficie qui peut être cultivée et d'un sol bien médiocre; ensuite la chaîne de rocher borde ce terrain; en arrière où vis-à-vis de cette anse il y a une batture qui assèche à mer basse environ deux tiers de mille.

Après cela j'ai remonté la rivière Saguenay en suivant la rive sud jusqu'à environ six milles au-dessus du cap au ouest, là où j'ai trouvé que le terrain promettait quelque fertilité, étant débarqué j'ai été explorer cette partie jusqu'à environ trois milles en profondeur et j'ai trouvé un terrain assez plat et le sol passablement bon quoiqu'entrecoupé sur la rive par des petits rochers, mais ils ne s'étendent pas bien loin, les espèces de bois sont du bouleau, merisier, sapin, cèdre, épinette &c.

25^e jour—J'ai exploré la Pointe basse sur laquelle j'ai trouvé dans la partie est qu'il y avait huit ou neuf acres de profondeur que le terrain était submergé par les grandes-mers, et qu'il était très marécageux; ensuite de ces marais et dans l'autre partie il y a du grand bois qui est de l'épinette rouge et blanche, bouleau, cèdre, aulnes &c. le sol est un lit de terre noir de 8 à 9 pouces d'épais qui repose sur un fond de grasse sablonneuse marqué n^o 45, et en explorant cette dite pointe je me suis rendu au ruisseau l'Hetle, du côté est duquel il y a un petit rocher qui commence à la dite rivière Saguenay et va en profondeur vers le sud environ un demi mille, ensuite il disparaît et commence un vallon dans lequel il y a beaucoup de grand bois, des aulnaies, cèdre, liard &c. le sol est un lit de terre noir de 4 à 5 pouces d'épais qui repose sur un végétal marqué n^o 46; à 2 milles et un quart le terrain commence à relever graduellement; à 2 milles et demi, il devient planche, il y a du pin rouge, bouleau, sapin, épinette, cèdre, le sol est un lit de terre jaune qui repose sur de la grise, toutes deux sablonneux, le même terrain se prolonge ainsi jusqu'à la distance de 5 milles et ensuite il est entrecoupé par des petites cavées.

26 et 27^e jour—J'ai exploré le terrain entre la rivière du Moulin et celle Chicoutimy, en montant une certaine distance de celle du moulin jusqu'à la distance d'environ 10 milles, partant de la rive du Saguenay le terrain relève graduellement environ un demi mille, ensuite il est horizontal à un mille et demi, le sol est un lit de terre végétal de 4 à 5 pouces d'épais qui repose sur un fond de grasse marqué n^o 47, à 4 milles c'est un lit de terre noire qui repose sur un fond de grasse marqué n^o 48, les espèces de bois varient en bouleau, merisier, sapin, épinette, frêne, cèdre, aulnaies &c. il y a aussi quelques pins çà et là, à 5 milles et demi il y a quelques petits rochers çà et là, et ils continuent jusqu'à la distance d'environ 7 milles; ensuite ils disparaissent, le sol, entre ces petits rochers est un lit de terre végétale qui repose sur un fond de grasse sablonneuse marquée n^o 49, à 8 milles et demi le sol est un lit de terre noir de 7 à 8 pouces d'épais qui repose sur un fond de grasse marqué n^o 52, le bois est du sapinage mêlé et qui continue jusqu'à la distance d'environ 10 milles, là où j'ai commencé à traverser vers la rivière Chicoutimy; étant rendu à une certaine distance de cette dite rivière, j'ai descendu vers le Saguenay, et j'ai trouvé le terrain souvent coupé par des fortes cavées, mais il est toujours d'une bonne qualité, c'est généralement un fond de terre grasse sablonneuse, les espèces de bois varient à peu près tel que dans le voisinage de la rivière du Moulin.

28^e jour—J'ai exploré la partie est de la Presqu'île formée par les rivières Saguenay et Chicoutimy jusqu'à la distance d'environ trois milles, et dans cette partie je n'ai pas trouvé une étendue de terre bien propre à être cultivée, excepté le long du Saguenay il y a des petits vallons de très bonne terre

et aussi quelques pièces sur le Chicoutimy, mais l'intérieur n'est rien autre chose que de forts rochers et du sable brun et rouge qui est très pierreux.

29 et 30^e jour—J'ai exploré le terrain au nord du Saguenay et vis-à-vis du dit poste Chicoutimy jusqu'à la profondeur d'environ 14 ou 15 milles.

Cette partie est bordée en front par les caps St. François et St. Charles, lesquels s'étendent à peu près un tiers de mille de la rive du Saguenay, ensuite c'est un sol très sablonneux et d'une qualité médiocre jusqu'à la distance d'environ un mille, après cela le terrain est généralement plat, les espèces de bois sont du tremble, liard, cèdre, frêne, quelques bouleaux, aulnaies &c. avec ces espèces de bois, il y a du pinbina, des serises-à-grappes et une quantité abondante de grand foin, qui mériterait même d'être fauché en quelques endroits, cette même qualité de sol (qui est un lit de terre noire mêlée de végétal de 7 à 8 pouces d'épais qui repose sur un fond de grasse) s'étend jusqu'à la profondeur des dits 15 milles sans interruption excepté que dans le septième mille il se trouve des rochers qui s'étendent environ un demi mille en profondeur; mais qui ne s'élèvent pas plus de dix pieds au-dessus de la surface du terrain qui les avoisinent, étant rendu au bout des dits 15 milles ou environ, j'ai monté sur le tronc d'un arbre, et autant que j'ai pu voir le terrain, m'a paru toujours être le même.

31^e jour—J'ai resté au dit poste Chicoutimy pour faire cuir du pain et réparer mon canot.

1^{er} jour de septembre.—Je suis parti pour aller explorer la rivière des Terres Rompues, qui se perd dans la décharge du lac Saint-Jean à environ 8 milles au-dessus du dit poste Chicoutimy ou à 2 milles au-dessus où la rivière Saguenay perd ce nom et prend celui de décharge, c'est aussi là où les eaux cessent d'avoir flux et reflux.

La décharge n'a pas plus de 15 à 16 chaînes de large, et l'eau se précipite dans ce petit canal avec une rapidité extraordinaire, à cet endroit on prend le portage Ricouchesca, qui a 6 milles de long, lequel se dirige, vers le nord et vers le nord-ouest, le long duquel les espèces de bois sont du sapinage mêlé d'aulnaies, le sol est un lit de terre végétal, qui repose sur un fond de grasse et de glaise.

Revenu au bout du dit portage, où à la rivière des Terres Rompues qui a environ 6 chaînes de large, j'ai campé, et j'ai renvoyé mes hommes chercher le reste du bagage.

2^e jour—J'ai été retenu par une pluie abondante qui a duré toute la journée.

3^e jour.—J'ai commencé à remonter la dite rivière qui se dirige généralement vers le nord, ses écores sont basses et le terrain est très bon de chaque côté. A un mille du 2^e portage, il y a une petite chute d'environ six pieds de hauteur, la rivière se trouve divisée en trois parties par deux petites îles, et un peu plus bas une autre petite, ici la rivière à 12 chaînes de large. A un quart de mille du troisième portage; il y a une chute d'environ 20 pieds de hauteur et au dessus la rivière reprend sa largeur ordinaire.

A un quart de mille au dessus de ce dernier, une petite rivière qui vient du ouest, de 80 mailles de large à 3 milles, le quatrième portage il y a un fort rapide.

A un mille au dessus le cinquième portage, une petite chute de cinq pieds de hauteur. Ensuite la rivière va dans le nord-est, à 4 milles le sixième portage sur une petite île, et de chaque côté d'elle, deux autres, et aussi un peu plus bas il y en a une autre. La rivière continue toujours vers le nord-est.

A un mille et un quart du septième portage, il y a une chute de 12 pieds, la rivière est divisée en deux parties par une petite île, en bas de cette chute du côté est, il y a une forte anse dans laquelle il y a deux petites îles, ici les écores de la rivière commencent à s'élever.

J'ai continué à remonter la dite rivière jusqu'à la distance d'environ deux milles et demi au dessus du septième portage, et là j'ai campé.

4^e jour.—J'ai exploré le pays de chaque côté de la dite rivière en commençant par le côté ouest. Le terrain relève graduellement partant de la dite rivière jusqu'à la distance d'un demi-mille, ensuite il est horizontal, l'espace d'environ quatre milles, au bout desquels il recommence à relever graduellement et continue ainsi jusqu'à 5 milles, là où il devient encore horizontal, les espèces de bois dominants, sont du bouleau et quelques sapins, le sol est très sablonneux et d'une qualité médiocre, ensuite j'ai été exploré le côté est, là où j'ai trouvé beaucoup de pin gris mêlé avec d'autre sapinette, le terrain est très plat; une fois la côte de la rivière montée, le sol est très sablonneux et ne promet pas une grande fertilité, j'ai continué à monter vers l'est environ quatre ou cinq milles sans trouver de changement, ni dans le bois, ni dans le sol.

5^e jour.—J'ai continué à remonter la dite rivière qui commence à se diriger vers le nord, à un demi-mille ses écores commencent à s'abaisser, et le terrain devient très bon de chaque côté, à un mille et demi, une petite île, à 2 milles commencent des forts rapides, à un mille dans ces rapides le 12^e portage, il y a une chute de 20 pieds de hauteur dans laquelle la rivière est divisée en six parties, par cinq petites îles, et elle a environ 18 chaînes de largeur sur le haut de cette dite chute. Ensuite de ce portage la rivière serpente beaucoup, l'espace de trois milles, au bout desquels est le portage Hachoutasgane qui conduit à la Rivière aux Pins gris, lequel à quatre milles de long, là où le sol est très sablonneux, au commencement de ce portage il y a une forte côte à monter, et il se dirige vers le nord-ouest; le triangle formé par le Saguenay, Les Terres Rompues et Sainte-Marguerite, m'a paru être généralement plat, excepté auprès de la Sainte-Marguerite il y a des montagnes de moyenne hauteur.

La Rivière aux Pins gris a une chaîne et demi de largeur et est un rapide par place, ces écores sont bas et le sol est sablonneux de chaque côté, mais très plat.

6^e jour.—J'ai commencé à remonter la Rivière aux Pins gris qui me paraît à peu près parallèle aux Terres Rompues.

A trois milles et-un-quart, une petite baie à gauche, et à quelques chaînes plus haut, une autre à droite. A un mille d'ici, le quatorzième portage de 2 milles de long et se dirige vers le nord-est, et conduit au Lac Kutipiscas-metche, lequel est tout irrégulier, autour duquel on commence à trouver des petits rochers qui sont très bas et ne s'étendent pas loin de la rive. A la suite desquels, c'est un terrain plat et sablonneux.

Rendu au 16e. portage, j'ai campé.

7e. jour.—J'ai passé dans deux petits lacs, et ensuite dans le lac Wisconsin-matche, qui a environ trois-milles de long et varie beaucoup en largeur par des baies, qui sont plus ou moins profondes, dans la première baie du côté sud, il y a une petite Ile. Ce lac varie aussi beaucoup en profondeur suivant sa largeur; du côté nord-est de ce lac, les montagnes commencent à s'élever d'une certaine hauteur, et leurs sommets sont presque de figure ronde; du côté nord-ouest le terrain s'élève aussi, mais d'une manière régulière et graduelle, et il n'y a pas de rocher; de ce lac j'ai fait un petit portage et j'ai rentré dans celui de Mascouiane, qui a un mille et-demi de large sur quatre de long et qui est très profond, abondant en excellent poisson, dans lequel il y a trois petites Iles, du côté est duquel les montagnes s'élèvent d'une hauteur extraordinaire sur lesquels j'ai monté, et j'ai vu les montagnes qui séparent les eaux du Saguenay d'avec le Saint-Laurent, et du côté ouest, autant que l'on peut voir, on n'en découvre aucune.

Le terrain paraît s'élever graduellement, la pointe est de ce lac, est dans latitude de $49^{\circ} 16' 3''$ nord.

De ce lac j'ai fait le portage qui conduit à un autre petit lac, et de ce dernier j'ai fait un portage qui conduit à la Rivière Kawissa, qui a une chaîne et-demi de large, vient de l'est et va au nord, les eaux de laquelle coulent au Lac Saint-Jean, et est très rapide; cette rivière est bordée de chaque côté par des forts rochers.

Ici j'ai commencé à rétrogarder sur mes pas pour m'en retourner à Chicoutimi, et j'ai été campé au Lac Mascouiane.

8e. jour.—J'ai continué à descendre et me suis rendu au dit poste Chicoutimi, le 9e. jour à sept heures et-demi du soir, et mon bagage était très mouillé par les pluies abondantes que j'ai reçues en descendant.

10e. jour.—J'ai passé la journée à Chicoutimi pour faire sécher mon bagage et prendre des informations de Pierre Laloutre, un sauvage qui habite ces terres.

Il m'a dit que la rivière Kawissa allait se prendre dans le Lac Hicitamatche, et que les eaux de ce lac coulaient au Lac Saint-Jean. Que la rivière Sainte-Marguerite était très rapide, mais que le saumon montaient dedans jusqu'à la distance d'environ vingt lieux, et que là, il y avait des chûtes qui l'empêchaient de pénétrer plus loin.

Que les sources de cette rivière étaient dans les chaînes de grosses montagnes et bien près de celles des Terres Rompues.

Que ces montagnes étaient remplies de lacs.

Que du côté sud de la Sainte-Marguerite, il y avait une petite chaîne de montagnes. Durant mon voyage aux Terres Rompues, il est survenu une enflure à la main droite de Joseph Belant, (un de mes deux hommes) qui étant rendu à Chicoutimi, a été obligé d'appliquer des cataplasmes dessus, et elle a aboutie, le 11e. jour au matin; alors M. Wagner que j'ai trouvé au dit poste Chicoutimi, attendant après mon retour des Terres Rompues pour m'accompagner dans le reste de mon expédition, m'a dit qu'il était dangereux pour cet homme de continuer les travaux nécessaires pour le voyage, et que c'était même l'exposer à perdre la main.

11e. jour.—J'ai descendu à l'endroit appelé Les Prairies, accompagné de M. Wagner, et j'ai aidé à Grégoire Donneville, mon autre homme, à nager le canot; étant rendu aux dites Prairies, j'ai constaté l'étendue du terrain de ces prairies que j'ai trouvé être d'environ 15 ou 16 cens acres en superficie, le sol est un lit de terre végétal de 12 à 15 pouces d'épais qui repose sur un fond de glaise, il n'y a que très peu de bois, et on peut faire au moins 20 milles bottes de foin par an, dans ces dites prairies; au nord de ces prairies est la continuation du Cap-François, qui s'étend environ un quart de mille en profondeur, à la suite duquel rocher, la surface du terrain varie beaucoup, elle est tantôt élevée, tantôt basse; sur les élévations, le sol est très sablonneux et sec, et dans les petits vallons, c'est un lit de terre noire qui repose sur de la glaise, et cette même qualité de terrain paraît s'étendre bien loin vers le nord.

Mais vers le nord-est il paraît y avoir des montagnes à peu de distance.

Après cette exploration, nous avons retourné à Chicoutimi.

12e. jour.—Joseph Belant n'était pas en état de pouvoir aider à l'autre homme à nager le canot, et moi, ayant les mains trop enflées d'avoir aidé hier, pour ne pas pouvoir recommencer aujourd'hui.

13e. jour.—Mes mains étaient un peu mieux, alors j'ai continué à aider à mon autre homme, et nous sommes partis pour descendre, en suivant la rive septentrionale du Saguenay, et nous nous sommes rendus dans l'anse Pelletier, à l'endroit appelé le Portage, ici la rivière a 2 milles de large, là nous avons campé.

14e. jour.—Dans la partie ouest de cette anse, il y a deux petites Iles, et dans celle nord-est, tombe la rivière Pelletier, de 80 mailles de large, et j'ai monté par le dit Portage jusqu'au Lac Benoit, qui est d'une assez grande étendue, et qui est très irrégulier et entouré de montagnes, qui néanmoins ne s'élèvent pas bien haute; depuis ce lac à monter vers la Rivière aux Outardes, le terrain paraît très montagneux dans l'intérieur, quoiqu'ici les montagnes sont interrompues par des petits vallons, dans lesquels le sol est cultivable, mais il ne sont pas d'assez grandes étendus pour mériter d'être établis.—Ensuite je me suis rendu au Cap à l'Est, là où j'ai observé la latitude, que j'ai trouvé être de $48^{\circ} 21' 4''$ nord, et j'ai pris aussi diffé-

rents angles sur plusieurs pointes afin d'avoir les relevées de la dite rivière Saguenay aussi correctement que possible, de là je me suis rendu à la rivière appelée Belle Fleur, qui se perd dans le Saguenay du côté sud, et qui à une chaîne de largeur; à son embouchure il y a un petit vallon de très bonne terre cultivable, qui contient environ 15 ou 16 acres en superficie, à la suite duquel sont des rochers qui s'élèvent par degrés.

Ici j'ai campé.

15e. jour.—J'ai continué à descendre la rivière Saguenay en suivant la rive méridionale; les rochers le long de cette dite rive s'élèvent de plus en plus et deviennent aussi plus arides; à environ six milles en bas de la rivière Belle Fleur, il y a une belle anse appelée le Mouillage, elle offre une bonne sûreté contre les vents de ouest et sud-ouest. La profondeur de l'eau, varie depuis 25 à 40 brasses, le fond paraît être du sable; au vis-à-vis de cette anse, il y a un petit vallon de terre cultivable, et qui est entre deux gros rochers, de là je me suis rendu à l'anse appelée Trinité, laquelle à un mille et-demi de profondeur sur un de largeur à son entrée, et un quart au fond; elle est bordée du côté ouest par des forts rochers, et par le côté est ils sont moins haut; cette anse est un port très assuré contre tous les vents, et le mouillage est très bon, et varie en profondeur depuis 10 à 30 brasses, au fond de laquelle tombe une petite rivière de 2 chaînes de largeur qui serpente dans un petit vallon, et qui se dirige vers le sud-ouest.

16e. jour.—J'ai descendu à l'anse Saint-Jean, distance d'environ 6 milles, d'une pointe à l'autre; rentré dans cette anse j'ai constaté son étendue qui est de près de 2 milles de largeur, à son entrée; dans la partie ouest, il y a une petite Ile, sa profondeur est de 2 milles, sa largeur au fond est d'un petit peu plus d'un mille; dans la partie ouest du fond, il y a un très bon mouillage et assuré contre le vent de ouest, il y a aussi des battures sur lesquelles on peut faire au moins 6 à 7 milles bottes de foin, et dans celle est tombe une rivière qui varie en largeur, depuis deux à trois chaînes, qui est très rapide et coule sur un lit de pierre, laquelle serpente dans un vallon qui se trouve entre deux rochers, qui a environ un mille et-un-quart de front; ces deux rochers sont à-peu-près parallèle l'un à l'autre, le sol est très bon dans ce vallon, après avoir constaté et examiné la dite anse, j'ai commencé à remonter la dite rivière, les hommes ont été obligés de se mettre à l'eau, pour monter le canot, M. Wagner et moi, nous avons montés par terre sur le bord des écorces de la dite rivière, et nous avons continués aussi jusqu'à la distance d'environ trois milles, et là nous avons campés.

17e. jour.—Voyant que cette rivière était très difficile à monter en canot, vu sa rapidité et que son cours général était sud-ouest, qui m'éloignait beaucoup de l'embouchure de la Malbaie, alors je me suis décidé à rétrogarder sur mes pas et à descendre par le Saguenay.

Dans cette anse et le long de cette petite rivière, il peut y avoir du bon terrain pour une petite colonie d'environ 50 habitants.

Descendu à l'embouchure de cette dite rivière, j'ai continué à descendre le Saguenay, et il s'est élevé un fort vent de ouest qui nous a retenus dans la partie est de la dite anse Saint-Jean, jusqu'à trois heures et-demie après midi, et ensuite nous nous sommes rendus au Petit Saguenay, là où nous avons campé.—Ce port est très sûr contre tous les vents, mais le mouillage est très dangereux par la quantité de grosses pierres qui sont ça et là; dans la partie ouest de cette anse, il y a deux petites Iles, et dans le fond tombe une petite rivière qui coule entre deux forts rochers.

18e. jour.—Nous sommes parties à cinq heures du matin, et nous nous sommes rendus à Tadousac à 2 heures après midi, là où nous avons restés jusqu'au lendemain, pour faire radouer une chaloupe que M. Moreau, le commis du dit poste Tadousac, nous a procuré pour monter jusqu'à la Malbaie.

Latitude de Tadousac, $48^{\circ} 7' 56''$.

1 Nous sommes partis après midi, et nous nous sommes rendus à l'Anse au Foin, là où nous avons campés, pour explorer la Pointe-au-Allouettes et celle aux Bouleaux, qui sont toutes deux de très bon terrain et contiennent à peu près 3 milles acres de terre en superficie.

20e. jour.—Nous sommes partis à neuf heures du matin, et nous nous sommes rendus au Port aux Persils à 10 heures du soir, et là nous avons pris logement.

21e. jour.—Le vent de ouest a soufflé si fort que nous avons été obligés de rester là tout le jour.

22e. jour.—Il continuait avec autant de force, alors nous nous sommes décidés à faire le trajet par terre d'ici à la Malbaie, par un petit sentier qui est très peu pratiqué, qui passe à travers les montagnes, et pour cette fin, nous avons pris chacun notre bagage sur nos épaules et nous avons continués ainsi jusqu'aux premières maisons du Cap à l'Eglise, là nous avons pris une voiture pour nous faire mener à la Malbaie, chez M. Michel Chaperon, là nous avons pris logement.

23e. jour.—Nous avons engagé un chaloupier appelé Thomas Simard, pour nous rendre à Québec, et nous sommes partis immédiatement; à sept heures du soir, nous étions à l'Île au Coudre, là où nous avons mis à terre pour le temps de la marée baissante, et nous sommes repartis à onze heures du soir, et à 2 heures du matin, nous avons été obligés de rentrer dans la petite rivière par un fort vent de ouest, ne nous permettant pas d'aller plus loin.

Lequel nous a retenus à cette place toute la journée.

25e. jour.—Nous sommes repartis à 2 heures du matin, et nous nous sommes rendus à Québec le même jour, à huit heures du soir.

26e. jour.—J'ai fait le rapport de mon département à l'office de M. Lampon, et je me suis rendu chez moi à Sainte-Marie Nouvelle-Beauce.—

J. P. PROULX, A. G.

M

Appendice
(V.)

14 janvr.

MINUTES DES TEMOIGNAGES,

&c. &c. &c.

CHAMBRE D'ASSEMBLEE.

Lundi, 19e janvier 1829.

RESOLU, Que le rapport des commissaires nommés sous l'autorité d'un acte de la sixième année du règne de Sa Majesté, intitulé "Acte pour affecter une certaine somme d'argent y mentionnée, à la visite et examen de l'étendue des terres au nord du fleuve et du golfe St. Laurent, communément appelé Postes du Roi, et des terres adjacentes," soit référé à un comité de cinq membres, pour l'examiner et en faire rapport avec toute la diligence convenable, avec pouvoir d'envoyer quérir, personnes papiers et records.

Ordoané, Que M. Stuart, M. Laterrière, M. Bourdages, M. Neilson, et M. Louis Lagueux composent le dit comité.

Attesté,

J. A. BOUTHILLIER,

Greffr. Assist.

CHAMBRE D'ASSEMBLEE.

CHAMBRE DE COMITE'.

Jeudi, 20 janvier 1829.

En comité sur l'ordre de référence ci-dessus.

PRESENS :—Messrs. Laterrière, Stuart et Bourdages.

M. Stuart appelé au fauteuil.

Lu l'ordre de référence.

Lu le rapport référé, et examiné les journaux, plans et autres documents qui l'accompagnent.

REMARQUES—Sur la Rivière Signy, partant de Taddousac à Chicoutimie et plus haut, par le sous-signé, en 1827.

De Taddousac à la Boule, distance environ 2 lieues—N.B. terres hautes, rocheuses, arides et presque perpendiculaires.

Bon havre pour le N. O. par le côté N. E. au Sagnay, et bon havre pour les chaloupes, par le côté S. O. au lieu nommé l'Ance à la Banque.

A 3 lieues ou environ de distance de Taddousac au lieu appelé la Passe Pierre; bon havre pour les gozelletes pour le N. O. et le S. O. et bonne place de pêche; il y a aussi presque vis-à-vis cette dernière place au S. O. des petites îles.

De la Boule par le N. E. à l'Ance St. Etienne par le S. O. à environ 2 lieues de distance, bon havre pour le N. O. et vis-à-vis cette ance se trouve l'Ance à la Grosse Roche, bon havre pour les bâtimens, &c.

Du même côté se trouve l'Ance, "Ottapermuche," bon havre pour les chaloupes, et à quelque peu de distance l'Ance aux foins, bon havre pour les chaloupes.

Vis-à-vis l'Ance aux Foins par le S. O. se trouve la Rivière Ste. Marguerite à environ 6 lieues de Taddousac, bon havre pour tous les vents, terre cultivable; gagnant le N. E. et le N. O. mais plus avantageusement dans le N. E., navigable en canots environ 20 lieues; il y a trois ou quatre portages de peu de conséquence, et même on y rejoint Port Neuf, situé sur le fleuve St. Laurent.

A peu de distance de la Rivière Ste. Marguerite se trouve l'île St. Louis, à environ 7 lieues de Taddousac, bon havre aux deux extrémités, cette île peut avoir environ une lieue de longueur sur environ un quart de lieue dans sa plus grande largeur, elle n'a d'ailleurs rien de remarquable. A une lieue plus haut de distance par le N. E. se trouve le Petit Sagnay, place de pêche et bon havre; à $\frac{1}{2}$ lieu de distance par le S. O. est l'île Cocard, (Cocquert, so called in honor of the Missionary whose tomb stone, &c. are still in the church of Chicoutimi), ou Isle Berthelemy, bon havre.

Vis-à-vis par le N. O. est la Pointe des Ecrits, dite (Ecurcuis,) débarquement des canots,

Par le Sud-Ouest un peut plus haut, l'Ance St. Jean, qui peut avoir environ une lieue et un quart de profondeur, avec une petite île à l'entrée, place de pêche, les bâtimens y sont à l'abri de tous vents, pénétrant dans l'intérieur environ 16 à 18 milles ont y trouve des érablières de conséquence, et le terrain paraît très propre à la culture et assez planche.

Par le même côté à la distance de deux lieues de l'Ance St. Jean, se trouve

la Trinité au excellent Harbour; les caps à la vue paraissent avoir entre 15 à 1600 pieds de hauteur et plus que perpendiculaires, car ils déplombent au delà de la surface de l'eau.

Un peu plus haut l'Ance du Rude, qui n'a rien de remarquable, si ce n'est un très bon havre. Vis-à-vis la Trinité au S. O. est l'Ance à l'Aviron, bon havre; une lieue plus haut du même côté est la Petite Ance à l'Aviron, à la distance d'environ une lieue de la première, bon havre pour les canots.

A la distance d'une demie lieue plus haut, par le même côté, se trouve la Pointe aux Français, bon havre pour les chaloupes, &c. pour le N. O.

A $\frac{1}{2}$ ou 1 lieue de cette dernière place sur le même côté, se trouve la Descente des Femmes, bon havre pour les bâtimens, &c.

2 lieues de distance ou environ de la Descente des Femmes en remontant du même côté, se trouve le Cap à l'Est, et environ 1 lieue plus haut l'Ance à Peltier, bons havres pour les bâtimens, partie terres cultivables.

1 lieue plus haut du même côté—"La Grande Pointe," bon havre.

A $1\frac{1}{2}$ lieue plus haut, même côté, La Pointe aux Roches, bon havre pour les canots.

A $\frac{1}{2}$ lieue plus haut même côté, sont les Prairies, terres cultivables, abondantes en foin, et bon havre à haute mer.

A $\frac{1}{2}$ lieue plus haut, même côté, la Rivière à la Loutré, et $\frac{1}{2}$ lieu plus haut, la Rivière _____, (le nom de cette rivière a été oublié, ou n'a pas été donné) les bâtimens peuvent y entrer environ 20 à 25 arpents.

A $\frac{1}{2}$ lieue plus haut, la Rivière aux Cariboux, bon havre.

A $\frac{1}{2}$ lieue plus haut le Cap St. François, bon havre.

A $\frac{1}{2}$ lieue plus haut le Cap St. Joseph, et à peu près à la même distance, sont les rapides, terres bien cultivables et bon havres.

N. B.—"Depuis vis-à-vis la Trinité, remontant jusqu'aux rapides et plus haut, le terrain paraît assez planche."

Descendant des Rapides entre et vis-à-vis les deux caps St. Joseph et St. François, se trouve par le côté du Sud-Ouest la Rivière Chicoutimi, au près de laquelle sont construits sur une pointe du côté Nord-Ouest de la dite Rivière, une grande maison, demeure du commis de ce poste, un magasin, boulangerie, grange, étables et autres bâtimens, et plus haut à environ sept à huit arpents de long de la dite Rivière, une chapelle et un cimetière. Cette rivière monte dans une direction presque nord-ouest jusqu'au Lac St. Jean; il y a onze portages, dont le plus long a environ $\frac{1}{2}$ ou 1 lieue; partant directement de la maison du Poste de Chicoutimi, la perspective à Chicoutimi, est assez agréable, les terres depuis Chicoutimi; jusqu'au Lac St. Jean et au delà sont cultivables, et même au delà d'après l'information des commis des postes et d'autres anciens voyageurs.

Le Lac St. Jean a environ douze ou treize lieues de longueur et quelque chose près aussi large, il y a dans ce lac quelques petites îles, et partant de l'embouchure de cette rivière, descendant le Sagnay, à la distance d'un quart de lieue est la Rivière aux Rats-musqués, bon havre pour bâtimens, &c. $\frac{1}{2}$ lieue plus bas "Rivière du Moulin" bon havre, terre cultivable jusqu'à la Baie des Ha, Ha, tant en front qu'en profondeur; à une grande distance et de cette baie, à quatre lieues plus bas gagnant le Cap à l'Est il y a de bons havres, la pointe de ce Cap court dans une direction presque Nord-Est. La Baie des Ha, Ha, peut avoir environ 4 à 5 lieues de profondeur depuis son embouchure et une lieue de largeur; il y a dans le fond une petite rivière, terre cultivable, courant Nord-Ouest jusqu'au Lac St. Jean, distance d'environ vingt-cinq à trente lieues, bonne place de pêche et bon havre; dessus le somét des côtes on voit un terrain planche presque à perdre de vue, et bien boisé, et de bonne terre forte.

A 4 lieues plus bas sont les Tableaux, ainsi nommés parce que les pierres sont unies et représentent de loin des Tableaux, et delà à l'Ance St. Jean, il y a plusieurs petits havres, (qu'un, mais très bon,) mais rien de remarquable d'ailleurs.

Depuis l'Ance St. Jean à Taddousac, cette partie a été donné ci-dessus en montant le Sagnay.

Le sousigné a pénétré dans l'intérieur des terres des deux côtés du Sagnay, une fois au dessus de la Rivière St. Marguerite jusqu'à Chicoutimi, à la distance d'environ vingt à vingt cinq milles, et son opinion est qu'il y a de quoi y faire des établissemens considérables, avec peu de troubles, la terre y étant généralement bonne et susceptible à devenir fertile. Le tout humblement soumis aux lecteurs de ces remarques par celui qui a l'honneur de se souscrire.

Le très humble et très

obéissant serviteur

CHS. H. GAUVREAU, N. P.

Malbaie, 23 Septembre 1828.

(No. 2.)

M. Edward Bowen, étudiant en droit, a comparu, et a dit :—

J'étais du nombre de ceux qui ont fait l'exploration du Saguenay et du Lac Saint-Jean, l'été dernier, et je suis revenu par la Baie Saint-Paul, en compagnie avec M. Baddeley, du corps du génie. Les renseignements que nous avons pu nous procurer, rapport à l'état du pays et à la qualité du sol entre les anciens établissemens sur le fleuve Saint-Laurent et Chicoutimi, sont nécessairement en très petit nombre; ils se trouvent consignés dans le rapport

rapport de M. Baddeley, aux trois branches de la législature, et qui accompagne le rapport des commissaires au sujet de l'exploration du Saguenay. Le comité pourrait se procurer les meilleurs renseignements sur ce sujet par l'entremise de quelques individus résidens dans les environs de la Baie Saint-Paul, et qui ont été dans l'habitude d'accompagner les sauvages pour leur aider à transporter les vivres qui leur sont nécessaires pendant la saison de la chasse, et qui retournent à la fin de la chasse pour en apporter les pelleteries. Pour ne pas faire de méprises, le mieux serait de se procurer leurs noms de Vincent Tremblay; c'est un vieillard respectable qui demeure au village Saint-Urbain, derrière la Baie Saint-Paul. Je recommanderais d'une manière particulière que l'on interroge l'individu qui nous servit de guide depuis Saint-Urbain jusqu'à la Passe des Monts; c'est M. Vincent Tremblay qui nous le fit avoir. Il a été employé par les sauvages pour porter leurs paquets pendant quelques années, et il a traversé le pays dans les profondeurs de la Baie Saint-Paul, en tous sens, jusqu'aux sources de la rivière Jacques Cartier.

(No. 3.)

M. Thomas McNicol, de Québec, a été entendu comme suit :

Je suis natif de la Malbaie, et ma famille y a toujours fait sa résidence. Je demeure à Québec depuis quelques temps, mais mon domicile fixe est à la Malbaie.

Avez-vous en aucun temps visité le pays entre la Malbaie et le Saguenay ?

Je ne me suis jamais rendu jusqu'au Saguenay; j'ai été au Petit Saguenay, éloigné du Saguenay d'environ huit milles; je ne puis parler avec certitude de l'exactitude de la distance.

A quelle époque avez-vous été dans cet endroit; combien de jours y avez-vous employé; quel est le nombre d'hommes qui vous accompagnaient; combien de milles avez-vous fait par jour; qu'elle est la distance entière que vous-avez parcourue; quels sont les ruisseaux et les montagnes que vous-avez rencontrés; quelle est l'étendue de pays plane que vous-avez parcourue; comment ce pays est-il boisé, est-il susceptible de culture ou non; y a-t-il quelques habitans de la Malbaie, qui désireraient s'y établir, et qu'elle était la hauteur de la neige comparée à celle qu'il y avait dans la Malbaie ?

Dans le mois de décembre dernier, mon absence fut de d'environ jours; je pris mes vivres, consistant en lard et farine, de la Malbaie. Le parti était composé de dix sauvages, M. Brownson et moi, nous fîmes trois à quatre milles par jour en allant, mais en revenant nous fîmes cinq à six milles. La distance peut-être d'environ huit à neuf lieues. Il y a beaucoup de montagnes dans cette étendue de pays, mais en général c'est un pays uni. La hauteur des terres dans les profondeurs de la Malbaie, en partant de la Rivière Malbaie, est à environ à quatre lieues du fleuve Saint-Laurent. Arrivé à cet endroit vous trouvez une vallée en pente douce, coupé par plusieurs ruisseaux et où il y a plusieurs lacs; cette vallée a depuis une lieue jusqu'à un quart de lieue de largeur, et elle s'étend jusqu'au Saguenay. Le bois est de peu de hauteur; il y en a beaucoup de brûlés, et le bois à l'apparence d'être du jeune bois; il s'y trouve quelque peu de bouleau, mais la grande partie consiste en pins, pruche et épinette. Comme c'était en hiver, il me serait difficile de dire avec tant soi peu de certitude, si le sol est susceptible de culture ou non. Si les terres sur le Saguenay étaient concédées, je crois que l'on trouverait, tant à la Malbaie que dans la Côte du Nord, des personnes qui s'y établiraient. La neige était de la même hauteur qu'à la Malbaie, et le climat m'a paru être le même.

Pourriez-vous nommer quelques cultivateurs ou chasseurs de la Côte du Nord qui seraient en état de donner au comité quelques renseignements, relativement à l'étendue du pays qui se trouve entre le fleuve Saint-Laurent et le Saguenay ?

Thomas Simard, demeurant actuellement à la Malbaie; il a passé la plus grande partie de sa vie aux postes du roi :—

(No. 4.)

Le lieutenant F. H. Baddeley, du corps royal du génie, a comparu, et a été entendu comme suit :

On trouvera dans mon rapport géognostique du pays du Saguenay, tous les renseignements que je puis donner au sujet de l'espèce et de la qualité des terres dans la profondeur de la baie St. Paul; ce qui, à l'exception de quelques unes des portions établies de cette partie du pays, se borne à des oui-dire, et est comme suit :—

Après avoir passé quinze ou vingt milles la chaîne de Montagnes qui se trouve dans la profondeur de la baie St. Paul, on rencontre une étendue du pays propre à la culture, et on employe deux jours à la parcourir. C'est à travers le centre de cette étendue que la rivière de la Mal-Baie serpente. On a reçu les mêmes renseignements rapport à ce pays, en se rendant à Murray Bay.

On obtiendra de M. Vincent Tremblay, de la paroisse St. Antoine, les noms de ceux qui sont les plus capables de donner des renseignements.

(No. 5.)

M. Thomas Simard, a comparu et a été entendu :

Il dit : Je suis natif de la Mal-Baie. J'ai passé les treize dernières années dans les postes du nord. Je connais très-bien la partie du pays qui est entre la Mal Baie et le Saguenay. Pendant les trois ou quatre dernières années, j'y ai été fort souvent. Je fais la chasse à la martre, et je pêche à la truite

dans cet endroit. Le terrain y est montagneux dans la distance d'environ trois lieues du fleuve Saint-Laurent; il devient alors plus uni et se trouve entrecoupé par des cavités, principalement jusqu'à la rivière du Petit Saguenay, qui est à la distance de 8 ou 9 lieues de la Mal Baie, et à une lieue du Saguenay. Il s'y trouve une étendue de terrain propre à la culture; le sol est de marne jaune, et pourrait suffire à y établir 100 familles; la terre est bien bonne dans cet endroit; on y trouve du bouleau blanc et noir, de l'ébène, du sapin, et de la pruche, mêlés avec d'autres bois. Je connais plusieurs habitans qui désirent s'établir sur de nouvelles terres; mais ils préféreraient de commencer sur la Baie de St. Jean, et sur la partie ouest du Saguenay au-dessus de Chicoutimi. Le climat y est meilleur que celui de la Mal Baie. Le printemps s'y déclare plus à bonne heure, et les terres y sont supérieures.

(No. 6.)

En réponse aux questions qui m'ont été faites par le comité, je vais soumettre l'extrait d'un journal que j'ai tenu en visitant le Saguenay et ses environs en Juin 1827.

EXTRAIT.

“ La Pointe aux Bouleaux, qui est au sud-ouest du Saguenay forme un carré irrégulier d'environ $\frac{1}{2}$ de lieue de front sur une de profondeur, où s'élevaient en bornage des Montagnes de la plus désolante aridité. La Petite Rivière aux Canards, qui descend des Montagnes voisines, la borne d'un autre côté; l'intérieur de cette pointe est marécageux, et les arbres dont elle est couverte, exceptés sur ses bords, que de petites épinettes grises. De la Seigneurie de Mount Murray, à cette Pointe, c'est-à-dire depuis la rivière Noire, les bords du fleuve, et aussi loin que l'on peut découvrir dans l'intérieur, ne présentent que des Montagnes de pierre, sans aucune végétation. De là, j'ai passé Tadousac, et me suis rendu jusqu'aux Bergeronnes.—J'ai monté une des rivières qui porte ce nom jusqu'à une lieue et demi, et n'y ai vu de remarquable que des prairies dont le produit en tout pourroit être de 7 à 8 milles bottes de foin. Les terres cultivables au bord de cette rivière peuvent avoir depuis 4 à 10 arpens de profondeur et sont bornées par des montagnes de roches, qui ne portent pour tout ornement que de la mousse et quelques touffes de *genévriers*; j'ai visité le rivage et l'intérieur depuis la pointe des grandes Bergeronnes jusqu'à celle de *Bon Désir*, 3 lieues plus bas. La rive tout au plus de 100 pieds d'élévation, en raison d'une douce déclivité, présente une riche bordure végétale, et peut induire l'observateur superficiel à se former une opinion favorable de tout le terrain qui se trouve entre les montagnes qui la borne à la distance de 4 à 5 lieues par derrière; mais j'ai franchi cette bordure, et après avoir pénétré à dix ou douze arpents dans l'intérieur, je me suis trouvé dans une savanne immense, couverte d'une mousse de 3 pieds d'épaisseur et bordée à ses extrémités de petites épinettes noires.—Les informations que l'on m'a donné sur le reste de cette côte jusqu'à Port Neuf correspond avec cette description. Des *Bergeronnes*, je suis revenu à Tadousac, qui est le dépôt principal des Postes du Nord. Il n'y a rien là qui puisse fixer l'œil de l'agriculteur. J'ai fait les remarques suivantes en montant le Saguenay jusqu'à Chicoutimi. Le Saguenay monte généralement ouest; quelques unes de ses sinuosités nord-ouest. Le premier point remarquable en y entrant est une grosse montagne, nommée La Boule, en raison de sa forme, dont la table gigantesque rétrécit en cet endroit la rivière. Les bords de 15 à 18 cents pieds de haut, également escarpés, et de granit primitif, enclavent ce frère jumeau du Saint-Laurent, qui dans sa largeur moyenne n'a point moins d'une lieue. La mer y monte 18 pieds perpendiculaire, les plus basses eaux ne laissent jamais le pied des ramparts de l'architecte éternel, où le fond est à une si grande profondeur, qu'il n'y a point de mouillage. Au sud-ouest est l'Anse Saint-Etienne, qui m'a paru ouvrir d'une demi-lieue d'une pointe à l'autre. Elle est à 3 lieues de Tadousac. Le ferris des postes y fait tendre une pêche à saumon. Les environs de cette anse pourraient faire subsister une vingtaine de familles. Le soleil brille sur la surface des rochers qui l'environnent. Même rivage escarpé jusqu'à trois lieues plus haut, où au nord-est nous sommes entrés dans une petite baie, formée par la rivière Sainte-Marguerite. Cette rivière est profondément enclavée dans des montagnes, elle a deux arpens de large à son embouchure, elle est navigable pour des canots d'écorce à une grande distance, mais j'ai été informé que la terre sur ses bords, n'est point cultivable, étant trop resserrée par des montagnes escarpées. Il n'y a qu'un petit espace au nord de la baie de terre cultivable, dont une partie qui s'écroule sur le rivage, laisse de longues battures de sable où les pêcheurs tendent leurs filets à saumon. Au sud-ouest du Saguenay, à $\frac{1}{2}$ lieue plus haut que la rivière Sainte-Marguerite, est l'Île Saint-Louis, qui est une grosse montagne oblongue, sur laquelle il n'y a de végétation que quelques arbrissant dans les crevasses, et un peu de mousse. Elle peut avoir une demi-lieue de long. On m'a dit que c'était le 1er mouillage de Tadousac, à une demi-lieue au nord-est se trouve un autre rocher de forme ovale, environné des eaux du Saguenay, sur lequel il n'y a point un seul arbre. A trois lieues de la rivière Sainte-Marguerite et conséquemment à neuf de Tadousac est la Baie Saint-Jean au sud-ouest, qui peut avoir une lieue et demi d'ouverture, la terre y paraît susceptible de quelque culture; les environs de cette baie produisent du foin. Il peut y avoir de ses bords à la plus grande hauteur des montagnes, sur une pente assez douce, une lieue de terre cultivable en profondeur; le sol consiste en grande partie de marne bleue et grise. A une lieue plus haut se trouve un cap appelé La Trinité, en raison de trois coupes diminutives. Il a au moins 18 cents pieds de haut. Son sommet débordé de beaucoup sa base. Je doute qu'aucun voyageur soit passé sous son dôme, sans penser combien est petit l'homme comparé à ces masses dont l'équilibre tient à un pouce qui réveille sensiblement l'idée de la divinité! Entre ce cap et un autre au sud, se trouve une jolie petite baie dont sort une rivière d'un arpent de large, où le propriétaire des postes entreprend une autre pêche, mais où les terres n'ont point assez de profondeur pour induire l'agriculteur à se fixer. Du cap de la Trinité à la Baie des Ha! Ha! les rives conservent à peu près la même hauteur et leur aspect de stérilité. Les environs de cette baie qui est à 19 lieues de l'entrée du Saguenay, commencent enfin à s'aplanir et présentent une continuité de terre susceptible de culture et de porter une nombreuse population. Les terres les plus hautes aux environs de cette baie n'excèdent point 150 pieds au dessus de la rivière, et la déclivité en est presque insensible. Le sol est de marne bleue et grise. Les bois sont l'ébène, le merisier, le frêne, l'orme, le peuplier, le pin, l'épinette, &c. Les contours de cette baie forment un bassin de deux lieues de large sur trois de profondeur au moins; et sont bordés de prairies considérables. La rivière qui s'y décharge peut porter

Appendice
(V.)

14 Janvr.

porter des canots à une assez grande distance. Les environs sont tous de terre cultivable, particulièrement dans la direction de Chicoutimi, qui n'est séparé de cette baie que par une langue de terre de 5 lieues de large. Le Saguenay en cette endroit fait un détour au nord, et reprend son cours ordinaire de la pointe, qui ferme au ouest, l'entrée de la Baie des Ha! Ha! Le voyageur étranger à ce détour, s'engage dans la baie lorsqu'il croit monter la rivière, et c'est de l'expression de surprise, ha! ha! qu'excite ce changement de route qu'origine le nom de la Baie des Ha! Ha! Aussitôt la pointe doublée, vous n'êtes plus qu'à sept lieues de Chicoutimi, où est le second poste qu'entretenait le fermier de la couronne, et où le révérend Père Jésuite Labrosse, à bâti une chapelle en 1727, que l'on voit encore en bon ordre. La rive nord du Saguenay n'offre depuis le Cap à l'Est, la longueur de 4 lieues, qu'un pays stérile et rocheux. Les terres deviennent planche et sont de la meilleure qualité depuis la Pointe aux Roches, trois lieues plus bas que Chicoutimi, jusqu'à la pointe des Terres Rompues, environ 2 lieues au-dessus. Les terres par derrière sont planches jusqu'à dix lieues. Depuis la pointe des Terres Rompues jusqu'au Lac Saint-Jean, distance de 25 lieues, on m'a dit que la terre était planche et de la meilleure qualité. Depuis la Pointe aux Roches jusqu'à la Pointe des Terres Rompues, cette rive de cinq lieues, est bordée de prairies considérables où les habitans de Chicoutimi font leurs foins. La Rivière aux Caribous s'y décharge, elle est à une lieue plus bas que Chicoutimi. Elle est d'un arpent de large et garde cette largeur un quart de lieue en montant dans les terres. Aussi la Rivière à Valin, $\frac{1}{2}$ lieue au dessous de celle aux Caribous. Il y a des chûtes à $\frac{1}{2}$ lieue de son embouchure qui faciliteraient l'érection de moulins, (à propos de moulins), tous les bois d'origine antique sur cette rive, ont passé au feu il y a 50 ans; la nouvelle colonie végétale y est encore dans son adolescence. Il y a encore dans cet espace de 5 lieues, la Rivière aux Outardes, dont les bords sont en prairies jusqu'à la profondeur de 15 arpens. Tout le côté sud, depuis Chicoutimi, en descendant 5 lieues jusqu'à la Grande Pointe Brûlée, présente de bonne terre blanche. Il y a dans cet espace trois belles petites rivières—la Rivière de l'Islette, la Rivière au Moulin, la Rivière aux Rats Musqués, enfin la Rivière de Chicoutimi, qui est d'un arpent de large, et par laquelle montent les canots du poste jusqu'au Lac Saint-Jean. Je ne sais pas quel était le nombre des sauvages au temps des Jésuites, mais à présent c'est bien peu de chose. Il n'y a plus que dix familles sur ce qui est considéré le territoire de Chicoutimi; le même nombre au Lac Saint-Jean, et environ 15 au Lac Chamachouin, qui est à 50 lieues du Lac Saint-Jean, au ouest, qui est le dernier poste dépendant du Saguenay. Cette mission des Jésuites ne pouvait avoir d'autre but que la propagation de la foi chrétienne chez les sauvages; car s'il eût été dans le plan du gouvernement Français d'y former une colonie, on y verrait d'autre vestiges qu'une mesure et une vieille chapelle entretenue depuis par les sauvages. Pour parvenir au poste de Chicoutimi, il y a sept lieues d'une navigation difficile, son seul avantage est d'être au confluent de deux rivières. La Baie des Ha! Ha! m'a paru l'arrivée naturelle pour les vaisseaux d'outre-mer, et je crois que par la suite, elle deviendra l'entrepôt de cette rivière. Le Saguenay gèle l'hiver depuis Chicoutimi jusqu'aux Iles Saint-Louis. Le vent le plus fréquent dans cette région est le nord-ouest; il y souffle quelquefois d'une manière épouvantable, c'est le vent convenable pour descendre. L'on monte de nord-est. Les autres vents y sont, dit-on, insensibles. La terre devient cultivable à Chicoutimi au commencement de mai. Les gèles d'automne s'y font sentir plus à bonne heure qu'à Québec. J'y ait mangé des fraises le 17 juin. J'ai trouvé la végétation plus avancé qu'aux Ehoulemens. Les légumes de toutes espèces y prospèrent. La plus grande difficulté à la colonisation de ces lieux là, est suivant moi, l'éloignement de la chaîne sociale; car aussitôt la navigation fermée, plus de communication avec le reste du monde. La distance de La Malbaie à Chicoutimi est compté par 4 jours de marche en hiver, et cela équivaut à 25 à 30 lieues. La colonisation immédiate du Saguenay ne peut être que l'entreprise d'un gouvernement ou d'individus à fortunes colossales; sans des avances considérables, les individus tels que le sont ceux qui commencent de nouveaux établissemens, ne pourraient point s'y greffer, malgré les avantages que présentent son territoire.

J'ai l'honneur d'être, Monsieur,

Votre très humble et obéissant serviteur

M. DE SALES LATERRIERE.

Andrew Stuart, écuyer. }
&c. &c. &c. }

(No. 7.)

Nicolas Vincent, (Tsawahouhi) grand chef des sauvages chrétiens, établis à Lorette, ayant comparu, il a dit :—

Les terres de chasse de mes ancêtres sont aux fourches de la Rivière Sainte-Anne.

J'ai remonté les branches sud-ouest des Rivières Sainte-Anne et de Jacques Cartier jusqu'à leurs sources.

Je n'ai pas monté jusqu'à la source de la rivière de Batiscan; j'ai passé depuis la branche S. O. de Sainte-Anne, jusqu'à la branche N. E. de Batiscan, et suis revenu par le fleuve Saint-Laurent.

Je n'ai jamais été à la Rivière Saint-Maurice, ni à celle de Champlain.

Je connais une partie de la Rivière Montmorency.

Je n'ai jamais remonté les fourches de la rivière, au delà de la distance de dix lieues.

J'ai fait la chasse au delà du Lac des Neiges, qui est une des sources de Montmorency.

J'ai remonté la Rivière Malbaie environ dix lieues, vis-à-vis le Lac des Neiges.

La source de la Rivière Jacques Cartier est à dix lieues de distance de la Roche Platte, et delà à Valcartier il y a environ deux lieues.

Des sources de la rivière Sainte-Anne au fleuve Saint-Laurent, il doit y avoir au moins 15 lieues; pendant près de huit lieues, à partir du fleuve

Saint-Laurent, elle cours vers le N. E. et S. O., vis-à-vis la grande anse dans Deschambault, elle n'est pas éloignée plus de quatre lieues du fleuve Saint-Laurent; dans cet endroit pendant près de trois lieues, elle court entre le N. et le S. O. jusqu'aux fourches; de là depuis 2 $\frac{1}{2}$ lieues à 3 lieues plus au S. O. jusqu'aux fourches, ensuite presque tout-à-fait au nord, au premier lac pendant 2 lieues, delà à travers les lacs, jusqu'à sa source au N. O. pendant près de 4 lieues.

Dans les derniers lacs que j'ai vus, il entre une rivière qui court entre le N. et le N. O.; je n'ai jamais été jusqu'à la source de cette rivière, mais j'en ai fait le tour.

Il y a plusieurs chûtes dans la Rivière Saint-Jean, mais je n'en puis dire le nombre.

Le pays est bien montagneux.

Je crois qu'à partir de la Rivière Sainte-Anne, on trouve de la terre propre à la culture, pendant une espace d'environ dix lieues.

Le bois n'y est pas bien bon, à l'exception de quelques pointes de long de la rivière, où il se trouve quelques ormes.

Je crois que la terre serait propre à la culture, (non pas en ligne droite, mais en suivant les sinuosités de la rivière) pour environ 7 ou 8 lieues.

Au dessus de la Roche Platte, sur la Rivière Jacques Cartier, jusqu'aux fourches de cette rivière, distance de 6 ou 7 lieues, il y a plusieurs rapides, que l'on ne peut pas descendre en canot; il y a deux chûtes d'environ 30 ou 40 pieds de hauteur; au dessus des fourches il y a plusieurs chûtes, je ne puis pas en dire le nombre, parce que l'on ne peut pas descendre la rivière dans cet endroit.

Au dessus des Fourches, le bois consiste en petite épinette, bouleau et aunages; il n'y a même point de pins; de ce côté-ci de la Fourche, le long de la Rivière Jacques Cartier, il y a depuis dix à douze arpens de terre bien boisée. Au delà de cette étendue, ce sont les montagnes rocheuses.

Je ne puis pas dire au juste la distance que j'ai parcourue en descendant la Rivière Batiscan; il doit y avoir au moins vingt lieues, mais mettez quinze lieues.

Les bonnes terres sur la Rivière Batiscan, s'étendent plus loin que celles sur les autres rivières; elles doivent s'étendre jusqu'à 10 lieues au moins, en droite ligne, du fleuve Saint-Laurent. Quand j'ai dit que les bonnes terres de la Rivière Sainte-Anne s'étendaient jusqu'à 10 lieues, j'ai voulu dire 10 lieues suivant le cours de la rivière.

J'ai chassé un peu au sud du fleuve Saint-Laurent. J'ai été à la source de la Rivière Bécancour ou Lac Noir. J'ai aussi fait le tour de l'extrémité de la Rivière Duchêne. J'ai traversé trois des branches qui entrent dans cette rivière et qui en forment la branche principale.

Dans le printemps que j'ai été à Londres, (en 1824) que j'ai laissé notre village, et que je me suis rendu à la Pointe Lévi, et de là j'ai été faire ma chasse au Lac Noir. J'ai passé par Saint-Giles, vers le milieu de la paroisse; j'ai traversé la première petite rivière qui se décharge dans la Rivière Bécancour; elle a dans cet endroit cinq ou six pieds de large, ensuite elle s'élargit de la grandeur de cet appartement, et ensuite de la grandeur de cette maison. Je suivis cette petite rivière jusqu'aux Fourches, distance d'environ 2 lieues; le temps me parut long, car la rivière fait un grand nombre de détours. Je remontai ici la branche sud-ouest, pendant 2 $\frac{1}{2}$ lieues vers ses sources, formées par de petits ruisseaux, et non par un lac. Ici je fis une traverse d'environ une lieue, et j'arrivai à une autre branche de la Rivière Bécancour; je remontai cette branche, environ 2 ou 3 lieues; la distance de cette branche qui est la plus grande source du Lac Noir, est d'environ 4 lieues.

J'ai aussi fait la chasse à Chateauguay, j'ai chassé aussi derrière les établissemens de Kamouraska, et dans cette direction.

Il me faudrait plusieurs jours pour préparer des plans de cette rivière.

Lui ayant été demandé, qu'elle compensation raisonnable il exigeait pour ses peines; il a répondu qu'il n'en pouvait rien dire, qu'il s'en rapportait au comité.

Les terres de chasse des ancêtres de Paul, sont au Lac Saint-Vincent; celles d'André Romain, sur la rivière Sainte-Anne; celles des ancêtres de Kaska sont aussi sur cette rivière; mais plus bas que Paul; les ancêtres de Louis, à Tautary entre les Rivières Jacques Cartier et Sainte-Anne; celles de Sewée au Lac Caché, entre la Rivière Montmorency et celle de Jacques Cartier; les ancêtres de Zacharie au Lac Saint-Joseph. Il y avait des familles qui occupaient les pays de chasse, entre les Rivières Sainte-Anne et Saint-Maurice, mais elle sont maintenant toutes éteintes.

CHAMBRE D'ASSEMBLÉE

BUREAU DU COMITÉ

Jeudi, 12 février 1829.

En comité sur le rapport des Commissaires Explorateurs du territoire du Saguenay.

PRESENS.—MM. Stuart, Laterrière et Neilson.

M. Stuart appelé au fauteuil.

Votre comité a examiné le rapport d'un acte de la sixième année de sa présente Majesté, chap. 36 intitulé "acte pour affecter une certaine somme d'argent y mentionnée à la visite et examen de l'étendue de terre au nord du fleuve et du golfe Saint-Laurent, communément appelées Postes du Roi, et des terres adjacentes."—Et aussi les journaux, plans et autres documents

documents qui accompagnent le dit rapport, et les renseignemens qu'il a reçu de diverses personnes qu'il a fait venir devant lui, et dont il a l'honneur de apporter les témoignages, à la suite de ce rapport.

Il paraît d'après tous les renseignemens que votre comité a pu se procurer, que la Rivière Saguenay est navigable, pour les vaisseaux de toutes grandeurs, dans la distance d'environ vingt-deux à trente-trois lieues, jusqu'à la Baie Ha Ha, qui est un havre excellent; et depuis cet endroit, à la distance de cinq à six lieues, jusqu'à Chicoutimi; cette rivière, dans les eaux hautes, est navigable pour de gros vaisseaux. Entre le havre de Tadousac et celui de Chicoutimi on rencontre plusieurs havres.

La distance, entre Chicoutimi et le lac Saint-Jean, est par le mesurage de soixante-sept milles—68 chaînes.

Les eaux du côté ouest de la péninsule située entre le lac Tsinogomi et la grande décharge du lac Saint-Jean, sont généralement navigables pour les bateaux et elles pourraient toutes le devenir.

Ci-suivent les places du portage, et leurs distance sur la route :

Noms des portages.	Longueur des portages.		Communication par eau.	
	Chaînes.	Mailles.	Chaînes.	Mailles.
Chicoutimi - - - - -	160	00	92	00
Maie - - - - -	10	00	62	00
Attim - - - - -	9	00	33	00
Washrou - - - - -	7	00	619	00
Melon - - - - -	13	00	99	00
Ministake - - - - -	33	00	148	00
Assini - - - - -	20	00	1863	00
Wèque - - - - -	96	00	476	00
Pashicoulash - - - - -	25	40	459	00
Melowzélée - - - - -	18	00		
Depuis le portage de La Belle Rivière jusqu'à l'entrée } du lac Saint-Jean.			264	00
Depuis Kushpigan jusqu'au poste.			821	60
Distance de portage par terre			391	40
Do par eau			5036	60
			5428	00

67 milles, 68 chaînes, 00 mailles.

La grande décharge du lac Saint-Jean au côté est de la Péninsule est extrêmement rapide et n'est navigable que pour les canots, et encore faut-il, pour éviter le danger, les canotiers les plus experts.

Sur le rivage nord-est du Saguenay, il paraît n'y avoir que bien peu de terre susceptible de culture, excepté aux environs de Chicoutimi.

On ne peut constater l'étendu de terre susceptible de culture qu'il peut y avoir, d'un côté, entre les anciens établissemens en arrière de la Malbaie et de la Baie Saint-Paul, sur le Saint-Laurent; et de l'autre à la Baie Ha Ha, sur le Saguenay et à Tadousac.

Il paraît qu'on trouve un nombres d'acres de terre arable entre Chicoutimi et le territoire immédiatement en arrière, d'un côté; de l'autre dans la baie Ha Ha et sur les rivières qui s'y déchargent.

En allant de Chicoutimi au lac Saint-Jean par le côté ouest, il paraît probable que le pays n'est pas susceptible de culture, à l'ouest de la rivière Chicoutimi et du poste sur le lac Tsinogomi; depuis le lac Tsinogomi jusqu'au lac Saint-Jean il y a, au rapport des trafiquiers et des sauvages, une profonde étendu de terre et un pays fertile.

Votre comité cependant ne peut parler avec certitude de cette partie du pays, vu que l'arpenteur chargé de l'explorer en a été empêché par des circonstances accidentelles.

On rapporte que la Péninsule située entre le lac Tsinogomi et la grande décharge du lac Saint-Jean, contient deux plaines de terre fertile.

Du côté sud-ouest du lac Saint-Jean, les montagnes s'approche de ses rivages, et derrière tout le territoire qui s'étend à l'ouest jusqu'à la rivière Saint-Maurice, est tout-à-fait insusceptible de culture, à l'exception de quelques endroits trop peu considérables pour mériter d'être particularisés.

Presque toute l'étendue de pays au nord-est du lac Saint-Jean contient beaucoup de bonne terre. Ce qui suit est une table des distances dans lesquelles on a monté les rivières de ce côté du lac.

Noms des rivières.	Chaînes.	Mailles.	Milles.	Chaînes.
Rivière Peribonea,	1700	00	21	20
Do au Rat-Musqué;	170	00	2	10
Do David,	769	00	8	49
Do au Rum,	123	00	1	43
Do Mistassini,	720	00	9	00
Do Roucciattem,	40	00	0	40
Do Baddely,	560	00	7	00
Do Pastagoutin,	480	00	6	00
Du Saguenay, (de Chicoutimi,) aux Terres } Rompues,	484	00	6	4

Cette étendue de terre descend probablement, à quelques exceptions près, jusqu'aux Terres à Prairies, situées, près vis-à-vis de Chicoutimi, mais un peu plus bas.

On a pénétré dans cette partie jusqu'à la distance d'environ seize lieues du nord de la rivière des Terres Rompues; et l'on a trouvé que la terre y était d'une qualité supérieure; le Monsieur chargé de cette partie de l'exploration rapporte qu'il est probable que la terre arable s'étend encore bien plus avant.

Ce qui suit est une table de latitude prise par le lieutenant Baddely des ingénieurs royaux, avec un horizon artificiel.

Rivière Lafleur,	46° 53' 40"
Chicoutimi,	48, 24, 9
Portage des Roches,	48, 14, 31
Vers la moitié du lac à Rennagommin,	48, 16, 22
Où les deux partis rencontrèrent le lac Saint-Jean,	48, 37, 22
Rivière Perebora,	48, 42, 37
Rivière Mistassini,	48, 38, 55
Rivière Ouiguatshouru,	48, 24, 35
Rivière Metabitschuan,	48, 23, 12
Tadousac,	48, 6, 39

A Chicoutimi et plus bas dans le Saguenay le climat paraît être bien semblable à celui de Québec, tandis qu'il semblerait que dans les environs du lac Saint-Jean, le climat est aussi doux que celui de Montréal et peut-être davantage.

L'argent mis à la disposition des commissaires ne leur a pas permis d'obtenir toutes les informations qui seraient à désirer d'avoir.

Pour compléter la connaissance que nous avons de ce territoire il faudrait :—

1°.—Explorer dans toutes les directions le pays situé en arrière de La Malbaie et de La Baie Saint-Paul sur le Saint-Laurent, d'un côté; et de l'autre entre La Baie Ha Ha et le Saguenay jusqu'à Tadousac.

2°.—Explorer le pays situé entre Chicoutimi et le Lac Saint-Jean, du côté sud-ouest de Chicoutimi, du Lac Tsinogomi, &c., &c.

3°.—Explorer la vieille route depuis Charlesbourg jusqu'au Saguenay, laquelle aboutit au Saguenay à mi-distance entre Tadousac et la Baie Ha Ha &c., &c.

4°.—Explorer le pays qui doit vraisemblablement offrir la communication la plus directe, par terre, entre Québec et les anciens établissemens des Jésuites sur le Lac Saint-Jean, distance d'environ cent milles.

Cependant il en a été fait assez pour établir qu'il y a dans les environs du Lac Saint-Jean, sur le Saguenay et sur les autres rivières qui s'y déchargent, une vaste étendue de terre cultivable sur laquelle il serait désirable de former des établissemens.

Ce sera à la Chambre de déterminer, dans sa sagesse, s'il est ou non, expédient de voter une somme d'argent additionnelle, pour obtenir ces renseignements.

Ordonné, que le président laisse le fauteuil et fasse rapport.

Le tout néanmoins humblement soumis.

Québec, 11 février 1829.

HOUSE OF ASSEMBLY,

Saturday, 20th December 1828.

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

ORDERED, That Mr. Borgia, Mr. Blanchet, Mr. Larue, Mr. Vallières and Mr. Fortin do compose the said Committee.

Attest,

WM. B. LINDSAY,
D. C. House of Assbly.

Wednesday, 7th January 1829.

ORDERED, That the said Committee have leave to report on the fourteenth January instant.

Attest,

WM. B. LINDSAY,
D. C. House of Assbly.

HOUSE OF ASSEMBLY,

COMMITTEE ROOM,

Monday, 22nd December 1828.

In Committee on the preceding order of reference.

PRESENT:—Messrs. Vallières, Blanchet, Fortin, Larue and Borgia.

Mr. Borgia called to the Chair.

Read the order of reference.

Read the Petition referred.

Jean Baptiste Taché, Esquire, of Kamouraska, appeared before the Committee and gave the following information :

There was held at Kamouraska, in the Presbytery, on the 28th December 1826, a general meeting of the Inhabitants of the County, at which meeting it was unanimously resolved, That it was necessary that a College be built in the County. A Committee was afterwards named, and a sub-cription opened to carry the same into effect. The intention was that the College would belong to the whole County, and this intention was clearly manifested. Kamouraska is the most central place of the County, (with respect to the population) to build a College. Mr. Pascal Taché, Seigneur of the place, offered a lot of land large enough for the purpose, his offer was accepted; it is the intention of the Parish that the Clergy of the County have a share in the direction of the said College. The Committee had several sittings, moved several Resolutions, and corresponded by letters with His Lordship Mr. Panet, Catholic Bishop of Quebec; those letters and resolutions were inserted in the Register of the said Committee; I have them in my possession, as Secretary of the same, and I produce them before the Committee, subscribed by the Chairman and myself, and also marked with the initials of his and my name. I produce also the original letters hereinbefore mentioned, marked A. B. C. D. some of which are addressed to Pascal Taché, Esquire, others to Mr. Varin, Rector of the place, and some to Amable Dionne, Esquire, Chairman of the said Committee. I believe that a sum of fifteen to seventeen hundred pounds would be sufficient to erect the said College; the monies actually in hands for its erection consist of the subscription which amounts to six hundred and thirty pounds currency, a copy of which I produce. I have not the least doubt that were the College built, there would be more subscribers. I believe that the College would require an annual aid of two hundred pounds during ten years, but I am of opinion that if fifteen hundred pounds were employed to purchase estates, those estates would after that period produce a sufficient sum annually to support and pay the expenses of the College. I add, that it is the intention of several Inhabitants to make over immovable properties to the said College, if it is incorporated. The reason of the inhabitants not executing the several resolutions passed in the Committee are; 1^o. The want of Incorporation; 2^o. The uncertainty of being able to procure a pecuniary aid from the Legislature; 3^o. The opposition they found in the Rector of St. Anne, who has built on his own private property and assured every where that His Lordship the Catholic Bishop approved of this Establishment, and would furnish it with Professors; 4^o. The refusal from His Lordship to approve of this College, and to furnish it with Professors, unless it had rents from real estate attached to it, as well for the salary of the Professors, as for the keeping of the building in repair; and finally, unless they renounced their design of addressing themselves to the Legislature for a pecuniary aid. The Parish of Kamouraska is one of the most healthy, best situated and most frequented places of the Country. The means the inhabitants of the County had projected to bear the surplus of the charges, and more particularly those to be incurred for the salary of the Professors, either

CHAMBRE D'ASSEMBLÉE,

Samedi, 20 Décembre 1828.

RESOLU, Que la Pétition de divers habitans du Comté de Cornwallis soit référée à un Comité de cinq Membres, pour en examiner le contenu et en faire rapport avec toute la diligence convenable, avec pouvoir d'envoyer querir personnes, papiers et records.

ORDONNE, Que Mr. Borgia, Mr. Blanchet, Mr. Larue, Mr. Vallières et Mr. Fortin composent le dit Comité.

Attesté.

J. ANT. BOUTHILLIER,
Greffr. Asst.

Mercredi, 7 Janvier 1829.

ORDONNE, Que le dit Comité ait la permission de faire rapport le quatorzième de Janvier courant.

Attesté.

J. ANT. BOUTHILLIER,
Greffr. Asst.

CHAMBRE D'ASSEMBLÉE,

CHAMBRE DE COMITÉ,

Lundi, 22 Décembre 1828.

En Comité sur l'ordre de référence ci-dessus.

PRESENS:—MM. Vallières, Blanchet, Fortin, Larue et Borgia.

Mr. Borgia appelé au fauteuil.

Lu l'ordre de référence.

Lu la pétition référée.

Mr. Jean-Baptiste Taché, écuyer, Notaire à Kamouraska, dans le Comté de Cornwallis, a comparu par devant le Comité, et l'a informé comme suit :

Il y eut à Kamouraska, dans le presbytère, le 28 de Décembre 1826, une assemblée générale des habitans du dit comté, dans laquelle il fut unanimement résolu qu'il était nécessaire et urgent de bâtir un Collège dans le dit Comté. Un Comité fut ensuite nommé, et une souscription ouverte à cette fin. L'intention était que ce collège servit à tout le comté, et cette intention fut clairement manifestée. Kamouraska est le lieu le plus central du comté (sous le rapport de la population) pour y ériger un collège. Il a été offert aux habitans du dit comté par Mr. Pascal Taché, écuyer, seigneur du lieu, un terrain suffisant à cette fin, et cette offre a été acceptée. C'est l'intention des habitans que le clergé du comté participe à la régie du dit collège. Le comité a siégé à diverses reprises, a pris plusieurs délibérations, et a correspondu par lettres avec Monseigneur Panet, Evêque Catholique de Québec: ces lettres et ces délibérations ont été insérées dans le registre du dit comité, que j'ai, comme secrétaire d'icelui, en ma possession et que je produis pardevant ce Comité, paraphé par moi-même et par Mr. le président, ainsi que les originaux de lettres ci-dessus mentionnés et coteés A. B. C. D. adressés tant au dit Sieur Pascal Taché, écuyer, qu'à Mr. Varin, curé du lieu, et à Amable Dionne, écuyer, président du dit comité. Je pense qu'une somme de quinze à dix-sept cens livres courant suffirait pour l'érection du collège projeté: les moyens pécuniaires actuellement pourvus pour la fin de son érection consistent dans la dite souscription, qui s'élève à la somme de six cent trente livres courant, dont je produis une copie; et je ne doute nullement qu'il n'y aurait d'autres souscriptions et contributions, si le collège se bâtissait. Je crois que durant dix années, ce collège aurait besoin d'une aide annuelle de deux cens livres courant, mais je suis d'opinion que si l'on faisait actuellement l'emploi d'une somme de quinze cens livres courant, en acquisitions d'héritages, ces héritages produiraient, après cette période, un revenu suffisant pour défrayer la dépense de ce collège, et j'ajoute que c'est l'intention de plusieurs habitans de donner des immeubles au collège, s'il est incorporé. La cause qui a empêché les habitans du comté de mettre à effet les diverses délibérations du dit comité sont "1^o le défaut d'incorporation; 2^o l'incertitude de pouvoir se procurer une aide pécuniaire de la Législature; 3^o l'opposition qu'ils ont éprouvée de la part de Mr. le Curé de Sainte-Anne, qui a élevé une bâtisse sur son propre fonds, et l'assurance qu'il a donnée partout que Monseigneur l'Evêque Catholique de Québec approuvait cet établissement, et y fournirait des professeurs; 4^o le refus de la part de Monseigneur d'approuver le dit collège et d'y fournir des professeurs, à moins qu'il n'y eût des revenus de fonds attachés à ce collège, tant pour le salaire des professeurs que pour l'entretien de l'édifice, et enfin que les habitans renoncassent au projet de s'adresser à la Législature pour demander une aide pécuniaire." La Paroisse de Kamouraska est un des lieux du comté les plus salubres, les mieux situés, et les plus fréquentés; les moyens projetés par les habitans du comté pour défrayer le surplus de la dépense et particulièrement celle à être encourue pour les gages des

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persons in Holy Orders or Secular, were, besides those I have already mentioned, the scholars board, and the revenue of the estates which certain individuals offered to make over unto the said College, supposing that His Lordship should refuse to furnish the College with Professors. In this College will be taught the English, French and Latin Languages, the Classics, the Belles Letters, Rhetoric, Philosophy and Mathematics.

Wednesday, 24th December 1828.

PRESENT :—Messrs. Borgia, Fortin, Larue and Blanchet.

Mr. Borgia in the Chair.

Mr. *Pierre Pelletier*, a native of Saint Anne de la Pérade, in the County of Cornwallis, Merchant at Quebec, appeared before the Committee, and informed them as follows :—

It would be expedient that a College be erected in the said County. In my opinion the Rivière du Loup would be the most central place ; but as one that will be finished in the course of next summer, has just been erected at the said Parish of St. Anne, I believe that were the College in question built, the two would hurt each other. I believe that it would be expedient to defer for one or two years the erection of the said College, so as to see what encouragement the house at St. Anne would receive, and the progress it would make. I cannot take upon myself to assure that one College would be the ruin of the other, but I believe that one would be sufficient ; the Parish of St. Anne is at the extremity, west of the County. I believe that the Inhabitants of the Parishes of St. Roch, St. Jean, l'Islet and Cap St. Ignace, would send by each Parish about ten boarders, and the Parish of St. Anne would send about twenty five day scholars. I am of opinion that the said College would educate from two hundred to two hundred and fifty scholars, at the same time I believe that the Rector of St. Anne, Messire Painchaud, gave unto the Committee of the Inhabitants of St. Anne, the lot of land on which the said College was erected by subscriptions from St. Anne and several other places, but more particularly from St. Anne. I do not know whether they have a charter permitting to hold in Mortmain the lot of land on which the said College was built, but I know that it was the first measure to be taken. I cannot say how much the College cost, but I know that the inhabitants of St. Anne, among others, furnished the materials. I am informed that one Richard is the undertaker of the building for the sum of five hundred pounds currency, of which he has already received more than the three fourths ; that the sum paid to Richard and that paid to different persons for the purchase of materials is with the amount of subscriptions and not with borrowed money. I believe that the board of each scholar will be the same as that of any other College. The distance between the two Churches of St. Anne and Kamouraska is from six and a half to seven leagues.

Jean Baptiste Taché, Esquire, appeared again before the Committee, and gave the following information :

The Rector of St. Anne, Mr. Painchaud, made two different proposals to the Committee of the County, to unite with their inhabitants for the establishment of the said College : The first of those proposals upon condition that the College should be built at St. Anne, and the second that it should be built on whatever spot His Lordship the Bishop would be pleased to choose. The conditions put to those proposals did not appear to the Committee as having met the general interest of the inhabitants of the County, and on that account were not accepted ; those proposals were also in writing, but were not entered in the Register of the Committee of the County. Having in my possession a copy of one addressed to the Rector of Kamouraska, Mr. Varin, dated the nineteenth of March one thousand eight hundred and twenty seven, marked with the letter E. and the original of the other dated the sixth of April one thousand eight hundred and twenty seven, marked F. delivered by Mr. Painchaud in person to the Committee, I produce the same before this Committee.

Friday, 9th January 1829.

PRESENT :—Messrs. Borgia, Vallières, Fortin and Larue.

Mr. Borgia in the Chair.

Messire *Pierre Viau*, Priest, Rector of Rivière Ouelle in the County of Cornwallis, and Vicar General of the Diocese of Quebec, appeared before the Committee, and gave the following information :

The Inhabitants of St. Anne, La Rivière Ouelle and Kamouraska, held a meeting at Kamouraska in December One thousand eight hundred and twenty six, to consider the necessary measures for the erection of a College in the County of Cornwallis ; the first meeting at which alone I attended, was composed of inhabitants of Kamouraska alone. The Seigneur of Rivière Ouelle, the late Pierre Casgrain, Esquire, attended also, and the Rector of St. Anne, Mr. Painchaud, arrived towards the latter end. A Committee of the whole County was appointed ; there might have been at this meeting other inhabitants from other parts of the County without my seeing them. With respect to extent the most central

professeurs soit ecclésiastiques, soit laïques, sont, outre ceux que j'ai assignés, les pensions des écoliers et le revenu des héritages que certains individus ont fait l'offre de donner au collège, supposé même que Monseigneur l'Evêque refusât des professeurs ecclésiastiques. Il sera en seigné dans ce collège les langues latine, anglaise et française, les humanités, belles-lettres, la rhétorique, la philosophie et les mathématiques.

Mercredi, 24 Décembre 1828.

PRESENS :—MM. Borgia, Fortin, Larue et Blanchet.

Mr. Borgia au fauteuil.

Mr. *Pierre Pelletier*, natif de Sainte-Anne de la Pociatière, dans le Comté de Cornwallis, marchand à Québec, a comparu pardevant ce Comité, et l'a informé comme suit :

Je crois qu'il serait expédient qu'il fût érigé un collège dans le dit comté. Dans mon opinion le lieu le plus central serait la Rivière du Loup ; mais comme il vient d'être bâti au dit lieu de Sainte-Anne une maison destinée à cette fin, laquelle sera parachevée dans le cours de l'été prochain, je crois que si le collège en question était bâti, l'un et l'autre se préjudiceraient. Je crois qu'il serait convenable de différer à une ou deux années l'érection du collège projeté, afin de voir les progrès que pourra faire la maison de Sainte-Anne, et l'encouragement qu'elle recevra. Je n'ose prendre sur moi d'assurer que l'une de ces maisons ferait tomber l'autre, mais je crois qu'une serait suffisante. La dite paroisse de Sainte-Anne est à l'extrémité ouest du dit comté. Je crois que les habitans des Paroisses de Saint-Roch, Saint Jean, l'Islet et du Cap Saint-Ignace pourront envoyer par chaque paroisse à la dite maison de Sainte-Anne dix écoliers pensionnaires tout ensemble, et que ceux de Sainte-Anne pourront y envoyer vingt-cinq à trente écoliers externes. Je suis d'opinion que la dite maison pourra instruire deux cens à deux cens cinquante écoliers dans le même tems. Je crois que Mr. Painchaud, Curé de Sainte-Anne, a donné au comité des habitans de Sainte Anne le terrain sur lequel la dite maison a été érigée par souscriptions, tant de Sainte-Anne que d'ailleurs, mais particulièrement de Sainte-Anne. Je ne sais pas si cette maison a été amortie, mais je sais que ça été une des premières mesures à prendre. Je ne sais pas combien cette maison a coûté, mais je sais que les matériaux ont été fournis par les habitans de Sainte-Anne entr'autres. Je suis informé qu'un nommé Richard a fait l'entreprise de la dite bâtisse, moyennant la récompense de cinq cens livres courant, dont il a déjà touché au-delà des trois quarts ; que la somme payée au dit Richard et celle payée à diverses personnes pour l'achat de matériaux, est du produit des souscriptions et non d'emprunt. Je crois que la pension de chaque écolier dans la dite maison sera la même que dans les autres collèges. La distance entre les églises de Sainte-Anne et de Kamouraska est de six lieues et demie à sept lieues environ.

Jean-Baptiste Taché, écuyer, a comparu de nouveau pardevant ce Comité, et l'a informé comme suit :

Mr. le Curé de Sainte-Anne, Mr. Painchaud, a fait à deux reprises au Comité du comté des propositions de se réunir à ses habitans, pour l'établissement du dit collège : la première de ces propositions portait pour condition, que le collège serait bâti à Sainte-Anne, et la deuxième portait pour condition qu'il serait bâti dans l'endroit qu'il plairait à Monseigneur l'Evêque de fixer, mais les conditions mises à ces propositions n'ont point paru au Comité rencontrer l'intérêt général des habitans du comté, et elles ont en conséquences été refusées. Ces offres étaient par écrit, mais n'ont pas été entrées dans le registre du comité du comté. Ayant en ma possession copie de l'une, adressée à Mr. le Curé de Kamouraska, Mr. Varin, en date du 19 mars 1827, cotée E., et l'original de l'autre en date du 6 d'Avril 1827, cotée F., délivrée par Mr. Painchaud en personne au comité, je les produis pardevant ce Comité.

Vendredi, 9 Janvier 1829.

PRESENS :—MM. Borgia, Vallières, Fortin et Larue.

Mr. Borgia au fauteuil.

Messire *Pierre Viau*, Prêtre, Curé de la Rivière Ouelle, dans le Comté de Cornwallis, et Vicar Général du Diocèse de Québec, a comparu pardevant ce Comité, et a répondu comme suit :

Les habitans de Sainte-Anne, de la Rivière Ouelle et de Kamouraska s'assemblèrent à Kamouraska en Décembre mil huit cent vingt-six, aux fins de prendre des mesures pour parvenir à l'érection d'un collège dans le comté de Cornwallis ; à la première assemblée, à laquelle seule j'assistai, il n'y avait que des habitans de Kamouraska ; le Seigneur de la Rivière Ouelle, feu Pierre Casgrain, écuyer, s'y trouva, et Mr. le Curé de Sainte-Anne, Mr. Painchaud, arriva vers la fin. Il fut organisé un Comité de tout le Comté. Il pourrait avoir assisté à cette assemblée des habitans des autres parties du comté, sans que je les y eusse vus. En point d'étendue le lieu le plus central du comté pour un collège, est

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place of the County for a College, is Green Island or Trois Pistoles; but I cannot say whether Kamouraska with respect to the general population of the County is not the most central place. I believe that the census would be the means of determining for the present the most central place. As I attended no other meeting of the Committee, I cannot say what was the projected mode of organizing the said College, nor what would be the cost of building it, nor what are the pecuniary means, but I believe those last are but small. I do not believe that this College once erected could support itself, the scholars' board not being sufficient to meet the expenses. I cannot say what would be the necessary endowment to keep up the College, but I believe that a College under the control of persons in Holy Orders would require a much less sum for the endowment than would one under the control of secular persons; and I also believe that a College erected by a Rector or a Bishop would cost much less than one built by a corporation. The projected College was not built because the conditions required by His Lordship the Bishop of Quebec were not fulfilled by the Committee of the County. I believe that one might find in other parts of the County places as healthy and as well calculated for a College as Kamouraska; but there is not a more healthy, nor a more advantageous situation than the spot on which the College of St. Anne is built. Kamouraska is a place more frequented by strangers, however, I do not believe that places frequented by strangers are the best calculated for Colleges. I have had no correspondence whatever with any person on the subject. Saint Anne's was built by the Rector, Messire Painchaud, out of his savings, by the contributions and labour of his Parishioners, and with the assistance of Mr. Painchaud's friends. I am of opinion that two such establishments erected in the same time, six leagues and a half distant from each other, would hurt each other, and that one of the two would cause the ruin of the other, and that one alone could with difficulty support itself for a certain time. I believe that the inhabitants of the Parishes of St. Roch, St. Jean, l'Islet and Cap St. Ignace, would prefer sending their children to be educated at St. Anne, and I am certain that the inhabitants of the Rivière Ouelle would send theirs, and I have not the least doubt but that the inhabitants of Kamouraska and the Inferior Parishes would do the same. I do not know the means that the Rector of St. Anne or the inhabitants of the place may have to support the College, but I know that the Bishop of Quebec is disposed to contribute to it, as soon as it lays in his power. I would not sanction a College unless it were entirely under the control of the Bishop. The College of St. Anne has not yet to my knowledge been incorporated by the Legislature, nor has it a charter permitting them to hold the same in mortmain.

Remi Puize, Esquire, Notary, of the Parish of St. Anne de la Pocatière, in the County of Cornwallis, appeared before the Committee, and after having heard a lecture of the answers given by the Rector of Rivière Ouelle, confirmed the said answers, with the exception of those parts of them distinguished in the margin by three perpendicular lines which are drawn.

Messire *Charles François Painchaud*, Priest, Curate of the Parish of St. Anne de la Pocatière, in the County of Cornwallis, appeared before the Committee; and being interrogated, answered as follows:

I recollect that in December One thousand eight hundred and twenty six, it was a question in Kamouraska to erect a College in the said County; there was held in the Hall of the Presbytery a meeting composed of the greatest part, as I believe, of inhabitants of the place. I was at this meeting towards the latter end of it. I was informed that there was a committee appointed, composed of several inhabitants of different parishes of the County, and that the persons in Holy Orders, Curates and Vicars belonging to the different parishes of the said County were members. Kamouraska with respect to extent is not the most central place of the County, and with respect to the general population of the County I am ignorant of the most central place. The most suitable place for a College is St. Anne de la Pocatière, because there is not in the County a healthier place, nor one which offers near a Church a solitude so full of advantages and charms. I cannot say whether the inhabitants of Kamouraska have a lot of ground to build a College; it appeared to me at the meeting which I mentioned, that their intention was to give unto the Catholic Bishop the control over the projected College; but afterwards from what I heard myself, I am led to believe that the intention of some of the Petitioners is not to put the said College under the control of the Bishop. I do not know under whose control they intend putting it. I have a knowledge that the inhabitants of Kamouraska addressed themselves to His Lordship the Bishop to obtain his approbation of their building a College under the control of persons in Holy Orders. I believe that the Register now exhibited unto me supposed to contain the proceedings of the Committee of the County, for the purpose of erecting a College, is the Register, because *Pascal Taché*, Esquire, Seigneur of Kamouraska, was present at the meeting, because I know his signature, and that the signature "*Pascal Taché*," President, at the top, and the signature "*Pascal Taché*," President, at the bottom of the third page, the signature of "*Pascal Taché*," at the bottom of the fourth page of the said Register, are all three of his hand writing. Because *Amable Dionne*, Esquire, Merchant, was afterwards Chairman of the said Committee; I know also his hand writing, and the signature "*A. Dionne*" at the bottom of the fourteenth page, and the signature "*A. Dionne*, P." at the bottom of the twenty sixth page of the said Register are of his hand writing. Because, lastly, *Jean Baptiste Taché*, Esquire, Notary, at Kamouraska, was Secretary to the said Committee, that I know his hand writing, and that the signature "*J. B. Taché, Senr.*"

à l'Île Verte ou les Trois-Pistoles, mais je ne puis dire si Kamouraska, eu égard à la population générale du comté, est le lieu le plus central. Je crois que le recensement est un moyen de déterminer le lieu le plus central à cette fin, quant à présent. Comme je n'ai assisté à aucune autre assemblée du comté, je ne puis dire quel était le mode projeté d'organisation du collège, ni combien pourrait coûter l'érection du collège projeté, ni quels sont les moyens pécuniaires; mais je crois ceux-ci modiques. Je ne crois pas que ce collège une fois érigé put se soutenir par lui-même, les pensions des élèves ne pouvant suffire aux dépenses. Je ne puis dire quel serait le montant de la dotation nécessaire à soutenir ce collège, mais je crois qu'un collège régi par des ecclésiastiques exigerait une dotation bien moins considérable, que ne l'exigerait un collège régi par des Laïques. Je crois aussi qu'un collège érigé par un curé ou un évêque coûterait bien moins qu'un collège bâti par une corporation.

Le collège projeté n'a pas été bâti, parce que les conditions opposées par Monseigneur l'évêque, n'ont pas été accomplies par le comté du comté. Je crois que l'on peut trouver dans le comté des lieux aussi salubres, aussi bien situés que l'est celui de Kamouraska; mais il n'y a pas de site plus avantageux ni plus salubre que celui où est bâtie la maison ou le collège de Sainte Anne: Kamouraska est un lieu plus fréquenté par l'étranger; cependant je ne crois pas que le lieu le plus fréquenté soit le lieu le plus désirable pour une maison d'éducation. Je n'ai eu aucune correspondance avec aucune personne sur le sujet. La maison de Sainte-Anne a été bâtie par M. le curé Painchaud, de ses épargnes, par les contributions et par les travaux de ses paroissiens et par les secours des amis de M. Painchaud. Je suis d'opinion que deux semblables établissements érigés en même temps à six lieues et demie de distance, l'un de l'autre, se préjudicieraient, et que l'un de ces établissements ferait tomber l'autre; qu'un seul pourra même pendant un certain temps se soutenir assez difficilement. Je crois que les habitans des paroisses de Saint-Roch, de Saint-Jean, de l'Islet et du Cap Saint-Ignace préféreront à envoyer comme élèves leurs enfans à la maison ou collège de Sainte-Anne; je suis certain que les habitans de la Rivière Ouelle y enverront les leurs, et je ne doute pas que les habitans de Kamouraska et des paroisses au-dessous n'en fassent autant.

Je ne connais pas les moyens que peuvent avoir M. le curé de Sainte-Anne ni les habitans du lieu pour soutenir ce collège; mais je sais que l'évêque de Québec est disposé à y contribuer, aussitôt qu'il le pourra. Je ne voudrais pas d'un collège qui ne serait pas entièrement sous la direction de l'évêque. Le collège de Sainte-Anne n'a pas été à ma connaissance érigé en corporation ou communauté par la législature; il n'y a pas encore de lettres d'amortissement.

Rémi Puize, écuyer, notaire, de la paroisse de Saint-Anne de la Pocatière, dans le comté de Cornwallis, a comparu par devant le comté et a, après lecture à lui faite des réponses données par M. le curé de la Rivière Ouelle, confirmé les dites réponses, si l'on en excepte les parties d'icelles distinguées en marges par les trois lignes perpendiculaires qui y sont tracées.

Messire *Charles François Painchaud*, prêtre, curé de la paroisse de Sainte-Anne de la Pocatière, dans le comté de Cornwallis, a aussi comparu par devant ce comté, et a répondu comme suit: J'ai connaissance qu'il fut, en décembre mil huit cent-vingt-six, question à Kamouraska d'ériger un collège dans le dit comté. Il fut tenu dans la salle du presbytère une assemblée composée, à ce que je crois, en plus grande partie d'habitans du lieu; je me trouvai à cette assemblée à sa fin; j'y fus informé qu'il avait été nommé un comité composé de divers habitans des diverses paroisses du comté, et que les ecclésiastiques, curés et vicaires des dites paroisses en étaient membres. Kamouraska relativement à l'étendu du comté n'en est pas le lieu le plus central, et sous le rapport de la population générale du comté, j'ignore que c'est le lieu le plus central. Le lieu le plus convenable pour un collège est Saint-Anne de la Pocatière, parce qu'il n'y a pas dans le comté un lieu plus salubre, ni qui offre une solitude aussi près d'une église, réunissant autant d'avantages et d'agrémens. Je ne sais pas si les habitans de Kamouraska ont un terrain pour y bâtir un collège. Il me parut à l'assemblée dont j'ai fait mention, que leur intention était de donner à l'évêque catholique de Québec la surintendance du collège projeté, mais depuis, d'après ce que j'ai oui moi-même, je suis porté à croire que l'intention de quelques-uns des présens supplians n'est pas de soumettre au dit sieur Evêque, cette surintendance; je ne sais sous la surintendance de qui ceux-ci entendent la soumettre.

J'ai connaissance que les habitans de Kamouraska se sont adressés en mil huit cent vingt-sept au dit sieur Evêque, pour obtenir son approbation aux fins de bâtir dans leur paroisse un collège ecclésiastique. Je crois que le régime à moi maintenant exhibé, supposé contenir les procédés du comté au dit comté au sujet du dit collège, en est le régime, parce que *Pascal Taché*, père, écuyer, Seigneur de Kamouraska était président de la dite première assemblée, parce que je connais sa signature, et que la signature *Pascal Taché*, président, vers le haut, la signature *Pascal Taché*, président, au bas de la troisième page, et la signature *Pascal Taché*, au bas de la quatrième page du dit régime, sont sa signature; Parce que *Amable Dionne*, écuyer, marchand, a été ensuite président du dit comté; que je connais aussi sa signature, et que la signature *A. Dionne*, à la fin de la quatorzième page, et la signature *A. Dionne* à la fin de la vingtième page du dit régime, est sa signature. Parce qu'enfin *Jean Baptiste Taché*, écuyer, notaire à Kamouraska, a été secrétaire du dit comté; que je connais sa signature, et que la signature *J. B. Taché*, secrétaire, au milieu de la vingt-cinquième page, et la signature *J. B. Taché*, secrétaire, au milieu de la vingt-sixième page, est sa signature. Je ne me suis jamais considéré comme membre de ce comté, quoi-

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in the middle of the twenty fifth page, and the signature "J. Taché, Secretary," in the middle of the twenty sixth page are of his own hand writing. I never considered myself a member of the Committee, although I was told that I was a member, and although I might have received a copy of the circular entered in the third page of the Register, but I do not recollect having received it.

Saturday, 10th January 1829.

PRESENT :—Messrs. Borgia, Vallières, Fortin and Larue.

Mr. Borgia in the Chair.

The Curate of St. Anne, again appeared before the Committee, and being further interrogated, continued to answer as follows :

The letters laid before the Committee marked with the letters A. B. C. D. and now exhibited to me signed † Bernard, Evêque de Québec, are of the hand writing and signature of His Lordship Mr. Panet, Bishop of Québec. I cannot say how much the projected College would cost, not knowing upon what plan it is intended to be built. I do not know what are the pecuniary means that the Petitioners may have to complete the building ; I do not believe that the College could without any other revenue than the scholars board meet its own expenses. I believe that the College under the control of persons in Holy Orders would require to support itself on endowments of at least two hundred pounds per annum, together with the monies arising from the scholars board ; but I believe that three times the same sum and the scholars board would not be sufficient were it under the control of Secular persons. A College built under the direction of the Clergy would cost much less than a College built under the direction of Secular persons, because persons in Holy Orders offer their services gratuitously, and fulfill them with much more economy than secular persons could. The reason why the intended College was not built, was the refusal of His Lordship Mr. Panet to approve of it. The salary and wages of a schoolmaster or professor in a College that would teach the Elements of the English and French Language, Arithmetic and Book keeping, would amount to, were he to reside out of the College, and a secular person, at least ninety pounds currency per annum ; were he a person in Holy Orders not more than thirty six pounds currency, his board included amounting to twenty pounds currency. The salary of a Principal who would be at the same time Professor of Philosophy, would amount to about fifty pounds currency. That of six Professors of the Latin, English and French Tongues, of the Classics and of Rhetoric, would amount to thirty six pounds currency each, if they were persons in Holy Orders. I entertained a correspondence with His Lordship the Bishop and with Mr. Amable Dionne, Chairman of the said Committee of Kamouraska, relative to the projected College ; the correspondence I entertained with His Lordship, was for the purpose of determining the place where the College would be erected, and this correspondence took place in the winter of One thousand eight hundred and twenty seven. I entertained also a correspondence in March one thousand eight hundred and twenty seven, with the Rector of Kamouraska, Messire Jacques Varin, Archpriest, and Vice President of the said Committee. The paper writing of the nineteenth March one thousand eight hundred and twenty seven, produced before the Committee and marked with the letter E. and now exhibited to me, is a copy of my letter to the said Messire Varin. The correspondence which I entertained with the Chairman, Mr. Amable Dionne, took place in March one thousand eight hundred and twenty seven, and consisted of two or three letters, which I wrote him to request him to hold a meeting of the Committee to receive proposals that I had to make them. Mr. Dionne answered my two first letters in an evasive manner, and to the third made answer that the Committee met the first Thursday of each month, and that I might if I thought proper attend on the following Thursday which was the sixth of August ; I accordingly did so : I put in the hands of the Chairman of the Committee while sitting, the paper writing dated the sixth of April one thousand eight hundred and twenty seven, endorsed, "Tenders made by Messire Painchaud," which paper is now produced before the Committee, and exhibited to me marked with the letter F. His Lordship the Bishop having approved of the establishment of a College at St. Anne, as appears by his letters to my address, viz : the first dated the twenty fourth of January one thousand eight hundred and twenty seven, marked with the letter H. the second dated the eighth of March one thousand eight hundred and twenty seven, marked with letter I. and the third dated the sixth of April one thousand eight hundred and twenty seven, marked with the letter K. which said letters I have produced before the Committee, subscribed by the Chairman and marked with the initials of his name, having approved of the plan on which this College was to be established, I had made every necessary bargain for the building of it, but considering the persevering opposition of the Parishes of La Rivière Ouelle and Kamouraska, I resolved to abandon the enterprize in favor of whatever Parish His Lordship might approve of. It is with this intention that I attended the meeting of the sixth of April one thousand eight hundred and twenty seven ; having there communicated the said letters to the Committee, and by that clearly shewn to them the truth of the approbation in my favor. I gave as I before mentioned the paper written marked with the letter F. I added that moreover, what is continued in the paper writing marked F. I offered verbally to the Committee fifty pounds currency to help the building of the College in question. I then received no answer from the Committee who adjourned to the seventeenth of April of the same month

qu'on m'ait dit que j'en fus membre, et quoiqu'il ait pu se faire que j'ai reçu copie de la circulaire entrée en la troisième page du dit registre, mais que je ne me ressouviens pas d'avoir reçue.

Samedi, 10 janvier 1829.

PRESENS :—Messrs. Borgia, Vallières, Fortin et Larue.

M. Borgia au fauteuil.

M. le curé de Sainte-Anne a comparu de nouveau par devant le comité et a continué d'informer le comité, ainsi qu'il suit :

Les quatre lettres produites pardevant ce Comité cotées A. B. C. D. et à moi maintenant exhibées, signées † Bern. Cte. Evêque de Québec, sont de l'écriture et la signature de Monseigneur Panet, Evêque de Québec. Je ne puis dire combien coûterait le collège projeté, n'en connaissant point le plan. Je ne connais pas les moyens pécuniaires que peuvent avoir les supplians pour parvenir à la bâtisse en question. Je ne crois pas que ce collège put, sans autres fonds que le produit des pensions se soutenir par lui même. Je crois que ce collège régi par des ecclésiastiques aurait, pour se soutenir, besoin d'une dotation, dont le revenu annuel ne serait pas moindre que deux cens livres courant, en sus du produit des pensions ; mais je crois que le triple de la même somme, en sus des pensions, suffirait à peine s'il était régi par des laïques. Un collège bâti sous la direction du clergé coûterait beaucoup moins qu'un collège bâti sous la direction des laïques, vu que les ecclésiastiques se prêtent gratuitement à ces œuvres, et le font avec plus d'économie que les laïques ne le peuvent faire. La raison pour laquelle le collège projeté n'a pas été bâti, est le refus d'approbation de Monseigneur Panet. Les gages des maîtres et professeurs dans un collège qui comprendrait une école élémentaire en langues anglaise et française, l'arithmétique et la tenue des livres monteraient pour le maître, s'il demeurerait hors du collège, et s'il était laïque, à pas moins de quatre-vingt-dix livres courant par an, et s'il était ecclésiastique à pas plus de trente-six livres courant, y comprise sa pension estimée à vingt livres courant. Les gages du principal ecclésiastique, qui serait en même tems professeur de philosophie, monteraient à cinquante livres courant environ. Ceux de six professeurs de grammaires en langues latine, anglaise et française, d'humanités et de rhétorique monteraient à la somme de trente-six livres courant chacun, au plus, s'ils étaient ecclésiastiques. J'ai eu avec Monseigneur l'Evêque et avec Mr. Amable Dionne, président du dit comité de Kamouraska, des correspondances relatives au collège projeté. La correspondance que j'ai eue avec Monseigneur avait pour but de déterminer la place où le collège serait érigé, et cette correspondance a eu lieu dans l'hiver mil huit cent vingt-sept. J'en ai eu aussi en mars mil huit cent vingt-sept avec Mr. le curé de Kamouraska, Mr. Jacques Varin, archiprêtre et vice-président du dit comité. L'écrit en date du 19 Mars 1827, produit pardevant le comité et coté E. à moi maintenant exhibé est une copie de ma lettre au dit Sieur Varin. Les correspondances que j'ai eues avec le dit président Mr. Amable Dionne ont eu lieu en Mars mil huit cent vingt-sept, et consistaient en deux ou trois lettres que je lui ai écrites, le priant de vouloir assembler le dit comité pour recevoir des propositions que j'avais à lui faire. Mr. Dionne a répondu d'une manière évasive aux deux premières lettres, et à la troisième, il m'a répondu que le comité s'assemblerait le premier jeudi de chaque mois, il m'était libre d'y assister, savoir, le jeudi sixième Avril suivant, ce que j'ai fait. J'ai déposé dans les mains du dit président du comité siégeant, l'écrit en date du sixième Avril mil huit cent vingt-sept, intitulé, *Propositions faites par Mr. Painchaud*, produit pardevant ce Comité, à moi maintenant exhibé et coté F.

Monseigneur l'Evêque ayant approuvé l'établissement d'un collège à Sainte-Anne, comme il appert par ses lettres à mon adresse, savoir, la première en date du vingt-quatrième jour de Janvier mil huit cent vingt-sept, coté H ; une autre en date du huitième jour de Mars mil huit cent vingt-sept, cotée I ; et la troisième en date du sixième jour d'Avril mil huit cent vingt-sept, cotée K : les dites lettres par moi produites pardevant ce Comité, marquées par le président de ses lettres initiales et par lui paraphées, et ayant approuvé le plan du dit établissement ou collège ; j'avais contracté les marchés nécessaires à l'effet de bâtir le dit collège, mais considérant l'opposition persévérante des paroisses de la Rivière Ouelle et de Kamouraska, je pris la résolution d'abandonner l'entreprise en faveur de celle de ces deux paroisses qui obtiendrait l'approbation de Monseigneur l'Evêque. C'est dans cette vue que je m'étais rendu au Comité le dit sixième Avril mil huit cent vingt-sept. Là, après avoir communiqué au dit comité les dites lettres, et avoir par là même fait reconnaître et avouer la vérité de l'approbation en ma faveur, je déposai, comme il est dit ci-dessus le dit écrit coté F. ; j'ajoute, qu'outre ce qui est contenu dans le dit écrit coté F. j'offris verbalement au dit comité la somme de cinquante livres courant pour aider à bâtir le collège en question. Je ne reçus alors aucune réponse du comité, qui s'ajourna au dix-septième Avril même mois, pour me donner sa réponse. Je n'ai reçu depuis aucune autre réponse que la lettre du dit Sieur Varin à mon adresse en date du dix-neuvième jour de Mai mil huit cent vingt-sept, que je produis pardevant ce comité, la dite lettre cotée G., et par le président paraphée. Comprenant par la dite lettre qu'il était inutile de penser à faire accepter au dit comité mes propositions, je me décidai de suite à bâtir, mais sur un plan un peu plus étendu que celui ap-

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to give me an answer ; I received no other answer than the letter from Messire Varin addressed to me, dated the nineteenth of May one thousand eight hundred and twenty seven, which letter I produce before the Committee marked with the letter G. subscribed by the Chairman and marked with the initials of his name. Understanding from that letter that it was useless for me to think of succeeding in persuading the Committee to accept of my proposals, I determined immediately to build, but on a more extensive plan than that approved of by the Bishop, that is to say, adding twenty feet to the length, and one story to the height of the College. I built this College, and it will be opened unto youth in the middle of June next ; I built it at my own expense with the help of the inhabitants of the Parish of St. Anne, of those of St. Roch, and of several friends of Education, as well in Quebec as in other places. I gave to this College :

1°. A lot of ground consisting of one acre in front, upon three in depth, and continuing upon one half acre in front upon thirteen in depth; on that part of the lot of ground first described is build the College.

2°. A lot of ground of fifty six acres in front, by three ranges in depth in the Township of Ixworth.

3°. A lot of ground situate before the Presbytery of one acre in front by thirteen in depth.

4°. A lot of ground situate in the first range of the said Parish of St. Anne, of one half acre in front by seven in depth.

5°. A lot of ground situate in the third range of the Seigniorie of St. Anne, of one acre in front by forty two in depth.

6°. A lot of ground in the said Township of one acre and a half in front by twenty eight in depth.

7°. A lot of ground adjoining that of the Church of one acre square, together with a house of fifty feet in front, a barn, stable and other appurtenances thereon erected.

8°. A lot of ground lying in the Seigniorie of St. Roch of ten acres in front by thirty eight or forty two in depth.

This College when built will cost two thousand four hundred pounds currency or thereabouts, there having already been laid out on it sixteen hundred pounds, four hundred pounds of which said sum remain unpaid. I believe that the probable expense for twenty boarders, which are all that I expect to have for several years, will amount to from five to six hundred pounds currency yearly, including the Schoolmasters, Professors and servants wages, and the other necessary expenses of the College. Twenty boarders would pay four hundred pounds currency yearly, and as to the remaining two hundred pounds less, I expect to make them up with the help of friends of education, one quarter of the revenue of the Corporation, (Fabrique) the revenue of the above mentioned estates, the amount of the day scholars schooling and my own private savings. I do not believe that two Colleges in the same county could support themselves before twenty years. I believe that the one during the same space of time would cause the ruin of the other in fixing the epoch at twenty years : I do not mean to say that they could not afterwards support themselves. In the beginning of March one thousand eight hundred and twenty seven, J. B. Taché, Esquire, going up to Quebec, told me, that the inhabitants of Kamouraska had obtained the approbation of His Lordship the Bishop to build a College at Kamouraska, I answered that I had also obtained his approbation to build one at Saint Anne, and offered him to make an exchange of Letters, and also to call at my house on his return to look over those I had received from His Lordship, and see the plan he had approved ; he called at my house as he was going down, and saw the three above mentioned letters and the plan. I had then read from the pulpit (*au prone*), during Divine Service which he attended, the letter from His Lordship the Bishop, dated the eighth of March one thousand eight hundred and twenty-seven, by which His Lordship declared that he did not approve of the erection of a College at Kamouraska. The said J. B. Taché, Esquire, admitted that the approbation that I had was sufficient. The College of Saint Anne is under the immediate control of the Catholic Bishop of Quebec.

Mr. Pierre Canac dit Marquis, Merchant at Saint André, in the County of Cornwallis, also appeared before the Committee, and answered as follows :

When in one thousand eight hundred and twenty-six and one thousand eight hundred and twenty-seven it was a question to erect a College in said County, the intention of the said Committee was that the College would be for the general benefit of the County, and that it would be built at Kamouraska ; but as it pleased His Lordship the Catholic Bishop to name St. Anne as the most suitable place for a College, the Committee discontinued their proceedings. I am informed that the greatest part of the inhabitants of the County are satisfied with His Lordship's choice, and even several of the Members of the Committee are of the same opinion. In referring to the last Census, I believe that the most central place of the County (with respect to the population) is Kakona. I know of no pecuniary means for establishing the projected College, unless it be the subscription of one thousand eight hundred and twenty-seven, amounting to six hundred and thirty pounds Currency, which would not be the same on account of the College erected at Saint Anne, and moreover because several neighbouring parishes would not contribute to it. I believe that one College erected in a County could with difficulty for several years support itself, owing to the narrowness of the means which the inhabitants have to educate their children. The reason why the Resolutions of the Committee were not put into execution, is, because His Lordship the Bishop refused his approbation to the erection

prouvé par l'évêque, c'est-à-dire, ajoutant vingt pieds sur la longueur, et un étage sur la hauteur. J'ai bâti ce collège, qui sera ouvert à la jeunesse vers le mois de juin prochain. Je l'ai bâti à mes propres frais, à l'aide des habitans de la Paroisse de Sainte-Anne, de celle de Saint-Roch, et de plusieurs amis de l'éducation, tant à Québec qu'ailleurs.

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J'ai donné pour ce collège :

1°. Un lopin de terre qui consiste en un arpent de front sur trois de profondeur continué sur un demi arpent de front sur treize arpens environ de profondeur ; et sur la partie du dit lopin premièrement désignée est bâti le collège.

2°. Un lopin de terre de cinquante six arpens de front environ, sur trois rangs dans le township d'Ixworth.

3°. Un demi arpent de terre de front devant le presbytere sur environ treize arpens de profondeur.

4°. Un demi-arpent de terre de front sur sept de profondeur environ, dans le premier rang de la dite paroisse de Sainte-Anne.

5°. Un arpent de terre de front sur quarante-deux de profondeur environ, dans le troisième rang de la seigneurie de Sainte-Anne.

6°. Un arpent et demi de terre de front sur vingt-huit arpens de profondeur, dans le dit township.

7°. Un emplacement avoisinant le terrain de l'église, d'un arpent carré, avec une maison de soixante pieds de front dessus construite, avec grange, étable et autres dépendances.

8°. Dix arpens de terre de front sur trente-huit ou quarante-deux de profondeur, dans la Seigneurie de Saint-Roch.

Le coût de cette bâtisse parachevée, évalué en argent montera à la somme de deux mille quatre cents livres courant environ. Il monte maintenant à celle de seize cents livres courant, et de cette somme, il reste à payer la somme de quatre cents livres courant environ. Je crois que la dépense probable pour vingt pensionnaires, qui est le nombre seul sur lequel je compte pendant plusieurs années, montera à entre cinq et six cents livres courant par année y compris l'entretien du dit collège, les gages des maîtres, professeurs, serviteurs et autres dépenses nécessaires. Vingt pensionnaires payeront la somme de quatre cents livres courant par an, et la différence de deux cents livres courant au moins annuellement : j'entends la couvrir par mes épargnes, par l'aide des amis de l'éducation, le quart du revenu de la fabrique, le revenu des héritages ci-dessus mentionnés et la récompense que chaque écolier payera pour son école.

Je ne crois pas que deux collèges dans le comté puissent se soutenir par eux-mêmes avant vingt ans. Je crois que l'un ferait sous la même période, tomber l'autre. En fixant l'époque de vingt années, je ne prétends pas dire qu'ils puissent se soutenir ensuite par eux-mêmes.

Je rencontrai à Sainte-Anne dans les premiers jours de Mars mil huit cent vingt-sept, Mr. J. B. Taché, écuyer, allant à Québec. Il me dit que les habitans de Kamouraska avaient obtenu de Monseigneur l'Evêque son approbation pour bâtir un collège à Kamouraska. Je lui dis que j'avais aussi obtenu l'approbation de Sa Grandeur pour en bâtir un à Sainte-Anne. Je lui offris d'échanger nos lettres, et de venir chez moi à son retour voir celles que j'avais reçues de Sa Grandeur, et le plan par elle approuvé. Il entra chez moi en descendant ; je lui communiquai les trois lettres ci-dessus mentionnées et le plan. J'avais alors lu au prône de la Messe à laquelle il venait d'assister, la lettre de Monseigneur l'Evêque en date du huitième Mars mil huit cent vingt-sept, par laquelle il déclarait qu'il n'avait pas approuvé l'érection d'un collège à Kamouraska. Le dit Sieur Jean-Baptiste Taché convint que l'approbation que j'avais, était suffisante. Le collège de Sainte-Anne est sous la surintendance immédiate de l'Evêque Catholique de Québec.

Mr. Pierre Canac dit Marquis, Ecuyer, Marchand à Sainte-André, dans le Comté de Cornwallis, a aussi comparu pardevant ce Comité, et a répondu comme suit :

Lorsqu'il fut en les années mil huit cent vint-six et vingt-sept, question de l'érection d'un collège dans le dit comté, l'intention du comité était que le collège serait pour l'utilité générale du comté, et qu'il serait bâti à Kamouraska ; mais comme il a plu à Monseigneur l'Evêque de fixer à Sainte-Anne la place du dit collège, le comité a discontinué ses projets. Je suis informé que la généralité des habitans du dit comté et une partie des membres du dit comité sont maintenant satisfaits de la fixation de la place à Sainte-Anne. En référant au dernier recensement je crois que le lieu le plus central du comté, eu égard à la population, serait Kakona. Je ne connais aucuns moyens pécuniaires pour parvenir à l'établissement du collège projeté, que la souscription de mil huit cent vingt-sept, montant à la somme de six cent trente livres courant ; le montant ne serait pas maintenant le même à cause de l'érection du collège de Sainte-Anne, et en outre parce que plusieurs habitans des paroisses voisines n'y contribueraient point. Je crois qu'un seul collège érigé dans le comté aurait pendant plusieurs années peine à se soutenir par lui-même, vu le peu de moyens qu'ont les habitans pour subvenir aux frais de l'éducation de leurs enfans. La cause qui a empêché de mettre à effet les délibérations du dit comité vient de ce que Monseigneur l'Evêque, a refusé son approbation à l'érection d'un collège à Kamouraska, et qu'il a désapprouvé la résolution du comité de s'adresser à la

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of a College at Kamouraska, and would not adhere to the Resolution passed by the Committee to address themselves to the Legislature to obtain a pecuniary aid. I know of no other means of bearing the charges of a College at Kamouraska, than the board of the scholars, whose number would be but small. The intention of the Committee was to teach in the projected College, the English, French and Latin Languages, Arithmetic and the higher branches of Science; it was also their intention that the Clergy would have, together with secular persons of the County, the control over the said projected College; but now I believe that the intention of the Petitioners is to put the College entirely under the control of secular persons, notwithstanding the majority are of a different opinion. I am also of opinion that had the present Petition been presented to the inhabitants for the purpose of getting signatures to it, the majority would have refused, and provided the means of presenting a contrary one. I was, on the sixth of April one thousand eight hundred and twenty-seven, present at a meeting of the Committee of the County of which I was then a Member, when Mr. Painchaud made unto them his proposals contained in the paper writing marked with the letter F, now shewn unto me. The further consideration of his proposals was postponed to the seventeenth of April then instant; and on the seventeenth of April the Committee did not meet. I received no notice to attend, and since the sixth of April one thousand eight hundred and twenty seven the Committee have not met. From conversations that I have had lately with several inhabitants of Kamouraska, Saint André and Rivière du Loup, I believe that they would be satisfied if they had an aid to establish Elementary Schools.

Tuesday, 13th January 1829.

PRESENT:—Messrs. Borgia, Fortin, Larue and Blanchet.

Mr. Borgia in the Chair.

François Blanchet, Esquire, Member of Parliament for the County of Hertford, and one of the Members of Your Committee, gave the following information:

I am Seigneur of the Fief Saint Denis, situate in the Parish of Rivière Ouelle, in the County of Cornwallis. The population of Kamouraska is considerable; its inhabitants wish to build a College; the Seigneur of Kamouraska is disposed to give it an Estate of high value. I would myself give several lots of Land for the same purpose. The Petitioners pray that the Legislature be pleased to erect a Community or Corporation composed of the Seigneur, the Rector, the donors of Estates for that purpose, and of five or seven notables of the said Parish, and be also pleased to authorize the said Community or Corporation to purchase real property, a capital of which the annual Revenue would not exceed one thousand Pounds currency, under the condition that all His Majesty's subjects be indistinctly admitted as pupils in the said College, and that they be taught Reading, the English, French, Latin and Greek Languages, and also Mathematics.

Your Committee afterwards sent for the Journal of the House of Assembly for one thousand eight hundred and twenty-six, for the purpose of seeing the number of Parishes and the amount of Population in the County of Cornwallis; all which are to be found in the said Journal as follows:

Kamouraska,	-	-	4964
Rivière Ouelle,	-	-	3440
Saint Anne,	-	-	2365
Township of Ixworth,	-	-	59
Saint André,	-	-	1784
Rivière du Loup,	-	-	1285
Hare Island,	-	-	24
Road to the Lake Témiscouata,	-	-	74
Kakona,	-	-	1096
Green Island,	-	-	902
Trois Pistoles,	-	-	1633
Matane,	-	-	207
Mitis,	-	-	87
Rimouski,	-	-	1963
Bic,	-	-	90
The Portage of Rimouski,	-	-	39
			20,012

Wednesday, 14th January 1829.

PRESENT:—Messrs. Borgia, Fortin, Larue and Blanchet.

Mr. Borgia in the Chair.

Your Committee after having taken into their serious consideration the papers produced before the Committee, and particularly the Register of the Committee of the County; the letters from His Lordship Mr. Panet, Catholic Bishop of Quebec; the proposals made to the said Committee of the said County by Messire Painchaud, Rector of Saint Anne; the letter from the Arch Priest and Rector of Kamouraska, Messire Jacques

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législature afin d'en obtenir une aide. Je ne connais aucun moyen de défrayer la dépense d'un collège à Kamouraska, que la pension des écoliers, qui seront en petit nombre. L'intention du comité était d'enseigner dans le collège projeté les grammaires latine, anglaise et française, l'arithmétique et les hautes sciences; c'était aussi son intention que le clergé eût en commun avec des laïques du comté la surintendance du collège projeté, mais je crois que l'intention de plusieurs des supplians est maintenant de placer la surintendance du dit collège dans les mains de laïques, et que la majorité est néanmoins d'opinion contraire. Je suis en outre d'opinion que la généralité des habitans du dit comté aurait, si la présente requête leur eût été présentée, refusé de la signer, et que cette même généralité aurait peut-être présenté une requête contraire.

J'étais le sixième Avril mil huit cent vingt-sept présent au comité du dit comté, dont j'étais alors membre lorsque Mr. le curé Pinchaud lui fit les propositions contenues en l'écrit cotté F. à moi maintenant exhibé.

La considération en fut remise au dix-septième Avril alors présent, et le dix-septième Avril le comité ne siégea pas. Je n'ai pas reçu avis de m'y trouver, et le comité n'a pas siégé depuis le sixième Avril mil huit cent vingt-sept. D'après des conversations que j'ai dernièrement eues avec divers habitans de Kamouraska, Saint-André et la Rivière du Loup, je crois qu'ils seraient satisfaits, s'ils avaient une aide pour parvenir à avoir des écoles élémentaires.

Mardi, 13 Janvier 1829.

PRÉSENS:—MM. Borgia, Fortin, Larue et Blanchet.

Mr. Borgia au fauteuil.

Mr. François Blanchet, écuyer, l'un des Représentans du Comté de Hertford, et Membre de votre Comité l'a informé comme suit:—

Je suis seigneur du fief de Saint-Denis, sis et situé dans la Paroisse de la Rivière Ouelle dans le Comté de Cornwallis. La population de Kamouraska est considérable, ses habitans désirent y bâtir une maison d'éducation. Le seigneur de Kamouraska est disposé à donner une terre de haut prix, et je donnerais moi-même plusieurs terres pour cette fin. Les supplians désireraient qu'il plût à la législature d'ériger une communauté ou corporation composée du seigneur, du curé du lieu, des donateurs d'héritages destinés à cette fin, et de cinq ou sept notables de la dite paroisse, et d'autoriser en outre la dite communauté ou corporation à acquérir en immeubles un capital dont le revenu annuel n'excéderait pas la somme de mille livres courant, à condition que tous les sujets de Sa Majesté seraient indistinctement admis comme élèves à cette maison, et qu'ils y seraient instruits dans la lecture, l'écriture, les grammaires grecque, latine, anglaise et française, et dans les élémens des mathématiques.

Votre Comité a ensuite envoyé querir le Journal de l'Assemblée pour l'année mil huit cent vingt-six, par rapport au nombre des paroisses et à la population du Comté de Cornwallis, lesquelles y sont porté ainsi qu'il suit:

Kamouraska,	-	-	-	4964
Rivière Ouelle,	-	-	-	3440
Sainte-Anne,	-	-	-	2365
Township d'Ixworth,	-	-	-	59
Saint-André,	-	-	-	1784
Rivière du Loup,	-	-	-	1285
Ile aux Lièvres,	-	-	-	24
Chemin du Lac Témiscouata,	-	-	-	74
Kakona,	-	-	-	1096
Ile Verte,	-	-	-	902
Trois Pistoles,	-	-	-	1633
Matane,	-	-	-	207
Métis,	-	-	-	87
Rimousky,	-	-	-	1963
Bic,	-	-	-	90
Le Portage de Rimouski,	-	-	-	39
				20,012

Mercredi, 14 Janvier 1829.

PRÉSENS:—MM. Borgia, Fortin, Larue et Blanchet.

Mr. Borgia au fauteuil.

Votre Comité, après avoir pris en sa sérieuse considération les papiers produits par devant le Comité, notamment le dit registre du comité du dit comté, les dites lettres de Monseigneur Panet, Evêque Catholique de Québec, les propositions faites au dit comité du dit comté par Mr. le curé de Sainte-Anne, Mr. Charles François Painchaud, et la lettre de Mr. l'archiprêtre et curé de Kamouraska, Mr. J. Varin, l'évidence donnée par

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Varin, the Evidence given before this Committee, and the Journal of Your Honorable House for the year one thousand eight hundred and twenty-six, relating to the number of Parishes and the Population of the County of Cornwallis, are of opinion that the Parish of Kamouraska, with respect to population, is the most central place in the County for the erection of a College, because the said Parish with those of La Rivière Ouelle and Saint Anne contain together, not only a population equal to that of all the other parts of the said County, but even one that exceeds it. The total population of the County amounts to twenty-thousand and twelve persons, of which the Parishes of Kamouraska, La Rivière Ouelle and Saint Anne form together ten thousand nine hundred and sixty nine persons, so that the population of the other parts amount only to ten thousand and forty-three persons.

Your Committee are also of opinion, that as a College has been erected at Sainte Anne, approved of by His Lordship the Bishop of Quebec, Mr. Panet, under his control and under the control of his successors, to recommend to your Honorable House to be pleased to pass a Law, or a Bill erecting a corporation of the inhabitants of Kamouraska, composed of the Seigneur, the Rector of the place, the Donors of Estates to the said House of Education, and a certain number of Freeholders, *Notables* of the said Parish, the *Notables* to be elected by the said Seigneur, Rector and Donors, authorizing the said community or corporation to purchase immoveable property not exceeding one thousand pounds currency, annual revenue; authorizing also to rent a House of Education at Kamouraska, provided that all the subjects of His Majesty be indistinctly admitted as pupils, and that they be taught Reading, Writing, the English, French, Latin and Greek Grammar, and Mathematics.

Your Committee are of opinion that such a House of Education would be sufficient for the present, as the establishment of another College in the said County might be prejudicial to the College of Saint Anne.

Your Committee respectfully recommend unto your Honorable House to grant unto the Petitioners an aid for that purpose.

Your Committee also respectfully recommend unto your Honorable House, that in case they should not deem expedient to grant unto the Petitioners an aid for that purpose, to be pleased nevertheless to pass the said Law or Bill incorporating the said inhabitants of Kamouraska as herein above mentioned, and for the ends herein above mentioned.

The whole nevertheless humbly submitted.

JOSEPH LEVASSEUR BORGIA,
Chairman.

Copy of the Register referred to in the Evidence of Jean Baptiste Taché, Esquire.

At a meeting of the Inhabitants of the County of Cornwallis, held in the *Presbytère* of Kamouraska, on Thursday the 28th December 1826, for the purpose of considering the expediency of erecting a College in the said County, the following Resolutions were adopted.—

Pascal Taché, Senior, Esquire, Seigneur of Kamouraska, called to the Chair.

1st. *Resolved*, That considering the population and extent of the County of Cornwallis, and its distance from the places of public education, it is necessary that a College for the instruction of youth should be erected in the said County.

2nd. *Resolved*, That a voluntary subscription be immediately opened in each of the Parishes in the said County, and that subscriptions be received either in money or materials, to be employed in the purchase of the site, and in the erection of the said College.

3rd. *Resolved*, That an humble address be presented to the three branches of the Provincial Parliament during its next Session, praying an aid for the purposes above mentioned.

4th. *Resolved*, That a Committee be appointed consisting of nine Lay Members, besides the Curates and Priests residing in the said County, (who shall be *ex-officio* Members of the said Committee) for the purpose of carrying the above resolutions into effect, with power to add to the said Committee such number of Members as they shall judge expedient, and also to make such rules as they shall deem necessary for their better government and for that of the said College.

5th. *Resolved*, That Messrs. the Curates and other Priests resident in the said County.

Remi Puize, Esquire,	} of St. Anne Lapocatière.
Mr. Vincent Dubé,	
Pierre Casgrain, Esquire,	} of Rivière Ouelle.
F. Letellier de St. Juste, Esqr.	
Pierre Garon, Esquire,	

Amable Dionne, Esquire,	} of Kamouraska.
Jean Baptiste Taché, Esquire,	
Thomas Casault, Esquire,	
Joseph Déguise, Esquire,	
Mr. Michel Lebel,	
Pierre Canac dit Marquis, Esquire, of St. Andre.	} of Rivière du Loup.
Mr. Edouard Chamberland,	

devant ce comité, et le journal de votre Honorable Chambre d'Assemblée pour l'année mil huit cent vingt-six, relativement au nombre des paroisses et à la population du comté de Cornwallis, est d'opinion, que la paroisse de Kamouraska est, quant à la population du dit comté, le lieu le plus central pour y ériger une maison d'éducation, parce que la dite paroisse et celles de la Rivière Ouelle et de Sainte-Anne contiennent ensemble non-seulement une population égale à celles de toutes les autres parties du dit comté, mais qu'elles contiennent même une population qui excède celle de toutes les autres parties de ce comté, vu que sa population totale monte à vingt mille douze personnes; que la population des dites paroisses de Kamouraska, de la Rivière Ouelle et de Sainte-Anne monte ensemble à dix mille neuf cent soixante et neuf personnes, et que celle de toutes les autres parties du comté monte seulement tout ensemble à dix mille quarante trois personnes.

Votre comité est aussi d'opinion, vu l'érection et la bâtisse faite à Sainte-Anne du collège projeté, sous l'approbation du Sieur seigneur évêque catholique de Québec, sous sa direction et sous la direction de ses successeurs évêques, de recommander, et recommande à votre honorable chambre d'assemblée de vouloir passer un projet de loi ou bill, créant et érigeant les habitants de la dite paroisse de Kamouraska en une communauté ou corporation composée du seigneur, du curé du lieu, des donateurs d'héritages destinés aux fins de l'éducation dans le dit comté, et d'un certain nombre de propriétaires notables de la dite paroisse éligibles par les seigneurs, curés et donateurs, d'autoriser la dite communauté ou corporation à acquérir en immeubles un capital dont le revenu annuel n'excédera pas la somme de mille livres courant; d'autoriser icelle à ériger au dit Kamouraska une maison d'éducation, à condition d'y admettre indistinctement comme élèves, tous les sujets de Sa Majesté, et qu'ils y soient instruits dans la lecture, l'écriture, les grammaires grecques, latine, anglaise, françaises et dans les éléments des mathématiques.

Votre comité est d'opinion qu'une semblable maison d'éducation sera suffisante pour le présent, vu que l'établissement d'un autre collège dans le dit comté pourrait préjudicier au collège projeté de Sainte-Anne.

Votre comité prend la respectueuse liberté de recommander à votre honorable assemblée de vouloir accorder aux supplians une aide à ces fins.

Votre comité prend enfin la respectueuse liberté de recommander à votre honorable assemblée, dans le cas où elle ne jugerait pas expédient d'octroyer à ses supplians telle aide à ces fins, de vouloir néanmoins passer le dit projet de loi ou bill, incorporant les dits habitants de Kamouraska ainsi que ci-dessus, aux fins et aux effets susdits.

Le tout néanmoins humblement soumis.

JOSEPH LEVASSEUR BORGIA,
Président.

Copie du régltre auquel réfère le témoignage de Jean Baptiste Taché, écuyer.

A une assemblée des habitans du comté de Cornwallis, qui a eu lieu dans le presbytère de Kamouraska, jeudi, le 28 décembre 1826, à l'effet de considérer s'il est expédient d'ériger un collège dans le dit comté, les résolutions suivantes ont été adoptées.

Pascal Taché, écuyer, père, seigneur de Kamouraska appelé à la chaire.

1^o *Résolu*, Qu'en égard à la population et à l'étendue du comté de Cornwallis et à la distance où il se trouve des places d'éducation publiques, il est nécessaire et urgent de bâtir un collège dans le dit comté pour l'instruction de la jeunesse.

2^o *Résolu*, Qu'il soit ouvert immédiatement dans toutes les paroisses du dit comté une souscription volontaire, soit en argent ou en matériaux pour être employés à l'achat d'un terrain et à la bâtisse du dit collège.

3^o *Résolu*, Qu'il soit présenté une humble adresse aux trois branches du parlement provincial, à sa prochaine session, demandant une aide pour les fins susdites.

4^o *Résolu*, Qu'il soit nommé un comité de dix-neuf membres laïques, outre les Messieurs, curés et prêtres résidans dans le dit comté, qui seront *ex-officio* membres du comité, pour mettre à effet les résolutions susdites, avec pouvoir d'y ajouter tel nombre de membres qu'il croira convenable; et aussi de faire telles règles qu'il jugera nécessaire pour son meilleur gouvernement et celui du collège.

5^o *Résolu*, Que MM. les curés et autres prêtres résidans dans le dit comté.

Rémi Puize, écuyer,	} de Sainte-Anne Lapocatière.
M. Vincent Dubé,	
Pierre Casgrain, père, écuyer,	} de la Rivière Ouelle.
F. Letellier, de Saint-Juste,	
écuyer.	
Pierre Garon, écuyer.	} de Kamouraska.
Amable Dionne, écuyer,	
Jean Bte. Taché, écuyer,	
Thomas Casault, écuyer,	
Joseph Déguise, écuyer,	
M. Miche Lebel.	} de Saint-André.
Pierre Canac dit Marquis, écuyer,	
M. Edouard Chamberland, de la Rivière du Loup.	

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Mr. Benjamin Dionne, of Kakona. Louis Bertrand, Esquire, of Green Island. Joseph Ouellet, Esquire, Jean Bte. Rioux, Esquire. Pierre Gauvreau, Esquire, Mr. Jacques Hugues, Mr. Daniel McKinnan, of Matane, do compose the said Committee.

6th. Resolved, That the said Committee do meet in the Presbytere of Kamouraska, on Wednesday the tenth of January next, at ten in the forenoon, for the purpose of carrying the foregoing resolutions into effect; and that notice thereof be given to the absent Members of the said Committee by the Chairman of this Meeting.

7th. Resolved, That the foregoing Resolutions be communicated to His Lordship the Catholic Bishop of Quebec, with a request that he will be pleased to receive the same favorably and lay them before His Excellency the Governor in Chief for his approbation.

Presbytere of Kamouraska, 25th Decr. 1826.

PASCAL TACHE', Chairman of the Meeting.

Kamouraska, 1st January 1827.

Gentlemen,

I transmit you a copy of the Resolutions passed at a Meeting held in the Presbytere of Kamouraska, on Thursday the 29th ultimo, for the purpose of considering the expediency of erecting a College in the said County. You will perceive by those Resolutions, that you are named Members of the Committee appointed for carrying the said Resolutions into effect; and that the Committee are to meet for this purpose in the Presbytere of Kamouraska, on Wednesday the 10th instant at ten o'clock in the morning.

I am,

Gentlemen,

Your most obedient servant,

PASCAL TACHE', Chairman.

To Messrs.

Kamouraska, 2nd January 1827.

My Lord,

I have the honor of transmitting you a copy of the Resolutions passed at a Meeting held in the Presbytere of Kamouraska, on the 28th of last month, for the purpose of considering the expediency of establishing a College in this County.—I have taken the liberty of subjoining to the said Resolutions a Statement of the Population of the County, for the purpose of affording to your Greatness the means of judging of the reasons by which the deliberations of the meeting were influenced.—By your favorable reception of the said Resolutions, and by laying a copy thereof and of the Statement of the Population, before His Excellency the Governor in Chief, you will confer a particular obligation on one, who is with the most profound respect.

My Lord,

Your Greatness'

Very humble and obedient servant,

PASCAL TACHE'.

To the Lord Catholic Bishop of Quebec.

Presbytere of Kamouraska, 10th January 1827, 10 A. M.

The Committee appointed at the Meeting of the Inhabitants of the County, held on the 28th December last, for the purpose of carrying into effect the Resolutions passed at the said Meeting, met this day, at 10 A. M. in the Presbytere of Kamouraska.

PRESENT:—The Revd. Jacques Varin, Arch Priest, and Curate of Kamouraska.

The Revd. Mr. Leclaire, Priest and Curate of St. André.

The Revd. Mr. Hamel, Vicar of Kamouraska.

A. Dionne, Esquire,

T. Casault,

J. B. Taché,

J. Deguise,

Mr. Michel Lebel

P. Canac dit Marquis, Esquire, of St. André.

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M. Benjamin Dionne, de Kakona. Louis Bertrand, écuyer, de l'Île Verte. Joseph Ouellet, écuyer, Jean Bte. Rioux, écuyer, Pierre Gauvreau, écuyer, M. Jacques Hugues et M. Daniel McKinnan, de Matane, composent le dit comité.

6° Résolu, Que le dit comité s'assemblera au presbytere de Kamouraska, mercredi le dix janvier prochain, à dix heures du matin, pour mettre à effet les résolutions ci-dessus, et que notice en soit donnée par le président de cette assemblée aux membres absents du dit comité.

7° Résolu, Que les susdites résolutions soient communiquées à Sa Grandeur Monseigneur l'Evêque Catholique de Québec, le priant de vouloir bien les accueillir favorablement et les soumettre à Son Excellence le gouverneur en chef pour son approbation.

Presbytere de Kamouraska, 28 décembre 1826.

PASCAL TACHE', Président de l'assemblée.

Kamouraska, 1er janvier 1827.

Messieurs,

Je vous transmet copie des résolutions d'une assemblée qui a eu lieu dans le presbytere de Kamouraska, jeudi le 29 du mois dernier, à l'effet de considérer s'il est expédient d'ériger un collège dans ce comté. Vous verrez par ces résolutions, que vous êtes nommés membres du comité établi pour mettre ces résolutions à effet, et que le comité doit s'assembler à cette fin mercredi le dix du courant à dix heures du matin dans le presbytere de Kamouraska.

Je suis,

Monsieur,

Votre obéissant serviteur,

PASCAL TACHE',

Président.

A Messieurs.

Kamouraska, 2 janvier 1827.

Monseigneur,

J'ai l'honneur de vous transmettre copie des résolutions d'une assemblée qui a eu lieu dans le presbytere de Kamouraska le 28 du mois dernier, à l'effet de déterminer s'il est nécessaire d'avoir un collège dans ce comté. J'ai pris la liberté de joindre à ces résolutions copie de l'état de la population du comté, afin de donner à votre grandeur une idée des raisons qui ont guidé les délibérations de l'assemblée. En accueillant favorablement cette communication et mettant devant Son Excellence le gouverneur en chef une copie de ces résolutions et du tableau de la population, vous obligerez d'une manière particulière celui qui est avec le plus profond respect.

Monseigneur,

De Votre Grandeur,

Le très humble et obéissant serviteur,

PASCAL TACHE'.

A Monseigneur, l'évêque catholique de Québec.

Presbytere de Kamouraska, 10 janvier 1827, 10 h. A. M.

Le comité nommé par l'assemblée des habitans de ce comté, le 28 décembre dernier, à l'effet de mettre à exécution les résolutions de la dite assemblée, s'est assemblé ce jour, dans le presbytere de Kamouraska à dix heures du matin.

PRESENS:—Messire Jacques Varin, Archiprêtre et curé de Kamouraska.

“ Leclaire, prêtre et curé de Saint-André.

“ Hamel, vicaire de Kamouraska.

A. Dionne, écuyer,

T. Casault, écuyer,

J. B. Taché, écuyer,

J. Deguise, écuyer,

Monsieur Michel Lebel,

P. Canac dit Marquis, écuyer, Saint-André.

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Mr. Benjn. Dionne, of Kakona.
Louis Bertrand, Esquire, of Green Island,
J. Ouellet, Esquire, of Trois Pistoles.
B. J. Rioux, Esquire,
Mr. J. Hugues, of Rimouski.

Monsieur Benj. Dionne de Kakona.
L. Bertrand, écuyer, Isle Verte.
J. Ouellet, écuyer, Trois-Pistoles.
J. B. Rioux, écuyer, "
Monsieur J. Hugues, de Rimouski.

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Pascal Taché, Esquire, Chairman of the Meeting held on the 28th December last, delivered to the Committee the minutes of the proceedings of the Meeting at which he presided.

After which the following Resolutions were adopted.

1st. *Resolved*, That it is expedient to appoint a Chairman and two Deputy Chairmen, a Secretary and Assistant Secretary, and a Treasurer of this Committee.

2nd. *Resolved*, That Amable Dionne, Esquire, be Chairman.

The Revd Jacques Varin,
Revd. Pierre Flavien Leclerc, } Deputy Chairmen.
Jean Baptiste Taché, Esquire, Secretary.
The Revd. Hubert Hamel, Assistant Secretary ;
Pierre Canac dit Marquis, Esquire, Treasurer.

Rules adopted by the Committee for the conduct of their business :

1st. *Resolved*, That this Committee do meet in the Presbytere of Kamouraska, on the first Thursday in every Month, at 10 o'clock in the forenoon, whenever the same shall not be a Holiday.

2nd. *Resolved*, That whenever such Thursday shall be a Holiday the Committee shall meet on the following day at the same hour as above mentioned.

3rd. *Resolved*, That nine Members present, the Chairman, Deputy Chairmen, Secretary, Assistant Secretary and Treasurer being included, shall form a Quorum of this Committee, competent to proceed to the despatch of business.

4th. *Resolved*, That the Rule fixing the Quorum shall be considered permanent, and shall not be changed except by a majority of at least two thirds of the Members of this Committee.

5th. *Resolved*, That on the appearance of a Quorum the Chairman, or in his absence the Senior of the Deputy Chairmen present at the meeting, shall take the Chair, and the Members shall be called to order.

6th. *Resolved*, That the Chairman or Deputy Chairman occupying the Chair, shall cause order and decorum to be observed, and shall decide all questions of order, subject to an appeal to the Members of the Committee.

7th. *Resolved*, That the Chairman, or the Deputy Chairman in the Chair shall not take part in the debates, and shall not vote in any case except when the Committee shall be equally divided.

8th. *Resolved*, That the Deputy Chairmen when not in the Chair, the Secretary, Assistant Secretary and Treasurer shall be on all occasions capable of voting on the questions debated in this Committee.

9th. *Resolved*, That whenever the Chairman or the Deputy Chairman in the Chair, shall be required to explain a point of order or of practice, he is to cite the rule applicable to the case, without argument or comment.

10th. *Resolved*, That when two or more Members shall rise at the same time, the Chairman or Deputy Chairman in the Chair, shall name the member who is to speak first ; but the other or others may appeal to the Committee if dissatisfied with his decision, by putting the question, " who rose first ? "

11th. *Resolved*, That every Member shall, before speaking, rise up uncovered, and address himself to the Chairman, or to the Deputy Chairman in the Chair.

12th. *Resolved*, That every Member present, when the question is put for a division of the Committee, shall vote for or against the same.

13th. *Resolved*, That any Member called to order shall sit down, unless he be permitted to explain ; and if he appeals to the Committee, the case shall be decided without debate.

14th. *Resolved*, That all propositions shall be made to the Chairman or Deputy Chairman, by motion in writing ; and shall not be received unless seconded ; of which motions every Member present shall have a right to take communication, and to require that the same be read by the Chairman or Deputy Chairman in the Chair, previously to their being voted on.

15th. Mr. Taché moved to resolve, seconded by Mr. Casault, That any Member of this Committee who shall be absent from more than three of the fixed meetings of this Committee consecutively, without permission, or valid excuse, shall be excluded from the said Committee, and his place filled by another member, taken from the same Parish as the Member who shall have been excluded.

The Reverend Mr. Leclerc moved as an amendment, seconded by the Reverend Mr. Varin, that after the words " any Member of this Committee," there be added the words, " Gentlemen in holy orders excepted."

The Committee divided on the motion of amendment :

For the motion 3
Against it 10.

So it passed in the negative.

The question being then put on the main motion ; the Committee divided :

For the motion 10
Against it 3.

Pascal Taché, écuyer, président de l'assemblée du 28 décembre dernier, a délivré au comité les minutes des procédés de l'assemblée qu'il a présidé.

Après quoi, les résolutions suivantes ont été adoptées :

1^o *Résolu*, Qu'il est expédient de nommer un président et deux vices-présidents, un secrétaire, un assistant secrétaire et un trésorier à ce comité.

2^o *Résolu*, Qu'Amable Dionne, écuyer, soit président,
" Messire Jacques Varin, } vices-présidents.
" Messire Pierre Flavien Leclerc, }
" Jean Bte Taché, écuyer, secrétaire,
" Messire Hubert Hamel, assistant secrétaire,
" Pierre Canac dit Marquis, écuyer, trésorier.

Règles adoptées par le comité pour la conduite des affaires.

1^o *Résolu*, Que ce comité s'assemblera dans le presbytère de Kamouraska, le premier jeudi de chaque mois à dix heures du matin, lorsque ce jour ne sera point un jour de fête.

2^o *Résolu*, Que lorsque le jeudi se trouvera être un jour de fête la séance de chaque mois aura lieu le jour suivant à la même heure que ci-dessus fixée.

3^o *Résolu*, Que neuf membres présents, le président, vices-présidents, le secrétaire, assistant secrétaire et trésorier compris, formeront le Quorum de ce comité, compétent pour procéder à l'expédition des affaires.

4^o *Résolu*, Que la règle qui forme le Quorum de ce comité sera considérée comme permanente et ne pourra être changée que par la majorité au moins de deux tiers des membres de ce comité.

5^o *Résolu*, Que sur l'apparence d'un Quorum le président ou en son absence le plus ancien des vices-présidents présent à l'assemblée, prendra la chaire et les membres seront appelés à l'ordre.

6^o *Résolu*, Que le président ou vice-président à la chaire fera observer l'ordre et le decorum et décidera toutes questions d'ordre, sauf appel aux membres de ce comité.

7^o *Résolu*, Que le président ou vice-président à la chaire ne prendra aucune part aux débats ni ne votera en aucun cas, excepté lorsque le comité sera également divisé.

8^o *Résolu*, Que les vices-présidents non à la chaire, le secrétaire, assistant secrétaire et trésorier seront en tout temps habiles à voter, sur toutes les questions agitées devant ce comité.

9^o *Résolu*, Que quand le président ou vice-président à la chaire sera requis d'expliquer un point d'ordre ou de pratique, il doit citer la règle applicable au cas, sans argument ni commentaire.

10^o *Résolu*, Que quand deux ou plusieurs membres se leveront en même temps, le président ou vice-président à la chaire nommera le membre qui parlera le premier, mais l'autre ou les autres pourront en appeler au comité s'ils ne sont pas contents de la décision, en mettant la question " qui s'est levé le premier ? "

11^o *Résolu*, Que chaque membre avant que de parler se levera découvert et s'adressera au président ou vice-président à la chaire.

12^o *Résolu*, Que tout membre présent, quand on pose une question pour une division du comité doit voter pour ou contre.

13^o *Résolu*, Qu'un membre appelé à l'ordre doit s'asseoir, à moins qu'il ne lui soit permis de s'expliquer, et s'il appelle au comité, le cas sera décidé sans débats.

14^o *Résolu*, Que toutes propositions seront faites au président ou vice-président par motions écrites, et ne seront reçues que lorsqu'elles auront été secondées, desquelles motions tous membres présents auront droit d'avoir communication et d'en requérir la lecture du président ou vice-président à la chaire, avant qu'il soit voté sur icelles.

15^o M. Taché a proposé de résoudre, secondé par M. Casault, qu'aucun membre qui s'absentera plus de trois fois de suite des séances fixes de ce comité sans permission ou excuses valables, sera exclus de ce comité, et remplacé par un autre qui sera pris dans la paroisse de celui qui aura été expulsé.

Messire Leclerc a proposé en amendement, secondé par Messire Varin, qu'après les mots qui s'absentera il soit ajouté " les Messieurs du clergé excepté."

Le comité s'est divisé sur la motion d'amendement :

Pour 3
Contre 10.

Ainsi elle a passé dans la négative.

La question étant alors mise sur la motion principale ; le comité s'est divisé :

Pour 10
Contre 3.

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So it was carried in the affirmative, and

Resolved, Accordingly.

16th. *Resolved*, That the Secretary, or, in his absence, the Assistant Secretary, shall keep a Journal of the proceedings of this Committee; and that at the opening of each sitting that part of the Journal which contains the proceedings at the preceding sitting, shall be read and compared with the original motions; and to this journal every Member shall at all times have access, without, however, its being in the power of any Member to take the same out of the possession of the Secretary who shall be responsible for it to the Committee.

17th. *Resolved*, That whenever the Committee shall divide, the names shall be taken, if three Members shall require it.

18th. *Resolved*, That a motion to adjourn shall always be in order, and shall be decided before any other motion.

19th. *Resolved*, That this Committee may, when the case requires it, increase the number of its sittings, and prolong the same for as long a time as may be necessary.

On motion of Mr. Taché, seconded by Mr. Benjamin Dionne,

Resolved, That considering the population and extent of the County of Cornwallis, and its distance from the places of public education, it is urgently necessary that a College for the education of youth, should be erected in the most convenient place within the said County.

Resolved, That considering its present population, the healthiness of the place, and its convenient distance with respect to the future formation of a judicious subdivision of places of education when the population shall require it, the Parish of Kamouraska is the most convenient place for the erection of the said College.

Mr. Michel Lebel, one of the Members of the Committee, laid before them an offer on the part of his brother Mr. Antoine Lebel, conceived in these terms:

To Amable Dionne, Esquire, Chairman of the Committee for the erection of a College in the County of Cornwallis:

Sir,

If the College which it is intended to erect in this County should be built on the piece of ground lying on the north side of the Church of this Parish, I bind myself to make a donation to the Fabrique, of an extent of ground equal to that of the ground occupied by the College on the South side of the burial ground, and to give up the enjoyment of such ground to the Fabrique as soon as it shall be required for the enlargement of the burial ground.

Kamouraska, 10th January 1827.

(Signed) ANTOINE LEBEL.

Mr. Taché, another Member of this Committee, laid before the Chairman, an offer made by Doctor Horsman, conceived in these terms:

In case a College should be erected, as it is intended, at Kamouraska, I bind myself to give for the support of the said College, a piece of ground lying in the first range of Concessions in the Seigniorie of Kamouraska, containing about seven arpents, and bounded as follows: on the South by the King's highway; on the North partly by Pascal Taché, Esquire, and partly by the River Saint Lawrence; on the one side of the North East, partly by Pascal Taché, Esquire, and partly by Pierre Racine; and on the South West by François Lebel, on condition that I shall continue to enjoy the said property until the said College shall be erected and in operation, and that it shall remain the property of the said College for ever, without being conveyed in any manner whatever; and that if the said College should hereafter cease to exist as a place for the education of youth, the said property shall revert to me *en propre*, or to my successors; reserving to myself the cart-road across the said property, as a means of access to certain other property belonging to me, and nothing more.

Kamouraska, 10th January 1827.

(Signed) THOS. HORSEMAN.

On motion of Mr. Taché, seconded by Mr. Casault,

Resolved, That the offers made by Messrs. Horsman and Lebel, be entered in the Journal of this Committee.

Resolved, That the piece of ground belonging to the Fabrique of Kamouraska, and lying on the North side of the Church, would be the most convenient site for the erection of the said College.

Resolved, That it be proposed to the Landholders of the Parish and Seigniorie of Kamouraska, at a General Meeting called together in the usual legal form, to exchange the piece of ground lying on the north side of the Church of Kamouraska, and considered as the most convenient site for the said College, for that offered by Mr. Antoine Lebel.

Resolved, That an humble address be presented to His Greatness the Lord Catholic Bishop of Quebec, praying him to be pleased to approve the exchange above mentioned, as well as the intended establishment, to which he shall be humbly prayed to grant his protection.

Resolved, That Mr. Chairman, the Reverend Mr. Varin, Mr. Casault, Mr. Deguise, Mr. Marquis, the Reverend Mr. Hamel, the Reverend Mr. Leclerc, and Mr. Taché, do prepare the said address.

Resolved, That an estimate of the probable amount of the necessary expenses of erecting the said College, be laid before this Committee at the next sitting thereof.

Ainsi elle a passé dans l'affirmative.

Résolu, en conséquence.

16^o *Résolu*, Que le secrétaire ou à son absence l'assistant secrétaire tiendra un journal des procédés de ce comité, et à l'ouverture de chaque séance la partie du journal qui contiendra les procédés de la séance précédente sera lue et comparée avec les motions originales, auquel journal chaque membre du comité aura accès en aucun temps sans toutefois pouvoir en déposséder le secrétaire ou assistant secrétaire qui en seront responsables à ce comité.

17^o *Résolu*, Que dans les divisions du comité les noms seront pris si trois membres l'exigent.

18^o *Résolu*, Qu'une motion d'ajournement sera toujours d'ordre, et décidée avant toutes autres motions.

19^o *Résolu*, Que ce comité pourra quand le cas le requerra augmenter le nombre de ses séances, et les prolonger aussi long-temps qu'il le deviendra nécessaire.

Sur motion de M. Taché, secondé par M. Benjamin Dionne.

Résolu, Qu'en égard à la population et à l'étendue du comté de Cornwallis et à la distance où il se trouve des places d'éducation publique, il est nécessaire et urgent de bâtir un collège dans l'endroit le plus convenable de ce comté pour l'éducation de la jeunesse.

Résolu, Qu'en égard à la population actuelle, à la salubrité de l'endroit, à la distance convenable pour former par la suite une subdivision judicieuse des places d'éducation lorsque la population le requerra, la paroisse de Kamouraska est le lieu le plus convenable pour ériger ce collège.

M. Michel Lebel, un des membres de ce comité, a présenté une offre de la part de son frère M. Antoine Lebel, conçue en ces termes:

" A Amable Dionne, écuyer, président du comité pour l'érection d'un collège dans le comté de Cornwallis.

Monsieur,

" Si le collège que l'on se propose d'ériger dans ce comté est bâti sur le terrain qui se trouve au nord de l'église de cette paroisse, je m'oblige de faire un don à la fabrique d'une pareille étendue de terrain au sud du cimetière que le collège pourra occuper au nord de l'église, et d'abandonner la jouissance de ce terrain à la fabrique aussitôt qu'elle en aura besoin pour l'agrandissement du cimetière.

Kamouraska, 10 janvier 1827.

(Signé) " ANTOINE LEBEL "

M. Taché, un autre membre de ce comité, a mis devant le président une offre de Monsieur le Docteur Horsman, conçue en ces termes:

" Dans le cas qu'un collège serait érigé à Kamouraska, tel que proposé, je m'oblige de donner pour le soutien du dit collège, un terrain situé au premier rang des concessions de la seigneurie de Kamouraska, contenant environ sept arpens en superficie, qui borne comme suit: par le sud au chemin du roi, au nord, partie à Paschal Taché, écuyer, et l'autre partie au Fleuve Saint-Laurent, d'un côté au nord-est, partie au dit Pascal Taché, écuyer, et l'autre partie à Pierre Racine, et au sud-ouest à François Lebel, à la condition que je jouirai du dit terrain jusqu'à ce que le dit collège soit érigé et en opération et qu'il demeure comme fond du dit collège à perpétuité, sans qu'il soit transféré d'aucune autre manière quelconque, et que si le dit collège vient à cesser d'exister pour l'éducation de la jeunesse, que le dit terrain me reviendra en propre ou à mes successeurs, avec réserve d'un chemin de charrette convenable sur le dit terrain qui m'appartient; et rien de plus.

" Kamouraska, 10 janvier 1827.

(Signé) " THOS. HORSMAN "

Sur motion de M. Taché, secondé par M. Casault.

Résolu, Que les offres de MM. Horsman et Lebel soient couchées sur le journal de ce comité.

Résolu, Que le terrain de la Fabrique de Kamouraska, qui se trouve au nord de l'église serait le site le plus convenable pour ériger le dit collège.

Résolu, Qu'il soit proposé aux tenanciers de la paroisse et seigneurie de Kamouraska, dans une assemblée générale convoquée suivant les formes usitées et légales, d'échanger le terrain offert par M. Antoine Lebel pour celui qui se trouve au nord de l'église de Kamouraska, considéré comme le plus convenable pour ériger le dit collège.

Résolu, Qu'une humble adresse soit présentée à Sa Grandeur Monseigneur l'Evêque Catholique de Québec, le priant de vouloir bien approuver l'échange ci dessus mentionnée, ainsi que l'établissement proposé, auquel il sera prié humblement d'accorder sa protection.

Résolu, Que Monsieur le président, Messire Varin, M. Casault, M. Deguise, M. Marquis, Messire Hamel, Messire Leclerc et M. Taché préparent la dite adresse.

Résolu, Qu'il soit mis devant ce comité à sa prochaine séance une estimation des dépenses probables nécessaire pour l'érection du dit collège.

Appendice
(W.)

14 Jany.

Appendix
(W.)
14th Jany.

Resolved, That on the receipt of the answer of His Greatness the Lord Catholic Bishop, the Chairman shall call a special meeting of this Committee, for the purpose of communicating the same to them.

On motion of Mr. Casault, seconded by Mr. Marquis,

Resolved, That the execution of the third Resolution passed at the Meeting of the 28th December last, "That an aid should be prayed from the three branches of the Provincial Parliament, for erecting the said College," be suspended until the return of the subscriptions be made to the Committee.

Resolved, That the subscription which was to be opened for defraying the necessary expenses of purchasing the site of, and erecting the said College, be suspended until the answer of His Greatness the Lord Catholic Bishop of Quebec, to the address which is to be presented to him from this Committee, shall have been received.

Resolved, That the rules and resolutions of this Committee passed this day, be communicated to the Members absent from this meeting, by the Chairman of this Committee.

Resolved, That the thanks of this Committee be given to François Blanchet, of Quebec, Esquire, for the peculiar interest he has manifested to the inhabitants of this County, for the establishment of a College for their use; and also to Doctor Horseman and Mr. Antoine Lebel, for the donations they offer to make in aid of the establishment of the said College.

Resolved, That this Committee do adjourn.

A. DIONNE.

Presbytère of Kamouraska, 1st February 1827.

Mr. Chairman laid before the Committee a letter from His Lordship the Catholic Bishop of Quebec, conceived in these terms:

(A.)

Sir,

It is impossible not to praise the zeal shown by the most distinguished inhabitants (both Ecclesiastics and otherwise,) of the County of Cornwallis, for the establishment, in a central situation within the said County, of a College in which young persons may receive instruction in the higher branches of science. This is indeed a thing much to be desired for so extended a tract of country and so numerous a population; but the establishment of a College is not the work of a day. Not only large and spacious buildings, but a permanent revenue for their maintenance, and for paying the salaries of the Professors, are absolutely required; and it is not by occasional pecuniary aids which it would be necessary to solicit from time to time, that these expenses could be met.

As regards myself, in the place I occupy, it would be impossible for me to provide Ecclesiastics, as masters in a College, unless their maintenance was to be provided for, out of a revenue arising from property attached to the College, and not out of a precarious income, which would deprive the superior Ecclesiastics of all authority and superintendence over establishments of this nature. I think, then, that before proceeding to build a College, such as I understand it, it would be right to begin by establishing, in the principal parishes of the County, good Elementary Schools. I shall not however fail to lay before His Excellency the Governor in Chief, the Resolutions passed at the Meeting of the 28th December last, as well as the statement of the population of the County.

I have the honor to be, with much consideration,

Sir,

Your very humble and very obedient servant,

+ BERN. CL., Bishop of Quebec.

Quebec, 8th January 1827,
Pascal Taché, Esquire.

On motion of Mr. Taché, seconded by Mr. Deguise,

Ordered, That the said Letter be now taken into consideration.

Mr. Taché moved to resolve, seconded by Mr. Deguise, That a circular letter be addressed by the Chairman of this Committee to Messieurs the Rectors and Churchwardens of the several Parishes in this County, in which no School has been established, inviting them to take advantage of the Act of the fourth year of His Majesty's Reign, Chapter 31, and to establish Schools in their respective Parishes.

On this motion the Committee divided:

For the motion 4

Against it 7

So it passed in the negative,

And the names having been demanded, they were taken as follows:

For the motion:

Messrs Casault, Deguise, Chamberland and Taché.

Against it:

Messrs Varin, Curate of Kamouraska, Bourgette, ditto of Trois-Pistoles, Leclerc, ditto of Saint-André, Gosselin, Vicar of Rivière Ouelle, Hamel, ditto of Kamouraska, B. Dionne et Marquis.

After which the Chairman laid before the meeting the draught of the address to His Greatness the Lord Catholic Bishop of Quebec, ordered at the last meeting, which was unanimously adopted, in the following terms:

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Résolu, Que sur la reception de la réponse de Sa Grandeur Monseigneur l'Evêque catholique, le président convoquera une assemblée spéciale de ce comité pour lui en donner communication.

Sur motion de M. Casault, secondé par M. Marquis.

Résolu, Que l'exécution de la 3e. résolution de l'assemblée du 28 décembre dernier, tendante à demander une aide aux trois branches du parlement provincial pour ériger le dit collège soit suspendue jusqu'à ce que le retour des souscriptions soit fait à ce comité.

Résolu, Que la souscription qui devait être ouverte pour subvenir aux dépenses nécessaires pour l'achat d'un terrain et la bâtisse du dit collège soit suspendue jusqu'à la reception de la réponse de Sa Grandeur Monseigneur l'Evêque catholique de Québec, à la requête qui doit lui être présentée par ce comité.

Résolu, Que les règles et résolutions de ce Comité, passées ce jour soient communiquées par le Président de ce Comité aux membres absens de cette Assemblée.

Résolu, Que les remerciemens de ce Comité soient faits à François Blanchet, écuyer, de Québec, pour l'intérêt particulier qu'il a manifesté aux habitans de ce comté pour l'établissement d'un collège à leur usage, et aussi à Messieurs le Docteur Horsmann et Antoine Lebel pour les dons qu'ils offrent de faire pour l'établissement du dit collège.

Résolu, Que ce Comité s'ajourne.

A. DIONNE.

Presbytère de Kamouraska, 1er Février 1827.

Mr. le Président a mis devant le Comité une lettre de Sa Grandeur Monseigneur l'Evêque Catholique de Québec, conçue en ces termes:

(A.)

Monsieur,

On ne peut que louer le zèle que les personnes les plus notables, tant ecclésiastiques que laïques du comté de Cornwallis, montrent pour avoir dans un endroit central du comté, un collège pour y enseigner aux jeunes gens les hautes sciences. Ce serait bien une chose à désirer pour une si grande étendue de pays, et une si nombreuse population. Mais les collèges ne se sont pas établis d'un seul coup. Il faut non-seulement des édifices longs et spacieux; mais encore des revenus assurés pour leur entretien, et les salaires des professeurs. Ce ne sont pas quelques secours pécuniaires, qu'on se verrait obligé de solliciter de tems à autre, qui pourraient y suffire.

Pour moi, dans la place que j'occupe, je ne pourrais fournir des ecclésiastiques pour enseigner dans un collège, qu'autant qu'ils pourraient y être soutenus par les revenus de fonds attachés à ce collège, et non, par des revenus précaires, qui ôteraient aux supérieurs ecclésiastiques toute autorité et surveillance sur ces sortes d'établissements. Je pense donc, qu'avant d'en venir à la bâtisse d'un collège, tel que je l'entends, il faut commencer par établir dans les principales paroisses du comté de bonnes écoles élémentaires. Cependant, je ne manquerai pas de mettre sous les yeux de Son Excellence le Gouverneur en Chef les résolutions des Messieurs de l'Assemblée du 28 Décembre dernier, ainsi que l'état de la population du Comté.

J'ai l'honneur d'être avec beaucoup de considération,

Monsieur,

Votre très-humble et très-obéissant serviteur,

+ BERN. CL., Evêque de Québec.

Québec, 8 Janvier 1827.
Pascal Taché, écuyer.

Sur motion de Mr. Taché, secondé par Mr. Deguise, ordonné que la dite lettre soit maintenant prise en considération.

Mr. Taché, secondé par Mr. De Guise, a proposé de résoudre, Qu'une lettre circulaire soit adressée par le Président de ce Comité à Messieurs les Curés et Marguilliers des différentes Paroisses de ce Comté où il n'y a point d'écoles établies, les invitant à faire usage de l'Acte de la 4e année du règne de Sa Majesté, chapitre 31, pour établir des Ecoles dans leurs paroisses respectives.

Sur cette proposition le Comité s'est divisé:

pour la motion 4

Contre 7

Ainsi elle a passé dans la négative,

Et les noms ayant été demandés, ils ont été pris comme suit:

Pour la motion:

Messieurs Casault, De Guise, Chamberland et Taché;

Contre:

Messieurs Varin, Curé de Kamouraska, Bourgette ditto Trois-Pistoles, Leclair ditto Saint-André, Gosselin, Vicaire, Rivière Ouelle, Hamel ditto Kamouraska, B. Dionne et Marquis.

Après quoi, Mr. le Président a soumis au Comité le projet d'adresse ordonné par la dernière Assemblée de ce Comité, à Sa Grandeur Monseigneur l'Evêque Catholique de Québec, lequel a été adopté unanimement dans les termes suivans:

Appendix
(W.)

14th Jany.

To His Greatness the very Illustrious and very Reverend Bernard Claude, Lord Bishop of Quebec.

The humble Petition of the Committee appointed, on the 28th December last, at a meeting of the inhabitants of the County of Cornwallis, held in the Presbytere of Kamouraska, for the purpose of carrying into effect the Resolution of the said meeting, tending to effect the erection of a College in the said County, humbly representeth to Your Greatness ;

That considering it necessary before opening a subscription for the erection of the said College, to fix upon the place where it should be built, and to obtain the consent and protection of Your Greatness for the formation of the said establishment, the said Committee, at a meeting thereof on the 10th of last month, considering the present population, the healthiness of the place, and its convenient distance, with respect to the future formation of a judicious subdivision of places of public education when the population shall require it, fixed on the Parish of Kamouraska as the most convenient place for the erection of the said College.

That the piece of ground belonging to the Fabrique of the said Parish, lying on the north side of the Church, being considered the most convenient spot for the site of the said establishment, application was made (at a general meeting of the Landholders of the said Parish, called together according to the legal forms,) to obtain the said piece of ground in exchange for a like extent of ground on the south side of the burial ground, offered by Mr. Antoine Lebel, at which meeting the said exchange was unanimously agreed to, as appears by the record (*Acte*) of the deliberations of the said meeting hereunto annexed.

That the necessity of education is so forcibly and so generally felt throughout this County, and that the zeal manifested by the inhabitants for the promotion of the means of obtaining it is such, that the said Committee have every reason to believe that a stone building of two stories, eighty feet long by forty feet wide, might be built with the greatest readiness, by voluntary subscriptions in the said County, without any need of assistance from other quarters.

That some Landholders have already set the example of offering to make donations of land for the support of the said College, which example the Committee have every reason to believe will be followed by much more considerable offers for the same purpose, if Your Greatness will condescend to grant your protection to this establishment.

That the said Committee, emboldened by the extraordinary zeal Your Greatness has at all times manifested in promoting, by every means in your power, the progress of education, address themselves with confidence to Your Greatness, and pray that you will be pleased to approve the exchange of the ground above mentioned, which would take away the greatest obstacle which the Committee have now to overcome in the erection of the said College.

That under the protection of Your Greatness, the Committee have no doubt that the said College may hereafter be maintained, as well by the endowments which it may receive from individuals as by the sums paid by the scholars, and be productive of that good to the inhabitants of the County which Your Greatness has shown yourself at all times so anxious to promote.

That if the erection of the said College should meet the approbation of Your Greatness, the County will in a short time see with satisfaction the commencement of an establishment, wherein a great number of young persons, attracted at once by the liberal protection which it will please Your Greatness to afford them, and by the reputation of the place, will come to imbibe the principles of that mild religion and that pure education, for the progress of which Your Greatness is so sincerely anxious.

Kamouraska, 1st February 1827.

On motion of Mr. Casault, seconded by Mr. Marquis, the Committee adjourned.

A. DIONNE, Chairman.

Presbytere of Kamouraska, 1st March 1827.

Mr. Chairman laid before the Committee a Letter from His Lordship the Catholic Bishop of Quebec, conceived in these terms :

(B.)

Sir,

I have received your Petition of the 1st February in the present year, together with that of the principal inhabitants and the Church Wardens of the Parish of Kamouraska, dated the same day, (accompanied by an *acte de délibération*, on the part of the said Church Wardens, dated the 14th January last,) asking my approbation of the erection of a College in the said Parish on a piece of ground belonging to the Fabrique, and lying on the north side of the Church, which ground is to be compensated by another piece of like extent on the south side of the Burial Ground, given to the Fabrique by Mr. Antoine Lebel.

In answer to the said Petitions and *acte de délibération* on the part of the Committee of Messrs. the Curate and principal inhabitants of the Parish and of the meeting of the Church Wardens, I will confess to you that I am unable sufficiently to praise the zeal of the inhabitants of the said Parish for the advancement of the sciences ; and that I look on the Parish of Kamouraska as the most central place within the County of

A Sa Grandeur Monseigneur l'Illustrissime et Révérendissime Bernard Claude, Evêque de Québec.

L'humble requête du Comité nommé le 28 Décembre dernier par une assemblée des habitans du comté de Cornwallis dans le presbytère de Kamouraska, aux fins de mettre à effet les résolutions de la dite assemblée tendantes à faire ériger un collège dans ce Comté, représente humblement à votre Grandeur ;

Que considérant qu'avant d'ouvrir une souscription pour l'érection du dit collège, il était préalablement nécessaire de fixer l'endroit où il devrait être érigé et obtenir le consentement et la protection de votre Grandeur pour former cet établissement, le dit comité dans sa séance du 10 du mois dernier aurait, eu égard à la population actuelle, à la salubrité de l'endroit, à la distance convenable pour former par la suite une subdivision judicieuse des places d'éducation publique lorsque la population le requerra, fixé la paroisse de Kamouraska comme le lieu le plus convenable pour ériger un collège.

Que cette partie du terrain de la fabrique de cette paroisse située au nord de l'Eglise étant considérée comme la place la plus convenable pour le site de cet établissement, application aurait été faite dans une assemblée générale des tenanciers de cette paroisse, convoquée suivant les formes légales, pour obtenir ce terrain en échange pour une pareille étendue de terre, que le Sieur Antoine Lebel offre au sud du Cimetière, laquelle assemblée aurait unanimement consenti à cet échange comme appert par le record (*acte*) des délibérations de la dite assemblée ci-joint.

Que le besoin d'éducation est si fortement et si généralement senti dans ce comté, et le zèle que ses habitans manifestent pour en promouvoir les moyens est tel, que le dit comité a tout lieu de croire qu'un édifice en pierre à deux étages, de quatrevingt pieds de longueur sur 40 de large, pourrait être fait avec la plus grande promptitude par souscription volontaire dans ce comté, sans avoir besoin d'aucune assistance étrangère.

Que des propriétaires de fonds ont déjà donné l'exemple d'offres de faire des donations de bien-fonds pour le soutien du dit collège, lequel exemple le dit comité a tout lieu de croire, sera suivi d'offres beaucoup plus considérables pour les mêmes fins, si votre grandeur daigne accorder sa protection à cet établissement.

Que le dit comité enhardi par le zèle extraordinaire que votre grandeur a de tout temps manifesté pour promouvoir par tous les moyens en son pouvoir le bien de l'éducation, s'adresse avec confiance à votre grandeur pour la prier de vouloir bien approuver l'échange du terrain ci-dessus mentionné, ce qui leverait le plus grand obstacle que le dit comité a maintenant à rencontrer pour la bâtisse du dit collège.

Qu'avec la protection de votre grandeur le dit comité n'a aucun doute, que le dit collège pourra par la suite des temps se soutenir tant par les donations qu'il recevra des particuliers que par les pensions, et faire ce bien aux habitans du comté que votre grandeur s'est montré de tout temps si désireux de leur procurer.

Que si l'érection du dit collège peut rencontrer l'approbation de votre grandeur, l'on verra avec satisfaction naître en peu de temps, un établissement ou grand nombre d'enfans attirés tout à la fois par la protection libérale que votre grandeur voudra bien lui accorder et par la renommée du lieu, viendront de toute part pour y puiser les principes de cette religion douce et de cette éducation pure dont votre grandeur désire sincèrement les progrès.

Kamouraska, 1er février 1827.

Sur motion de M. Casault, secondé par M. Marquis, ce comité s'est ajourné.

A. DIONNE, président.

Presbytere de Kamouraska, 1er mars 1827.

M. le président a mis devant le comité une lettre de sa grandeur Monseigneur l'Evêque de Québec, conçue en ces termes :

(B.)

Monsieur,

J'ai reçu votre requête du 1er février de la présente année avec celle des notables et marguilliers de la paroisse de Kamouraska de même date, accompagnées d'un acte de délibération des dits marguilliers en date du 14 janvier dernier, demandant mon approbation pour l'établissement d'un collège dans la dite paroisse sur un terrain de la fabrique au nord de l'Eglise, lequel terrain serait remplacé par un terrain donné à la fabrique au sud du cimetière, de la même grandeur par le Sieur Antoine Lebel.

Pour réponse aux dites requêtes et actes de délibération du comité de Messrs. le curé et notables de la dite paroisse et à l'assemblée des marguilliers, je vous avouerai que je ne puis assez louer le zèle des Messieurs de cette paroisse pour l'avancement des sciences ; que je regarde la paroisse de Kamouraska comme le lieu le plus central du comté de Cornwallis pour l'établissement d'un collège, mais en même temps que je ne

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Cornwallis for the establishment of a College; but that at the same time I cannot consent to the said Petitions and *acte de délibération* for the following reasons:

1st. Because the Fabrique as a *main morte*, cannot accept a donation of the ground offered as a compensation for that which is to be given up for the erection of a College thereon.

2nd. Because the piece of ground proposed to be ceded by the Fabrique on the north side of the Church where the inhabitants of the place are in the habit of meeting on Sundays, and even on other days of the week before Service, is not a place in which that retirement and silence so necessary to young persons engaged in the study of the sciences, can be expected.

3rd. Because the persons who propose to make the said donations in favour of this establishment, might be placed under such circumstances as would make it impossible for them to execute their intentions; and further because they could not do so without exposing themselves to the risk of nullity in these donations for the same reasons as those stated, with regard to the ground given to the Fabrique in exchange for that given as a site for the said College.

4th. Because the Bishop cannot authorise the erection of a College, as prayed for, which is in possession of no certain funds and revenue sufficient for the maintenance of the building, and for paying the salaries of the Professors whom he might send to it; and because all that could be obtained for this purpose from the Legislature would be some precarious assistance.

It would then be necessary in order to succeed in the establishment of a College, to commence (as was done at Nicolet and St. Hyacinthe,) by erecting a building which should be sufficiently spacious for the accommodation of a great number of scholars, to be educated in the first branches of useful knowledge, as reading, writing, the elements of the French and English languages, (and even the first Rudiments of the Latin; for those who were willing to devote themselves to it,) Arithmetic, &c.; that afterwards, after considerable progress should be made in these studies, well disposed persons should make donations for this purpose, either in landed property or annuities, not to the Fabrique, which by the Act of the Provincial Legislature, George IV, chapter 31, of the 9th March 1824, can only accept a certain extent of Land or a certain sum for the support of an Elementary School, but to other persons who might preserve them for this purpose, until the Royal Letters Patent of Incorporation could be obtained, as was done for the College at Nicolet. In this case I would not refuse (nor would as I think the Bishops who will succeed me,) not only to approve of the said building as a College, and to provide Professors to teach the Sciences therein; but to contribute part of my savings to its support.

I beg you to communicate this answer to the Gentlemen composing the Kamouraska Committee, and to the Church Wardens,

I am very sincerely,

Sir,

Your very humble and very obedient servant,

+ BERN. CL., Bishop of Quebec.

Quebec, 8th February 1827.

Mr. VARIN, Arch-Priest. }

On motion of Mr. Casault, seconded by Mr. Marquis,

1st. *Resolved*, That the said Letter be entered in the Journal of this Committee.

Mr. Casault, a Member of this Committee, makes an offer on the part of Pascal Taché, Esquire, in aid of the establishment of the said College, of a piece of ground lying at Kamouraska, about 12 arpents to the South West of the Church, one arpent in front by two arpents and a half in depth, having its front on the King's highway, and bounded in the rear by the property of Jean Baptiste Martin, on one side, to the South West, by that of Jean Baptiste Martin, and on the other to the North East, by that of the said Pascal Taché, Esquire.

On motion of Mr. Casault, seconded by Mr. Taché,

2nd. *Resolved*, That the said offer be accepted by this Committee; that it be entered in the Journal; and that the thanks of the Committee be given to the said Pascal Taché, Esquire, for his said offer.

3rd. *Resolved*, That the piece of ground offered this day by Pascal Taché, Esquire, as the site of the said College, is the most fit and convenient place for that purpose; and be it resolved, as the opinion of this Committee, that instead of erecting the said College on the piece of ground belonging to the Fabrique of Kamouraska, and lying on the North side of the Church, as resolved by a rule of this Committee at the sitting of the 10th January last, the said College be erected on the piece of ground offered by Pascal Taché, Esquire, as being the most convenient place for the site thereof; and that the Chairman of this Committee, do pray his Lordship the Lord Bishop of Quebec to approve this Resolution.

4th. *Resolved*, That the Chairman of this Committee do address a letter to His Greatness the Lord Bishop of Quebec, informing him that this Committee have received with the most lively gratitude the plan traced by him for the formation of this establishment, in his letter addressed to Mr. Varin, and dated the 8th February last; as well as the offer he was pleased to make, of contributing hereafter a part of his savings for its support; and that the Committee are about to adopt the most speedy means of carrying his plan into execution.

puis appointer les dites requêtes et délibération pour les raisons suivantes:

1er. Parce que la fabrique, comme main morte ne peut recevoir la donation du terrain offert en dédommagement de celui qu'elle céderait pour la bâtisse d'un collège:

2e. Que le terrain proposé par la fabrique au nord de l'église, où se rassemblent les habitans du lieu avant les offices des dimanches ou même de la semaine, n'est pas un lieu propre au recueillement et au silence qu'exigent les jeunes gens occupés à l'étude des sciences:

3e. Que les personnes qui se proposent de faire en faveur de cet établissement des donations, peuvent se trouver dans des circonstances à ne pouvoir pas exécuter leurs résolutions, et que d'ailleurs elles ne peuvent le faire sans s'exposer à ce que ces donations ne deviennent nulles, pour la même raison que le terrain donné à la fabrique en remplacement de celui qu'elle cède pour la bâtisse d'un collège.

4e. Que l'évêque ne peut autoriser la bâtisse d'un collège tel que demandé, qui n'aurait pas des fonds ou revenus assurés et suffisants pour l'entretien de l'édifice et le salaire des professeurs qu'il y enverrait; Que ce qu'on pourrait obtenir de la législature pour cet objet ne serait que quelques secours précaires.

Il serait donc nécessaire pour parvenir à l'établissement d'un collège, qu'on commençât d'abord, comme il a été fait pour Nicolet et Saint-Hyacinthe, par bâtir un édifice qui serait assez spacieux pour contenir un grand nombre d'écoliers, qui y seraient instruits dans les premières connaissances utiles, comme la lecture, l'écriture, les principes de la langue française et anglaise, même les premiers élémens de la langue latine à ceux qui voudraient s'y donner, l'Arithmétique, &c.; Qu'ensuite, après des progrès dans ces sortes d'études, des personnes bien disposées fissent des dons soit en bien fonds ou rentes pour cet objet, non pas à la fabrique qui ne peut recevoir qu'un certain terrain et une certaine somme pour le soutien d'une école élémentaire, suivant l'acte de la législature provinciale (George IV, chapitre 31,) du 9 mars 1824, mais à d'autres personnes qui pourraient les conserver pour cette fin, jusqu'à ce qu'on peut obtenir des patentes royales pour une corporation, comme il a été fait pour le collège de Nicolet.

Dans ce cas, je ne refuserais point, ni, je pense, mes successeurs évêques, non seulement d'approuver cet édifice comme collège et d'y fournir des professeurs pour y enseigner les sciences; Je vous prie de communiquer cette réponse aux Messieurs de ce comité de Kamouraska et aux marguilliers.

Je suis bien sincèrement,

Monsieur,

Votre très humble et très obéissant serviteur,

+ BERN. CL. évêque de Québec.

Québec, 8 février 1827.

Mr. VARIN, archiprêtre.

Sur motion de Monsieur Casault, secondé par Monsieur Marquis,
1^o *Résolu*, Que la dite lettre soit entrée sur le journal de ce comité.

Monsieur Casault, un des membres de ce comité, fait une offre de la part de Pascal Taché, écuyer, en aide de l'établissement du dit collège, d'un terrain situé à Kamouraska, à environ douze arpents au sud-ouest de l'église, contenant un arpent de front sur deux arpents et demie de profondeur, prenant son front au chemin du roi, et se terminant à Jean Bte. Martin, joignant d'un côté au sud-ouest à Jean Bte. Martin, et de l'autre au nord-est au dit Pascal Taché, écuyer.

Sur motion de Monsieur Casault, secondé par Monsieur Taché,

2^o *Résolu*, Que la dite offre soit acceptée par ce comité, qu'elle soit entrée sur le journal d'icelui, et que les remerciemens de ce comité soient faits au dit Pascal Taché, écuyer, pour la dite offre.

3^o *Résolu*, Que le terrain offert ce jour par Pascal Taché, écr. pour l'érection du dit collège, est l'endroit le plus propre et le plus convenable pour l'établissement d'icelui, et qu'il soit résolu comme l'opinion de ce comité, qu'au lieu de bâtir le dit collège sur le terrain de la fabrique de Kamouraska qui se trouve au nord de l'église tel que résolu par une règle de ce comité dans sa séance du dix janvier dernier, le dit collège soit érigé sur le terrain offert par le dit Pascal Taché, écuyer, comme l'endroit le plus convenable, et que le président de ce comité prie sa grandeur Monseigneur l'évêque de Québec de bien vouloir approuver cette délibération.

4^o *Résolu*, Qu'une lettre soit adressée par le président de ce comité à sa Grandeur Monseigneur l'évêque de Québec, lui exprimant que ce comité accepte avec la plus vive reconnaissance le plan qu'il a tracé pour la formation de cet établissement dans sa lettre du 8 février dernier adressée à Messire Varin, de même que les offres qu'il fait de contribuer par la suite de ses épargnes pour son soutien, et que ce comité va prendre les moyens les plus prompts pour mettre son plan à exécution.

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On this Resolution the Committee divided :
For the Resolution 6
Against it 2

So it was carried in the affirmative.

5th. *Resolved*, That a subscription be immediately opened under the direction of the Members of this Committee in the several Parishes, within the County of Cornwallis, for the purpose of providing the sums of money and the materials necessary for the erection of the said College.

On motion of Mr. Deguise, seconded by Mr. Taché.

6th. *Resolved*, That a Special Committee of three Members do address the Fabrique of Kamouraska, representing the urgent necessity of establishing an Elementary School in the said Parish, and praying them to be pleased to contribute to the establishment thereof, as and in the manner provided by the Provincial Statute of the 4th George IV, intituled, "An Act to facilitate the establishment and endowment of Elementary Schools in the Parishes of this Province."

On motion of Mr. Casault, seconded by Mr. Taché,
The Committee adjourned.

J. B. TACHE',
Secretary.

The following is the answer of His Lordship the Catholic Bishop of Quebec, to the Letter addressed to him, in conformity to the 4th Resolution herein before recorded :—

(C.)

Sir,

Since the 8th of February last, when I addressed to Mr. Varin, my answer to his Letter, and to the Petition of the principal Inhabitants and Church Wardens of Kamouraska, on the subject of the erection of a College in the Parish, I have not been made acquainted that the Committee had abandoned their Resolutions, which I myself transmitted on their part to His Excellency the Governor in Chief, in order to obtain assistance of the Legislature, for the accomplishment of this object. It is, moreover, only after the expiration of a month that fresh proposals are made by the Committee : I cannot now accept them.

I have the honor to be, with much consideration,

Sir,

Your very humble and obedient servant,

+ BERN. CL., Bishop of Quebec.

Quebec, 10th March 1827,
AMABLE DIONNE, Esquire. }

(A true Copy.)

J. B. TACHE',
Secretary.

(D.)

Sir,

I have transmitted to Mr. Dionne, Chairman of the Kamouraska Committee, my answer to his Letter, which he has no doubt communicated to you, and which may likewise serve as an answer to yours of the 2nd instant. I certainly approved the plan submitted to me by Mr. Painchaud, of a School house which might hereafter be converted into a College, if funds can be obtained for its support. I did not promise him, as you state, £500 at the end of three years, at which time our College at Nicolet, which is to be commenced this spring, will not perhaps be completely finished. But I did promise to contribute something hereafter out of my savings, in case this School House should become a College, as I did, with respect to Kamouraska. It is certainly not expedient that there should be a College, properly so called, every six leagues ; but it is expedient that there should be, in every Parish, School Houses sufficiently spacious to hold all the children in the Parish, who are willing to take advantage of them.

I am very sincerely,

Sir,

Your very humble and obedient servant,

+ BERN. CL., Bishop of Quebec.

Quebec, 20th March 1827,
M. VARIN, Arch Priest. }

(E.)

The Reverend Mr. Varin, Arch-Priest and Curate of Kamouraska :

Sir,

Do not be angry that I venture to fulfil with regard to you, a duty which politeness and the duties of social and religious intercourse equally impose on me, by informing you officially by the present Letter, that Monseigneur the Bishop of Quebec, has determined to make choice of the Parish of Ste. Anne, for the establishment of the intended College in this County, as appears by the Letters and approbation of His Greatness, which we are ready to communicate to you, if you desire it.

Sur cette résolution le comité s'est divisée :

Pour 6
Contre 2

Ainsi elle a passé dans l'affirmative.

5^e *Résolu*, Qu'une souscription soit immédiatement ouverte pour être présentée par les membres de ce comité aux habitans des différentes paroisses du comté de Cornwallis, afin de pourvoir aux sommes d'argent et aux matériaux nécessaires pour l'établissement du dit collège.

Sur motion de M. Deguise, secondé par M. Taché.

6^e *Résolu*, Qu'un comité spécial de trois membres s'adresse à la Fabrique de Kamouraska, aux fins de lui représenter la nécessité urgente qu'il soit établi une école élémentaire dans la dite paroisse de Kamouraska et de la prier de vouloir bien contribuer à l'établissement d'icelle tel et ainsi qu'il est pourvu par le statut provincial de la 4e. année George IV, intitulé "Acte pour faciliter l'établissement et dotation d'écoles élémentaires dans les paroisses de cette province."

Sur motion de M. Casault, secondé par M. Taché, ce comité s'est ajourné.

J. B. TACHE',
Secrétaire.

Suit la réponse de sa grandeur Monseigneur l'évêque catholique de Québec à la lettre qui lui a été adressée en conformité à la 4e. résolution ci-dessus.

(C.)

Monsieur,

Depuis le 9 février dernier, que j'ai adressé à M. Varin ma réponse à sa lettre et à la requête des notables et marguilliers de Kamouraska au sujet de la bâtisse d'un collège dans cette paroisse, je n'ai pas connaissance que le comité se soit désisté de sa résolution, que j'ai moi-même transmise de sa part à Son Excellence le gouverneur en chef, pour obtenir des secours de la législature pour cet objet. D'ailleurs ce n'est qu'au bout d'un mois, que le comité fait de nouvelles propositions. Je ne puis les accepter présentement.

J'ai l'honneur d'être avec considération,

Monsieur,

Votre très humble et très obéissant serviteur,

† BERN. CL. évêque de Québec.

Quebec, 10 mars 1827.

AMABLE DIONNE, écuyer.

(Vrai copie)

J. B. TACHE',
Secrétaire.

(D.)

Monsieur,

J'ai donné à M. Dionne, président du comité de Kamouraska, ma réponse à sa lettre qu'il doit vous avoir communiquée, et qui peut en même temps servir de réponse à la votre du 2 courant. J'ai approuvé à la vérité le plan que M. Painchaud m'a présenté pour une maison d'école, qui pourrait par la suite des temps devenir un collège, s'il y a des fonds pour le soutenir. Je ne lui ai pas promis, comme vous l'avancez £500 au bout de trois ans, ou notre collège de Nicolet qui doit se commencer ce printemps ne sera peut-être pas entièrement achevé. Mais j'ai promis d'y contribuer par la suite de mes épargnes, si cette maison venait à faire un collège, comme je l'ai fait pour Kamouraska. Il n'est pas à propos à la vérité qu'il y ait des collèges proprement dits de six lieues en six lieues ; mais il convient qu'il y ait dans chaque paroisse des maisons d'école assez spacieuses pour contenir tous les enfans de la paroisse qui voudraient en profiter.

Je suis bien sincèrement,

Monsieur,

Votre très humble et obéissant serviteur,

† BERN. CL. évêque de Québec.

Quebec, 20 mars 1827.

M. VARIN, archiprêtre.

(E.)

Messire Varin, archiprêtre et curé de Kamouraska.

Monsieur,

Trouvez-bon que j'ose remplir à votre égard un devoir que l'honnêteté et les convenances sociales et religieuses m'imposent également. C'est de vous informer officiellement par la présente, que Monseigneur l'évêque de Québec s'est décidé à choisir la paroisse de Sainte-Anne pour l'établissement du collège projeté dans ce comté, comme en font foi les lettres et approbation de sa grandeur, dont nous vous offrons communication, si vous la désirez.

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We have in consequence, appointed a Committee of 13 Members, for conducting the necessary measures for this purpose; and the said Committee, among other resolutions, have passed one by which the Parishes within the County, and especially those of Kamouraska and La Rivière Ouelle, are fraternally invited to unite with ours, if they think it agreeable, of which it would be difficult for us to entertain a doubt after the proofs of zeal they have given on this occasion.

The tenor of the said Resolution is, firstly, That every person in holy orders resident in the said Parishes, shall be of right a Member of the Committee; and, secondly, That each Parish shall be allowed to choose from among those who have contributed most considerably to the College, two or three Members who shall have deliberative voices at all general meetings of the said Committee, provided their individual contributions exceed the sum of £25 Currency.

I confess to you, that I have reason to be afraid you will take this Letter in a different spirit from that in which I write it; or that you will at least look upon it as too precipitate; and on the other hand I should be afraid of exposing myself to reproaches of another kind by a longer delay. In this state of perplexity, I am re-assured, only by the consciousness of the purity and sincerity of my intentions for which you are too just not to give me credit; and of which it was my wish to give you a fresh proof by taking upon myself the duty of making a communication, which would have fallen within the Province of our Secretary, had it not been for the distinguished consideration

with which I have the honor to be,

Your faithful and obliged servant,

(Signed,) CHS. FR. PAINCHAUD,
Chairman.

Ste. Anne, 19th March 1827.

P. S.—The Committee beg you will have the goodness to communicate this Letter to Your Committee, if you do not think it will make them angry.

Please to acknowledge the receipt of this.

The County Committee, say in answer, that they cannot unite with the Ste. Anne's Committee, because the College which it is proposed to build in that Parish, would not be in a central situation.

J. B. TACHE, Secretary.

(F.)

I the undersigned, Curate of the Parish of Ste. Anne de la Pocatière, from the considerations which I have just stated, and with the view to the production of greater good, offer cordially to desist from my endeavours for the establishment of a College for the County of Cornwallis, at Ste. Anne, in favour of which ever of the two Parishes of Kamouraska or La Rivière Ouelle, may obtain the approbation of the Bishop of Quebec, for the establishment of an Ecclesiastical College in the place of that which it was proposed to establish at Ste. Anne; and that on the following conditions:

1st. That the Parish which shall obtain such approbation shall accept and fulfil all the contracts made by us up to the present time; shall make arrangements with our contractors, and especially with François Richard, in such manner that the said F. Richard and other contractors shall release us from our engagements to them.

2nd. That the said Parish shall reimburse to us the pecuniary advances, made by us up to this time, with relation to the said College, receiving in return the materials now on the spot, and those for which agreements have been already closed; without however including the lime, stone for the mason's work, and the shingles which we shall keep.

3rd. That if the above conditions be accepted, the said Parish shall back such acceptance, by giving security to the amount of £200; which being done, I bind myself to favour the said establishment as much as it shall be in my power. Of which proposals I have signed a duplicate, with a view to leave the field once more open as far as may be, to the Parishes above mentioned, and to destroy if possible the spirit of division which this project appears to have fomented among us.

If my proposals meet only with a refusal or an evasive answer, I desire that I may be informed of, it in a proper manner, within eight days from this time.

Kamouraska, 6th April 1827.

CHS. FR. PAINCHAUD.

The Committee have resolved that the conditions annexed to the offer made by Mr. Painchaud, have placed it beyond their power to accept it.

J. B. TACHE, Secretary.

(G.)

The Reverend Mr. Painchaud, &c.

Dear Sir,

The pleasure of writing to you has engaged me to undertake to inform you of our Special Meeting on the 17th instant. Having unfortunately

En conséquence nous avons formé un comité de 13 membres pour la direction des opérations à ce nécessaires, et le dit comité, entr'autres résolutions, vient d'en passer une par laquelle les paroisses du comté, premièrement et surtout celles de Kamouraska et de la Rivière Ouelle, sont fraternellement invitées à se joindre à la nôtre, si elles l'ont pour agréable, comme il nous serait difficile d'en douter après les preuves de zèle qu'elles ont manifestées à cette occasion.

L'esprit de cette résolution est que 1^o chaque ecclésiastiques des dites paroisses soit de droit membre du comité, et 2^o qu'il soit offert à chaque paroisse de se nommer parmi ses plus haut contribuables au collège, deux ou trois membres qui auront voix délibérative à toutes les assemblées générales du dit comté, pourvu que leurs contribution individuelle excède la somme de £25 courant.

Je vous avoue que j'ai lieu de craindre que vous ne preniez la présente dans un autre esprit que celui dans lequel je l'écris, ou que tout au moins vous ne la regarderez comme trop précipitée, et d'un autre côté je craindrais en retardant d'avantage de m'exposer à des reproches d'une autre espèce. La seule considération qui me rassure dans cette perplexité est la pureté et la sincérité de mes intentions, auxquelles vous êtes trop juste pour ne pas rendre justice et dont je voudrais vous donner une nouvelle preuve en me chargeant moi-même d'une adresse qui serait du ressort de notre secrétaire, si ce n'était la considération distingué,

Avec laquelle j'ai l'honneur d'être votre fidèle et obligé serviteur,

(Signé) CHS. FR. PAINCHAUD,

Président.

Sainte-Anne, 19 mars 1827.

P. S. Le comité vous prie d'avoir la bonté de communiquer cette lettre à votre comité si vous croyez qu'il ne s'en fâche pas.

S'il vous plaît m'accuser la reception de la présente.

Le comité du comté a fait réponse qu'il ne pouvait se joindre au comité de Sainte-Anne, parce que le collège qu'on se proposait de bâtir dans cette paroisse ne serait point dans un endroit central.

J. B. TACHE, secrétaire.

(F.)

Je, soussigné, prêtre, curé de Sainte-Anne de la Pocatière, d'après les considérations que je viens d'exposer, et dans la vue du plus grand bien, offre cordialement de me désister de l'entreprise d'un collège à Sainte-Anne pour le comté de Cornwallis, en faveur de celle des deux paroisses de Kamouraska ou de la Rivière Ouelle qui, vu les offres que je leur fais aujourd'hui, obtiendra de Monseigneur de Québec, l'approbation pour l'établissement d'un collège ecclésiastique à la place de celui de Sainte-Anne, et ce aux conditions suivantes:

1^o Que la paroisse qui aura obtenu cette approbation, acceptera et tiendra les marchés que nous avons conclus jusqu'à cette heure, s'arrangera avec nos entrepreneurs, et notamment avec Frs. Richard, de manière que le dit Frs. Richard et autres entrepreneurs, nous déchargent de nos engagements à leur égard.

2^o Quelle (la dite paroisse) nous remboursera nos avances pécuniaires faites jusqu'à ce jour pour le dit collège, recevant en retour les matériaux actuellement sur les lieux, et ceux pour lesquels des marchés sont déjà conclus, sans y comprendre toutefois la chaux, la pierre pour la maçonnerie, ni le bardeau que nous garderons.

3^o Qu'en acceptant les conditions susdites, la dite paroisse en appuiera l'acceptation d'ici au 20 courant, d'un cautionnement de £200, au moyen de quoi je m'engage à favoriser le dit établissement autant qu'il sera en mon pouvoir. Desquelles propositions j'ai signé un Dupliquat, afin de laisser encore une fois le champ libre, autant que possible, aux paroisses susdites, et détruire, s'il est possible l'esprit de division que ce projet semble avoir soufflé parmi nous.

Si mes offres ne sont accueillies que d'un refus ou d'une réponse évasive, je désire en être informé d'une manière convenable d'ici à huit jours.

Kamouraska, 6 avril 1827.

(Signé)

CHS. FR. PAINCHAUD.

Le comité a résolu que les conditions mises à l'offre de M. Painchaud le mettait hors d'état d'accepter sa proposition.

J. B. TACHE, secrétaire.

(G.)

Messire Painchaud, prêtre, &c.

Mon cher Monsieur,

Le plaisir de vous écrire m'a engagé à me charger de vous donner connaissance de notre assemblée spéciale du 17 du présent; malheureusement

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failed in getting a *quorum*, we have decided nothing on the subject of your late applications; I believe, however, that the answer would have been in the negative: I do not know what may be resolved at the next meeting. We have signed a Petition to His Majesty the King of England, the object of which is to obtain some of the Crown Land in our neighbourhood, for the endowment of a College at Kamouraska, or at least in the County of Cornwallis: what will be its success; *Deus scit*.

Believe me very sincerely,

Sir,

Your humble and devoted servant and friend.

VARIN, Priest.

Kamouraska, 19th May 1827.

(H.)

Sir,

Mr. Saillant has communicated to me the plan of the building which you propose to erect in your Parish, as a good beginning and as a step towards the establishment of a College, which may hereafter become more considerable. He has also shown me the regulations which are to be established therein, for the studies and conduct of the young persons who may be received there. I cannot refrain from praising the whole, although the place is distant some leagues from the central point for such an establishment, this circumstance ought to form no obstacle. I shall always be inclined to favour the Parish in which such a building has been commenced, whenever it may be unnecessary to have recourse to the Legislature for this purpose. I have no doubt that my successors will act on the same principles. It would be doing an injustice to a Parish which has shown so much zeal for the general welfare of the County, not to give it the preference for such an establishment, which it should be hereafter inclined to maintain.

As to engaging the other Parishes to contribute, or contributing myself, this is what I cannot now do; since I have addressed them a circular Letter exhorting them to assist in building the College at Nicolet, which has been a long while established, and for the completion of which assistance is still necessary.

I am very sincerely,

Sir,

Your very obedient and very humble servant,

† BERN. CL., Bishop of Quebec.

Quebec, 24th January 1827. }
M. PAINCHAUD. }

(I.)

Sir,

The Gentlemen of Kamouraska have not received my approbation for the erection of a College in their Parish. I certainly said that the Parish appeared to me the most central in the County, but formally disapproved the place in which they wished to build it; and, moreover, they have given me no assurance that they had funds for its support; trusting to the bounty of the Legislature. This is now useless, for the Parliament was prorogued yesterday without having even made any allowance for Schools, to which they had before granted assistance. I am surprised to learn that Messrs. Viau and Casgrain have engaged to assist the Gentlemen of Kamouraska: Mr. Viau who wrote to me a few days ago does not mention it.

I will maintain in your behalf what I have stated to you, and shall do so the more, since it appears by what you say, that you have already made contracts and acquired property for this purpose, which the other Parishes have not done: Since then they have not been so ready to come forward as yours, they ought not to prevent your proceeding with what you have undertaken, from which the youth of their Parishes might derive benefit.

I am far from approving the indiscreet oaths your two couples have taken. They would do much better by making up their quarrel.

I am very sincerely,

Sir,

Your very humble and obedient servant,

† BERN. CL., Bishop of Quebec.

Quebec, 8th March 1827. }
M. PAINCHAUD. }

(K.)

ment le *Quorum* manquant, nous n'avons rien décidé de relatif à vos applications dernières: je crois pourtant que la réponse eut été négative. Je ne sais ce qui sera résolu à la prochaine assemblée. Nous avons signé une requête à Sa Majesté le roi d'Angleterre tendante à obtenir des terres de la couronne, qui nous avoisinent, pour doter un collège à Kamouraska, ou au moins dans le comté de Cornwallis; quel en sera le succès? *Deus scit*.

Croyez-moi bien sincèrement,

Monsieur,

Votre humble, dévoué serviteur et ami,

VARIN, prêtre.

Kamouraska, 19 mai 1829.

(H.)

Monsieur,

M. Saillant m'a communiqué le plan de l'édifice que vous vous proposez de bâtir dans votre paroisse, comme un bon commencement et à un acheminement à un collège plus considérable par la suite des temps. Il m'a aussi fait voir les réglemens qui doivent y être établis tant pour les études, que pour la conduite des jeunes gens qui y seront reçus. Je ne puis que louer le tout. Quoiqu'il y ait une différence de quelques lieues du point central pour l'établissement, cela ne doit pas y mettre d'obstacle. Je serai toujours porté à préférer la paroisse, où on aura commencé une telle bâtisse, dès qu'on ne sera pas obligé d'avoir recours à la législature pour cet effet. Je ne doute pas que mes successeurs n'en agissent de même: Ce serait faire une injustice à une paroisse qui aurait montré tant de zèle pour le bien général du comté, que de ne pas lui donner la préférence pour cet établissement, qu'elle sera disposée à soutenir par la suite.

Quant à engager les autres paroisses, ou à y contribuer moi-même, c'est ce que je ne puis faire pour le présent; puisque je les exhorte par une circulaire à aider à bâtir le collège de Nicolet établi depuis longtemps, et qui a besoin de secours pour le faire.

Je suis bien sincèrement,

Monsieur,

Votre très humble et très obéissant serviteur,

† BERN. CL. évêque de Québec.

Quebec, 24 janvier 1827.
M. PAINCHAUD.

(I.)

Monsieur,

Les Messieurs de Kamouraska n'ont pas de moi une approbation pour la bâtisse d'un collège dans leur paroisse. J'ai bien dit que cette paroisse me paraissait la plus centrale du comté; mais j'ai formellement désapprouvé la place, où ils voulaient le bâtir; et de plus ils ne m'ont pas donné d'assurance de fonds qu'ils avaient pour le soutenir, se fiant sur les dons de la législature. Mais c'est inutilement, car elle a été prorogée hier sans avoir fait même quelque allouance pour les écoles auxquelles elle accordait auparavant des secours.

Je suis surpris d'apprendre de vous que Messrs. Viau et Casgrain se soient engagés à contribuer aux Messrs. de Kamouraska. M. Viau qui m'a écrit ces jours-ci ne m'en parle pas.

Je soutiendrai à votre égard ce que je vous ai avancé, encore d'avantage, puisqu'il paraît, suivant ce que vous me dites, que vous avez déjà contracté des marchés, et fait des acquisitions pour cet objet: ce que les autres n'ont pas fait. Puisqu'elles n'ont pas été aussi en avant que la vôtre, elles ne devraient pas vous empêcher de continuer votre entreprise, dont elles pourront tirer avantage pour leurs jeunes gens.

Je suis bien éloigné d'approuver les sermens indiscrets que vos deux couples ont faits. Ils feraient bien mieux de se reconcilier.

Je suis bien sincèrement,

Monsieur,

Votre très humble et obéissant serviteur,

BERN. CL. évêque de Québec.

Quebec, 8 mars 1827.
M. PAINCHAUD.

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Sir,

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The desire I feel of seeing a College established in that remote and populous part of the Province of Lower-Canada, the South shore of the St. Lawrence, caused me to approve the plan of a building intended hereafter, to become a College, which you laid before me. It was just also, that as you were the first to come forward, as you had contracted for the erection of this building and had procured a suitable piece of ground, and its appurtenances, that I should not refuse you my approbation of your project. I wish you, therefore, success in all the undertakings you have spoken of to me. I do not doubt that in that case the said building will hereafter become a College, where the young persons of the County and of the neighbouring Counties may receive instruction in all those branches of learning which are taught in the other Colleges in this Province.

I must tell you freely that I do not quite approve the wager you have made with the person from St. Jean, Port-Joli, and particularly of the notarial instrument. If this person with whom you have thought proper to make the wager, is a man of honor, his word ought to have satisfied you.

I am very sincerely,

Sir,

Your very humble and obedient servant,

† BERN. CL., Bishop of Quebec.

Quebec, 6 April 1827,
The Revd. Mr. PAINCHAUD. }

(K.)

Monsieur,

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Le désir que j'ai de voir un collège établi dans cette partie éloignée et peuplée de la province du Bas-Canada, (la grande côte du Sud) m'a fait approuver le plan de bâtisse que vous m'avez présenté pour un collège à venir. Il était aussi juste qu'étant venu le premier en avant, qu'ayant contracté pour faire cette bâtisse et procuré un terrain convenable avec ses accompagnemens, je ne vous refusasse point mon approbation pour cet objet. Je souhaite donc que vous puissiez réussir dans tout ce que vous m'avez avancé. Je ne doute pas alors que cette bâtisse ne devienne par la suite un collège, où les jeunes gens de ce comté et des voisins pourront recevoir toutes les instructions qu'on donne dans les autres collèges de la province.

Je vous dirai bien que je n'approuve pas tout-à fait la gageure que vous avez faite avec cette personne de Saint-Jean Port-Jolie, et surtout par acte devant notaire. Si cette personne avec qui vous avez jugé convenable de la faire, est une personne d'honneur, sa parole devait vous suffire.

Je suis bien sincèrement,

Monsieur,

Votre très humble et obéissant serviteur,

† BERN. Cl. évêque de Québec.

Québec, 6 avril 1827.
MESSIRE PAINCHAUD.

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COPY of INSTRUCTIONS to the Commissioner for the sale and management of Crown Lands in the Province of Lower-Canada.

WHEREAS, His Majesty, by a Commission bearing date the 13th day of November 1826, did nominate and appoint you, the said *William Bowman Felton*, to the office and trust of Commissioner for the sale and management of Crown Lands in the Province of Lower-Canada, and did strictly enjoin you to follow such orders and directions as you might from time to time receive from the Commissioners of His Majesty's Treasury, or from any one of His Majesty's Principal Secretaries of State, or from the Governor or Officer administering the Government of the Province of Lower-Canada, for the time being. Now, We, the Commissioners of His Majesty's Treasury, do hereby enjoin and require you to govern yourself in the execution of the duties of your said office, by the following Instructions:

That you do forthwith repair to Canada, and report your arrival to the Governor, or Officer administering the Government, and lay before him His Majesty's Commission appointing you to the said Office, and these Our Instructions for the guidance of your conduct in the execution of the duties thereof.

That you do, immediately upon your arrival, enter into security to the satisfaction of the Governor, or Officer administering the Government, yourself in £5000, and two sureties in £2500 each, that you will direct and faithfully perform the duties of your said office, and duly account for and pay over all monies which may come to your hands in the execution thereof.

That as soon as possible, after your arrival, you do proceed to ascertain the nature and particulars of all the Crown Property within the said Province, under the following heads:

Waste Lands in those Districts of the Colony which have not heretofore been surveyed or laid out.

Waste Lands in those Districts of the Colony which have been surveyed and laid out, but no part of which has been granted.

Ungranted Lands and Crown Reserve in those Districts where grants have been made.

Lands which may have been granted in perpetuity upon payment of Quit or other rents.

Lands and Reserve which have been granted upon leases for series of years upon reserved rents or otherwise.

That

COPIE des INSTRUCTIONS au Commissaire préposé pour la vente et la régie des Terres de la Couronne dans la Province du Bas-Canada.

VU que par une commission en date du 13 novembre 1826, Sa Majesté vous a nommé et commissionné le dit *William Bowman Felton*, à l'office et la charge de commissaire pour la vente et la régie des terres de la couronne dans la Province du Bas-Canada, et qu'il vous est enjoint strictement de suivre les ordres et directions que vous pouvez recevoir de tems à autre de la part des commissaires de la trésorerie de Sa Majesté, ou d'aucuns des principaux Secrétaires d'Etat de Sa Majesté, ou du Gouverneur ou de l'Officier ayant l'administration du Gouvernement de la Province du Bas-Canada, pour le tems d'alors: Maintenant, nous les commissaires de la Trésorerie de Sa Majesté, vous enjoignons et vous requérons par les présentes de vous conformer dans l'exécution des devoirs de votre dite charges, aux instructions qui suivent:

Vous devez vous rendre incontinent en Canada; et vous informerez le Gouverneur, ou l'Officier ayant l'administration du Gouvernement de votre arrivée, et vous lui ferez voir la commission de Sa Majesté, qui vous nomme à la charge susdite, ainsi que nos présentes instructions, qui doivent diriger votre conduite dans l'exécution des devoirs d'icelle charge.

Aussitôt après votre arrivée, vous donnerez caution à la satisfaction du gouverneur ou de l'officier ayant l'administration du gouvernement, vous même au montant de £5000, et deux cautions au montant de £2500, chaque, à l'effet d'acquitter, et remplir fidèlement les devoirs de votre charge susdite, et de rendre dûment compte et payer tous les deniers qui pourront venir entre vos mains dans l'exécution d'icelle.

Aussitôt que possible, après votre arrivée, vous procéderez à vous enquerir de la nature et des détails des biens de la couronne dans la dite province, qui se trouvent être des descriptions suivantes:

Terres en friche dans les districts de la Colonie, qui n'ont pas encore été mesurées ou divisées.

Terres en friche de la couronne dans les districts de la Colonie, qui ont été mesurées et divisées, mais dont aucune partie n'a été concédée.

Terres non-concédées et réserves de la couronne dans les districts où il a été fait des octrois.

Terres qui ont été octroyées à perpétuité à la charge de rentes foncières ou autres rentes.

Terres et réserves qui ont été octroyées en vertu de baux pour plusieurs années, à la charge de rentes de réserves ou autrement.

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That you do make an Annual Report of the progress you may have made in ascertaining these particulars, to us, or to the Commissioners of the Treasury for the time being, and also to the Governor or Officer administering the Government of the Province of Lower-Canada.

That no Lands or other Crown Reserve arising from Lands within the Province of Lower-Canada, be hereafter disposed of or granted; except upon the following conditions:—

By actual sale, or, in case of poor Settlers, by grants subject to Quit rents in the manner hereinafter directed.

That you do, from time to time, and at least once in every year, submit to the Governor, or Officer administering the Government, a Report of the total quantity of each description of Crown Property, within each District of the Reserve, so far as you may then have ascertained the same, together with your opinion of the quality of each description of Property which it may be expedient to offer for sale within the then ensuing year, and the upset price per acre at which you would recommend the several descriptions of property to be offered, obtaining previously a certificate from the Surveyor General of Woods and Forests within the Province, that the Land proposed to be offered by you does not contain any considerable quantity of valuable Timber fit for His Majesty's Navy or for any other purpose, it being the intention that no grant of the lands upon which such timber may be growing should be made until the timber is cleared.

That if the Governor, or Officer administering the Government, should be pleased to sanction the sale of the whole, or any part of the land recommended by you, to be sold at the upset price recommended by you, or at any other price which he may name, you will proceed to the sale in the following manner:—

You will give Public Notice in the Quebec Gazette, and in such other Newspaper as may be circulating in the Province, as well as in any other manner that circumstances will admit of, of the time and place appointed for sale of the Lands in each district, and of the upset price at which the lots are proposed to be offered, that the lots will be sold to the highest bidder, and if no offer should be made at the upset price, that the lands will be reserved for future sale in a similar manner by auction.

That no lot should contain more than 1200 estimated acres. You will also state in the notices of the conditions of the sale, that the purchase money is to be paid by four instalments, the first instalment at the time of the sale, and the second, third and fourth instalments at intervals of a year.

That if the instalments are not regularly paid, the deposit will be forfeited, and the lands again referred to sale.

In case Purchasers of Land at any sale not exceeding 200 acres, being unable to advance the Purchase Money by instalments as proposed, you may permit the Purchaser to occupy the same upon a Quit Rent, equal to five per cent upon the amount of the purchase money, one year's Quit Rent to be paid at the time of sale, in advance, and to be paid annually in advance, afterwards; upon the failure of regular payment the lands to be again referred to auction, and sold; the Quit Rent upon Lands so purchased in this manner to be subject to redemption upon payment of twenty years purchase, and parties to be permitted to redeem the same by any number of instalments not exceeding four, upon the payment of not less, at any one time, than five years amount of Quit Rent, the same proportion of the Quit Rent to cease. In case, however, the parties should fail regularly to pay the remainder of the Quit Rent, the same to be deducted from the instalment paid, and the land to be resold by auction whenever the instalment may be absorbed by the accruing payment of the remainder of the Quit Rents.

That Public Notice should be given in each District in every year, stating the names of the persons in each District who may be in arrear, either for the instalments of their purchase, or for Quit Rents, and that if the arrears are not paid up before the commencement of the sales in that district for the following years.

That the Lands, in respect of which the Instalments or Quit Rents may be due, will be the first lot to be exposed to auction at the ensuing sales, and if any surplus of the produce of the sale of each lot should remain after satisfying the Crown for the sum due, the same will be paid to the original purchasers of the land who made default in payment.

That no land be granted at any other time than at the current sales, in each district, except upon application from poor settlers who may not have been in the Colony more than six months preceding the last annual sale.

That Settlers so circumstanced may be permitted to purchase Land, not exceeding two hundred acres each, at the price at which

Vous ferez un rapport annuel des renseignements que vous aurez obtenus à l'égard de ces détails soit à nous, ou aux commissaires de la trésorerie pour le tems d'alors, ainsi qu'au gouverneur, ou à l'officier ayant l'administration du gouvernement de la Province du Bas-Canada.

Il ne sera à l'avenir disposé ou concédé des terres, ou autres réserves de la couronne parmi les terres qui se trouvent dans la Province du Bas-Canada, excepté aux conditions suivantes:

Par vente effective, ou dans le cas d'émigrés qui seraient indigènes par concession, sujet à des rentes foncières en la manière ci-après réglée.

De tems à autre, et au moins une fois chaque année, vous soumettrez au gouverneur, ou à l'officier ayant l'administration du gouvernement, un rapport de la quantité totale de chaque description des biens de la couronne, compris dans chaque district de la réserve, en autant qu'il vous aura été possible de le faire, avec votre opinion sur la qualité de chaque description de terre qu'il serait convenable d'offrir en vente dans le cours de l'année, et le prix d'estimation par acre auquel vous recommandez que l'on devrait mettre chaque acre à l'enchère, en obtenant au préalable, un certificat de l'inspecteur général des bois et forêts dans la province, que les terres que vous proposez de mettre en vente, ne contiennent pas des bois en grand nombre propre pour la marine de Sa Majesté ou pour d'autres fins; l'intention étant que les terres sur lesquelles ces bois croissent, ne devront être concédées qu'après que les bois en auront été ôtés.

S'il plaît au gouverneur ou à l'officier ayant l'administration du gouvernement de sanctionner la vente en entier, ou en partie des terres dont vous aurez ainsi recommandé la vente, et au prix d'estimation que vous aurez fixé, alors vous procéderez à la vente en la forme suivante:—

Vous donnerez avis public dans la Gazette de Québec, et dans tel autre papier-nouvelle qui sera en circulation dans la province de même que par telle autre manière que les circonstances pourront le permettre, du tems et du lieu qui seront fixés pour la vente des terres dans chaque district, et du prix d'estimation auquel on propose de mettre les lots à l'enchère; que les lots seront vendus au plus haut enchérisseur, et que s'il n'est pas fait d'offres au prix de l'estimation, que les terres seront réservées pour une nouvelle vente dans la même manière par encan.

Aucun lot ne devra contenir plus de 1200 acres par estimation. Vous ferez aussi mention dans les avis des conditions de la vente, que le prix d'achat devra être payé en quatre payemens, le premier payement lors de la vente, et les deuxième, troisième et quatrième payemens par intervalles d'une année.

Que si les payemens ne sont pas fait régulièrement, la somme déposée sera perdue, et les terres remises en vente de nouveau.

Dans le cas où un acquéreur achèterait une étendue de terre, n'excédant pas 200 acres, et qu'il se trouverait hors d'état de payer le prix d'achat aux termes proposés, vous pouvez permettre à l'acquéreur de l'occuper en payant une rente foncière, qui sera égale à cinq pour cent du montant du prix d'achat, dont une année de la rente foncière devra être payée d'avance lors de la vente et ensuite annuellement et d'avance; si l'on néglige de faire ces payemens aux termes fixés, les terres seront de nouveau mises à l'encan, et vendues; les rentes foncières sur les terres qui auront été achetées de cette manière, seront rachetables en payant vingt années de rachât et il sera libre aux parties de faire de ce rachât par payemens, dont le nombre n'excédera pas quatre, en acquittant dans un seul payement, pas moins de quatre années de la rente foncière, laquelle diminuera d'autant. Dans le cas cependant, que les parties ne payeraient pas le résidu de la rente foncière, elle sera déduite du montant du prix d'achat qui a été payé et la terre sera revendu à l'encan, lorsque ce qui a été ainsi payé pour prix d'achat se trouvera absorbé par les arrérages du restant de la rente foncière.

Avis public devra être donné dans chaque district, tous les ans, des noms des personnes dans chaque district qui doivent des arrérages, soit à l'égard des payemens sur le prix d'achat, ou pour des rentes foncières; et que si les arrérages ne sont pas payés avant le commencement des ventes pour ce district pour l'année qui suivra.

Les terres à l'égard desquelles il est du des portions du prix d'achat ou des rentes foncières seront les premiers lots mis à l'enchère lors des prochaines ventes; et que s'il se trouve un excédant du produit de la vente de chaque lot, après que la couronne aura été remboursée de ce qui lui est dû, cet excédant sera payé aux acquéreurs originaires des terres qui étaient en défaut.

Qu'il ne sera concédé des terres à aucune autre époque, qu'à celles des ventes ordinaires dans chaque district, excepté que ce ne soit sur la demande d'émigrés pauvres qui ne se trouvaient pas dans la Colonie dans les six mois avant la dernière vente annuelle.

Il sera permis aux émigrés qui se trouveront dans ces circonstances, d'acheter des étendues de terres n'excédant pas deux cens acres

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which it may have been offered at the last annual sale, and not purchased, and may pay for the same or by Quit Rent, computed at five per cent on the sale price, and thenceforth these persons shall be considered as entitled to all the privileges, and be subject to the same obligations as they would have been subject to, if they had purchased the land at the last sale.

In cases of Settlers who shall be desirous of obtaining grants of Land in distinct Districts, not surveyed, or in Districts, in which no unredeemable grant shall have been made, you will, under the authority of the Governor, at any time within a period of seven years from the date hereof, grant permission of occupancy to any such Settlers for lots of land not exceeding two hundred acres, upon consideration that they shall pay a Quit Rent for the same equal to five per cent upon the estimated value of the land, at the time such occupancy shall be granted; and the persons to whom claim of occupation may be made shall have liberty to redeem such Quit Rent at any time before the expiration of the seven years, upon the payment of twenty years purchase of the amount, and at any time after the termination of the seven years, upon the payment of any arrears of Quit Rent which may be then due, and twenty years purchase of the annual amount of the rent.

That no patent shall be granted until the whole of the purchase money shall have been paid, nor any transfer of the property made, except in case of death, until the whole of the arrears of the Instalments, or Quit Rent, shall have been paid.

That the Purchase Money for all Lands as well as the Quit Rents shall be paid to you, or to such person as you may appoint, at the time and places to be named in the condition of the sale. You will also apply to all persons holding Lands from the Crown in perpetuity upon the payment of Quit Rents, as well as to all persons holding Lands upon lease for a term of years for the payment of the arrears which may be due from them respectively, and you will at any time within seven years from the date hereof sell to the proprietor at twenty years purchase, any lands held in free and common socage (but to no other person whatever) any Quit Rent which may be payable by them respectively, provided that all arrears up to the end of the year preceding the time of purchase be previously paid.

If these Quit Rents are not purchased by the Proprietor within the period of seven years from the date hereof, further Instructions will be given in regard to the sale by public auction or otherwise, as may then be deemed expedient.

With respect to the Lands upon lease for terms of years you are desired on no account to sell the same by public auction, if the rent is not more than two years in arrear, until the termination of the lease; but if the rent is more than two years in arrear, and if according to the terms of the lease the same is void, in consequence of the non-payment of the rent, you are at liberty to submit to the Governor, or officer administering the Government, that any such lots should be sold. If, however, previously to the sale the rent is paid up, you will withdraw the same from the sale, and you will at any time sell to the Lessee of such lands as may be held under lease, at such price as the Governor or Officer administering the Government may upon your recommendation approve of the land so held, all arrears of rent being in every case paid up to the end of the year preceding the sale, but in no case at less than twenty years purchase of the rent.

You will on the 1st January and 1st July in every year, render a complete account of all your sales, within the preceding half year, to the Auditor of Provincial Accounts, specifying the conditions upon which each lot is sold, and you will at the same period render a complete Cash Account of the money received and expended by you within the same period, carrying forward to each account any balance which may remain in your hands at the date of the preceding Account, and you will on the 1st January, 1st April, 1st July and 1st October, in each year, pay over to the Receiver General of the Province, any sum which may on those days respectively, be in your hands over and above the sum of £500, which you are permitted to retain for future contingent expenses.

You will not charge the salary and remuneration to which you are entitled under your Commission in your accounts, but you will receive the same annually, by warrant of the Governor, out of the Treasure which you may have paid into the hands of the Receiver of the Province, in the preceding year.

You are authorized to incur and defray such contingent expenses for Authorities, Clerks, Treasurer and Receiver of Rents, Office

acres chaque, pour le prix auquel elles auront été mises à l'enchère lors de la dernière vente, et qui ne se trouveront pas vendues; en payant le prix d'achat, ou une rente foncière, laquelle sera fixée à cinq pour cent sur le prix de vente; et à l'avenir ces personnes devront être considérées comme ayant droit à tous les privilèges, et Sujettes à toutes les obligations auxquelles elles auraient été assujettis, si elles avaient achetées ces terres lors de la dernière vente.

Dans le cas où des émigrés désireraient obtenir des concessions de terres dans des districts séparés, qui ne sont pas arpentées, ou dans des districts dans lesquels il ne se trouve pas de concessions, sujettes à rachat, vous pouvez, avec l'autorité du gouverneur, pendant l'espace de sept années à compter de cette date, donner des permissions à aucuns tels émigrés d'occuper des lots de terres n'excédant pas deux cens acres, à condition qu'il payeront pour icelles une rente foncière égale à cinq pour cent sur l'estimation de la valeur de la terre, à l'époque où la permission sera donnée; et les personnes auxquelles cette permission sera accordée pourront racheter cette rente foncière en aucun tems avant l'expiration de sept années, en payant vingt années de rachat, et de même en aucun tems après l'expiration de cette année en payant tous les arrrages de la rente foncière qui peuvent se trouver dus alors, et vingt années de rachat du montant annuel de la rente.

Qu'il ne sera cordé aucune patente jusqu'à ce que le prix d'achat en entier aité payé, et qu'il ne sera accordé aucun transport, excepté dans le cas de décès, jusqu'à ce que tous les arrrages des portions du prix d'achat ou de la rente foncière aient été payés.

Que les deniers de la vente des terres, de même que ceux des rentes foncières, seront versés entre vos mains, où à telle personne que vous autorisez, aux teins et lieux qui seront nommés dans les conditions de la vente. Vous vous adresserez à tous ceux qui tiennent des terres de la courone à perpétuité, à la charge de rentes foncières, de même qu'à tous ceux qui tiennent des terres en vente de baux pour une suite d'années, à l'égard des arrrages qu'ils peuvent devoir respectivement, et dans aucun tems, d'ici à sept années de la date des présentes, vous pourrez vendre au propriétaire moyennant un rachât de vingt années de la rente foncière, qui peut avoir à payer, aucunes terres tenues en franc et commun socage, mais à nulle autre personne quelconque pourvu que tous les arrrages qui se trouvaient dus à la fin de l'année qui précède le tems de la vente, aient été payés.

Si ces rentes foncières ne se trouvent pas payées par le propriétaire dans l'espace de sept années à compter de cette date, il sera donné des instructions ultérieures à l'égard de la vente par encan public ou autrement, tel qu'il sera alors jugé être le plus convenable.

Quant aux terres données à bail pour une suite d'années, il vous est recommandé de ne pas les faire vendre par encan public, s'il n'y a pas plus de deux années d'arrrages, avant que le bail soit expiré mais si les arrrages excèdent deux années, et si aux termes du bail le bail se trouve annullé en conséquence du défaut de paiement de la rente, il vous sera libre de soumettre au gouverneur, ou à l'officier ayant l'administration du gouvernement, la convenance qu'il y aurait de vendre les lots en question. Si néanmoins on acquitte la rente avant le moment de la vente, vous ne la mettrez pas à l'enchère, et vous pourrez en aucun tems la vendre aux bailleurs de ces terrains qui sont tenus à bail, à tel prix que le gouverneur, ou l'officier ayant l'administration du gouvernement, pourra approuver d'après votre recommandation; tous les arrrages de la rente ayant été payés au préalable jusqu'à la fin de l'année qui aura précédée la vente; mais la vente n'aura lieu en aucun cas à moins de vingt années de rachât de la rente.

Le 1er janvier et le 1er juillet de chaque année, vous rendrez à l'auditeur des comptes provinciaux, un compte exact de toutes les ventes que vous aurez faites dans le semestre précédent, spécifiant les conditions auxquelles chaque lot a été vendu, et au même période vous rendrez un compte exact des deniers reçus et dépensés pendant le même période, en portant en compte la balance qui pourra s'être trouvée entre vos mains à la date du compte précédent; et le 1er janvier, le 1er avril, le 1er juillet et le 1er octobre de chaque année, vous verserez entre les mains du receveur général de la province, toutes les sommes de deniers qui pourront se trouver entre vos mains à pareils jours respectivement, et qui n'excéderont la somme de cinq cents livres, laquelle somme vous pourrez retenir entre vos mains pour les dépenses contingentes futures.

Vous ne porterez pas dans vos comptes les appointemens et la rémunération auxquels vous avez droit en vertu de votre commission; mais il vous seront payés annuellement par warrant du gouverneur, sur les denier que vous aurez payés entre les mains du receveur de la province dans l'année précédente.

Vous êtes autorisé à payer et à défrayer telles dépenses contingentes pour des commis, un trésorier et receveur des rentes, pour loyer

Appendice
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Appendix
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Office Rent, &c. as you may find absolutely necessary, and as the Governor, or Officer administering the Government, may sanction and approve, provided however, that the whole of such contingent Expenses shall not exceed one-sixth part of the money to be received by you under His Majesty's Commission, and these our Instructions.

That you do transmit to us, or to the Commissioners of the Treasury for the time being, Copies of the Half yearly Accounts which you may render to the Auditor of Provincial Accounts in Canada, and that the same be transmitted by the first direct conveyance which may offer after the periods they are respectively rendered.

That in the execution of the duties of the said office, you do obey all such orders and directions as you may from time to time receive from us, or the Commissioners of the Treasury for the time being, from any one of His Majesty's Principal Secretaries of State, or from the Governor or Officer administering the Government.

Whitehall, Treasury Chambers,
the 13th day of November 1826.

(Signed) { LOWTHER,
G. C. H. SOMERSET,
MOUNTCHARLES.

A true Copy,
C. YORKE, Secy.

loyer de bureau que vous trouverez être absolument nécessaires, et que le gouverneur, ou officier ayant l'administration du gouvernement pourra sanctionner et approuver; pourvu cependant que le montant en entier de ces dépenses contingentes n'excéde pas un sixième des deniers que vous aurez reçus, en vertu de la commission de Sa Majesté, et de nos présentes instructions.

Vous nous transmettez, ou aux commissaires de la trésorerie pour le tems d'alors, copie des comptes de semestres que vous aurez rendus à l'auditeur des comptes provinciaux en Canada, et vous le transmettez par la première voie directe qui s'offrira après les périodes qu'ils auront été rendus respectivement.

Dans l'exécution des devoirs de votre charge susdite, vous obéirez tous les ordres et directions que vous pourrez recevoir de tems à autre de nous, ou des commissaires de la trésorerie pour le tems d'alors, par aucun des principaux secrétaires d'état de Sa Majesté, ou du gouverneur, ou de l'officier ayant l'administration du gouvernement.

Chambres de la Trésorerie, Whitehall,
le 13 novembre 1826.

(signé) { LOWTHER,
G. C. H. SOMERSET,
MOUNTCHARLES.

Vraie Copie,
C. YORKE, Secrétaire.

Appendice
(X.)
17 Jany

SCHEDULE of ACCOUNTS respecting the PUBLIC INCOME and EXPENDITURE of the Province of LOWER-CANADA, for the year ended 5th January 1829.

- No. 1. Account of the Ordinary Resources and Extraordinary Resources constituting the Public Income.
2. Account of Casual and Territorial Revenue.
3. Account of Monies collected under Provincial Acts 45th Geo. III. Cap. 12, and 2d Geo. IV. Cap. 7, and 51st Geo. III. Cap. 12, and of the Expenses incurred in supporting and improving the Navigation of the River St. Lawrence.
4. Account of Duties collected at Chateauguay, under the Provincial Act 48th Geo. III. Cap. 19, for the improvement of the River St. Lawrence.
5. Statement of particulars of Payments and Deductions made from the Revenues, for Expenses of Collection, Drawbacks, Return Duties, &c.
6. Abstract of Payments made on Warrants granted by His Excellency the Earl of Dalhousie, G. C. B. Captain General and Governor in Chief, and by His Excellency Sir James Kempt, G. C. B. Lieutenant General and Administrator of the Government, on John Hale, Esquire, Receiver General, on account of the Civil Expenditure of Lower-Canada.

7. Account of the Net Income of Lower-Canada, and of the Expenditure of the Province.
8. Statement of the Funds at the disposal of the Provincial Parliament of Lower-Canada, and the several Appropriations thereof.
9. Account of the Appropriations of the Legislature of Lower-Canada, and the Expenditure thereof.
10. Abstract of Warrants issued by His Excellency the Earl of Dalhousie, G. C. B. Captain General and Governor in Chief, and by His Excellency Sir James Kempt, G. C. B. Lieutenant General and Administrator of the Government, during the year 1828, in payment of the Civil Expenditure of Lower Canada, for Services of preceding years.

Quebec, 26th January, 1829.

JOS. CARY,

Inspector General Public Provincial Accounts.

(No. 1.)

AN ACCOUNT of the ORDINARY REVENUES and EXTRAORDINARY RESOURCES constituting the PUBLIC INCOME of the Province of LOWER-CANADA, for the year ended 5th January 1829.

Numbers.	HEADS OF INCOME.	Arrears of Income, being percentage deducted by the Collector at Quebec, from the collection of 1826, now refunded by him, &c.		Gross Receipt, including Arrears.	Amount outstanding on Bonds payable on or before the 1st May next.	Actual Receipt of Income by the several Collectors.		Payments out of the Income in its progress of collection		Amount of the Income paid in to the hands of the Receiver General.	Payments made or to be made by the Receiver General, as charges of Collection, Return Duties, &c.			Net Income for Lower-Canada, for the year ended 5th January 1829, including Amount outstanding in Bonds.	Difference of the Net Income including proportion for Upper-Canada, compared with that of last year.		EXPLANATIONS.																								
		£ s. d.	£ s. d.			£ s. d.	£ s. d.	£ s. d.	£ s. d.		£ s. d.	£ s. d.	£ s. d.		£ s. d.	£ s. d.		£ s. d.																							
1	Casual and Territorial Revenue,	0	0	0	7830	2	5	0	0	0	7830	2	5	500	16	7	0	0	0	7309	5	10	4301	17	0½	0	0	0	The quints & Lods et Ventes paid in this year were considerable, and two years arrears of Rent of Forges St. Maurice were also paid.												
2	Duties under Imperial Act 14th Geo. III.	1182	10	7	36815	12	1	0	0	0	36815	12	1	0	0	0	0	0	0	9202	5	0	27613	7	1	0	0	0		1172	17	10									
	Licences under ditto,	0	0	0	3108	0	0	0	0	0	3108	0	0	0	0	0	0	0	0	3108	0	0	0	0	0	0	0	0	6	0	0	The apparent decrease is caused by there being five quarters in the last year's Account.									
	Licences for Billiard Tables under Provl. Act 41st Geo. III.	0	0	0	100	0	0	0	0	0	100	0	0	0	0	0	0	0	0	100	0	0	50	0	0	0	0	0	0	0	0										
3	Duties under ditto,	3	13	1	3593	10	8	436	0	6	3157	10	2	2	8	10	0	0	0	3155	1	4	0	0	0	38	14	10	3552	7	0	0	0	0	1375	12	3	Same cause, and importations of Tobacco through St. John less this year than last.			
4	Fines and Forfeitures,	0	0	0	867	7	9	0	0	0	867	7	9	0	0	0	0	0	0	867	7	9	506	4	9½	0	0	0	0	0	0	0	0	0	Some arrears of Fines were paid in this year.						
5	Duties under the Provincial Act 33d Geo. III.	56	16	5	2358	19	2	0	0	0	2358	19	2	50	0	0	0	0	0	2308	19	2	576	19	1	1732	0	1	12	9	2	0	0	0		More wines imported this year—Decrease caused in part by additional quarter of last year and by the importation of Articles dutiable under this Act being less this year.					
6	Ditto under ditto 35th ditto,	557	2	0	28229	3	6½	0	0	0	2-229	3	6½	537	4	9	266	1	2	27485	17	7½	0	0	0	6684	14	9½	20801	2	10	0	0	0	7362		19	6			
	Licences under ditto ditto,	0	0	0	3410	0	0	0	0	0	3410	0	0	0	0	0	0	0	0	3410	0	0	0	0	0	3410	0	0	40	0	0	0	0	0	0	0	0	Importation of Dry Goods greater this year.			
7	Duties under 53d Geo. III. amended by 55th Geo. III. Cap. 2, and continued by Imperial Act 3d Geo. IV. Cap. 119.	393	17	6	25997	12	4	2169	8	3½	23828	4	0½	2818	8	1	0	0	0	21009	15	11½	0	0	0	5404	12	8½	17774	11	6½	1782	12	2½	0	0	0				
8	Ditto under 55th Geo. III. continued by ditto, Received for Bonds of last year,	399	15	1	25160	10	3½	11478	16	4	10681	13	11½	2464	9	7	0	0	0	8217	4	4½	0	0	0	97	6	6	5648	9	9½	16950	4	5	0	0	0	4374	8	9	An apparent decrease from their being 5 quarters last year.
		258	4	0																																					
9	Ditto under the Imperial Act 3d Geo. IV. Cap. 119.	118	18	9	363	2	3	0	0	0	366	2	3	9	3	6	0	0	0	356	18	9	0	0	0	0	0	0	356	18	9	338	13	9	0	0	0	The collection under this Act was considerably less this year than last, but the Collector did not detain the whole for Salaries, &c.			
10	Ditto under ditto 6th Geo. IV. Cap. 114,	0	0	0	14323	16	0	0	0	0	14323	16	0	7476	3	0	0	0	0	6847	13	0	790	19	8	0	0	0	6356	13	4	0	0	0	5348	16	5		Difference caused by the additional quarter last year.		
11	Ditto under ditto 45th & 51st Geo. III.	0	0	0	3345	12	8	0	0	0	3345	12	8	80	2	8	0	0	0	3265	10	0	0	0	0	0	0	0	3265	10	0	0	0	0	422	11	5	Same cause.			
12	Ditto under ditto 48th Geo. III. Cap. 19.	0	0	0	261	2	6	0	0	0	261	2	6	9	11	1½	0	0	0	251	11	4½	0	0	0	0	0	0	251	11	4½	44	2	2½	0	0	0				
13	Ditto under ditto 4th Geo. III. Cap. 3.	0	0	0	0	18	6	0	0	0	0	18	6	0	0	5	0	0	0	0	18	1	0	0	0	0	0	0	0	18	1	0	0	0	2	2	11				
Total Currency, £		2970	17	5	155768	10	2	17084	5	1½	138684	5	0½	13447	11	11½	206	1	2	125030	11	10½	1311	16	3	97	6	6	27555	16	2½	113149	18	1	7165	19	2½	20065	9	1	

NOTE.—The Accounts of the Collector at Côteau du Lac, for the Quarter ended 5th January 1829, were only received after this Account was closed, and are therefore not included.

Errors Excepted.

Quebec, 26th January 1829.

JOS. CARY,

Insp. Genl. Pub. Provl. Accts.

The Collections are under 6th Geo. IV. Cap. 114, £657 11 6
And under 53d Geo. III. 183 0 6

Total Currency, £790 12 0

(No. 2.)

Appendix
(Y)
27th Jan'y.ACCOUNT of CASH received by *John Hale*, Esquire, Receiver General of *Lower Canada*, for Casual and Territorial Revenue for the year ending 5th January 1829.*King's Posts.*

From Mr. W. Lampson, 12 months' Rent to 10th October 1828 1200 0 0

Forges of St. Maurice.

From M. Bell, Esquire, Two years' Rent to 1st July 1827 1000 0 0

King's Wharf.

One Years' Rent of part leased to the late John Mure, Esq. to 1st Dec. 1828 325 0 0

From Messrs. Irvine Macnaught and Co., Three Years' Rent of another part, up to 1st November 1828 79 13 0

Droit de Quints.

From J. R. Rolland, on his Accounts of Quint on his purchase of the Seigniorie of Monnoir	1466	13	4	
P. Casgrain, on his purchase of part of the Seigniorie of L'Islette	80	0	0	
A. Fraser, on his ditto of Fief Rivière du Loup (3 ecus d'Or)	0	16	6	
Ditto on his ditto of Madouaska	56	1	3	
	<hr/>			1608 11 1

Lods et Ventes.

From sundry Persons, viz. :—				
On Sale by W. Hamilton to J. Atkins	83	6	8	
J. Atkins to T. Jamieson	61	2	3	
Licitation, to C. Hoffman	48	2	9	
Sheriff of Quebec, ditto	54	2	4	
From W. S. Sewell, ditto, Judgment awarded to His Majesty in the case of Daniels v. Stilson	56	5	0	
On Sale by C. Campbell to J. Leaycraft	55	11	2	
J. Mure to J. B. Thomas, dit Bigaouet	4	7	6	
P. Drouin to P. Thorn	6	18	9	
Sheriff of Quebec to J. B. Drolet	3	6	3	
J. B. Drolet to Veuve P. Moisan	4	9	10	
D. Munro to W. Price	114	4	2	
J. Geo. dit. Tranquille to W. Hossack	14	15	6½	
	<hr/>			173 8 7½
From L. T. Macpherson, viz. :—				
On Sale by Nuns of Hotel Dieu to L. Berthelot	1	7	9½	
L. Berthelot to Veuve J. Vallé	4	3	4	
Veuve J. Vallé to Children of C. Lefevre	1	7	9½	
C. Lefevre to P. Roy	7	5	3½	
P. Roy and Children to T. Lefevre	9	6	1½	
T. Lefevre to Wm. Hunt	25	4	3¾	
L. T. Berthelot to ditto	2	15	3½	
W. Hunt to J. Moorhead	51	17	1½	
Ditto ditto	5	0	3½	
J. Moorhead to L. T. Macpherson	65	1	4½	
	<hr/>			22 18 4
A. Beliveau to L. F. Dufresne	2	10	0	
L. F. Dufresne to P. Leddy	15	0	0	
Peter Leddy to Patrick Leddy	5	8	4	
	<hr/>			4 9 11½
Patrick Leddy to J. B. Beaulieu	5	8	10½	
Sheriff of Quebec to ditto				
From J. G. Ogden, Sheriff of Three Rivers, Judgment awarded to His Majesty in the case of A. Berthelot v. Hugh Fraser and others	86	0	10½	
On Sale by J. Anderson to J. de Lorier	4	3	4	
J. De Lorier to L. Pepin	6	2	3	
From W. S. Sewell, Sheriff of Quebec, Judgment awarded to His Majesty in the case of Moreau v. Reeves	36	14	5	
From C. E. Casgrain, viz. :—				
On Sale by G. Gagnon to J. B. Falardeau	3	9	5½	
J. B. Falardeau to L. and F. Falardeau	13	17	9½	
L. Falardeau to F. Falardeau	9	1	8½	
	<hr/>			26 9 0

£872 7 11 £4208 4 1

Appendix
(Y)
27th Jan'y.

	Brought over	£872	7	11	4208	4	1
On Sale by E. H. Lindsay to L. Panet		20	4	2½			
Sheriff of Quebec to D. and C. M'Callum		581	5	0			
Ditto to David Burnet		63	2	6			
Ditto ditto		18	15	0			
Widow J. Robertson to J. Guillet dit Tourangeau		101	17	0			
Sheriff of Quebec to P. Langlois		34	18	9			
P. Lapointe to E. Carron		29	3	4			
M. M'Allister to J. Sedley		2	8	11			
E. Simard to C. Deguise		67	11	2			
J. B. Grenier to J. Morin		11	0	0			
J. Morin to Veuve Genest		18	13	1			
J. Reeves to Veuve P. Chauveau		2	7	0			
A. M'Cambridge to R. Symes		6	18	7½			
Heirs Eckart to A. Baby, wife of J. Cannon		57	16	8			
From W. S. Sewell, Sheriff of Quebec, Judgment awarded to His Majesty in the following cases, viz. :—							
Potton v. Cotton		5	5	3½			
Richardson v. Black		282	16	3			
Defoy, decret Volontaire		48	19	0½			
		<hr/>			337	0	7
On Sale by H. Caldwell to J. Eckart		34	7	6			
Heirs Eckart to W. Torrance		97	13	3			
Nuns, Hotel Dieu to J. O. Plessis		2	15	3			
Ditto ditto		0	4	2			
Sheriff of Quebec to J. Roy		17	3	8			
T. Thibault to C. Roy		2	8	4			
From A. Langlois dit Traversé, viz. :—							
On Sale by H. Sedilot de Montreuil to J. R. Vallieres de St. Real		5	10	3¼			
J. R. Vallieres dit St. Real to J. Beaupré		12	7	8½			
J. Beaupré to C. Noreau		5	6	0¾			
Ditto Resiliation of the same, ditto		4	8	11			
J. Beaupré to A. Langlois dit Traversé		6	9	4¾			
		<hr/>			34	2	4½
From John Sedley, viz. :—							
On Sale by J. Badeau to P. Dumas		8	1	11			
P. Dumas to J. Girard		1	0	1			
Ditto to M. M'Allister		2	14	7			
J. Girard ditto		1	6	4			
		<hr/>			8	2	11
A. Berthelot to J. P. Thirlwall		4	14	6			
J. Prevost to W. Alberti		17	12	10			
From W. S. Sewell, Sheriff of Quebec, Judgment awarded to His Majesty in the following cases, viz. :—							
Bosse v. Dionne		21	3	3			
Normand v. Poulin		3	3	7			
Patterson v. M'Callum		23	18	10			
Gabouri v. Fleming		16	18	8½			
Bacon v. Garneau		2	12	2			
Ditto v. Laroche		4	3	11¾			
Quebec Bank v. Black		10	19	4¼			
Ditto ditto		23	15	0			
Ditto ditto		12	11	3¾			
Ditto ditto		27	8	0½			
Painchaud v. Turcotte		6	12	6¾			
Levalle v. Dupil		2	1	11			
Painchaud v. Turcotte		3	19	1½			
Glackmeyer, decret Volontaire		400	6	7¾			
		<hr/>			567	14	5¼
On Sale by Heirs Lefevre to P. and L. Cloutier		12	6	8			
A. M. Cambridge and Wife to J. R. N. Symes		0	19	6			
Sheriff of Quebec to A. Paterson		20	6	3			
E. Masse to A. Masse		8	12	3			
Sheriff of Quebec to J. Roy		3	15	0			
C. Hamel to D. Marquis		47	10	8			
Sheriff of Quebec to J. Roy		8	2	6			
Ditto to J. Hunt		12	10	0			
Ditto J. F. Mittleberger		12	3	9			
J. Graves and Wife to P. Burnett		125	0	0			
From Louis Massue, viz. :—							
On Sale by Nuns, Hotel Dieu, to G. Massue		22	9	5¾			
Ditto to J. Carmel		10	15	3¼			
J. Carmel to G. Massue		15	14	9¾			
Nuns, Hotel Dieu to ditto		1	10	2¾			
		<hr/>			50	9	9½
Carried forward		3208	10	7¾	4208	4	1

	Brought forward	£50	9	9½	3208	10	7¾	4208	4	1
On Sale by Veuve Gobert to G. Massue		30	1	1						
P. de Sales Laterriere to ditto		11	17	8						
P. Dalmasse to Frs. Dionne		3	13	7¼						
F. Dionne to G. Massue		6	9	3¾						
Curators of W. Grant to Mr. Lymburner		33	6	8						
Mr. Lymburner to L. Massue		22	19	5¼						
Ditto to W. Bruce and G. Massue		37	0	5½						
F. Derome and Wife to G. Massue		16	0	6½						
		<hr/>			211	18	6½			
Sheriff of Quebec to Widow Blumhart					50	0	0			
Ditto to Phillips and Whittington					86	5	0			
J. S. Campbell to Jas. Black					20	16	8			
Sheriff of Quebec to Geo. Larouche					44	7	6			
					<hr/>			3621	18	4
					<hr/>			Currency	£ 7830	2 5

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(Y.)
27th Jany.

Quebec, 26th January 1829.

(Errors Excepted)

JOS. CARY,

Inspector Gen. Pub. Prov. Accounts.

(No. 4.)

ACCOUNT of DUTIES Collected at Chateauguy under the Provincial Act 48th Geo. III. cap. 19, for the Improvement of the Inland Navigation of the River St. Lawrence, in the Year ended the 31st December 1828.

By Arthur M'Donald, Inspector of Rafts, &c. between the 1st December 1827, and 1st December 1828		191	2	6
From which he has detained five per cent. for Commission		9	11	½
And paid into the hands of the Receiver General		£181	11	¼
By T. A. Turner and R. Armour, Esquires, Commissioners for Improving the Navigation above Montreal, balance unexpended of £100 currency, received by them in 1822, by accountable Warrant		70	0	0
Total received in the Year 1828		£251	11	¼
The Balance of this Fund, unexpended on 10th October 1826, was	£6180	0	9	
Received in 1827	207	9	2	
		6387	9	11
Total unexpended Currency		£6639	1	¾

Quebec, 26th Jan. 1829.

(Errors Excepted)

JOS. CARY,

Inspector Gen. Pub. Prov. Accounts.

(No. 5.)

STATEMENT of Particulars of Payments made from the Revenues of Lower Canada, for Expenses of Collection, Drawbacks, Return Duties, &c. in the Year ended 5th January 1829.

Account.	Payments out of the Income in its progress of Collection.	Currency.
No. 3.	Out of 41st Geo. III., proportion of Incidental Expenses at Quebec	£2 8 10
5.	33d ditto ditto of ditto at ditto.	50 0 0
6.	55th ditto ditto of ditto at ditto.	537 4 9
7.	53d Ditto drawback paid on Salt exported for Fisheries	206 1 2
	ditto In part payment of Salaries to Officers of	
	Customs at Quebec	1900 18 1
	ditto of Incidents at ditto	517 10 0
	Collector of Coteau du Lac's Allowance of £100 currency per annum, for Collection of Provincial Duties for four years to 10th October 1828	400 0 0
		2818 8 1
8.	55th ditto, In part payment of Salaries to Officers of Customs at Quebec	1900 18 1
	And proportion of Incidents at ditto	563 11 6
		2464 9 7
9.	3rd Geo. IV. cap. 119, In part payment of the Salaries of the Officers of Customs at Quebec	9 3 6
10.	6th Geo. IV. cap. 114, In part payment of ditto, at ditto	6867 7 6
	By the Collector of St. John. for Commission at 2½ per cent on the Collection at that Port	160 10 6
	By ditto at Coteau du Lac, for ditto, &c. Incidental Expenses, part of which he is directed to refund	448 5 0
		7476 5 0
11.	45th and 51st Geo. III. By the Naval Officer at Quebec, for Commission at 2½ per cent on Pilotage Duties,	60 7 11
	By ditto on Duties on Steam Boats	8 5 6
	By Superintendent of Cul-de-Sac for ditto, at 5 per cent on Dock Dues,	10 15 6
	By Treasurer of Trinity House, on Fines, at 5 per cent Commission,	0 18 9
		80 2 8
	Carried over	£13644 3 7

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			Brought over	£13644	3	7
12.	48th Geo. III. cap 19, By the Inspector of Rafts, &c. at Chateauguay, Commission at 5 per cent on Duties collected			9	11	1½
13.	4th Geo. IV. cap. 3, By the Clerk of the Court, Township of Eaton, Commission at 2½ cent. on Duties			0	0	5
	Total deducted from the Income, in progress of Collection			£13653	14	1½
Payments made or to be made by the Receiver General, as Charges of Collections, Return Duties, &c.						
1.	Casual and Territorial Revenue, Salary of the Clerk of the Terrars of the King's Domain	100	0	0		
	Commission of Inspector General of ditto, Amount of Lods et Ventés and Quints received	404	14	1		
	Payments made by the Receiver General for Notarial Extracts of Mutations, within the King's Domain	16	2	6		
					520	16 7
8.	55th Geo. III. &c. Drawback of Duty of Teas paid to sundry persons, under the Provisions of the Provincial Act 6 Geo. IV. c. 1.				97	6 6
10.	6th Geo. IV. cap. 114, Expenses of Collection at St. John, viz. :—					
	Salary to the Collector	210	0	0		
	Ditto to the Comptroller	140	0	0		
	Ditto to the Guager	44	8	10		
	Incidents	396	10	10		
					790	19 8
						1409 3 9
	Total Deductions from the Revenue for Expenses of Collection				Currency	£ 15062 15 10½

Errors Excepted,

Quebec, 26th January 1829.

JOS. CARY,

I. G. P. P. Accts.

(No. 6.)

ABSTRACT of WARRANTS granted by His Excellency the EARL OF DALHOUSIE, G. C. B. Captain General and Governor in Chief, and by His Excellency Sir JAMES KEMPT, G. C. B., Lieutenant General and Administrator of the Government, on John Hale, Esquire, Receiver General, on account of the Civil Expenditure of Lower-Canada, for the year ending 31st December 1828.

NAMES.	SERVICE.	Sterling.			Total Amount Sterling.			REMARKS.
		£	s.	d.	£	s.	d.	
	PAYMENTS made out of the APPROPRIATED REVENUE at the disposal of the Crown, for the Support of the Civil Government and the Expenses of the Administration of Justice.							
His Excellency the Earl of Dal-	Salary as Captain General and Governor in Chief, from the 1st January to the 8th Septem-	3113	0	4				
housie, G. C. B.	ber 1828, at £4,500 Stg. per annum,							
His Excellency Sir Jas. Kempt,	Ditto as Lieutenant General and Administrator of the Government, from the 9th Septem-	1886	19	8				
G. C. B.	ber to the 31st December 1828, at ditto,							
Honble. Sir F. N. Burton, K.	Ditto as Lieutenant Governor of Lower-Canada, from the 1st January to the 30th June	750	0	0				
G. H.	1828, at £1500 Stg. per annum,							
Alexr. Forbes,	Ditto as Ditto of Gaspé, and Inspector of Fisheries, at £300 Stg. per annum. from do-	300	0	0				
Thomas Amyot,	to 31st December 1828,							
Jonathan Sewell,	Ditto as Secretary and Registrar of the Province, from the 1st January to the 24th April	126	4	2				
John Richardson,	1828, at £400 Stg. per annum,	100	0	0				
James Kerr,	Ditto as Member of the Executive Council, from ditto to 31st December 1828,	100	0	0				
M. H. Perceval,	Ditto as ditto	100	0	0				
Charles De Léry,	Ditto as ditto	100	0	0				
John Stewart,	Ditto as ditto	100	0	0				
William Smith,	Ditto as ditto	100	0	0				
H. W. Ryland,	Ditto as Registrar and Clerk of ditto	550	0	0				
G. H. Ryland,	Ditto as Assistant ditto and ditto of the ditto	183	0	0				
John Hale,	Ditto as Receiver General,	1000	0	0				
Ditto,	Allowance for a Clerk as ditto,	100	0	0				
Jonathan Sewell,	Salary as Chief Justice of the Province,	1500	0	0				
James Reid,	Ditto as Ditto of Montreal,	1100	0	0				
James Kerr,	Ditto as one of the Puisné Judges of the Court of King's Bench							
	for the District of Quebec,	900	0	0				
Edward Bowen,	Ditto as ditto of the ditto for ditto	900	0	0				
J. T. Taschereau,	Ditto as ditto of the ditto for ditto	900	0	0				
George Pyke,	Ditto as ditto of the ditto for the ditto of Montreal	900	0	0				
L. C. Foucher,	Ditto as ditto of the ditto for the ditto of ditto	900	0	0				
N. F. Uniacke,	Ditto as ditto of the ditto for the ditto of ditto	900	0	0				
	Carried over,	16209	4	9				

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NAMES.	SERVICE.	Sterling.			Total Amount Sterling.			REMARKS.
		£	s.	d.	£	s.	d.	
Pierre Bedard,	Salary as Provincial Judge for the District of Three Rivers, to 31st December 1828,	600	0	0				Brought over.
J. G. Thompson,	ditto for the ditto of Gaspé,	600	0	0				to ditto,
James Kerr,	ditto for the ditto of St. Francis,	600	0	0				to ditto,
James Stewart,	ditto as Judge of the Court of Vice Admiralty,	200	0	0				to ditto,
C. R. Ogden,	ditto as Attorney General,	300	0	0				to ditto,
Geo. Vanelsion,	ditto as Solicitor General,	200	0	0				to ditto,
W. S. Sewell,	ditto as Sheriff of the District of Quebec,	100	0	0				to ditto,
Lewis Gugsy,	ditto as do. of the do. of Montreal,	100	0	0				to ditto,
J. G. Ogden,	ditto as do. of the do. of Three Rivers,	75	0	0				to ditto,
Thos. Mann,	ditto as do. of the do. of Gaspé,	70	0	0				to ditto,
Chs. Whitchee,	ditto as do. of the do. of St. Francis,	50	0	0				to ditto,
B. A. Panet,	ditto as do. of the do. of Quebec,	100	0	0				to ditto,
J. M. Mondelet,	ditto as do. Clerk of the Crown for the District of Quebec	100	0	0				to ditto,
William Green,	ditto as do. for the do. of Montreal,	40	0	0				to ditto,
John Delisle,	ditto as Clerk of the Court of Appeals,	20	0	0				to ditto,
W. C. H. Coffin,	ditto as Usher of the Court of Appeals,	120	0	0				to ditto,
Ls. Montizambert,	ditto as Clerk of the Courts and Clerk of the Peace at Gaspé	27	0	0				to ditto,
Michel Landry,	and Allowance for travelling expenses,							to ditto,
Amasa Bebé,	ditto as do. of the do. and do. of the do. at St. Francis,	60	0	0				to ditto,
C. B. Felton,	ditto as Chairman of the Quarter Sessions at Quebec,	50	0	0				to ditto,
Robert Christie,	ditto as ditto of the ditto at Montreal, to 31st January 1828, at £500 stg.	500	0	0				to ditto,
Samuel Gale,	ditto as ditto of the ditto at do. from 1st Feb. to 31st Dec. 1828, at do.	41	13	4				to ditto,
David Ross,	ditto as Crier of the Court of King's Bench at Quebec,	428	6	8				to ditto,
Thomas Coffin,	ditto as Tipstaff of the ditto	250	0	0				to ditto,
M. Landry,	ditto as Crier, and do. of the ditto	20	0	0				to ditto,
Thomas Cookson,	ditto as do. and do. of the ditto	18	0	0				to ditto,
George Stanley,	ditto as Secretary to the Governor in Chief, from 1st January to the 30th September	38	0	0				to ditto,
Ant. Portugais,	1828, at £500 per annum,	25	0	0				to ditto,
A. W. Cochran,	ditto as ditto to the ditto, from the 1st October to 31st Decr. 1828, at ditto,	\$75	0	0				to ditto,
Col. York,	ditto as Assistant do. to the do. from 1st January to ditto,	125	0	0				to ditto,
Ls. Montizambert,	ditto as Senior Assistant in the Office of ditto	200	0	0				to ditto,
Thos. Douglass,	ditto as Junior do. in the do. from 1st to 25th Jan'y. 1828, at 10s. stg. per diem,	183	0	0				to ditto,
Dominick Daly,	ditto as Temporary Assistant in the ditto, from 26th January to 7th April, 1828 at do.	12	10	0				to ditto,
Richard Hale,	ditto as Office Keeper to the ditto, to ditto,	86	10	0				to ditto,
J. M. Kerr,	Allowance to ditto in lieu of Apartments formerly allotted to his use, to ditto,	190	10	0				to ditto,
Lewis Harper,		43	0	0				to ditto,
Ditto,		25	0	0				to ditto,

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Jonathan Sewell	Ditto for Circuits as Chief Justice of the Province,	75	0	0				
James Reid,	as ditto of Montreal,	75	0	0				
James Kerr,	as Judge of the Court of King's Bench at Quebec,	100	0	0				
Edward Bowen,	ditto	100	0	0				
L. C. Foucher,	ditto, Montreal,	150	0	0				
George Pyke,	ditto, ditto,	75	0	0				
N. F. Umacke,	ditto, ditto,	75	0	0				
J. T. Tachereau,	ditto, ditto, Quebec,	100	0	0				
W. S. Sewell,	ditto as Sheriff of the District of Quebec for a Public Executioner,	27	0	0				
Lewis Gugsy,	ditto as ditto of the ditto of Montreal for a ditto,	27	0	0				
J. G. Ogden,	Salary as Interpreter to the Courts at Quebec to 31st December 1828,	27	0	0				
Thomas Aylwin,	ditto as ditto to the ditto at Montreal to ditto,	40	0	0				
Frederick Goedyke,	ditto as ditto to the ditto at Three Rivers to ditto,	40	0	0				
John C. Fearon,	Six Months Salary as Keeper of the Goal at Quebec to 30th June 1828	25	0	0				
Geo. Henderson,	ditto allowance as ditto for paying two Turnkeys to ditto,	45	0	0				
Ditto,	Six Months Salary as Keeper of the Goal at Quebec to ditto,	86	0	0				
John Jeffrey,	ditto allowance as ditto for paying Two Turnkeys	45	0	0				
Edward Holland,	Salary as Keeper of the Goal at Montreal	36	0	0				
Ditto,	Allowance as ditto for paying Two Turnkeys	90	0	0				
William Kent,	Salary as Keeper of the Goal at Three Rivers	72	0	0				
Patrick Read,	Allowance as ditto for paying one Turnkey	45	0	0				
Thomas Aylwin,	ditto as High Constable at Quebec	22	10	0				
A. Delisle,	ditto as ditto at Montreal	25	0	0				
Philip Burns,	ditto as ditto at Three Rivers	36	0	0				
Jos. Tardiff,	ditto as Keeper of the Court House at Quebec	36	0	0				
James Terroux,	ditto as ditto of the ditto at Montreal	27	0	0				
Pierre Portugais,	ditto as ditto of the ditto at Three Rivers	54	0	0				
James Gilker,	ditto as ditto of the ditto and Goal at New Carlisle	72	0	0				
C. M. Hyndman,	ditto as ditto of the ditto at Sherbrooke	36	0	0				
John King,	ditto as Messenger and Office Keeper to the Executive Council to the 31st Dec. 1828,	54	0	0				
W. Woodington and J. Santang,	ditto as extra ditto, in the ditto, at 2s. 6d. currency per diem. to ditto,	18	0	0				
Jas. Thompson,	ditto as Doorkeeper and Office Servant to the Executive Council, to 31st Dec. 1828,	50	0	0				
Michael Quinn,	Salary as Surveyor General to 31st December 1828,	45	0	0				
Jos. Bouchette,	Allowance as ditto for an Office Servant, and Stationery to ditto,	41	1	3				
Ditto,	Salary as First Clerk in the Office of ditto, from ditto to ditto,	50	0	0				
William Sax,	ditto as Second ditto in the ditto of ditto, from ditto to ditto,	45	0	0				
J. F. Bouchette,	ditto as Inspector General of Public Provincial Accounts from ditto to ditto,	150	0	0				
Jos. Cary,	Allowance as ditto for a Clerk to ditto,	300	0	0				
Ditto,	Salary as Physician attending the Prisoners confined in the Goal at Quebec, and for Medici-	100	0	0				
Thos. Fargues, M. D.	cines furnished to ditto, from ditto to ditto,	200	0	0				
W. D. Selby, M. D.	ditto as ditto at Montreal, and for ditto to ditto,	200	0	0				
	Carried over, £	95859	5	5				

NAMES.	SERVICE.	Sterling.	Total Amount Sterling.	REMARKS.
Geo. Carter, Jonathan Sewell,	Brought over, £ Salary as Physician attending the Prisoners confined in the Gaol at Three-Rivers, and for Medicines furnished to ditto, from the 1st January to 31st December 1828. Rent of Building used for the Civil Offices of Government, from ditto to ditto,	25859 5 5 80 0 0 495 0 0	26134 5 5	
CONTINGENT EXPENSES OF THE ADMINISTRATION OF JUSTICE.				
James Stuart, Ditto	Contingent Account as Attorney General, for the Six Months ending 10th April 1828, for defraying the Expense of subpoenaing Witnesses for the Crown at the Courts of Oyer and Terminer, &c.,	789 3 8		
Geo. Vanfelson.	Contingent Account as Advocate General, for the Six Months ending 10th April 1828,	180 0 0		
David Ross, Pierre Bostwick, Pierre Vezina, W. S. Sewell, Lewis Gugy, Ditto,	Ditto as King's Counsel for the District of Montreal, between March 1812 and June 1824, Ditto as Counsel on the part of the King, in the case of Joseph Badaeux, Ditto as King's Counsel for the District of Three-Rivers, Ditto as Sheriff for the ditto of Quebec, for the 12 months ending 10th October 1828, Ditto as ditto for the District of Montreal, for the ditto ending 10th October 1828, For to enable him to pay for the attendance of needy Crown Witnesses, appearing at the Criminal Terms holden at Montreal,	20 2 0 764 16 11 18 0 0 34 17 7 1169 1 1 986 19 9		
J. G. Ogden, Ditto,	Contingent Account as Sheriff for the District of Three-Rivers, for the 12 months ending 10th October 1828, For to enable him to pay for the attendance of needy Crown Witnesses appearing at the Criminal Terms at Three-Rivers,	437 4 7 260 0 3		
Thomas Mann, Ditto.	Contingent Account as Sheriff of the District of Gaspé, for the six months ending 10th April 1828, Allowance for Travelling Expenses as ditto, to 30th June 1828,	54 13 1 27 16 11 5 0 0		
Charles Whitcher, William Green,	On account of his Contingent Expenses as Sheriff of the District of St. Francis, Contingent Account as Clerk of the Crown for the District of Quebec, in the twelve months, ending 10th October 1828,	72 0 0 66 16 7		
John Delisle, W. C. H. Coffin, Perrault and Burroughs, W. C. H. Coffin,	Ditto as ditto for the ditto of Montreal, in November 1827, Ditto as ditto for the ditto of Three Rivers, in the twelve months, ending 10th Oct. 1828, On account of their Contingent Expenses as Prothonotaries for the District of Quebec, Contingent Account as Prothonotary for the District of Three Rivers, in the twelve months ending 10th October 1828,	50 6 0 21 2 9 181 3 8		
Green & Perrault, David Chisholm, C. B. Felton, B. A. Panet, J. M. Mondélet, J. G. De Tonnanour,	Ditto as Clerks of the Peace for the ditto of Quebec, in ditto, ending ditto, Ditto as ditto for the ditto of Three Rivers, in ditto, ending ditto, Ditto as ditto for the ditto of St. Francis, Ditto as Coroner for the District of Quebec, to 10th October 1828, Ditto as ditto for the ditto of Montreal, in the twelve months ending 10th Oct. 1828, Ditto as ditto for the District of Three Rivers, in the twelve months, ending 10th October 1828,	50 3 1 189 13 0 66 10 4 18 0 0 323 17 1 102 0 2		
Robert Christie, David Ross,	Ditto as Chairman of the Quarter Sessions at Quebec, Ditto as ditto of the ditto at Montreal,	22 0 4 90 0 0 213 8 9		

Thomas Coffin, James Crawford, Louis Lefevre,	Ditto as ditto of the ditto at Three Rivers, Ditto as ditto of the ditto at Gaspé, Salary as Messenger in the Police Office at Three Rivers, from 1st January to 31st December 1828, at £12 10s. per annum.	27 0 0 45 0 0 12 10 0 5 0 0 9 0 11		
Ditto, Michel Landry, Thomas Aylwin,	Ditto as Crier of the Quarter Sessions at ditto to ditto, at £2, For services performed by him as Crier of ditto at Quebec, For 8 days services of self and 4 Constables during the Criminal Terms of March and September, at Quebec,	90 2 7 72 5 9 28 16 0 59 18 4 34 17 1 9 16 3 11 2 9 22 16 9 5 5 0 6 0 0 5 10 8		
Ditto, B. J. Schiller, Philip Burn, Adelphé Delisle, W. E. Ball, W. R. Rayside, Amasa Bebee, Frederick Goedyke, Louis Montizambert, James Terroux,	For proceeding to the United States in quest of Baudry, For having charge of Witnesses during Criminal Terms at Montreal, For ditto of ditto during ditto at Three Rivers, For conveying Prisoners from Montreal to Quebec, For ditto from ditto to ditto, For Provisions furnished 11 Convicts on their way to Halifax, For hire of rooms for holding the Provincial Courts, For his attendance as Interpreter to the Courts of Oyer and Terminer at Montreal, Allowance for Stationery as Clerk of the Court of Appeals, For Fees as Crier of the Quarter Sessions at Montreal to 10th October 1828,		6659 19 8	
MISCELLANEOUS.				
James Crawford, Mrs. J. M. Livingston,	Six Months Salary as Chairman of Quarter Sessions at Gaspé, to 30th June 1828, Annuity as Widow of Robert Ramsay Livingston, formerly a Captain in the Indian Department, to 31st December 1828	112 10 0 50 0 0		
Jos. Bouchette, Surveyor General, Jos. Bouchette, jun., Deputy Surveyor General, Frederick Wyss, Wm. Ware, Jos. Bouchette, Surveyor General,	To enable him to make a Tour of Inspection through the Townships and Settlements of the Province, For Services in Exploring the Country near the heads of the River St. John, and for Plans and Reports thereof For ditto in ditto ditto and ditto For ditto in ditto ditto and ditto, For compiling a connected Plan of the Exploring Survey of the country near the head of the River St. John, and for Copies of the Plans, Field Books, and Returns of Messrs. Wyss and Ware, two of the Surveyors.	417 0 0 251 0 3 46 12 11 29 10 10		
Henry Graham, Chas. Montizambert, Thomas Aylwin, Fisher and Kemble, Thomas Cary and Co. John Adams, Neilson and Cowan, F. Bélanger & J. Bignell, A. W. Cochran, John King,	For Extra Writing done in the Civil Secretary's Office, For ditto in the ditto, For ditto in the ditto, For Printing done for Civil Secretary's Office, and Publications in the Quebec Gazette, For Binding done for Copies of sundry Acts, &c. For Copying Plans for Government, For Stationery, &c. furnished ditto, For Postages for ditto, For Fuel purchased for the Civil Offices of Government, Allowance for having care of Buildings occupied as Public Offices of Civil Government,	15 6 0 55 10 0 39 0 0 5 0 0 173 13 7 20 0 1 5 8 0 7 16 7 974 16 1 12 8 9 40 0 0		
	Carried over, £	2255 13 1	39094 5 1	

NAMES.	SERVICES.	Sterling.	Total Amount Sterling.	REMARKS.
Samuel Gale, John Bignell,	On Account of his Expenses in proceeding to England on the Public Service, For Postages for the Office of the Adjutant General of Militia, in the Quarter, ended 10th October 1828.	2255 13 1 300 0 0 15 6 2	33094 5 1	Brought over
EXPENDITURE under SPECIAL APPROPRIATIONS by Provincial Acts.				
François Baillargé, Road Treasurer,	36th Geo. III. cap. 9. Assessment on Public Buildings and Lots within the City of Quebec, occupied by Government for the year 1828,	251 11 0		Total paid out of appropriated Revenue.
F. Vassal de Monviel, Adj.-General of Militia,	55th Geo. III. cap. 10. For Pensions to wounded Militiamen for Twelve Months ending the 31st December 1828,	317 5 0		
Mad. Panet,	3d. Geo. IV. cap. 39. Pension from 1st January to 31st December 1828,	270 0 0		
Mrs. M. Painter,	4th and 5th Geo. IV. cap. 3 and 26 12 months Interest on £1200 up to 28th December 1828 borrowed by the Commissioners, for the erection of a Gaol at Sherbrooke,	64 16 0		
Clarke and Appleton, William Bell,	5th Geo. IV. cap. 14. Premium granted for 2d best Plan of Gaol at Montreal, Ditto for 3d	54 0 0 96 0 0	90 0 0	
Frederick Griffin,	4th Geo. IV. cap. 16. Payment of Interest on Loan for the Lachine Canal,	289 1 7		
Ditto,	5th Geo. IV. cap. 19. Ditto of ditto on ditto for the ditto,	1909 1 9	2198 3 4	
William Duncan,	5th Geo. IV. cap. 30. Being the remaining half of the sum for which he has contracted to make the Road to the Province Line,	225 0 0		
P. L. Panet, Grand Voyer } Three Rivers, } W. B. Felton, }	5th Geo. IV. cap. 31. To enable him to proceed in obtaining and Homologating a Procès Verbal on Craig's Road, Amount of his taxed Bill, For Disbursements made by the Commissioners for the Improvement of Craig's Road,	88 10 5 6 9 0	44 19 5	
W. S. Sewell,	6th Geo. IV. cap. 30. One of the Commissioners for Repairs to the Gaol at Quebec, on account of the expenses thereof,	1611 0 0		

NAMES.	SERVICES.	Sterling.	Total Amount Sterling.	REMARKS.
Henry Griffin,	6th Geo. IV. cap. 31. Treasurer, and one of the Commissioners for the Encouragement of Agriculture in the District of Montreal,	234 0 0		
A. Coffin,	Ditto and ditto in the ditto of Gaspé, for the purchase of Seed Grain,	45 0 0	279 0 0	
J. M'Lean,	6th Geo. IV. cap. 32. Being one half of the Premium for forming a Settlement on the Road between St. Joachim and St. Paul's Bay,	45 0 0		
Charles P. Huot, Simon Bouchard, Aug. Lemieux, Laurent Tremblay, Philip Castagne, Et. Rousseau, Jas. Poivin, Louis Simard, Bap. Boily,	ditto, ditto, ditto, ditto, ditto, ditto, ditto, ditto, ditto, ditto,	45 0 0 45 0 0 45 0 0 45 0 0 22 10 0 22 10 0 22 10 0 33 15 0 33 15 0 33 15 0		
Andrew Stuart,	6th Geo. IV. cap. 34. Being on account of the Expenses for Exploring the North Shore of the St. Lawrence,	348 15 0		
J. H. Dunn, President Well-land Company,	7th Geo. IV. cap. 13. Being the Balance on 2000 Shares of the Capital Stock of the said Company, held by the Government of Lower-Canada,	405 0 0		
J. Le Bouthilier,	7th Geo. IV. cap. 15. Being amount of Contingent Expenses for fitting up the Gaol at Percé, in the District of Gaspé,	4500 0 0		
William Smith, C. E. De Ley, James Voyer, A. W. Cochran, C. R. D'Estimauville, William Ginger, H. McDonald, Charles Blouin, Jane Brown, Ditto, William Smith,	LEGISLATIVE COUNCIL, In part provided for out of Duties under Act 33d Geo. III. Salary as Clerk of the Legislative Council, to the 30th June 1828, at £450 stg. per An., Ditto as Asst. ditto of the ditto to ditto at £360 ditto, Ditto as Writing Clerk to the ditto to ditto at £225 ditto, Ditto as Law ditto to the ditto to ditto at £180 ditto, Ditto as Gentleman Usher of the Black Rod to ditto at £135 ditto, Ditto as Sergeant at Arms to the ditto to ditto at £90 ditto, Ditto as Doorkeeper to the ditto to ditto at £25 ditto, Ditto as Messenger to the ditto to ditto at £32 8s. ditto, Allowance for having care of Apartments of do. to ditto at £22 10s. ditto, Ditto for House Rent as ditto to the ditto to ditto at £27 ditto, Salary as Master in Chancery to the ditto to ditto at £81 ditto,	225 0 0 180 0 0 112 10 0 90 0 0 67 10 0 45 0 0 12 10 0 16 4 0 11 5 0 13 10 0 40 10 0	270 0 0	Total payments made out of Special Appropriations £10,875 9s. 9d.
			813 19 0	
			£47354 13 1	Carried over,

NAMES.	SERVICE.	Sterling.	Total Amount Sterling.	REMARKS.
Rev. B. C. Panet, Noah Freer,	Brought over, Rent of the Bishop's Palace, occupied by both Branches of the Legislature to the 30th June 1828, at £500 stg. per annum, Repairs and alterations in the Apartments of ditto,	47354 13 1	250 0 0 270 0 0	
HOUSE OF ASSEMBLY,				
<i>In part provided for out of Duties under Act 33d. Geo. III.</i>				
Wm. Lindsay, Clerk of the House of Assembly, Representatives of the late P. } E. Desbarats, William Green, Thos. W. Willan, Francis Coulson, Eliz. Welling, Annable Schindler, H. W. Ryland,	On account of the Contingent Expenses of that House for the year 1828, pursuant to their Address, Salary as Clerk of the House of Assembly, to 30th June 1828, at £450 stg. per An., Ditto as Asst. ditto from 1st Jan. to 23d April 1828, at £360 ditto, Ditto as English Translator to the ditto to 30th June 1828, at £180 ditto, Ditto as Law Clerk to the ditto to ditto, at ditto, Ditto as Sergeant at Arms to the ditto to ditto, at £90 ditto, Allowance for taking care of Apartments and Furniture belonging to the House of Assembly, and for House Rent to ditto, at £24 15s. ditto, Ditto for ditto and ditto to the ditto and for ditto to ditto, at £24 15s. ditto, Salary as Clerk of the Crown in Chancery to ditto, at £100 ditto,	900 0 0 225 0 0 112 12 0 90 0 0 90 0 0 45 0 0 12 7 6 12 7 6 50 0 0		
EXPENSES for which there is no express Legislative Provision made.				
H. W. Ryland, Sir G. Pownall Kt., Mrs. Dunn, Mrs. M. Elmsley, Mrs. Baby, Mrs. Taylor, Representative of the late Ls. } de Salaberry, Mrs. Lemaistre, Mrs. Rottott, H. Harwood, A. & M. de Louviere, Miss Finlay, Miss M'Kay, Miss Desbarats, Widow Sauvageau, Hyp. Montizambert,	Pension from 1st Jan. to 30th June 1828, at £300 Sterl. per annum, Ditto at 300 ditto, Ditto at 250 ditto, Ditto at 200 ditto, Ditto at 150 ditto, Ditto at 50 ditto, Ditto from ditto to 22nd March 1828 at 200 ditto, Ditto ditto to 30th June 1828 at 50 ditto, Ditto at 36 ditto, Ditto at 30 ditto, Ditto at 21 12s. ditto, Ditto at 20 ditto, Ditto at 18 ditto, Ditto at 12 ditto, Ditto at 10 ditto, Compensation, &c. Pension Ditto Ditto Ditto	150 0 0 150 0 0 125 0 0 100 0 0 75 0 0 25 0 0 45 0 5 25 0 0 18 0 0 15 0 0 10 16 0 10 0 0 9 0 0 9 0 0 6 0 0 5 0 0		1597 7 0

NAMES.	SERVICE.	Sterling.	Total Amount Sterling.	REMARKS.
M. Montizambert, L. Montizambert, Margt. Launiere, Genevieve Launiere, Elizabeth Launiere, Miss Rivville, Mrs. de Moisseau, Miss Schindler,	at ditto ditto, at ditto ditto, at ditto ditto, at ditto ditto, at 7 10s. ditto, at 5 ditto, at 5 ditto,	5 0 0 5 0 0 5 0 0 5 0 0 5 0 0 3 15 0 2 10 0 2 10 0		811 11 5
RENTS and REPAIRS of PUBLIC BUILDINGS, &c.				
Louis Montizambert, Acting Provincial Secretary, John Phillips, James Frost, Richard Robinson, John Phillips, Wm. Heydon, Wm. Baker, J. Bt. Larue, Road Surveyor, } Quebec, John Grouit, Noah Freer, R. and A. Haddan, A. W. Cochran, John King,	Allowance for providing an Office for Registering and Enrolling the Grants of the Crown Lands, as required by the Provincial Act 36th Geo. III. to 24th April 1828, at £54 Sterling per annum } For Work performed and Articles furnished for Repairs and Alterations at the Castle of St. Lewis, up to the 10th October 1828, For Repairs done to the Buildings attached to ditto, For Work done and Materials furnished for Repairs to the Government House at Montreal For Work done in the Building occupied for the Civil Offices of Government, For ditto in the ditto, For hanging Bells in the Building appropriated as Public Offices, Balance of his Account for keeping the Winter Roads in Repair opposite Buildings occupied for Public purposes in Quebec, For sweeping Chimnies of Public Buildings in Quebec, For Repairs and Alterations made to the Court House at ditto, For Chairs furnished for the Executive Council. For Firewood purchased for the Civil Offices of Government, For Work done in the Apartments occupied as Public Offices,	17 0 0 258 10 6 59 5 11 92 11 7 39 15 11 11 11 7 3 7 6 27 0 0 6 2 5 45 0 6 7 17 6 63 14 9 13 2 5		1030 0 10
MILITIA STAFF and CONTINGENCIES.				
F. Vassal de Monviel, ditto, ditto, ditto, L. J. Duchesnay, Lt. Col. J. B. Duchesnay, Lt. Col. F. G. Heriot, F. Vassal de Monviel, F. Belanger, Postmaster Quebec, F. Vassal de Monviel,	Salary as Adjutant General of Militia, to 30th June 1828, at £450 sterl. per annum, Allowance as ditto for Office Rent and Fuel to ditto, at 67 10s. ditto. Ditto as ditto for a Clerk to ditto, at 7s. 6d. per diem, Ditto as ditto for a Messenger to ditto, at 9s. 8d. ditto, Salary as Deputy Adjutant General of Militia to ditto, at £270 per annum, Salary as Provincial Aid-de-Camp to 30th June 1828, at £180 sterl. per annum, Ditto as ditto to ditto at ditto, Amount of his Disbursements for Printing and Stationery for the Office of the Adjutant General of Militia, to 10th April 1828, For Postages for the Office of ditto, For proceeding to St. Gervais to investigate a complaint made against Lieutenant Colonel A. Turgeon,	225 0 0 53 15 0 91 9 2 135 0 0 90 0 0 90 0 0 85 3 8 41 13 7 10 19 11 803 1 4		51253 12 4
Carried over £				

NAMES.	SERVICE.	Sterling.	Total Amount Sterling.	REMARKS.
Lt. Col. L. J. Duchesnay, Lt. Col. J. B. Duchesnay, Lt. Col. F. G. Heriot, Ditto, E. L. de Bellefeuille, Lt. Col. J. Duchesnay,	Brought over £ Expenses in going to St. Anne's on Militia Service in July last, For Expenses incurred on a Tour of Inspection, For ditto on a ditto, For ditto in proceeding to Montreal and thence to the County of York on Duty, For ditto incurred on a Tour of Inspection, For ditto ditto and Services performed by him as Inspecting Field Officer,	803 1 4 8 19 1 22 0 1 19 5 8 7 13 0 52 15 3 7 0 5	51253 12 4 900 14 10	
François Durette, Treasurer & Commissioner, G. Selby ditto and ditto, J. G. Ogden, ditto and ditto, Michel Clouet, and Claude Desnechau,	SUPPORT of HOSPITALS and other CHARITIES. For relief of Insane, support of Foundlings, &c. at Quebec, For support of Foundlings at the Religious Hospitals of Montreal, For ditto of ditto and relief of Insane ditto at Three Rivers, On Account of the Expenditure for the Emigrant Hospital at Quebec,	1638 9 1 578 0 0 270 19 4 1562 15 6	9650 3 11	
Rev'd. J. L. Mills,	SCHOOLS. For the payment of Salaries to Schoolmasters, under the Royal Institution for the advancement of Learning, to 30th June 1828.		1000 0 0	
A. W. Cochran, Honble. F. W. Primrose, E. W. R. Antrobus, L. R. C. De Lery, P. L. Panet, Farquhar McRae, John Grout, P. Boucherville, Alexr. Thompson, John Simpson, C. R. D'Estimauville, Moir & Heath,	MISCELLANEOUS CHARGES. Salary as Auditor General of Land Patents, to 30th June 1828, at £200 Stg. per annum, Ditto as Clerk of His Majesty's Land Roll, from 5th January to ditto, at £90, Ditto as Grand Voyer of the District of Quebec, to ditto, at £150 per annum, Ditto as ditto of the ditto of Montreal, to ditto at ditto, Ditto as ditto of the ditto of Three-Rivers, to ditto at £90 ditto, Ditto as Surveyor of Highways and Streets in the District of Gaspé, to ditto, at £50 ditto Ditto as Inspector of Chimnies at Quebec, to ditto at £60 ditto, Ditto as ditto at Montreal, to ditto at ditto, Ditto as ditto at Three-Rivers, to ditto, at £25 ditto, Ditto as Inspector of Merchandize at Côteau du Lac, and allowance for House Rent to ditto, at £168 ditto, For Translations of Official Documents for Government, To enable them to pay for the hire of a Steam-Boat, for bringing up a number of Emigrants who had been shipwrecked on the River St. Lawrence.	100 0 0 45 17 9 75 0 0 75 0 0 45 0 0 25 0 0 30 0 0 30 0 0 12 10 0 84 0 0 45 0 0 90 0 0		

Ant. Hamel, Frederick Griffin, Guillaume Lachance, John Burrows, François Bélanger, Math. Jack, Louis Montizambert, late Acting Provincial Secretary,	Allowance for residing on the Island of Anticosti, with a view to the relief of shipwrecked persons, to 30th June 1828, To enable the Commissioners to provide for the care and management of the Lachine Canal, For conveying Government Despatches from the ship Ottawa, Capt. Douglass, stranded at L'Islette, For surveying and subdividing the Townships of Eardley and Templeton, For Postages for the Surveyor General's Department, Allowance as extra Clerk to the Auditor General during the illness of Mr. Brewer, from 1st January to 13th May 1828, at £100 Stg. per annum, Amount of his Account of Disbursements in his Office, between 11th October 1827 and 23d April 1828,	25 0 0 900 0 0 3 3 0 133 13 6 13 11 11 36 17 11 15 5 11	1783 0 0 £58587 11 1	Total Sterling.
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(Errors Excepted)

JOS. CARY,

Inspector Gen. Pub. Prov. Accounts.

Quebec, 26th Jan. 1829.

Appendix
(Y)
27th Jany.

(No. 9.)

AN ACCOUNT of the APPROPRIATIONS of the LEGISLATURE of LOWER-CANADA, and the EXPENDITURE thereof, for the year 1828.

APPROPRIATIONS.	Amount.			Amount expended			Balance unexpended.		
	£	s.	d.	£	s.	d.	£	s.	d.
ACTS. 5th Geo. IV. Cap. 4—Seignior of La Salle, Balance un- pended last year,	554	5	0	0	0	0	554	5	0
10—House of Correction, ditto	255	17	11	0	0	0	289	1	5
13—Encouragement of Agriculture, ditto	75	0	0	0	0	0	75	0	0
14—Plans for Gaol at Montreal, ditto	100	0	0	100	0	0	0	0	0
19—Loan for Lachine Canal, ditto	30000	0	0	0	0	0	30000	0	0
20—Intercourse between Halifax and Quebec, ditto	1500	0	0	0	0	0	1500	0	0
27—Supply for 1825, ditto	131	8	2	50	0	0	81	8	2
28—Improving Road to St. Paul's Bay, ditto	500	0	0	0	0	0	500	0	0
29—Ditto in Township of Kingsey, ditto	3	10	0	0	0	0	3	10	0
30—Ditto to Côteau du Lac, &c. ditto	260	11	5	250	0	0	10	11	5
31—Do, Kenebec and Craig's Road, ditto	744	8	11	49	19	4	694	9	7
6th Geo. IV. Cap. 12—Support of Hospitals, ditto	14	17	3½	0	0	0	14	17	3½
13—Encouragement of Schools, &c. ditto	41	5	3	0	0	0	41	5	3
Ditto of Education, District of Quebec, ditto	300	0	0	0	0	0	300	0	0
22—For distributing Laws in 1826, ditto	7	10	0	0	0	0	7	10	0
Ditto in 1827, ditto	42	15	7	0	0	0	42	15	7
30—Repairs to Gaol at Quebec, and Stepping Mill, ditto	1798	9	8	1790	0	0	8	9	8
31—Encouragement of Agricul- ture, ditto	670	0	0	310	0	0	360	0	0
32—Settlement of Roads to St. Paul's Bay, ditto	500	0	0	387	10	0	112	10	0
33—Navigation of Richelieu, ditto	2400	0	0	0	0	0	2400	0	0
34—Exploring North of St. Law- rence, ditto	500	0	0	450	0	0	50	0	0
7th Geo. IV. Cap. 13—Shares in Welland Canal, ditto	5000	0	0	5000	0	0	0	0	0
15—For building a Gaol at Percé, ditto	300	0	0	300	0	0	0	0	0
	£45733	2	8½	8687	9	4	37045	13	4½
Add Balance unappropriated per Account No. 8,							122181	10	8
Total unexpended,				Currency, £	159227	4	0½		

Errors Excepted.

Quebec, 26th January 1829.

JOS. CARY,
Insp. Genl. Pub. Provl. Accts.

Appendix
(Y.)
27th Jan'y.

ESTIMATE of certain Expenses of the Civil Government of *Lower Canada*, for the year ending 31st December 1828, for which a Supply is required.

EXPENSES OF THE LEGISLATURE.

	<i>Legislative Council.</i>	Sterling	Sterling
Salary to the Speaker for the year	- - - - -	£900 0 0	
of the Clerk, for the 6 months, to 31st December 1828	- - - - -	225 0 0	
of the Assistant Clerk	- - - - -	180 0 0	
of the Writing Clerk Assistant, &c.	- - - - -	112 10 0	
of the Law Clerk	- - - - -	90 0 0	
of the Gentleman Usher of the Black Rod	- - - - -	67 10 0	
of the Sergeant at Arms	- - - - -	45 0 0	
of the Door Keeper	- - - - -	12 10 0	
of the Messenger	- - - - -	16 4 0	
Allowances for having care of the Apartments	- - - - -	24 15 0	
Salary of the Master in Chancery	- - - - -	40 10 0	
		1713 19 0	
	<i>House of Assembly,</i>		
Salary to the Speaker for the Year	- - - - -	900 0 0	
And for Arrears of the Two preceding Years	- - - - -	1800 0 0	
of the Clerk, for the Six Months to 31st December 1828	- - - - -	225 0 0	
of the Assistant ditto	- - - - -	180 0 0	
of the English Translator	- - - - -	90 0 0	
of the French ditto	- - - - -	90 0 0	
of the Law Clerk	- - - - -	90 0 0	
of the Sergeant at Arms	- - - - -	45 0 0	
Allowances of persons in care of the Apartments	- - - - -	24 15 0	
		3444 15 0	
Salary of the Clerk of the Crown in Chancery	- - - - -		50 0 0
Rent of the Bishop's Palace	- - - - -		250 0 0
	<i>Pensions.</i>		
Sir George Pownal, Knt., for the Six Months to 31st December 1828	- - - - -	150 0 0	
H. W. Ryland	- - - - -	150 0 0	
Mrs. Dunn	- - - - -	125 0 0	
Mrs. Elmsley	- - - - -	100 0 0	
Msr. Baby	- - - - -	75 0 0	
For the two Misses de Salaberry's, from 23rd March to 31st December 1828, at £50 sterl. per ann. each, pursuant to a Despatch from the Secretary of State, dated 22d June 1828	- - - - -	77 16 3	
Mrs. Taylor, for the Six Months to 31st December 1828	- - - - -	25 0 0	
Mrs. Lemaistre	- - - - -	25 0 0	
Mrs. Rottot	- - - - -	18 0 0	
Henry Harwood	- - - - -	15 0 0	
Misses de Louvieres	- - - - -	10 16 0	
Miss Finlay	- - - - -	10 0 0	
Miss Mackay	- - - - -	9 0 0	
Miss Desbarats	- - - - -	9 0 0	
Widow Sauvageau	- - - - -	6 0 0	
Hyp. Montizambert	- - - - -	5 0 0	
Marianne Montizambert	- - - - -	5 0 0	
Louise Montizambert	- - - - -	5 0 0	
Margte. Launiere	- - - - -	5 0 0	
Genevieve Launiere	- - - - -	5 0 0	
Elizabeth Launiere	- - - - -	5 0 0	
Miss Rinville	- - - - -	3 15 0	
Mrs. De Moisseau	- - - - -	2 10 0	
Miss Schindler	- - - - -	2 10 0	
		844 7 3	
	<i>Militia Staff and Contingencies.</i>		
Salary of the Adjutant General of Militia for Six Months to 31st December 1828	- - - - -	225 0 0	
of the Deputy Adjutant General of ditto	- - - - -	135 0 0	
of Two Provincial Aide-de-Camps	- - - - -	180 0 0	
Allowance to the Adjutant General for Office Rent and Fuel	- - - - -	33 15 0	
Allowance to the Adjutant Gen. of Militia for a Clerk at 7s. 6d. cy. per Diem, and for a Messenger at 8s. 8d. cy. per ditto	- - - - -	92 9 3	
Contingent Expenses of ditto, for Printing and Stationery for his Office	- - - - -	113 8 0	
		779 12 3	
		Carried over, £7082 13 6	

	Sterling.	Sterling
<i>Miscellaneous Charges.</i>		£7082 13 6
Brought over,		
Salary of the Auditor of Land Patents for Six Months to 31st December 1828	£100 0 0	
of the Grand Voyer, District of Quebec	75 0 0	
of the ditto Montreal	75 0 0	
of the ditto Three Rivers	45 0 0	
of the Surveyor of Highways and Streets in the District of Gaspé	25 0 0	
of the Inspector of Chimnies at Quebec	30 0 0	
of the ditto Montreal	30 0 0	
of the ditto Three Rivers	12 10 0	
of the Inspector of Merchandize at Coteau du Lac, and allowance for House Rent	84 0 0	
Allowance to Two Residents on the Island of Anticosti, with a view to the relief of Shipwrecked Mariners	50 0 0	
Ditto for Arrears to Louis Gamache, one of ditto, from 1st Nov. 1825 to 30th June 1828, at £50 Stg. per ann.	133 6 8	
Rent of Office for Registering and Enrolling Grants of the Crown Lands, as required by Provincial Act 36th Geo. III. cap. 3, from 25th April to 31st December 1828, at £54 per ann.	36 19 8	
Salary of the Chairman of the Quarter Sessions in the District of Gaspé, for Six Months to 31st December 1828	112 10 0	
Arrears of Salary to the High Constable at Montreal, from 10th Novr. 1823 (the date of his appointment) to 31st Oct. 1826, at £86 stg. per ann.	107 0 4	
	<hr/>	916 6 3
Expenses of Schools under the Royal Institution, for the Six Months to 31st December 1828		1000 0 0
<i>Expenses of Collection of the Revenue not deducted in course of Collection.</i>		
Six Months Salary of the Clerk of the Terrars of the King's Domain, to 31st December 1828	45 0 0	
Ditto to the Collector at St. John, to ditto	94 10 0	
Ditto to the Comptroller at ditto, to ditto	63 0 0	
Ditto to the Guager at ditto, to ditto	20 0 0	
	<hr/>	222 10 0
	Sterling	£9221 9 9

CEDULE des COMPTES concernant la RECETTE et la DEPENSE PUBLIQUES de la Province du BAS-CANADA pour l'année expirée le 5 Janvier 1829.

- No. 1. Compte des Revenus Ordinaires et des Ressources extraordinaires formant la Recette Publique.
2. Ditto du Revenu Casuel et Territorial.
3. Ditto de deniers perçus en vertu des Actes Provinciaux. 45e, Geo. III, chap. 12, et 2e. Geo. IV., chap. 7, et 51e. Geo. III, chap. 12, et des frais encourus pour encourager et améliorer la Navigation du Fleuve Saint Laurent.
4. Ditto de Droits perçus à Chateauguay en vertu de l'Acte Provincial, 48e. Geo. III. chap. 19, pour l'Amélioration de la Navigation intérieure du Fleuve Saint Laurent.
5. Tableau de détail de Payemens et Déductions faites sur le Revenu pour frais de Perception, Rabais, Remise de Droits. &c.
6. Précis de Payemens faits en vertu de Warrants accordés par Son Excellence le Comte de Dalhousie, G. C. B. Capitaine Général et Gouverneur en Chef, et par Son Excellence Sir James Kempt, G. C. B. Lieutenant Général et Administrateur du Gouvernement, sur John Hale, Ecuyer, Receveur Général, à compte de la Dépense Civile du Bas-Canada.

7. Compte du Revenu net de la Province du Bas-Canada, et de la Dépense de la Province.
8. Tableau des Fonds à la disposition du Parlement Provincial du Bas-Canada, et des diverses appropriations d'iceux.
9. Compte des Appropriations de la Législature du Bas-Canada, et des Dépenses d'icelles.
10. Précis des Warrants accordés par Son Excellence le Comte de Dalhousie, G. C. B. Capitaine Général et Gouverneur en Chef, et par Son Excellence Sir James Kempt, G. C. B. Lieutenant Général et Administrateur du Gouvernement, pendant l'année 1828, pour la Dépense Civile du Bas-Canada, et pour services des années précédentes.

Québec 26 Janvier 1829.

JOS. CARY,

Insp. Génl. Comptes Pub. Prov.

(No. 1.)

COMPTE des REVENUS ORDINAIRES et des RESSOURCES EXTRAORDINAIRES formant la RECETTE PUBLIQUE de la Province du BAS-CANADA, pour l'année expirée le 5 Janvier 1829.

Numéros.	CHAPITRES DE RECETTE.	Arrérages de la recette, étant la proportion per centum deduite par le collecteur à Québec du revenu de 1826, à présent remis par lui.			Montant non prélevé sur cautionnements payables le ou avant le 1er. Mai prochain.	Recette actuelle du Revenu par les différens Collecteurs.	Payemens pris sur la Recette en faisant la Collection.		Montant de la Recette payée entre les mains du Receveur Général.	Payemens faits ou à être faits par le Receveur Général comme frais de Perception Remise de Droits, &c.			Revenu net pour le Bas-Canada pour l'année finie le 5 Janvier 1829, y compris le montant dû sur les obligations.	Différence entre le Revenu net de cette année, y compris la proportion pour le Haut-Canada, et celui de l'année dernière.		REMARQUES.
		Recette totale ; arrérages inclus.	Commission, Appointemens, et Incidens.	Rabais et Remise de Droits.			Frais de Perception.	Remboursemens et Remise de Droits.		Proportion pour le Haut-Canada.	Augmentation	Diminution.				
		£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.		
1	Revenu Casuel et Territorial,	0 0 0	7830 2 5	0 0 0	7830 2 5	0 0 0	0 0 0	7830 2 5	500 16 7	0 0 0	0 0 0	7309 5 10	4391 17 0½	0 0 0	Les quintes et Lods et Ventés payés cette année ont été considérable, et il a aussi été payés deux années d'arrérages du bail des Forges de St. Maurice. La diminution apparente vient de ce qu'il y eut cinq trimestre dans les comptes de l'année dernière. Même cause, et les importations de tabac par la voie de St. Jean moindre que l'année dernière. Il a été payée cette année quelques amendes arriérées. Plus de vin importé cette année. Diminution causée en partie par un trimestre pris sur cette année, et par la moindre importation d'articles sujets aux droits imposés par cet acte, cette année. L'importation de marchandises sèches plus considérable cette année. Une diminution apparente à cause que 5 trimestres du revenu ont été compris l'année dernière. La perception en vertu de cet acte a été bien moindre cette année que l'année dernière, mais le Collecteur n'a pas retenu le tout pour salaires &c. Différence causée par un trimestre pris sur cette année. Même cause.	
2	Droits en vertu de l'Acte Impérial de la 14e. Geo. III.	1182 10 7	36815 12 1	0 0 0	36815 12 1	0 0 0	0 0 0	36815 12 1	0 0 0	0 0 0	9202 5 0	27613 7 1	0 0 0	1172 17 10		
3	Licences en vertu de ditto,	0 0 0	3108 0 0	0 0 0	3108 0 0	0 0 0	0 0 0	3108 0 0	0 0 0	0 0 0	0 0 0	3108 0 0	0 0 0	6 0 0		
3	Licences pour Billiards en vertu de le Acte Provincial, 41e. Geo. III.	0 0 0	100 0 0	0 0 0	100 0 0	0 0 0	0 0 0	100 0 0	0 0 0	0 0 0	0 0 0	100 0 0	50 0 0	0 0 0		
3	Droits en vertu de ditto,	3 13 1	3593 10 8	436 0 6	3157 10 2	2 8 10	0 0 0	3155 1 4	0 0 0	0 0 0	38 14 10	3552 7 0	0 0 0	1375 12 3		
4	Amendes et Confiscations,	0 0 0	867 7 9	0 0 0	867 7 9	0 0 0	0 0 0	867 7 9	0 0 0	0 0 0	0 0 0	867 7 9	506 4 9½	0 0 0		
5	Droits en vertu de l'Acte Provincial de la 33e. Geo. III,	56 16 5	2358 19 2	0 0 0	2358 19 2	50 0 0	0 0 0	2308 19 2	0 0 0	0 0 0	576 19 1	1732 0 1	12 9 2	0 0 0		
6	Ditto en vertu de ditto, 35e. ditto,	557 2 0	28229 3 6½	0 0 0	28229 3 6½	537 4 9	206 1 2	27485 17 7½	0 0 0	0 0 0	6684 14 9½	20801 2 10	0 0 0	7362 19 6		
6	Licences en vertu de ditto ditto,	0 0 0	3410 0 0	0 0 0	3410 0 0	0 0 0	0 0 0	3410 0 0	0 0 0	0 0 0	0 0 0	3410 0 0	40 0 0	0 0 0		
7	Droits en vertu de ditto de la 53e. Geo. III. amendé par ditto de la 55e. Geo. III. chap. 2, et continué par l'Acte Impérial de la 3e. Geo. IV, chap. 119.	393 17 6	25997 12 4	2169 8 3¾	23828 4 0¼	2818 8 1	0 0 0	21009 15 11¾	0 0 0	0 0 0	5404 12 8½	17774 11 6½	1782 12 2¾	0 0 0		
8	Ditto en vertu de ditto 55e. Geo. III, continué par ditto. Reçus pour les obligations de l'année dernière.	399 15 1 258 4 0	25160 10 8½	14478 16 4	10681 13 11½	2464 9 7	0 0 0	8217 4 4½	0 0 0	97 6 6	5648 9 9½	16950 4 5	0 0 0	4374 8 9		
9	Ditto en vertu de l'Acte Impérial de la 3e. Geo. IV, chap. 119.	118 18 9	366 2 3	0 0 0	366 2 3	9 3 6	0 0 0	356 18 9	0 0 0	0 0 0	0 0 0	356 18 9	338 13 9	0 0 0		
10	Ditto en vertu de ditto, de la 6e. Geo IV. chap. 114.	0 0 0	14323 16 0	0 0 0	14323 16 0	7476 3 0	0 0 0	6847 13 0	790 19 8	0 0 0	0 0 0	6056 13 4	0 0 0	5348 16 5		
11	Ditto en vertu de ditto, 45e. et 51e. Geo. III.	0 0 0	3345 12 8	0 0 0	3345 12 8	80 2 8	0 0 0	3265 10 0	0 0 0	0 0 0	0 0 0	3265 10 0	0 0 0	422 11 5		
12	Ditto en vertu de ditto, 48e. Geo. III. chap. 19.	0 0 0	261 2 6	0 0 0	261 2 6	9 11 1½	0 0 0	251 11 4½	0 0 0	0 0 0	0 0 0	251 11 4½	44 2 2½	0 0 0		
13	Ditto en vertu de ditto, 4e. Geo. IV. chap. 3.	0 0 0	0 18 6	0 0 0	0 18 6	0 0 5	0 0 0	0 18 1	0 0 0	0 0 0	0 0 0	0 18 1	0 0 0	2 2 11		
	Total courant	£ 2970 17 5	155768 10 2	17084 5 1½	138684 5 0¼	13447 11 11½	206 1 2	125030 11 10¼	1311 16 3	97 6 6	27555 16 2½	113149 18 1	7156 19 2¼	20065 9 1		

Sauf Erreurs.

Québec, 26 Janvier 1829.

JOS. CARY,

Insp. Génl. Comptes Pub. Prov.

NOTE.—Les Comptes du Collecteur au Coteau du Lac, pour le Trimestre fini le 5 Janvier 1829, n'ont été reçus qu'après que ce Compte a été arrêté et ils n'y sont pas conséquemment inclus.

Le montant des Perceptions en vertu de la 6e. Geo. IV. chap. 114; Et en vertu de la 53e. Geo. III.

Total Courant, £ 790 12 0

(No. 2.)

Appendice
(Y.)

COMPTE DES DENIERS reçus par *John Hale*, Ecuyer, Receveur Général du *Bas-Canada*, pour le Revenu Casuel et Territorial, pour l'année expirée le 5 Janvier 1829. 27 Janvr.

Postes du Roi.

De Mr. W. Lampson, 12 mois de Loyer, échus le 10 Octobre 1828, £1200 0 0

Forges de St. Maurice.

De M. Bell, Ecuyer, 2 années de loyer, échues le 1 Juillet 1827, 1000 0 0

Quai du Roi.

Une année de Loyer de la partie louée à feu John Mure, Ecuyer, échue le 1er. Décembre 1828, 325 0 0
De Messrs. Irvine McNaught & Cie. 3 années de loyer d'une autre partie, jusqu'au 1er. Novem-
bre 1828, 79 13 0

Droit de Quint.

De J. R. Rolland, sur son compte du Quint sur son acquisition de la Seigneurie de Monnoir, £1466 13 4
De P. Casgrain, sur son acquisition de partie de la Seigneurie de l'Islette, 80 0 0
De A. Fraser, sur son acquisition du Fief de la Rivière du Loup (3 Ecus d'Or), 0 16 6
Ditto sur son ditto de Madawaska, 56 1 3

1603 11 1

Lods et Ventes:

De différentes personnes, savoir :

Sur la vente de W. Hamilton à J. Atkins, 83 6 8
J. Atkins à T. Jamieson, 61 2 3
Par Licitacion, C. Hoffman, 48 2 9
Shérif de Québec, ditto, 54 2 4
De W. S. Sewell ditto, Jugement adjudgé à Sa Majesté dans la cause de Daniels vs. Stilson, 56 5 0
Sur la vente de C. Campbell à J. Leaycraft, 55 11 2
J. Mure à J. B. Thomas dit Bigaouet, 4 7 6
P. Drouin à P. Thorn, 6 18 9
Shérif de Québec à J. B. Drolet, 3 6 3
J. B. Drolet à veuve P. Moisan, 4 9 10
D. Munro à Wm. Price, 114 4 2
J. Geo. dit Tranquille à Wm. Hossack, 14 15 6 $\frac{1}{2}$

De L. T. McPherson, savoir :

Sur la vente des Religieuses Hotel Dieu à L. Berthelot, £ 1 7 9 $\frac{1}{3}$
L. Berthelot à veuve J. Vallé, 4 3 4
Veuve J. Vallé aux Enfants de C. Lefebvre, 1 7 9 $\frac{1}{3}$
C. Lefebvre à P. Roy, 7 5 3 $\frac{1}{3}$
P. Roy et Enfants à T. Lefebvre, 9 6 1 $\frac{1}{3}$
T. Lefebvre à Wm. Hunt, 25 4 3 $\frac{1}{4}$
L. T. Berthelot à ditto, 2 15 3 $\frac{1}{4}$
Wm. Hunt à J. Moorhead, 51 17 1 $\frac{1}{3}$
Ditto à ditto, 5 0 3 $\frac{1}{3}$
J. Moorhead à L. T. McPherson, 65 1 4 $\frac{1}{2}$

173 8 7 $\frac{1}{2}$

A. Beliveau à L. F. Dufresne, 2 10 0
L. F. Dufresne à P. Leddy, 15 0 0
Peter Leddy à Patk. Leddy, 5 8 4

22 18 4

Patrick Leddy à J. B. Beaulieu, 4 9 11 $\frac{1}{2}$
Shérif de Québec à ditto, 5 8 10 $\frac{1}{2}$

De J. G. Ogden, Shérif des Trois Rivières, Jugement adjudgé à Sa Majesté dans la cause de A. Berthelot vs. Hugh Fraser et autres, 86 0 10 $\frac{1}{2}$
Sur la vente de J. Anderson à J. Delorier, 4 3 4
J. Delorier à L. Pepin, 6 2 3

De W. S. Sewell, Shérif de Québec, Jugement adjudgé à Sa Majesté dans la cause de Moreau vs. Reeves, 36 14 5

De C. E. Casgrain, savoir :

Sur la vente de G. Gagnon à J. B. Falardeau, 3 9 5 $\frac{1}{3}$
J. B. Falardeau à L. et F. Falardeau, 13 17 9 $\frac{1}{3}$
L. Falardeau à F. Falardeau, 9 1 8 $\frac{1}{4}$

26 9 0

B

Montant porté ci-contre,

£872 7 11 £4208 4 1

Appendice
(Y.)
27 Janv.

		Montant d'autre part,	£872 7 11	£4208 4 1
Sur la vente de E. H. Lindsay à L. Panet,			20 4 2½	
du Shérif de Québec à D. et C. McCallum,			581 5 0	
Ditto à David Burnett,			63 2 6	
Ditto à D. Burnett,			18 15 0	
Veuve J. Robinson à J. Guillet dit Tourangeau,			101 17 0	
Shérif de Québec à P. Langlois,			34 13 9	
P. Lapointe à E. Caron,			29 3 4	
M. McAllister à J. Sedley,			2 8 11	
E. Simard à C. DeGuise,			67 11 2	
J. B. Grénier à J. Morin,			11 0 0	
J. Morin à Veuve Genest,			13 13 1	
J. Reeves à veuve P. Chauveau,			2 7 0	
A. McCambridge à R. Symes,			6 18 7½	
Héritiers Eckart à A. Baby, épouse de J. Cannon,			57 16 8	
De W. S. Sewell, Shérif de Québec, Jugemens adjudgé à Sa Majesté dans les causes suivantes, savoir :				
Potton vs. Cotton,		5 5 3½		
Richardson vs. Black,		282 16 3		
Defoy, Décret volontaire,		48 18 0½		
			<hr/>	337 0 7
Sur la vente de H. Caldwell à I. Eckart,			34 7 6	
Héritiers Eckart à W. Torrance,			97 13 3	
Religieuses Hotel-Dieu à J. O. Plessis,			2 15 3	
Ditto ditto,			0 4 2	
Shérif de Québec à J. Roy,			17 3 8	
F. Thibault à C. Roy,			2 8 4	
De A. Langlois dit Traversé, savoir :				
Sur la vente de H. Sédilot dit Montreuil à J. R. Vallières de St. Réal,		5 10 3½		
J. R. Vallières de St. Réal à J. Beaupré,		12 7 8½		
J. Beaupré à C. Noreau,		5 5 0½		
Ditto Résiliation d'icelle, ditto,		4 8 11		
J. Beaupré à A. Langlois dit Traversé,		6 9 4½		
			<hr/>	34 2 4½
De John Sedley, savoir :				
Sur la vente de J. Badeau à P. Dumas,		3 1 11		
P. Dumas à J. Girard,		1 0 1		
Ditto à M. McAllister,		2 14 7		
J. Girard ditto,		1 6 4		
			<hr/>	8 2 1
A. Berthelot à J. P. Thirlwall,			4 14 6	
J. Prevost à W. Alberti,			17 12 10	
De W. S. Sewell, Shérif de Québec, Jugemens adjudgé à Sa Majesté dans les causes suivantes, savoir :				
Bossé vs. Dionne,		21 3 3		
Norman vs. Poulin,		3 3 7		
Patterson vs. McCallum,		3 18 10		
Gabouri vs. Fleming,		16 18 8½		
Bacon vs. Garneau,		2 12 2		
Ditto vs. Laroche,		4 3 11½		
Banque de Québec vs. Black,		10 19 4½		
Ditto ditto,		23 15 0		
Ditto ditto,		12 11 3½		
Ditto ditto,		27 8 0½		
Pinchaud vs. Turcotte,		6 12 6½		
Levallé vs. Dupil,		2 1 11		
Pinchaud vs. Turcote,		3 19 1½		
Glackemeyer, Décret volontaire,		400 6 7½		
			<hr/>	567 14 5½
Sur la vente des Héritiers Lefevre à P. et L. Cloutier,			12 6 8	
A. McCambridge et uxor à J. R. N. Symes,			0 19 6	
Shérif de Québec à A. Patterson,			20 6 3	
E. Masse à A. Masse,			8 12 3	
Shérif de Québec à J. Roy,			3 15 0	
C. Hamel à D. Marquis,			47 10 8	
Shérif de Québec à J. Roy			8 2 6	
Ditto à J. Hunt,			12 10 0	
Ditto à J. F. Mittleberger,			12 3 9	
J. Graves et uxor à P. Burnett,			125 0 0	
De Louis Massue, savoir :				
Sur la vente des Religieuses Hotel Dieu à G. Massue		£22 9 5¼		
Ditto à J. Carmel,		10 15 3¼		
J. Carmel à G. Massue,		15 14 9¼		
Religieuses Hôtel-Dieu à ditto,		1 10 2¼		
			<hr/>	
Montant porté ci-contre		£50 9 9½	£5208 10 7½	£4208 4 1

	Montant d'autre part,	£50 9 9½	£3208 10 7½	£4208 4 1
Sur la vente de	Veuve Gobert à G. Massue,	30 1 1		
	P. De Sales Laterrière à ditto,	11 17 8		
	P. Dalmasse à Frs. Dionne,	3 13 7½		
	F. Dionne à G. Massue,	6 9 3½		
	Curateurs de W. Grant à M. Lymburner,	33 6 8		
	M. Lymburner à L. Massue,	22 19 5½		
	Ditto à W. Bruce et G. Massue,	37 0 5½		
	F. Derome et <i>uxor</i> à G. Massue,	16 0 6½		
		<hr/>		
	Shérif de Québec à veuve Blumhart,		211 18 6½	
	Ditto à Phillips et Whittington,		50 0 0	
	J. S. Campbell à James Black,		86 5 0	
	Shérif de Québec à George Larouche,		20 16 8	
			44 7 6	
			<hr/>	
			3621 18 4	
			<hr/>	
			Courant,	£7820 2 3

Appendice
(Y.)

27 Janvier

Sauf Erreurs,

Québec, 26 Janvier 1829.

JOSEPH CARY,

Insp. Génl. Comptes Pub. Prov.

(No. 4.)

Appendice
(Y.)
27 Janvr.

COMPTE DES DROITS perçus à Chateauguay en vertu de l'Acte Provincial 48e Geo. III. chap. 19, pour l'amélioration de la Navigation intérieure du Fleuve St. Laurent, durant l'année expirée le 31 Décembre 1828.

Par Arthur M'Donald, Inspecteur de Radeaux, &c. entre le 1er Décembre 1827 et le 1er Décembre 1828	191 2 6
Sur laquelle il a retenu 5 par cent pour Commission,	9 11 1½
Et payé entre les mains du Receveur Général,	181 11 4½
Par T. A. Turner and R. Armour, Ecuyers, Commissaires pour améliorer la Navigation au-dessus de Montréal, balance non-dépensée de £100 courant, reçue par eux en 1812, par warrant comptable,	70 0 0
Total reçu en l'année 1828	251 u 7
La balance de ce Fonds, non dépensée le 10 Octobre 1826, était, £6180 0 9	
Reçu en 1827,	207 9 2
Total non dépensé,	638 9 11
(Sauf Erreurs.)	Courant, £6639 1 3½

Québec, 26 Janvier 1829.

JOS. CARY,
Insp. Gén'l. Comptes Pub. Prov.

(No. 5.)

TABLEAU détaillé de Payemens faits à même les Revenus du Bas-Canada, pour frais de perception, rabais, remise de Droits, &c. durant l'année expirée le 5 Janvier 1829.

Payemens à même le Revenu durant sa Perception.

Compte.		Courant,
No. 3. De la 41e. Geo. III. Proportion des Dépenses incidentes à Québec,		2 8 10
5. 33 Ditto ditto de ditto à ditto,		50 0 0
6. 35 Ditto ditto de ditto à ditto,		537 4 9
7. 53 Ditto Rabais payé sur le sel exporté pour les Pêcheries,		206 1 2
7. 53 Ditto, En payement de partie des appointemens des Officiers des Douanes à Québec,	1900 18 1	
„ „ ditto des Incidens à ditto,	517 10 1	
„ „ Allouance au Collecteur du Côteau du Lac de £100 par an, pour Perception des Droits Provinciaux pour 4 années, au 10 Octobre, 1828,	400 0 0	
	—————	2818 8 1
8. 55e. Ditto en payement des appointemens des Officiers de Douanes à Québec,	1900 18 1	
Et proportion des Incidens à ditto,	563 11 6	
	—————	2464 9 7
9. 3e. Geo. IV. Chap. 119. En payement de partie des appointemens des Officiers de Douanes à Québec,		9 3 6
10. 6e. Geo. IV. „ 114, En payement de partie de ditto à ditto, Par le Collecteur de St. Jean, pour Commission a 2½ par Cent, sur la Perception à ce Port,	6867 7 6	
Par ditto du Côteau du Lac pour ditto et dépenses incidentes, partie desquelles il lui a été ordonné de rembourser,	160 10 6	
	448 5 0	
	—————	7476 5 0
11. 45e. et 51e. Geo. III. Par l'Officier Naval à Québec, pour Commission a 2½ par Cent sur les Droits de Pilotages,	60 7 11	
Par ditto sur les Barques à Vapeur,	8 5 6	
Par le Surintendant du Cul de Sac, pour ditto à 5 par Ct. sur les Droits de chantier et de carenage,	10 15 6	
	—————	79 8 9
	Porté ci-contre,	£13643 9 8

Appendice
(Y.)
27 Janvr.

		Montant d'autre part, £13643 9 8	
11.	45e. et 51e. Geo. III. Par le Trésorier de la Maison de la Trinité sur les amendes, pour Commission à 5 par Ct.,		0 13 9
12.	48e. Geo. III. Chap. 19. Par l'Inspecteur de Radeaux, &c. à Chateauguay, Commission à 5 par Ct. sur les Droits perçus,		9 11 1½
13.	4e. Geo. IV. Chap. 3. Par le Greffier de la Cour dans le Township d'Eaton, Commission à 2½ par Cent sur les Droits,		<u>0 0 5</u>
Total déduit sur la Recette durant sa Perception,			£13,653 14 1½
Payemens faits ou à être faits par le Receveur Général, comme frais de perception, remises de Droits, &c.			
No. 1.	Revenu Casuel et Territorial, Appointemens du Greffier du Terrier du Domaine du Roi,	100 0 0	
	Commission à l'Inspecteur Général de ditto, montant des Lods et Ventes et Quints reçus,	404 14 1	
	Payemens faits par le Receveur Général pour des Extraits notariés de mutation dans le Domaine du Roi,	<u>16 2 6</u>	
			520 16 7
8.	55. Geo. III. &c. Remises de Droits sur le Thé payé à diverses personnes en vertu des dispositions de l'Acte Provincial 6e. Geo. IV. Chap. 1,		97 6 6
10.	6. Geo. IV. Chap. 114, Dépenses de Perception à St. Jean, savoir :		
	Salaire au Collecteur,	210 0 0	
	Ditto au Contrôleur,	140 0 0	
	Ditto au Jaugeur,	44 8 10	
	Incidens,	<u>396 10 10</u>	
			<u>790 19 8</u>
			<u>1409 3 9</u>
Total des déductions faites sur le Revenu pour frais de Perception,		Courant,	<u>£15,062 15 10½</u>

Sauf Erreurs.

Québec, 26 Janvier 1829.

JOS. CARY,

Inspe. Génl. Comptes Pub. Prov.

(No. 6.)

PRECIS DE WARRANTS accordés par Son Excellence le Comte DALHOUSIE, G. C. B. Capitaine Général et Gouverneur en Chef, et par Son Excellence Sir JAMES KEMPT, G. C. B. Lieutenant-Général et Administrateur du Gouvernement, sur JOHN HALE, Ecuyer, Receveur-Général, pour la Dépense Civile du Bas-Canada, pour l'année expirée le 31 Décembre 1828.

NOMS.	SERVICES.	Sterling.		Montant total Sterling.	REMARQUES.
		£	s, d.		
Son Excellence le Comte de Dalhousie, G. C. B. } Son Excellence Sir James Kempt, G. C. B. } Hon. Sir F. N. Burton, K. G. H.	PAYEMENTS faits à même les REVENUS APPROPRIÉS, qui sont à la disposition de la Couronne pour le soutien du Gouvernement Civil et les Dépenses de l'Administration de la Justice.	3113	0 4		
Alexander Forbes,	Appointemens comme Capitaine Général et Gouverneur en Chef, depuis le 1er. Janvier au 8 Septembre 1828, à £4500 Sterling par an.	1386	19 8		
Thomas Anyot,	Ditto comme Lieutenant Général et Administrateur du Gouvernement, depuis le 9 Septembre au 31 Décembre 1828, à ditto,	750	0 0		
Jonathan Sewell,	Ditto comme Lieutenant Gouverneur du Bas-Canada, depuis le 1er. Janvier au 30 Juin 1828, à £1500 sterling par an,	300	0 0		
John Richardson,	Ditto comme Ditto à Gaspé et Inspecteur des Pêcheries, à £300 sterling par an, depuis ditto au 31 Décembre 1828,	126	4 2		
James Kerr,	Ditto comme Secrétaire et Greffier de la Province, depuis le 1er. Janvier au 24 Avril 1828, à £400 sterling par an,	100	0 0		
M. H. Perceval,	Ditto comme Membre du Conseil Exécutif, depuis ditto au 31 Décembre 1828,	100	0 0		
Charles De Lery,	Ditto comme Ditto à ditto,	100	0 0		
John Stewart,	Ditto comme Ditto à ditto,	100	0 0		
William Smith,	Ditto comme Ditto à ditto,	100	0 0		
H. W. Ryland,	Ditto comme Archiviste et Greffier de ditto à ditto,	550	0 0		
G. H. Ryland,	Ditto comme Assistant Ditto et ditto de ditto à ditto,	183	0 0		
John Hale,	Ditto comme Receveur-Général, à ditto,	1000	0 0		
Ditto,	Allouance pour un Clerc comme ditto, jusqu'à ditto,	100	0 0		
Jonathan Sewell,	Appointemens comme Juge en Chef de la Province, jusqu'à ditto,	1500	0 0		
James Reid,	Ditto comme Ditto de Montréal, jusqu'à ditto,	1100	0 0		
James Kerr,	Ditto comme un des Juges Puissés de la Cour du Banc du Roi pour le District de Québec, jusqu'au ditto,	900	0 0		
Edward Bowen,	Ditto comme Ditto de la ditto pour ditto, jusqu'au ditto,	900	0 0		
J. T. Taschereau,	Ditto comme Ditto de la ditto pour ditto, jusqu'au ditto,	900	0 0		
George Pyke,	Ditto comme Ditto de la ditto pour le ditto de Montréal, jusqu'au ditto,	900	0 0		
L. C. Foucher,	Ditto comme Ditto de la ditto pour le ditto de ditto, jusqu'au ditto,	900	0 9		
N. F. Uniacke,	Ditto comme Ditto de la ditto pour le ditto de ditto, jusqu'au ditto,	900	0 0		
Pierre Bedard,	Ditto comme Juge Provincial pour le ditto des Trois-Bivières, jusqu'au ditto,	600	0 0		
	Portés ci-contre,	£16809	4 2	£	

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27 Janvr.

NOMS.	SERVICES.	Sterlin.	Montant total Sterling.	REMARQUES.
J. G. Thompson,	Appointemens comme Juge Provincial pour le District de Gaspé, depuis le 1er. Janvier r qu'au 31 Décembre 1828,	£10809 4 2		
John Fletcher,	Ditto comme Ditto pour le ditto de St. François, jusqu'au ditto,	600 0 0		
James Kerr,	Ditto comme Juge de la Cour de Vice-Amirauté, jusqu'au ditto,	600 0 0		
James Stuart,	Ditto comme Procureur-Général, jusqu'au ditto,	200 0 0		
C. R. Ogden,	Ditto comme Solliciteur-Général, jusqu'au ditto,	300 0 0		
Geo. Vanfelson,	Ditto comme Avocat-Général, jusqu'au ditto,	200 0 0		
W. S. Sewell,	Ditto comme Shérif du District de Québec, jusqu'à ditto,	100 0 0		
Lewis Gagy,	Ditto comme Ditto de ditto de Montréal, jusqu'au ditto,	100 0 0		
J. G. Ogden,	Ditto comme Ditto des Trois-Rivières, jusqu'au ditto,	75 0 0		
Thos. Mann,	Ditto comme Ditto de ditto de Gaspé, jusqu'au ditto,	70 0 0		
Chas. Witcher,	Ditto comme Ditto de ditto de St. François, jusqu'au ditto,	50 0 0		
B. A. Paucet,	Ditto comme Coronaire de ditto de Québec, jusqu'au ditto,	100 0 0		
William Green,	Ditto comme Greffier de la Cour pour le District de Québec, jusqu'au ditto,	100 0 0		
John Delisle,	Ditto comme Ditto pour le ditto de Montréal, jusqu'au ditto,	40 0 0		
W. C. H. Coffin,	Ditto comme Ditto pour le ditto des Trois-Rivières, jusqu'au ditto,	40 0 0		
Les. Montzambert,	Ditto comme Greffier de la Cour d'Appel, jusqu'au ditto,	20 0 0		
Michel Landry,	Ditto comme Huissier de la Cour d'Appel, jusqu'au ditto,	27 0 0		
Anasa Bebee,	Ditto comme Greffier des Cours et Greffier de la Paix à Gaspé, et allowance pour frais de voyage, jusqu'au ditto,	60 0 0		
C. B. Felton,	Ditto comme Ditto des ditto et ditto des ditto à St. François, jusqu'au ditto,	50 0 0		
Robert Christie,	Ditto comme Président des Sessions de Quartier à Québec, jusqu'au ditto,	500 0 0		
Samuel Gale,	Ditto comme ditto des ditto à Montréal, jusqu'au 31 Janvier 1828, à £500 sterling,	41 13 4		
David Ross,	Ditto comme Ditto des ditto à ditto, depuis le 1er. Février jusqu'au 31 Décembre 1828, à ditto,	458 6 8		
Thomas Coffin,	Ditto comme Ditto des ditto aux Trois-Rivières, jusqu'au ditto,	250 0 0		
M. Landry,	Ditto comme Huissier-Audencier de la Cour du Banc du Roi à Québec, jusqu'au ditto,	20 0 0		
Thomas Cookson,	Ditto comme Huissier à Baguette de la ditto à ditto, jusqu'au ditto,	18 0 0		
George Stanley,	Ditto comme Huissier-Audencier et Huissier à Baguette de la ditto de ditto à Montréal, jusqu'au ditto,	38 0 0		
Ant. Portugais,	Ditto comme Ditto et ditto de la ditto de ditto aux Trois-Rivières, jusqu'au ditto,	25 0 0		
A. W. Cochran,	Ditto comme Secrétaire du Gouverneur en Chef, depuis le 1er. Janvier jusqu'au 30 Septembre 1828, à £500 sterling par an,	375 0 0		
Col. Yorke,	Ditto comme Ditto de ditto, depuis le 1er. Octobre au 31 Décembre 1828, à ditto,	125 0 0		
Les. Montzambert,	Ditto comme Assistant ditto de ditto, depuis le 1er. Janvier jusqu'au ditto,	200 0 0		
Thos. Douglass,	Ditto comme Premier Assistant dans le Bureau, de ditto jusqu'au ditto,	183 0 0		
Domk. Daly,	Ditto comme Deuxième Assistant dans le ditto, depuis le 1er. au 25 Janvier 1828, à 10s. sterling par diem,	12 10 0		
Richard Hale,	Ditto comme Assistant temporaire dans le ditto, depuis le 26 Janvier jusqu'au 7 Avril 1828, à ditto,	36 10 0		
J. H. Kerr,	Ditto comme Ditto dans le ditto, depuis le 15 Avril au 31 Decembre 1828, à ditto,	130 10 0		

Lewis Harper,	Appointemens comme Gardien du Bureau, depuis le 1er. janvier jusqu'au 31 décembre 1828,	45 0 0		
Ditto,	Allowance à ditto, au lieu des appointemens ci-devant accordés pour son usage, jusqu'au ditto	25 0 0		
Jonathan Sewell,	Ditto pour les Tournées comme Juge en Chef de la Province,	75 0 0		
James Reid,	Ditto comme ditto de Montréal,	75 0 0		
James Kerr,	Ditto comme Juge de la Cour du Banc du Roi, Québec,	100 0 0		
Edward Bowen,	Ditto comme ditto ditto	100 0 0		
L. C. Toucher,	Ditto comme ditto Montréal,	150 0 0		
George Pyke,	Ditto comme ditto ditto,	75 0 0		
N. F. Uniacke,	Ditto comme ditto Québec,	75 0 0		
J. T. Taschereau,	Ditto comme Shérif du District de Québec pour un Exécuteur de la Haute Justice,	100 0 0		
W. S. Sewell,	Ditto comme ditto de ditto de Montréal, pour un ditto,	27 0 0		
Lewis Gagy,	Ditto comme ditto de ditto des Trois-Rivières, pour un ditto,	27 0 0		
J. G. Ogden,	Appointemens comme Interprète des Cours à Québec, jusqu'au 31 décembre 1828,	40 0 0		
Thomas Aylwin,	Ditto comme ditto des ditto à Montréal, jusqu'au ditto,	40 0 0		
Fredk. Goodyke,	Ditto comme ditto des ditto aux Trois-Rivières, jusqu'au ditto,	25 0 0		
John C. Fearon,	Ditto comme ditto des ditto aux Trois-Rivières, jusqu'au ditto,	36 0 0		
George Henderson,	Six mois de salaire comme Gardien de la Prison à Québec, jusqu'au 30 juin 1828,	45 0 0		
Ditto,	Ditto allowance ditto pour payer deux Guichetiers, jusqu'au ditto,	36 0 0		
John Jeffrey,	Six mois de salaire comme Gardien de la Prison à Québec, jusqu'au ditto,	45 0 0		
Ditto,	Ditto allowance comme ditto, pour payer deux Guichetiers, jusqu'au ditto,	36 0 0		
Edward Holland,	Appointemens comme Gardien de la Prison aux Trois-Rivières, jusqu'au ditto,	90 0 0		
Ditto,	Allowance comme ditto pour payer deux Guichetiers, jusqu'au ditto,	72 0 0		
William Kent,	Appointemens comme Gardien de la Prison aux Trois-Rivières, jusqu'au ditto,	45 0 0		
Ditto,	Allowance comme ditto, pour payer un Guichetier, jusqu'au ditto,	22 10 0		
Patrick Read,	Appointemens comme Gardien de la Prison à Sherbrooke, jusqu'au ditto,	25 0 0		
Thomas Aylwin,	Ditto comme Grand Connétable à Québec, jusqu'au ditto,	36 0 0		
A. Delisle,	Ditto comme ditto à Montréal, jusqu'au ditto,	36 0 0		
Philip Burns,	Ditto comme ditto aux Trois-Rivières, jusqu'au ditto,	27 0 0		
Jos. Tardif,	Ditto comme Gardien de la Maison de Justice à Québec, jusqu'au ditto,	54 0 0		
James Terroux,	Ditto comme ditto de la ditto à Montréal, jusqu'au ditto,	72 0 0		
Pierre Portugais,	Ditto comme ditto de la ditto aux Trois-Rivières, jusqu'au ditto,	36 0 0		
James Gilker,	Ditto comme ditto de la ditto et Prison à New-Carlisle, jusqu'au ditto,	54 0 0		
C. M. Hyndman,	Ditto comme ditto de la ditto à Sherbrooke, jusqu'au ditto,	18 0 0		
John King,	Ditto comme ditto, Messenger et Gardien du Bureau du Conseil Législatif, jusqu'au do.	50 0 0		
W. Woodington and Jos. Sontag,	Ditto comme ditto dans le Bureau du Secrétaire du Gouverneur, jusqu'au ditto, 6 mois pour chacun.	45 0 0		
James Thompson,	Ditto comme ditto extraordinaire dans le ditto, à 2s 6d courant per diem, jusqu'au ditto.	41 1 3		
Michael Quin,	Ditto comme Portier et Serviteur dans le Bureau de ditto, jusqu'au ditto,	50 0 0		
Jos. Bouchette,	Ditto comme Arpenteur Général, jusqu'au ditto,	450 0 0		
Ditto,	Allowance comme ditto pour un Serviteur dans son Bureau, et pour Papéterie, jusqu'au do.	60 0 0		
William Sax,	Appointemens comme premier Commis dans le Bureau de ditto, jusqu'au ditto, à 10s Stg. per diem,	183 0 0		
J. F. Bouchette,	Ditto comme second Commis dans le ditto, depuis ditto jusqu'au ditto,	150 0 0		
Jos. Cary,	Ditto comme Inspecteur Général des Comptes Publics Provinciaux, depuis ditto jusqu'au do.	300 0 0		
Ditto,	Allowance comme ditto pour un Commis, jusqu'au ditto,	100 0 0		
	Porté ci-contre,	£25459 5 5		

SERVICES.

NOMS.	REMARQUES.	Montant total Sterling.	
		f	s. d.
Thos. Fargues, M. D.	Montant d'autre part, bec, et pour médicamens fournis à ditto, depuis ditto jusqu'au ditto, à Québec, depuis ditto jusqu'au ditto, à Montréal et pour ditto jusqu'au ditto, à Trois-Rivières et pour ditto jusqu'au ditto, à Loyer de la Bâtisse à l'usage des Bureaux du Gouvernement Civil, depuis le 1er. Janvier jusqu'au 31 Décembre 1828,	25459	5 5
W. D. Selby, M. D.		200	0 0
Geo. Carter,		200	0 0
Jonathan Sewell,		80	0 0
		495	0 0
James Stuart,			
Ditto,			
Geo. Vanfelson,		789	3 8
David Ross,		180	0 0
A. D. Bostwick,		20	2 0
Pierre Vézina,		764	16 11
W. S. Sewell,		18	0 0
Lewis Guigy,		34	17 7
Ditto,		1169	1 1
J. G. Ogden,		986	19 9
Ditto,		437	4 7
Thomas Mann,		260	0 3
Ditto,		54	13 1
Chas. Whiteher,		27	16 11
William Green,		5	0 0
John Delisle,		72	0 0
W. C. H. Coffin,		66	16 7
Perrault & Burroughs,		50	6 0
W. C. H. Coffin,		21	2 9
Green & Perrault,		181	3 8
David Chisholm,		50	3 1
C. B. Felton,		189	13 0
B. A. Panet,		66	10 4
J. M. Mondelét,		18	0 0
J. G. De Tonnancour,		323	17 1
		102	0 2
		22	0 4

Robert Christie,	Appointemens comme Président des Quartiers de Session à Québec,	90	0 0
David Ross,	do. des do. à Montréal,	213	8 9
Thomas Coffin,	do. des do. aux Trois-Rivières,	27	0 0
James Crawford,	do. des do. à Gaspé,	45	0 0
Louis Lefevre,	Appointemens comme Messager dans le Bureau de Police aux Trois-Rivières, depuis le 1 Janvier au 31 Décembre 1828, à £12 10 sterling par an,	12	10 0
Ditto,	Ditto comme Huissier Audancier de la Cour de Session aux do. jusqu'au do. à £5,	5	0 0
Michel Landry,	Pour services rendus par lui comme Huissier Audancier de do. à Québec,	9	0 11
Thomas Aylwin,	Pour huit jours de ses services et de ceux de quatre Connétables durant le Terme Criminel de Mars et de Septembre à Québec,	90	2 7
Ditto,	Pour avoir été dans les Etats Unis à la recherche de Beaudry,	72	5 9
B. J. Schiller,	Pour le soin des Témoins durant les Termes Criminels à Montréal,	28	16 0
Philip Burns,	Pour do. de durant les do. à Trois-Rivières,	59	18 4
Adolphe Delisle,	Pour avoir conduit des Prisonniers de Montréal à Québec,	34	17 1
W. E. Ball,	do. de do. à do.	9	16 3
W. R. Rayside,	Pour des Provisions fournis pour 11 convaincus, dans leur route pour Halifax,	11	2 9
Amasa Bebee,	Pour louage de Chambre pour tenir les Cours Provinciales,	22	16 9
Frederick Goedyke,	Pour ses services comme Interprète des Cours d'Oyer et Terminer à Montréal,	5	5 0
Louis Montizambert,	Allouance pour Papeterie comme Greffier de la Cour d'Appel,	6	0 0
James Terroux,	Pour honoraires comme Huissier Audancier des Quartiers de Sessions à Montréal jusqu'au 10 Octobre 1828,	5	10 8
		6659	19 8
DEPENSES DIVERSES.			
James Crawford,	Six mois de salaire comme Président des Quartiers de Sessions à Gaspé, jusqu'au 30 Juin 1828,	112	10 0
Madame J. M. Livingston,	Pension viagère comme étant la veuve de Robert Ramsay Livingston, ci-devant Capitaine dans le Département Sauvage, jusqu'au 31 Décembre 1828,	50	0 0
Joseph Bouchette, Arpenteur Général,	Pour le mettre en état de faire un tour d'inspection dans les Townships et établissemens de la Province,	417	0 0
Joseph Bouchette, Junr. Député Arpenteur Général,	Pour services en explorant le pays, près de la source de la Rivière St. Jean, et pour des plans et rapport d'ice lui,	251	0 3
Frederick Wyss,	Pour do. en do. do.	46	12 11
William Ware,	Pour do. en do. do.	29	10 10
Joseph Bouchette, Arpenteur Général,	Pour do. en do. do.	15	6 0
Henry Graham,	Pour écritures extraordinaires faites dans le Bureau du Secrétaire Civil,	55	10 0
Charles Montizambert,	Pour do. dans le do.	39	0 0
Thomas Aylwin,	Pour do. dans le do.	5	0 0
Fisher & Kemble,	Pour Impression faites pour le Bureau de Secrétaire Civil, et publications dans la Gazette de Québec,	178	13 7
Thomas Cary & Co.	Pour releure faites et pour copies de divers Actes, &c.	20	0 1
		1215	3 8
	Portés ci-contre,	£	63,994 5 1

NOMS.	SERVICES.	Sterling.	Montant total Sterling.	REMARQUES.
C. E. De Léry, Jacques Voyer, A. W. Cochran, C. R. D'Estimaerville, William Ginger, H. M'Donald, Chas. Blouin, Jane Brown, Ditto, William Smith, Révd. B. C. Panet, Noah Freer,	Appointemens comme Asst. Greffier du Conseil Législatif jusqu'au 30 Juin 1828, à £360 stg. par an, Montant d'autre part, Ditto comme Ecrivain du ditto jusqu'au ditto, à £225-sterling par ditto Ditto comme Greffier en Loi du ditto jusqu'au ditto, à £180 ditto par ditto, Ditto comme Gentilhomme Huissier de la Vergé Noire jusqu'au ditto, à £135 ditto, Ditto comme Sergent d'Armes du ditto jusqu'au ditto, à £90 ditto Ditto comme Portier du ditto jusqu'au ditto, à £25 ditto, Ditto comme Messenger du ditto jusqu'au ditto, à 32 ss. Allouance pour le soin des Appartemens du ditto, à £22 10s. Ditto pour loyer de Maison comme ditto du ditto, à £27, Appointemens comme Maître en Chancellerie jusqu'au ditto, à £81, Loyer du Palais Episcopal occupé par les deux branches de la Législature jusqu'au ditto, à £500 livres sterling par an, Réparations et changemens dans les appartemens de ditto,	£225 0 0 180 0 0 112 10 0 90 0 0 67 10 0 45 0 0 12 10 0 16 4 0 11 5 0 13 10 0 40 10 0 250 0 0	£46540 14 1	
William Lindsay, Greffier de la Chambre d'Assemblée, William Lindsay, Les Représentans de feu P. E. Desbarats, William Green, Thos W. Willan, Francis Coulson, Elizabeth Wellings, Amable Schindler, H. W. Ryland,	<i>Dépenses pourvues en partie à même les Droits, en vertu de l'Acte 33e Geo. III.</i> A. Compte des Dépenses Contingentes de cette Chambre pour l'année 1828, conformément à son Adresse, Appointemens comme Greffier de la Chambre d'Assemblée jusqu'au 30 Juin 1828, à £450 sterling par an, Ditto comme Assistant ditto de la ditto depuis le 1er Janvier au 23 Avril 1828; à £360-sterling par an, Ditto comme Traducteur Anglais de la ditto jusqu'au 30 Juin 1828, à £180 ditto, Ditto comme Greffier en Loi de la ditto jusqu'au ditto; à ditto, Ditto comme Sergent d'Armes de la ditto jusqu'au ditto, à £90 ditto, Allouance pour avoir soin des Appartemens et des Meubles qui y appartiennent, et pour loyer de Maison jusqu'au ditto, à £24 15s. sterling par an, Ditto pour ditto et ditto de la ditto et pour ditto jusqu'au ditto, à ditto ditto, Appointemens comme Greffier de la Couronne en Chancellerie jusqu'au ditto, à £100 ditto,	900 0 0 225 0 0 112 12 0 90 0 0 90 0 0 45 0 0 12 7 6 12 7 6 50 0 0	1597 7 0	
H. W. Ryland, Sir Geo. Pownal, Kt.	DEPENSES pour lesquelles il n'est pas pourvu expressément par des dispositions Législatives. PENSION. Pension depuis le 1er. Janvier jusqu'au 30 Juin 1828, a £300 stg. par an. Ditto, à ditto ditto.	150 0 0 150 0 0		

NOMS.	SERVICES.	Sterling.	Montant total Sterling.	REMARQUES.
Mad. Dünn, Mad. M. Eimsley, Mad. Baby, Mad. Taylor, Les Représentans du feu Louis De Salaberry, Mad. Lemaitre, Mad. Rottot, Hy. Harwood, A. et M. De Louvière, Madlle. McKay, Madlle. Desbarats, Veuve Sauvageau, Hyp. Montizambert, M. Montizambert, Ise. Montizambert, Margte. Launière, Geneviève Launière, Eliza Launière, Madlle. Rivville, Mad. De Moisseau, Madlle. Schindler,	Ditto, à £250 0 0 Ditto, à 200 0 0 Ditto, à 150 0 0 Ditto, à 50 0 0 Ditto, depuis ditto jusqu'au 22 Mars 1828, à £200 0 0 Ditto, jusqu'au 30 Juin 1828, à 50 0 0 Ditto, à £36 0 0 Ditto, à 30 0 0 Ditto, à 21 12 0 Compensation, à 20 0 0 Pension, à 18 0 0 Ditto, à 18 0 0 Ditto, à 12 0 0 Ditto, à 10 0 0 Ditto, à ditto ditto Ditto, à ditto ditto Ditto, à ditto ditto Ditto, à ditto ditto Ditto, à £7 10 0 Ditto, à 5 0 0 Ditto, à 5 0 0	125 0 0 100 0 0 75 0 0 25 0 0 45 0 5 25 0 0 18 0 0 15 0 0 10 16 0 10 0 0 9 0 0 9 6 0 6 0 0 5 0 0 5 0 0 5 0 0 5 0 0 5 0 0 3 15 0 2 10 0 2 10 0	811 11 5	
Louis Montizambert, faisant fonctions de Secrétaire Provincial, John Phillips, James Frost, Richd. Robinson, John Phillips, Wm. Heydon, Wm. Baker, Jean Bte. Larue, Inspecteur des Chemins,	RENTE et-REPARATIONS aux EDIFICES PUBLICS, &c. Allouance pour procurer un Bureau pour enrégistrer et enrôler les octrois des Terres de la Couronne, tel que requis par l'Acte Provincial, 36e. Geo. III. jusqu'au 24 Avril 1828, à £54 Sterling, par an, Pour ouvrages faits et matériaux fournis pour réparations et changemens au Château St. Louis jusqu'au 10 Octobre 1828, Pour réparations faits aux Edifices attachés à ditto, Pour ouvrages faits et matériaux fournis pour réparations à la Maison du Gouvernement à Montréal, Pour ouvrages faits dans les Edifices Publics occupés pour les Bureaux Civils du Gouvernement Pour ditto dans les ditto, Pour avoir suspendu des Clochettes dans la Bâtisse à l'ouvrage des Bureaux Publics, Balance de son Compte pour avoir enu en bon état les Chemins d'Hiver devant les Edifices qui sont occupés pour des usages publics dans Québec,	17 0 9 258 10 6 39 5 11 92 11 7 39 15 11 11 11 7 3 7 6 27 0 0 489 3 9	50223 11 6	Porté ci-contre,

Appendice
(Y.)
27 Janvr.

NOMS.	SERVICES.	Sterling.	Montant total Sterling.	REMARQUES.
Fras. Bélanger, Math. Jack. Louis Montizambert, ci-devant agissant comme Secrétaire Provinciale,	Port de Lettres pour le Département de l'Arpenteur-Général, Allouance comme Commis extraordinaire de l'Auditeur-Général, durant la maladie de Mr. Brewer, depuis le 1er, janvier jusqu'au 13 mai 1828, a £100 Stg. par an. Montant de son Compte de Déboursés dans son Bureau, entre le 11 Octobre 1827 et le 23 Avril 1828,	£ s. d. 1719 4 3 13 11 11 36 17 11 15 5 11	£ s. d. 56804 11 1 1783 0 0 £58587 11 1	
Total, Sterling,				

(Sauf Erreurs.)

Québec, 26 Janvier 1829.

JOS. CARY,
Insp. Génl. Comptes Pub. Prov.

(No. 7.)

COMPTE des REVENUS CLAIRS du BAS-CANADA, et de la DEPENSE CIVILE de la PROVINCE,
durant l'année, finie le 5 Janvier 1829.

No. des Comptes.	TITRES des REVENUS.	Courant.	Montant Sterling.
<i>Revenus appropriés, à la disposition de la Couronne.</i>			
1.	Produit clair du Revenu Casuel et Territorial,	7309 5 10	
	Ditto de l'Acte Impérial de la 14e. Geo. III.	30721 7 1	
7.	Appropriation en aide par l'Acte Provincial de la 35e. Geo. III.	5555 11 1	
1.	Produit clair en vertu de la 41e. Geo. III.	3652 7 0	
	Montant des Amendes et Confiscations,	867 7 9	
	Courant,	£48105 18 9	43295 6 11
		Sterling,	£43295 6 11
<i>Revenus à la disposition de la Législature.</i>			
1.	Produit clair des Droits en vertu de la 33e. Geo. III.	£1792 0 2	
	Ditto des ditto, en vertu de la 35e. ditto,	£24211 2 11	
	Les appropriations déduites comme ci-dessus,	5555 11 1—18655 10 9	
	Produit clair des Droits en vertu de la 53e. ditto,	17774 11 6½	
	Ditto de ditto en vertu de la 55e. ditto,	16950 4 5	
	Ditto de ditto en vertu de la 3e. Geo. IV. Chap. 119,	356 18 9	
	Ditto de ditto en vertu de la 4e. ditto, IV. Chap. 114,	6056 13 4	
	Ditto de ditto en vertu de 4e. Geo. IV. Chap. 3,	0 18 1	
	Courant, £61526 17 11½	—	55974 4 2
		Sterling,	£55974 4 2

No. des Comptes.	DEPENSES.	Sterling.
4.	Payemens faits à même les Revenus appropriés à la disposition de la Couronne, pour le soutien du Gouvernement Civil et des Dépenses de l'Administration de la Justice, Surplus du Revenu sur les Dépenses actuelles de l'année, <i>Note:</i> Quelques arrérages de Dépenses sous ce titre, non encore payés, peuvent être estimés à £4200 Sterling. Il y a des arrérages d'appointemens aussi dus et demandés pour l'un des Conseillers Exécutifs, depuis le 9 Septembre 1820, et d'un autre pour plusieurs années en arrière, y en ayant eu depuis peu sept de payée au lieu de neuf,	35665 4 4 7,630 2 7
		Sterling, £43,295 6 11
4.	Payemens faits en vertu d'appropriations spéciales par des Actes Provinciaux, Appointemens des Officiers et Contingens du Conseil Législatif pour 6 mois, Loyer de l'Evêché, pour ditto, Pour réparations et changemens dans les appartemens du Conseil Législatif, Appointemens et Contingens de la Chambre d'Assemblée pour 6 mois, Pensions pour 6 mois, Loyers et Réparations des Edifices Publics, &c. Paye de l'Etat major de la milice et Contingens pour 6 mois, Soutien des Hopitaux et autres charités, Pour les Ecoles, pour 6 mois, Dépenses diverses,	10875 9 9 813 19 0 250 0 0 270 0 0 1537 7 0 811 11 5 1030 0 10 900 14 10 3650 3 11 1000 0 0 1783 0 0
	Surplus des Revenus sur les Dépenses actuelles de l'année,	£22922 6 9 32451 17 5
		Sterling, £55,374 4 2

Sauf Erreurs, 26 Janvier 1829.

JOS. CARY,
Insp. Génl. Comptes Pub. Prov.

(No. 9.)

Appendice
(Y.)

COMPTES des APPROPRIATIONS de la LEGISLATURE du BAS-CANADA, et des DE'PENSES d'icelles, pour l'année 1828. 27 Janvr

ACTS. APPROPRIATIONS.	Montant.			Montant dépensé.			Balance non dépensée.		
	£	s.	d.	£	s.	d.	£	s.	d.
5e. Geo. IV. Chap. 4.—Seigneurie de La Salle, balance non-dépensée l'année dernière.	554	5	0	0	0	0	545	5	0
„ „ 10.—Maison de Correction do. do. Ditto ditto,	255	17	11	0	0	0	289	1	5
„ „ 13.—Encouragement d'Agriculture ditto	75	0	0	0	0	0	75	0	0
„ „ 14.—Plans pour une prison à Montréal, ditto,	100	0	0	100	0	0	0	0	0
„ „ 19.—Emprunt pour le Canal de La-Chine, ditto,	30000	0	0	0	0	0	30000	0	0
„ „ 20.—Commerce entre Halifax & Québec, ditto,	1500	0	0	0	0	0	1500	0	0
„ „ 27.—Subsides pour 1825, ditto,	131	8	2	50	0	0	81	8	2
„ „ 28.—Pour améliorer le Chemin à la Baie St. Paul, ditto,	500	0	0	0	0	0	500	0	0
„ „ 29.—Ditto dans le Township de Kingsey, ditto,	3	10	0	0	0	0	3	10	0
„ „ 30.—Ditto au Coteau-du-Lac, &c. do	260	11	5	250	0	0	10	11	5
„ „ 31.—Chemins Kennebec et Craig do.	744	8	11	49	19	4	694	9	7
6e. Geo. IV. Cap. 12.—Soutien des Hopitaux, &c. do.	14	17	3½	0	0	0	14	17	3½
„ „ 13.—Encouragement des Ecoles, do.	41	5	3	0	0	0	41	5	3
„ „ „ —Ditto de l'Education, District de Québec, ditto,	300	0	0	0	0	0	300	0	0
„ „ 22.—Pour distribuer les Lois en 1826, ditto,	7	10	0	0	0	0	7	10	0
„ „ „ —Ditto 1827 ditto,	42	15	7	0	0	0	42	15	7
„ „ 30.—Réparations à la Prison à Québec, et au Moulin pédale, do.	1798	9	8	1790	0	0	8	9	8
„ „ 31.—Encouragement de l'Agriculture, ditto,	670	0	0	310	0	0	360	0	0
„ „ 32.—Etablissement du Chemin à la Baie St. Paul, ditto,	500	0	0	387	10	0	112	10	0
„ „ 33.—Navigation du Richelieu, ditto,	2400	0	0	0	0	0	2400	0	0
„ „ 34.—Pour explorer le nord du St. Laurent, &c. ditto,	500	0	0	450	0	0	50	0	0
7e. Geo. IV. cap. 18.—Actions dans le Canal de Welland, ditto,	5000	0	0	5000	0	0	0	0	0
„ „ 15.—Pour bâtir une prison à Percé do.	300	0	0	300	0	0	0	0	0
	£45733	2	8½	£8687	9	4	£37045	13	4½
Ajoutez, Balance non-appropriée par Compte No. 8.							122181	10	8
Sauf Erreurs.							£159227	4	0½
Québec, 26 janvier 1829.									

JOS. CARY,

Insp. Genl. Comptes Pub. Prov.

G

Appendice.
(Y.)
27 Janvr

(No. 10.)

PRECIS des WARRANTS accordés par Son Excellence le COMTE de DALHOUSIE, G. C. B., Capitaine Général et Gouverneur en Chef, et par Son Excellence Sir JAMES KEMPT, G. C. B. Lieutenant Général et Administrateur du Gouvernement, sur JOHN HALE, Ecuyer, Receveur Général, durant l'année 1828, en payement de la Dépense Civile du Bas-Canada, pour Services des années précédentes.

NOMS.	SERVICES.	Sterling.	Total Montant Sterling.	REMARQUES.
Ferguson Winter, Robert Sherar, James Crawford,	<i>Sur la Balance des Revenus appropriés de 1827,</i> Dépenses Contingentes comme Shérif du District de Gaspé en 1826 et 1827, Ditto comme Coronaire de ditto jusqu'au 9 Août 1827, Appointemens comme Président des Session, de Trimestre District de Gaspé, depuis le 7 Novembre jusqu' au 31 Décembre 1827, à £225 Sterl. per ann. Allouance comme Greffier de la Cour d'Appel, pour papéterie pour l'usage de cette Cour, depuis le 1. Novembre 1826 jusqu' au 31 Octobre 1827, Montant payé par lui comme Shérif des Trois-Rivières à des Témoins de la Couronne, indigens, dans les 6 mois finis le 10 Octobre 1827, Deux mois d'Allouance pour avoir eu soin des Bâtisses occupées comme Bureaux Publics du Gouvernement depuis le 1er. Novembre jusqu' au 31 Décembre 1827, à £40 St. per ann.	103 0 2 18 8 1 33 11 10 6 0 0 8 7 2 6 13 4	176 0 7	
Robert Christie,	<i>Appropriations Spéciales 59e. Geo. III. chap. 3.</i> Dépenses des Commissaires pour déterminer les demandes au sujet de terres dans le District de Gaspé, pour couvrir un semblable montant à lui avancé par Lettres de Crédit,		1782 0 0	
Louis Gamache,	<i>5e, Geo. IV. chap. 27.</i> Allouance pour avoir résidé sur l'Ile d'Anticosti, dans la vue de secourir les Marins naufragés, pour l'année 1825,		50 0 0	
J. B. Larue,	<i>Autres Dépenses.</i> Pour avoir tenu en bon ordre les Chemins d'Hiver vis-à-vis les Edifices Publics, Sauf Erreurs. Total Sterling,		13 10 0	
	Québec, 26 Janvier 1829.		£2021 10 7	
	JOS. CARY, Insp. Génl. Comptes Pub. Prov.			

E'VALUATION de certaines Dépenses du Gouvernement Civil du *Bas-Canada*, pour l'année finissant le 31 Décembre 1828, auxquelles il est à pourvoir.

DEPENSES DE LA LEGISLATURE.

	<i>Conseil Legislatif.</i>	Sterling.	Sterling.
Salaire de l'Orateur pour l'année		£900 0 0	
du Greffier, pour 6 mois, jusqu'au 31 Decembre 1828		225 0 0	
de l'Assistant Greffier,		180 0 0	
de l'Assistant Clerc Ecrivain, &c.		112 10 0	
du Greffier en Loi,		90 0 0	
du Gentilhomme Huissier de la Verge Noire		67 10 0	
du Sergent d'Armes		45 0 0	
du Portier		12 10 0	
du Messager		16 4 0	
des Gardiens des Apartemens		24 15 0	
du Maitre en Chancellerie		40 10 0	
			£1713 19 0
	<i>Chambre d'Assemblée.</i>		
Salaire de l'Orateur pour l'année		£2900 0 0	
Et pour arrérages des deux années précédentes		1800 0 0	
du Greffier, pour les six mois, jusqu'au 31 Decembre 1828		225 0 0	
de l'Assistant do.		180 0 0	
Traducteur Anglais		90 0 0	
du do. Français		90 0 0	
du Greffier en Loi		90 0 0	
du Sergent d'Armes		45 0 0	
des Gardiens des Apartemens		24 15 0	
			3444 15 0
Salaire du Greffier de la Couronne en Chancellerie,			50 0 0
Loyer de l'Evêche,			250 0 0
	<i>Pensions.</i>		
Sir G. Pownal, Chevalier, pour 6 mois, jusqu'au 31 Decembre 1828,		£150 0 0	
H. W. Ryland,		150 0 0	
Made. Dunn		125 0 0	
Made. Elmsley,		100 0 0	
Made. Baby,		75 0 0	
Pour les deux Demoiselles De Salaberry, depuis le 23 Mars, jusqu'au 31 Decembre 1828, à £50 par an. chacun, en conformité d'une dépêche du Secrétaire d'Etat, en date du 22 Juin 1828,		77 16 3	
Made. Taylor pour 6 mois jusqu'au 31 Decembre 1828,		25 0 0	
Made. Lemaistre,		25 0 0	
Made. Rottot,		18 0 0	
Henry Harwood,		15 0 0	
Dlle. de Louvière,		10 16 0	
Dlle. Finlay,		10 0 0	
Dlle. Mackay,		9 0 0	
Dlle. Desbarats,		9 0 0	
Veuve Sauvageau,		6 0 0	
Hyp. Montizambert,,		5 0 0	
Marianne Montizambert,		5 0 0	
Louise Montizambert,		5 0 0	
Margte. Launière,		5 0 0	
Genevieve Launière,		5 0 0	
Elizabeth Launière,		5 0 0	
Dlle. Rinville,		3 15 0	
Made. de Moisseau,		2 10 0	
Dlle. Schindler,		2 10 0	
			844 7 3
	<i>Etat Major de la Milice et Contingens.</i>		
Salaire de l'Adjudant Général de la Milice pour 6 mois, jusqu'a 31 Decembre 1828.		£225 0 0	
du Deputé Adjudant-Général de do.		135 0 0	
des deux Aides-de-Camp Provinciaux,		180 0 0	
Allocation à l'Adjudant-Général pour loyer d'un Bureau et chauffage,		33 15 0	
Allocation à l'Adjudant Général de la Milice pour un Clerc à 7s. 6d. courant par jour, et pour un Messager à 3s. 8d. courant par do.		92 9 3	
Dépenses Contingentes de do. pour impressions et papeterie pour son Bureau,		113 8 0	
			779 12 3
			Porté ci-contre, £7082 13 6

Appendice.
(Y.)
27 Janvr.

Montant d'autre part, Sterling. Sterling.
£ 7082 13 6

Dépenses diverses.

Salaire de l'Auditeur des Patentes des Terres, pour six mois expirant le 31 Décembre 1828,	£100 0 0	
du Grand Voyer du District de Québec,	75 0 0	
du ditto Montréal,	75 0 0	
du ditto Trois Rivières,	45 0 0	
de l'Inspecteur des Grands Chemins et Rues dans le District de Gaspé,	25 0 0	
de l'Inspecteur des Cheminées à Québec,	30 0 0	
de ditto Montréal,	30 0 0	
de ditto Trois Rivières,	12 10 0	
de l'Inspecteur des Marchandises au Côteau du Lac, et allocation pour loyer d'une maison,	84 0 0	
Allocation pour deux personnes résidentes sur l'Île d'Anticosti, pour secourir les Marins naufragés,	50 0 0	
Ditto pour arrérages dus à Louis G. Gamache, l'une d'elle, depuis le 1 Nov. 1825 jusqu'au 30 Juin 1828, à £50 par an,	133 6 8	
Loyer d'un Bureau pour enrégistrer et entrer les Concessions des Terres de la Couronne, en conformité de l'Acte Provincial de la 36 Geo. III. ch. 3, depuis le 25 Avril jusqu'au 31 Décembre 1828, à £54 par an,	36 19 3	
Salaire du Président des Sessions de Trimistre dans le District de Gaspé, pour six mois, jusqu'au le 31 Décembre 1828,	112 10 0	
Arrérages du Salaire du Grand Conétable à Montréal, depuis le 10 Nov. 1823, (date de sa nomination) jusqu'au 31 Octobre 1826, à £36 stg. par an,	107 0 4	
	<hr/>	916 6 3
Dépenses des Ecoles de l'Institution Royale, pour six mois, jusqu'au 31 Décembre 1828,		1000 0 0

Frais de la perception des Revenus non déduits dans le cours de la perception.

Six mois de Salaire du Greffier du Terrier du Domaine du Roi, jusqu'au 31 Décembre 1828,	45 0 0	
Ditto du Collecteur à St. Jean, jusqu'au ditto,	94 10 0	
Ditto du Contrôleur à ditto, jusqu'au ditto,	63 0 0	
Ditto du Jaugeur à ditto, jusqu'à ditto,	20 0 0	
	<hr/>	222 10 0

Sauf erreurs

Sterling, £9221 9 9

Québec, 26 Janvier 1829.

JOSEPH CARY,

Insp. Genl. des Comptes Pub. Provinciaux.

ESTIMATE of the CIVIL EXPENDITURE of the Government of Lower-Canada, for the year 1829.

SALARIES to the OFFICERS of GOVERNMENT, and Expenses of the several Offices.	Contingent	Sterling. £ s. d.	Sterling. £ s. d.
Salary of the Governor in Chief,	-	4500 0 0	
Ditto of the Lieutenant Governor,	-	1500 0 0	
Ditto of the Lieutenant Governor of Gaspé,	-	300 0 0	
Ditto of the Secretary to the Governor in Chief,	-	500 0 0	
Ditto of the Assistant Ditto,	-	200 0 0	
Ditto of two Assistants in the Office,	-	365 0 0	
Ditto of Keeper of Ditto,	-	45 0 0	
Allowance to Ditto in lieu of Apartments formerly allotted him as Keeper of Ditto	-	25 0 0	
Salary of the Messenger in Ditto,	-	45 0 0	
Ditto of the Extra Ditto in Ditto,	-	41 1 3	
Postages of Secretary's Office,	-	1000 0 0	
Stationery, Printing, and extra Writing for Ditto,	-	300 0 0	
Allowance for translating Public Documents into French.	-	50 0 0	
Salary of the Auditor of Land Patents,	-	200 0 0	
Ditto of the Secretary of the Province, (charged as a Pension,)	-		
Rent of Office for registering Grants of Crown Lands,	-	54 0 0	
Contingences of Provincial Secretary's Office,	-	80 0 0	
For a Messenger to ditto,	-	30 0 0	
Salary to the Provincial Agent residing in London,	-	200 0 0	
For Residents on the Island of Anticosti,	-	150 0 0	
Rent of the Building used for Officers of the Civil Departments of Government,	-	495 0 0	
Allowance to the Keeper of Ditto,	-	40 0 0	
Contingent Expenses attending the care of ditto.	-	25 0 0	
For purchase of Fuel for Ditto,	-	50 0 0	
			10175 1 3
<i>Receiver General's Office.</i>			
Salary of the Receiver General,	-	1000 0 0	
Allowance for a Clerk,	-	100 0 0	
			1100 0 0
<i>Offices of Audit and Inspection of Public Accounts.</i>			
Salary of the Auditor General,	-	400 0 0	
Allowance for a Clerk,	-	100 0 0	
Salary of the Inspector General of Public Provincial Accounts,	-	300 0 0	
Allowance to Ditto for a Clerk, &c.	-	100 0 0	
			900 0 0
<i>Executive Council.</i>			
Salary to nine Members, at £100 each,	-	900 0 0	
Ditto of the Registrar and Clerk,	-	500 0 0	
Ditto of the Assistant Ditto,	-	182 10 0	
Allowance for Stationery, Printing, &c.	-	50 0 0	
Salary of Messenger and Keeper of the Apartments,	-	50 0 0	
Ditto of Door-keeper and Office Servant,	-	50 0 0	
			1732 10 0
<i>Legislative Council.</i>			
Salary of the Speaker,	-	900 0 0	
Ditto of Clerk,	-	450 0 0	
Ditto of Assistant Clerk,	-	360 0 0	
Ditto of Writing Clerk Assistant and French Translator,	-	225 0 0	
Ditto of Law Clerk,	-	180 0 0	
Ditto of Master in Chancery,	-	81 0 0	
Ditto of Gentleman Usher of the Black Rod,	-	135 0 0	
Ditto of Serjeant at Arms,	-	90 0 0	
Ditto of Messenger,	-	32 8 0	
Ditto of Door-Keeper,	-	25 0 0	
Ditto of Keeper of the Apartments, and Allowance for House Rent,	-	49 10 0	
Contingent Expenses,	-	2300 0 0	
			4827 18 0
Rent of the Bishop's Palace,	-		500 0 0
<i>The House of Assembly.</i>			
Salary of the Speaker,	-	900 0 0	
Ditto of Clerk,	-	450 0 0	
Ditto of Assistant Clerk,	-	360 0 0	
Ditto of English Translator,	-	120 0 0	
			1830 0 0
Carried over,	£1830 0 0	£18735 9 3	

Appendix

(Z)

28th Jan'y.

	Brought over,	Sterling. £1890 0 0	Sterling. £18735 9 3
Salary of the French ditto.		180 0 0	
Ditto of the Law Clerk		120 0 0	
Ditto of the Sergeant at Arms		30 0 0	
Ditto of the Keeper of the Apartments and for House Rent		49 10 0	
Ditto of the Clerk of the Crown in Chancery		100 0 0	
Contingent Expenses		5400 0 0	
			£7889 10 0

SALARIES of the JUDGES and other EXPENSES attending the ADMINISTRATION of JUSTICE.

FIXED.

Salary of the Chief Justice of the Province	1500 0 0
Salary of the Chief Justice of Montreal	1100 0 0
Salary of the Six Puisne Judges at £900 stg. each	5400 0 0
Salary of the Three Provincial Judges at £600	1800 0 0
Salary of the Judge of the Court of Vice Admiralty	200 0 0
Allowance for Circuits, Eleven in the Year	825 0 0
Salary of the Attorney General	300 0 0
Salary of the Solicitor General	200 0 0
Salary of the Advocate General	200 0 0
Salary of the Sheriff of the District of Quebec	100 0 0
Salary of the Sheriff of the District of Montreal	100 0 0
Salary of the Sheriff of the District of Three Rivers	75 0 0
Salary of the Sheriff of the District of Gaspé	70 0 0
Salary of the Sheriff of the District of St. Francis	50 0 0
Allowance to Sheriffs of Quebec, Montreal, and Three Rivers, for three Executions at £27 stg.	81 0 0
Allowance to Sheriff at Gaspé for Travelling Expenses	10 0 0
Salary of the Coroner for the District of Quebec	100 0 0
Salary of the Coroner for the District of Montreal	100 0 0
Salary of the Coroner for the District of Three Rivers	50 0 0
Salary of the Clerk of the Court and Peace, District of Gaspé, and allowance for Travelling	60 0 0
Salary of the ditto and ditto District of St. Francis	50 0 0
Salary of the Clerks of the Crown at Quebec £40, at Montreal £40, at Three Rivers £20	100 0 0
Salary of the Clerk of the Court of Appeals	120 0 0
Allowance to ditto for Stationery for the Court	6 0 0
Salary of the Usher of the Court of Appeals	27 0 0
Salary of the Chairman of the Quarter Sessions at Quebec	500 0 0
Salary of the Chairman of the Quarter Sessions at Montreal	500 4 0
Salary of the Chairman of the Quarter Sessions at Three Rivers	250 0 0
Salary of the Chairman of the Quarter Sessions at Gaspé	225 0 0
Salary of the Interpreter of the Courts at Quebec	40 0 0
Salary of the Interpreter of the Courts at Montreal	40 0 0
Salary of the Interpreter of the Courts at Three Rivers	25 0 0
Salary of the High Constable at Quebec	36 0 0
Salary of the High Constable at Montreal	36 0 0
Salary of the High Constable at Three Rivers	27 0 0
Salary of the Crier of the Courts at Quebec	20 0 0
Salary of Tipstaff of the Courts at Quebec	18 0 0
Salary of the Crier of the Courts and Tipstaff at Montreal	38 0 0
Salary of the Crier of the Courts and Tipstaff at Three Rivers	25 0 0
Salary of the Keeper of the Court House at Quebec	54 0 0
Salary of the Keeper and Housekeeper at Montreal	72 0 0
Salary of the Keeper and Housekeeper at Three Rivers	36 0 0
Salary of the Keeper of the Goal New Carlisle, Gaspé	54 0 0
Salary of the Keeper of the Goal Percé, ditto	54 0 0
Salary of the Keeper of the Goal at Sherbrooke	18 0 0
Salary of the Keeper of the Goal at Quebec	90 0 0
Allowance to ditto for Two Turnkeys	72 0 0
Salary of the Keeper of the Goal at Montreal	90 0 0
Allowance to ditto for Two Turnkeys	72 0 0
Salary of the Keeper of the Goal at Three Rivers	45 0 0
Allowance to ditto for One Turnkey	36 0 0
Salary of the Keeper of the Goal at Sherbrooke	25 0 0
Salary of Physician attending Goal at Quebec	200 0 0
Salary of Physician attending Goal at Montreal	200 0 0
Salary of Physician attending Goal at Three Rivers	80 0 0
Carried forward,	£15602 0 0
	£27124 19 3

CONTINGENCIES.		Sterling.	Sterling.	Appendix (Z.) 28th Jany.
CONTINGENT BILLS	Brought forward, £15602	0 0	£27124 19 3	
	of the Crown Law Officers,	2300 0 0		
	of the Sheriff of Quebec,	1100 0 0		
	of the ditto of Montreal,	1000 0 0		
	of the ditto of Three-Rivers,	260 0 0		
	of the ditto of Gaspé,	100 0 0		
	of the ditto of St. Francis,	100 0 0		
	of the Coroner of Quebec,	320 0 0		
	of the ditto of Montreal,	110 0 0		
	of the ditto of Three-Rivers,	30 0 0		
	of the ditto of Gaspé,	10 0 0		
	of the Clerk of the Crown of Quebec,	75 0 0		
	of the ditto ditto Montreal,	135 0 0		
	of the ditto ditto Three Rivers,	25 0 0		
	of the Prothonotaries, Quebec,	300 0 0		
	of the ditto Montreal,	350 0 0		
	of the ditto Three Rivers,	120 0 0		
	of the ditto St. Francis,	50 0 0		
	of the Clerks of the Peace at Quebec,	220 0 0		
	of the ditto of ditto Montreal,	100 0 0		
	of the ditto of ditto Three-Rivers,	75 0 0		
	of the ditto of ditto Gaspé,	75 0 0		
	of the ditto of ditto St. Francis,	80 0 0		
	of Police Office at Quebec,	150 0 0		
	of the ditto, Montreal, including the apprehension and commitment of Prisoners and other Police purposes	400 0 0		
	of the ditto at Three-Rivers and ditto,	100 0 0		
	of the ditto at Gaspé,	100 0 0		
	of the ditto at St. Francis,	50 0 0		
	for serving Subpœnas at Montreal, and charge of Crown Witnesses	300 0 0		
	of the High Constable for serving Ditto at Quebec,	100 0 0		
	of the ditto for ditto at Three-Rivers,	75 0 0		
	for attendance of needy Crown Witnesses, at Mont- real,	550 0 0		
	for ditto at Quebec,	200 0 0		
	for ditto at Three-Rivers,	75 0 0		
	for ditto of Interpreter to Courts of Oyer & Terminer,	25 0 0		
			24662 0 0	

PENSIONS.

Thomas Amyot, as late Provincial Secretary,	400 0 0	
Mrs. Dunn,	250 0 0	
Mrs. Baby,	150 0 0	
H. W. Ryland,	300 0 0	
Sir George Pownal, Kt.	300 0 0	
Mrs. Elmsley,	200 0 0	
Mrs. Taylor,	50 0 0	
Mrs. Lemaitre,	50 0 0	
Mrs. Livingston,	50 0 0	
The two Miss De Salaberry's, at £50 each,	100 0 0	
Miss Delouvières,	21 12 0	
Mrs. Rottot,	36 0 0	
Henry Harwood,	30 0 0	
Miss Finlay,	20 0 0	
Miss Desbarats,	18 0 0	
Miss Mackay,	18 0 0	
Widow Sauvageau,	12 0 0	
The three Miss Montizambers, at £10 each,	30 0 0	
The three Miss Launières, at do.	30 0 0	
Madame Rainville,	7 10 0	
Mrs. Schindler,	5 0 0	
Mrs. De Muisseau,	5 0 0	
		2083 2 0

SURVEYOR GENERAL'S OFFICE.

Salary of the Surveyor General,	450 0 0	
Ditto of the first Clerk,	182 10 0	
Ditto of the second ditto,	150 0 0	

Carried over, £782 10 0 £53870 1 3

Appendix
28th Jan'y.

	Carried over,	Sterling.	Sterling.
Allowance for Stationery £20, Office Servant £40,	-	£782 10 0	£53870 1 3
„ for Postages,	-	60 0 0	
„ for Expenses of Surveys,	-	10 0 0	
		300 0 0	
			1152 10 0

MILITIA STAFF AND CONTINGENCIES.

Salary of the Adjutant General,	-	-	-	450 0 0	
„ „ Deputy Adjutant General,	-	-	-	270 0 0	
„ „ two Provincial Aide-de Camps,	-	-	-	360 0 0	
„ „ Clerk in the Office,	-	-	-	123 3 9	
„ „ Messenger in ditto,	-	-	-	60 4 6	
Allowance for Office Rent and Fuel,	-	-	-	67 10 0	
„ for Stationery, Printing and Postages,	-	-	-	200 0 0	
					1530 18 3

MISCELLANEOUS EXPENSES.

Salary of the Grand Voyer of Quebec,	-	-	-	150 0 0	
„ do. do. Montreal,	-	-	-	150 0 0	
„ do. do. Three Rivers,	-	-	-	90 0 0	
„ Surveyor of Highways—Gaspé,	-	-	-	50 0 0	
„ Inspector of Chimnies at Quebec,	-	-	-	60 0 0	
„ do. do. Montreal,	-	-	-	60 0 0	
„ do. do. Three Rivers,	-	-	-	25 0 0	
„ do. of Merchandize at Coteau du Lac, and allowance for House Rent	-	-	-	168 0 0	
Allowance for Printing the Laws,	-	-	-	500 0 0	
„ for Contingent repairs of Public Buildings belonging to Government, expenses of keeping Winter Roads in repair, sweeping Chimnies, &c. &c.	-	-	-	500 0 0	
„ for particular repairs and articles required for the Goal at Quebec, as per accompanying Estimate,	-	-	-	415 11 3	
					2168 11 3

EXPENSES of Collecting REVENUE, in part deducted in course of Collection.

Salary of the Clerk of the Terrars of the King's Domain,	-	-	-	90 0 0	
Commission of the Inspector General of the King's Domain, on sums collected,	-	-	-	300 0 0	
					390 0 0
Salary of the Collector at St: Johns,	-	-	-	189 0 0	
„ „ Comptroller at ditto,	-	-	-	126 0 0	
„ „ Gauger at ditto,	-	-	-	40 0 0	
Incidental expenses at ditto,	-	-	-	400 0 0	
					755 0 0
Salary to Collector at Coteau du Lac for collection of Duties under British Acts,	-	-	-	75 0 0	
Allowance to ditto for Collection under Provincial Acts,	-	-	-	90 0 0	
Incidental Expenses to ditto,	-	-	-	144 0 0	
					309 0 0
Ditto at Quebec on Collections under Provincial Acts,	-	-	-		1700 0 0
Salary to the Collector at Stanstead, for collection of Duties under British Acts,	-	-	-	75 0 0	
Allowance to ditto for collection under Provincial Acts,	-	-	-	45 0 0	
Incidental allowances to ditto,	-	-	-	82 10 0	
					202 10 0
Allowances to Collector at St. Marie, Nouvelle Beauce,	-	-	-		50 0 0
					Total Sterling, £62128 10 9
The probable Amount of appropriated Revenues at the disposal of the Crown, estimated at	-	-	-		38100 0 0
Amount for which a Supply is required,	-	-	-		Sterling, £24028 10 9

Quebec, 26th January 1829.

JOS. CARY,

Insp. Genl. Pub. Provl. Accts.

The undermentioned Items of Expenditure are not included in the foregoing Estimate, being provided for by Special Acts of the Provincial Parliament.	Sterling.	
Expenses of the Trinity Board, by 45th Geo. III. chap. 12, and other Acts,	£2000	0 0
Pensions to Wounded Militia-men, by 55th Geo. III. cap. 10,	310	0 0
Pension to Dame Widow <i>Panet</i> , by 3d Geo. IV. cap. 39,	270	0 0
Assessment on Public Buildings, by 36th Geo. III. cap. 9,	330	0 0
	<hr/>	<hr/>
	£2910	0 0

Appendix
(Z.)
28th Jany.

Explanation on the new Items in the foregoing Estimate.

1st. Allowance to the Keeper of the Civil Secretary's Offices, in lieu of apartments formerly allotted to him, £25 0 0.

This allowance was included in the Treasury Warrant of last year, and it was considered just and necessary, in consequence of the individual being removed from the quarters occupied by him in the house formerly Rented for the Civil Secretary's Offices.

2d. Allowance for translating Public Documents into French, £50 0 0.

This charge was rendered necessary, in consequence of the Office of French Translator to Government being abolished.

3d. Messenger in the Provincial Secretary's Office, £30 0 0.

This is represented as absolutely necessary, by the Provincial Secretary, as well for the proper care of the Office, lighting fires &c. as from the constant intercourse between that and the other Public Offices.

4th. Rent of the Building used for the Civil Offices of Government, £495.

This charge is included in the Treasury Warrant of last year, but is attended with very little additional expense to the Public.

It became necessary to give up the apartments formerly occupied by the Executive Council, and the Auditor and Inspector General of Public Accounts, for the greater accommodation of the Legislature, and the hire of a house for those Departments, would have been attended with considerable expense. This is rendered unnecessary by the new arrangement, and the Rent formerly paid for the Civil Secretary's Offices, and for the Surveyor General's, is also saved, besides the very great convenience which both the Public and the different Departments of Government derive in having all the Public Offices established under the same roof.

5th. Allowance for the Keeper of that Building, £40

This is no addition to the expense, being the same allowance formerly made to the Messenger of the Executive Council Office, for care of additional apartments, &c.

6th. Contingent Expenses attending the care of the Building, £25.

7th. For purchase of Fuel for the respective Offices in the same, £50.

Necessary Charges.

8th. Salary of the Coroner at Three Rivers, £50.

The present Coroner's memorial to His Excellency the Administrator of the Government, praying for a Salary, is hereunto annexed, and as the Coroners of the other Districts receive Salaries of £100 each, Mr. *Lafrénaye* is considered as having a fair and equitable claim to a Salary, corresponding with the duties of his office. He is accordingly inserted in the Estimate, and recommended for a Salary of £50 per annum.

9th. Salary of the Chairman of the Quarter Sessions at Gaspé, £225.

A necessary charge, as there is no Court for the Administration of Criminal Justice there, except the Quarter Sessions of the Peace, and the Justices of the Peace could not meet in Quarter Sessions, in consequence of the want of a competent person to take the lead as Chairman, and guide them in their proceedings—the appointment has been submitted to the consideration of His Majesty's Government.

10th. Salary to the Keeper of the Goal and Court Hall at *Percé* (*Gaspé*), £54.

A necessary expense arising from the Establishment of a Gaol and Court Hall, and authorized by the Provincial Act, 48th Geo. III. cap. 35.

11th. Pension to *Thos. Amyot*, as Provincial Secretary, £400.

This is the same amount as was allowed for Salary, and now estimated for as a Pension, in conformity with His Majesty's Warrant, under Royal Sign Manual, dated 28th Jany. 1828.

Appendix
(Z.)
28th Jany.

Copy.

Downing Street, 4th Oct. 1827.

My Lord,

Having referred to the Lords Commissioners of His Majesty's Treasury, your Lordship's Dispatch of 21st April last, stating, that you had been induced to take a loan for a short period, of a large house for the use of the different Departments of Government at *Quebec*. I have the honor to transmit to you, in reply, the copy of a communication which has been received from the Treasury, authorizing the expense attendant upon the arrangements, but it appears to their Lordships that the expense is of that description which should be submitted to and provided for by the Legislature.

I have the honor to be,

My Lords,

Your Lordship's

Obedient humble servant,

(Signed) W. HUSKISSON,

Lieutenant General The Earl of *Dalhousie*.

A true Copy.

C. YORKE, Secy.

Province of *Lower Canada* }
District of *Quebec*. }

To His Excellency Sir *James Kempt*, Knight, Grand Cross of the Most Honorable Military Order of the Bath, Commander in Chief of His Majesty's Forces, and Administrator of the Province of *Lower Canada*.

May it please your Excellency,

Your Memorialist, *Charles Lafrenaye*, of the Town of *Three Rivers*, has the honor most respectfully to represent to Your Excellency,

That he holds the situation of Coroner for the District of *Three Rivers*, and by virtue of his Commission had to perform all the functions by law assigned to that Office, in the same manner as the Coroners for the District of *Quebec* and *Montreal* are thereunto bound.

That the Coroner for the District of *Quebec* and *Montreal* have a fixed annual Salary, whereas none is appointed for the Coroner for the District of *Three Rivers*, but that your Memorialist esteeming it just that a Salary should be granted to the Coroner for the District of *Three Rivers*, as well as to those for the other Districts, prays your Excellency would be pleased to take into consideration the justice of your Petitioner's claim, and to cause a fixed annual Salary for the Coroner for the District of *Three Rivers* to be allowed.

Quebec, 15th December 1822.

C. LAFRENAYE.

Copy.

No. 18.

Downing Street, 20th February 1828.

My Lord,

The House of Assembly of *Lower Canada*, having uniformly refused to vote the Salary of the Provincial Secretary, on the ground of his non residence, and as Mr. *Amyot* was appointed so far back as 1807, he was entitled by his Patent, to execute the office by Deputy, I deemed it advisable to recommend to the Lords Commissioners of the Treasury, to grant Mr. *Amyot* a Pension of £400 per annum, chargeable upon the Provincial appropriated Revenue of the Crown, upon his resignation of the office, and Mr. *Amyot* having consented to this arrangement, it will be the means of removing what has long been a source of dissatisfaction in the Colony, without occasioning any additional expense, as his successor is not to receive any Salary, his Emoluments being limited to the Fees of the Office. I therefore transmit to your Lordship, a Warrant under the Royal Sign Manual, countersigned by the Lords of the Treasury, granting to Mr. *Amyot*, for his life, a Pension of £400 Sterling, out of the Revenues of the Province, subject to the appropriation of the Crown, and I am to desire, that you will cause Letters Patent to be passed under the Seal of the Province accordingly.

I am further to acquaint your Lordship, that His Majesty has been pleased to nominate Mr. *D. Daly* as Mr. *Amyot's* successor.

I have the honor to be be,

My Lord,

Your Lordship's most obedient

Humble servant,

(Signed) W. HUSKISSON.

Lt. General The Earl of *Dalhousie*.

A true Copy.

C. YORKE, Secy.

George

Appendix
(Z.)
28th Jan'y.

George R.

Whereas Our late Royal Father King *George* the Third, by Warrant under his Royal Signet, and Sign Manual, bearing date the 24th day of March 1807, did authorize and require Letters Patent to be passed under the Seal of the Province of *Lower Canada* in *America*, constituting and appointing *Thomas Amyot*, Esquire, Secretary and Registrar of the Records of and in the said Province, to have, hold, exercise and enjoy the said Offices and places, by himself or his sufficient Deputy or Deputies, to be by him appointed, and such Letters Patent were forthwith, and in due form passed under the Seal of the said Province accordingly:—And whereas it has been represented unto Us, that it would be expedient that the said Office of Secretary and Registrar of the Records of and in Our said Province, should henceforward be executed by an Officer resident in *Lower Canada* aforesaid, and performing the duties of such offices in person; and to the intent that effect may be given to such purpose, it has been proposed, that the said *Thos. Amyot* should surrender the Patent under which he holds the said Office, and should relinquish all claim thereto, and to the Salaries, Fees and Emoluments thereof. NOW KNOW YE, that in consideration of such surrender and relinquishment as aforesaid, We do hereby authorize and require you to cause Letters Patent to be passed under the Seal of Our said Province of *Lower Canada*, granting unto the said *Thomas Amyot*, for and during the term of his natural life, a yearly Pension of Four hundred pounds, sterling money of *Great Britain*, to be paid and payable to him or his Assigns, out of all or any of Our Revenues arising within Our said Province, and subject to Our appropriation, the first payment to be computed from the day of the date of the surrender of the Patent granting to him the said Office, up to the 1st day of May or the 1st day of November, which may next happen after the surrender thereof, and the future payments to be made half yearly, on the 1st day of May and the 1st day of November in each year—And for so doing, this shall be your Warrant.

Given at Our Court of St. *James's* this 28th day of January 1828—In the Eighth year of Our Reign.

By His Majesty's Command.

To Our Right Trusty and Right well beloved Cousin,
George Earl of Dalhousie, Our Captain General and Governor in Chief, in and over our Provinces of *Upper and Lower Canada*, or to Our Lieutenant Governor or Commander in Chief of Our Province of *Lower Canada*, for the time being.

Signed { *HENRY GOULBURN,*
MOUNT CHARLES,
ELIOT.

A true Copy.

C. YORKE, Secy.

ARCHITECT'S ESTIMATE for completing the Building now fitting up for the reception of Female Prisoners on the Establishment of the Common Goal of the City and District of Quebec, to which is added an Estimate of the Articles of Furniture, &c. required for that Building before it can be appropriated to the purposes for which it is intended, accompanied by Vouchers.

To amount of the Architect's Estimate of the probable expense of completing the work yet to be done in the Building in rear of the Goal. as per Voucher No. 1.	£147 8 7
Amount of the Smith's Estimate for furnishing fifty folding iron Bedsteads, as per Voucher No. 2.	175 0 0
Amount of sixty sets of Bedding complete, consisting of one Rug, one Blanket, one Sheet and a Paliass, at 28s. 9d. each set	86 5 0
Ten Tables five feet long, at 10s. each	5 0 0
Twelve Forms, at 5s. each	3 0 0
Five water Tubs or Barrels, at 9s. each	2 5 0
Five Washing Tubs and two Water Buckets, at 3s. 9d. each	1 6 3
Two large iron Pots for Washing, at 15s. each	1 10 0
Four smaller ditto for Cooking, at 6s. each	1 4 0
Sixteen Boxes for Firewood, at 15s. each	12 0 0
Ninety yards unbleached strong Linen, for making ten large sized Paliasses, at 10d. per yd.	3 15 0
One Hundred Tin Plates, at 7½d. each	3 2 6
One Hundred Tin Cups or Porringers, at 4d. each	1 13 4
Twenty flat iron Candlesticks, at 1s. 3d. each	1 5 0
Fitting up Racks for Bedding throughout the Goal, recommended by the attending Physician to the Establishment	17 0 0
	£461 14 8
	Sterling £415 11 3

W. S. SEWELL, Sheriff.

(Voucher

Appendix
(Z.)

28th Jany.

(Voucher No. 1.)

AN ACCOUNT of MONEY expended in converting the Stepping Mill of Quebec, into a Prison for Females, and an Estimate of the Work yet to be done.

Amount expended by the Commissioners up to this date,	£757 8 7
Balance due Richard Date, Carpenter and Joiner, on his Contract,	170 0 0
To breaking out for a Window in the South Gable Wall, (as marked in the plan) fixing cut Stone Frame, Iron Bars, and fixing Cut Stone Frame, Iron Bars, to one ditto, now used as an entrance door, and preparing and laying two hearth Stones	15 0 0
To repairing the Prison and Stepping Mills fence walls	10 0 0
To Extras in the Carpenter and Joiner's Contract	20 0 0
	<hr/>
	£972 8 7
From which must be deducted the full amount of grant for Stepping Mill	825 0 0
	<hr/>
Wanting to complete the Works	£147 8 7

JAMES CHILLAS, Architect.

(Voucher No. 2.)

Quebec, 18th December 1828.

Estimate for the supply of Fifty folding single iron Bedsteads, required for the service of the Common Goal, of the City and District of *Quebec*, to be made of the same size and description of materials as those now in use in the Military Barracks, to be finished in a workmanlike manner, with one coat of Paint, for the sum of Seventy Shillings each, amounting to the sum of one hundred and seventy-five pounds currency.

By *John Graves & Co.*

JOHN GRAVES.

ESTIMATION DE LA DEPENSE CIVILE DU GOUVERNEMENT DU BAS-CANADA, pour l'année 1829.

Appendice
(Z.)
28 Janvr.

APPOINTEMENS AUX OFFICIERS DU GOUVERNEMENT ET DEPENSES CONTINGENTES des divers Bureaux.	Sterling. £ s. d.	Sterling. £ s. d.
Appointemens du Gouverneur en Chef,	4500 0 0	
du Lieutenant-Gouverneur,	1500 0 0	
du Lieutenant-Gouverneur de Gaspé,	300 0 0	
du Secrétaire du Gouverneur en Chef,	500 0 0	
de l'Assistant ditto,	200 0 0	
des deux Assistans dans son Bureau,	365 0 0	
du Gardien de ditto,	45 0 0	
Allouance au ditto au lieu d'Appartemens dont il jouissait ci-devant comme Gardien de ditto,	25 0 0	
Appointemens du Messenger dans ditto,	45 0 0	
du Ditto additionnel dans ditto,	41 1 3	
Port de Lettres dans le Bureau du Secrétaire,	1000 0 0	
Papeterie, Impression et Ecritures extraordinaires pour ditto,	300 0 0	
Allouance pour la Traduction des Documens Publics en français,	50 0 0	
Appointemens de l'Auditeur des Patentes pour les Terres, du Secrétaire de la Province, (portés comme Pension)	200 0 0	
Loyer de Bureau pour l'enregistrement des Patentes pour les Terres de la Couronne	54 0 0	
Contingens du Bureau du Secrétaire de la Province,	80 0 0	
Pour un Messenger pour ditto,	30 0 0	
Appointemens de l'Agent de la Province résidant à Londres,	200 0 0	
Aux Personnes résidantes sur l'Ile d'Anticosti,	130 0 0	
Loyer de la Bâtisse à l'usage des Bureaux des Départemens Civils du Gouvernement,	495 0 0	
Allouance au Gardien de ditto,	40 0 0	
Dépenses Contingentes encourues dans le soin ditto,	25 0 0	
Pour l'achat de Bois de chauffage pour ditto,	50 0 0	
		10175 1 3
<i>Bureau du Receveur-Général.</i>		
Appointemens du Receveur-Général,	1000 0 0	
Allouance pour un Commis,	100 0 0	
		1100 0 0
<i>Bureaux pour l'Audition et l'Inspection des Comptes Publics.</i>		
Appointemens de l'Auditeur-Général,	400 0 0	
Allouance pour un Commis,	100 0 0	
Appointemens de l'Inspecteur-Général des Comptes Publics de la Province,	300 0 0	
Allouance à ditto pour un Commis, &c.	100 0 0	
		900 0 0
<i>Conseil Exécutif.</i>		
Appointemens à neuf Conseillers à £100 chaque,	900 0 0	
du Secrétaire et Greffier,	500 0 0	
de l'Assistant ditto,	182 10 0	
Pour Papeterie, Impression, &c.	50 0 0	
Messenger et Gardien des Appartemens,	50 0 0	
Portier et Domestique du Bureau,	50 0 0	
		1732 10 0
<i>Conseil Législatif.</i>		
Appointemens de l'Orateur,	900 0 0	
du Greffier,	450 0 0	
de l'Assistant-Greffier,	360 0 0	
de l'Ecrivain Assistant et Traducteur Français,	225 0 0	
du Greffier en Loi,	180 0 0	
du Maître en Chancellerie,	81 0 0	
du Gentilhomme Huissier de la Verge-Noire,	135 0 0	
du Sergent d'Armes,	90 0 0	
du Messenger,	32 8 0	
du Portier,	25 0 0	
du Gardien des Appartemens et allouance pour Loyer de Maison,	49 10 0	
Dépenses Contingentes,	2300 0 0	
		4827 18 0
Loyer de l'Evêché,		500 0 0
<i>Chambre d'Assemblée.</i>		
Appointemens de l'Orateur,	900 0 0	
du Greffier,	450 0 0	
de l'Assistant-Greffier,	360 0 0	
du Traducteur Anglais,	120 0 0	
		1830 0 0
Porté ci-contre,	£1830 0 0	£18735 9

Appendice
(Z.)
28 Janvr.

	Montant d'autre part,	Sterling.	Sterling.
		£1830 0 0	£18735 9 3
Salaire du Traducteur Français,		180 0 0	
du Greffier en Loi,		180 0 0	
du Sergent d'Armes,		90 0 0	
du Gardien des appartemens et pour Loyer de Maison,		49 10 0	
du Greffier de la Couronne en Chancellerie,		100 0 0	
Dépenses Contingentes,		5400 0 0	
			7889 10 0

APPOINTEMENS des JUGES et autres DEPENSES dans l'ADMINISTRATION de la JUSTICE.

FIXES.

Appointemens du Juge en Chef de la Province,	1500 0 0
du Juge en Chef de Montréal,	1100 0 0
des six Juges Puisnés à £900 Stg. chacun,	5400 0 0
des trois Juges Provinciaux à £600 Sterling,	1800 0 0
du Juge de la Cour d'Amirauté,	200 0 0
Allocations pour les Circuits, onze dans l'année,	825 0 0
Appointemens du Procureur Général,	300 0 0
du Solliciteur Général,	200 0 0
de l'Avocat Général,	200 0 0
du Shérif du District de Québec,	100 0 0
du Shérif du District de Montréal,	100 0 0
du Shérif du District des Trois-Rivières,	75 0 0
du Shérif du District de Gaspé,	70 0 0
du Shérif du District de Saint-François,	50 0 0
Allocation aux Shérifs de Québec, de Montréal et des Trois-Rivières, pour trois Exécuteurs de haute-justice à £27 Sterling,	81 0 0
Allocation au Shérif de Gaspé pour frais de voyage,	10 0 0
Appointemens du Coroner du District de Québec,	100 0 0
du Coroner du District de Montréal,	100 0 0
du Coroner du District des Trois-Rivières,	50 0 0
du Greffier de la Cour et de la Paix, district de Gaspé, et allocation pour voyage,	60 0 0
du ditto et ditto, District de Saint-François,	50 0 0
des Greffiers de la Couronne à Québec £40, à Montréal £40, aux Trois-Rivières £20,	100 0 0
du Greffier de la Cour d'Appel,	120 0 0
Allocation à ditto pour Papeterie pour la Cour,	6 0 0
Appointemens de l'Huissier de la Cour d'Appel,	27 0 0
du Président des Sessions de Trimestre à Québec,	500 0 0
du Président des Sessions de Trimestre à Montréal,	500 0 0
du Président des Sessions de Trimestre aux Trois-Rivières,	250 0 0
du Président des Sessions de Trimestre à Gaspé,	225 0 0
d'un interprète aux Cours de Québec,	40 0 0
d'un interprète aux Cours de Montréal,	40 0 0
d'un interprète aux Cours des Trois-Rivières,	25 0 0
du Grand Constable à Québec,	36 0 0
du Grand Constable à Montréal,	36 0 0
du Grand Constable aux Trois-Rivières,	27 0 0
du Crieur des Cours à Québec,	20 0 0
de l'Huissier à baguette de la Cour de Québec,	18 0 0
de l'Huissier crieur et à baguette à Montréal,	38 0 0
de l'Huissier crieur des Cours et de l'Huissier à baguette aux Trois-Rivières,	25 0 0
Salaire du Gardien de la Cour à Québec,	54 0 0
du Gardien et de la Gardienne à Montréal,	72 0 0
du Gardien et de la Gardienne aux Trois-Rivières,	36 0 0
du Géolier à New-Carlisle, Gaspé,	54 0 0
du Géolier à Percé, ditto,	54 0 0
du Gardien de la Cour à Sherbrooke,	18 0 0
du Géolier à Québec,	90 0 0
Alloué à ditto pour deux Guichetiers,	72 0 0
Salaire du Géolier à Montréal,	90 0 0
Alloué à ditto pour deux Guichetiers,	72 0 0
Salaire du Géolier aux Trois-Rivières,	45 0 0
Alloué à ditto pour un Guichetier.	36 0 0
Salaire du Géolier à Sherbrooke,	25 0 0
Appointemens du Médecin de la Prison à Québec,	200 0 0
du Médecin de la Prison à Montréal,	200 0 0
du Médecin de la Prison aux Trois-Rivières,	80 0 0

Porté ci-contre, £15602 10 0 £27124 19 3

DEPENSES CONTINGENTES.		Sterling.	Sterling.
COMPTES EXTRAORDINAIRES	des Officiers en loi de la Couronne	£15602 0 0	27124 19 3
	du Shérifs de Québec	2300 0 0	
	de ditto de Montréal	1100 0 0	
	de ditto des Trois Rivières	1000 0 0	
	de ditto de Gaspé	260 0 0	
	de ditto de St. François	100 0 0	
	de ditto du Coroner de Québec	100 0 0	
	de ditto de Montréal	320 0 0	
	du ditto des Trois Rivières	110 0 0	
	du ditto de Gaspé	30 0 0	
	du Greffier de la Couronne à Québec	10 0 0	
	du ditto ditto à Montréal	75 0 0	
	du ditto ditto à Trois Rivières	135 0 0	
	des Protonataires, Québec	25 0 0	
	des ditto Montréal	300 0 0	
	des ditto Trois Rivières	350 0 0	
	des ditto St. François	120 0 0	
	des Greffiers de la Paix à Québec	50 0 0	
	des ditto de ditto Montréal	220 0 0	
	des ditto de ditto Trois Rivières	100 0 0	
	des ditto de ditto Gaspé	75 0 0	
	des ditto de ditto St. François	75 0 0	
	du Bureau de Police à Québec	80 0 0	
	du ditto Montréal, y compris l'arrestation et emprisonnement de Prisonniers et autres objets de Police	150 0 0	
	du ditto, Trois Rivières et ditto	400 0 0	
	du ditto Gaspé	100 0 0	
	du ditto Saint François	100 0 0	
	pour le service de subpcenas à Montréal, et pay- ément des témoins de la couronne	50 0 0	
	du Grand Constable pour le service de ditto à Québec	300 0 0	
	de ditto pour ditto aux Trois Rivières	100 0 0	
	pour les témoins nécessaires de la couronne à Montréal	75 0 0	
	pour ditto à Québec	550 0 0	
	pour ditto aux Trois Rivières	200 0 0	
	pour l'Interprété des Cours d'Oyer et Terminer	75 0 0	
		25 0 0	
		<hr/>	24662 0 0

PENSIONS.

Thomas Amyot, comme Secrétaire Provincial ci-devant	400 0 0	
Made. Dunn,	250 0 0	
Made. Baby,	150 0 0	
H. W. Ryland,	300 0 0	
Sir Geo. Pownal,	300 0 0	
Made. Elmsley,	200 0 0	
Made. Taylor,	50 0 0	
Made. Lemaistre,	50 0 0	
Made. Livingston,	50 0 0	
Les deux Dlls. de Salaberry à £50 chacune	100 0 0	
Mlle. De Louvière,	21 12 0	
Made. Rottot,	36 0 0	
Henry Harwood,	30 0 0	
Mlle. Finlay,	20 0 0	
Mlle. Desbarats,	18 0 0	
Mlle. Mackay,	18 0 0	
Veuve Sauvageau,	12 0 0	
Les trois Demoiselles Montizambert, à £10 chacune,	30 0 0	
Les trois Demoiselles Launière à ditto,	30 0 0	
Madame Rainville,	7 10 0	
Made. Schindler,	5 0 0	
Made. de Moisseau,	5 0 0	
	<hr/>	2083 2 0

BUREAU DE L'ARPENTEUR GENERAL.

Appointemens de l'Arpenteur Général	450 0 0
Ditto du Premier Clerc	182 10 0
Ditto du second, ditto	150 0 0

Porté ci-contre, £782 10 0 £53870 1 3

Appen dic e
(Z.)
28 Janvr.

	Montant d'autre part,	Sterling.	Sterling.
		£ 782 10 0	53870 1 3
Alloué pour Papeterie, £20, Serviteur du Bureau £40		60 0 0	
Ditto pour Port de Lettres		10 0 0	
Ditto pour frais d'Arpentages		300 0 0	
			1152 10 0

ETAT MAJOR DE LA MILICE ET CONTINGENS.

Appointemens de l'Adjudant Général	450 0 0
Ditto Député Adjudant Général	270 0 0
Ditto Deux Aides de Camp Provinciaux	360 0 0
Ditto Clerc dans le Bureau	123 3 9
Salaire du Messager dans ditto	60 4 6
Alloué pour Loyer d'un Bureau et Chauffage	67 10 0
Ditto pour Papeterie, Impression, et Port de Lettres	200 0 0
	1530 18 3

DEPENSES DIVERSES.

Appointemens du Grand Voyer de Québec	150 0 0
Ditto ditto Montréal	150 0 0
Ditto ditto Trois Rivières	90 0 0
Ditto Inspecteur des Grands Chemins, Gaspé	50 0 0
Ditto ditto des Cheminées à Québec	60 0 0
Ditto ditto ditto Montréal	60 0 0
Ditto ditto ditto Trois Rivières	25 0 0
Ditto ditto de Marchandises au Côteau du Lac, et allocation pour loyer de Maison	168 0 0
Alloué pour l'impression des Lois	500 0 0
Ditto pour les réparations contingentes des Edifices publics appartenant au Gouvernement, frais pour réparer les Chemins d'hiver, ramonage des Cheminées, &c.	500 0 0
Ditto pour réparations et effets particuliers pour la Prison de Québec, comme il appert par le compte ci-joint	415 11 3
	2168 11 3

FRAIS de PERCEPTION des REVENUS déduit en partie dans le cours de la perception.

Appointemens du Greffier du Terrier du Domaine du Roi	90 0 0
Commission de l'Inspecteur Général du Domaine du Roi, sur les sommes perçues	300 0 0
	390 0 0
Appointemens du Collecteur à St.-Jean	189 0 0
Ditto du Contrôleur à ditto	126 0 0
Ditto du Jaugeur à ditto	40 0 0
Dépenses casuelles à ditto	400 0 0
	755 0 0
Appointemens du Collecteur au Côteau du Lac pour percevoir les Droits imposés par des Actes Britanniques	75 0 0
Alloué à ditto pour percevoir les Droits imposés par des Actes Provinciaux	90 0 0
Dépenses casuelles à ditto	144 0 0
	309 0 0
Ditto à Québec pour perception en vertu d'Actes Prrovinciaux	1700 0 0
Appointemens du Collecteur à Stanstead pour percevoir les Droits imposés par Actes Britanniques,	75 0 0
Alloué à ditto pour perception en vertu d'Actes Britanniques	45 0 0
Allocations casuelles à ditto	82 10 0
	202 10 0
Alloué au Collecteur à Stc. Marie, Nouvelle Beauce	50 0 0
	62128 10 9
Montant probable des Revenus appropriés, à la disposition de la Couronne, évalué à	38100 0 0
Montant auquel il est besoin de subsides,	Sterling £24028 10 9

Québec, 26 Janvier 1829

Les articles des dépenses ci-dessous mentionnés ne sont pas inclus dans l'évaluation précédente, des actes spéciaux du Parlement Provincial y ayant pourvu.

Dépenses du Bureau de la Trinité, par la 45e. Geo. III. Chap. 12, et autres actes,	£2000	0	0
Pensions des miliciens blessés par la 55e. Geo. III. Chap. 10,	310	0	0
Pension de la Veuve Panet, par la 3e. Geo. IV. Chap. 39,	270	0	0
Cotisation sur les Edifices Publics, par la 36e. Geo. III. Chap. 9,	330	0	0
	£2910	0	0

Appendice
(Z.)

28 Janvr.

Explications sur les nouveaux articles contenus dans l'Estimation précédente.

1er. Alloué au Gardien du Bureau du Secrétaire Civil, au lieu des appartemens qui lui étaient précédemment accordés. £25 0 0.

Cette allocation était incluse dans le warrant du trésor de l'année dernière, et elle fut jugée juste et nécessaire, l'individu ne pouvant plus avoir l'usage des appartemens par lui occupés dans la Chambre ci-devant louée pour le Bureau du Secrétaire Civil.

2. Alloué pour la traduction des Comptes Publics en français, £50 0 0.

L'abolition de l'Office de Traducteur Français pour le Gouvernement a rendu cet article nécessaire.

3. Messenger dans le Bureau du Secrétaire Provincial, £30 0 0.

Le Secrétaire Provincial a représenté cela comme étant absolument nécessaire, tant pour le soin du Bureau, &c. que pour les communications constantes entre ce Bureau et les autres Bureaux Publics.

4. Loyer du bâtiment employé pour les Bureaux Civils du Gouvernement, £495.

Cet article est inclus dans le warrant du trésor de l'année dernière, mais il en résulte au public qu'une légère dépense additionnelle.

Pour donner plus de commodité à la Législature, il a fallu abandonner les appartemens occupés par le Conseil Exécutif et par l'Auditeur et l'Inspecteur Général des Comptes Publics, et le loyer d'une maison pour ces départemens aurait occasionné une dépense considérable. Cet arrangement a prévenu cela, en épargnant en même temps le loyer ci-devant payé pour les Bureaux du Secrétaire Civil et pour l'Arpenteur Général, outre la grande commodité qui est résulté au public et aux divers départemens du gouvernement d'avoir tous les Bureaux Publics sous un même toit.

5. Alloué au Gardien de ce bâtiment, £40.

Ceci ne fait aucune augmentation à la dépense causée par l'allocation accordée précédemment aux messagers du Bureau du Conseil Exécutif, pour garder les appartemens additionnels, &c.

6. Dépenses casuelles pour la garde de ce bâtiment, £25.

7. Pour chauffage pour les divers Bureaux dans le même, £50.

Articles nécessaires.

8. Salaire du Coroner aux Trois-Rivières, £50.

Le mémorial du Coroner actuel à Son Excellence l'Administrateur du Gouvernement, demandant un salaire, est ci-joint, et comme les Coroners des autres districts reçoivent des salaires de £100 chacun, M. Lafrenaye, peut en justice et en équité réclamer un salaire, équivalent aux devoirs de sa charge. C'est pourquoi il est entré dans l'évaluation, avec recommandation pour un salaire de £50.

9. Salaire du Président des Sessions de trimestre, à Gaspé, £225.

Article nécessaire, vu qu'il n'y a pas de Cour pour l'Administration de la Justice Criminelle, outre que les sessions de trimestre, et les juges de paix ne pourraient pas s'assembler en sessions de trimestre, si l'n'y avait pas une personne compétente pour présider, et les guider dans leurs procédés—la communication a été soumise à la considération du Gouvernement de Sa Majesté.

10. Salaire du Geolier et du Gardien de la Cour à Percé, (Gaspé.) £54.

Dépense rendue nécessaire par l'établissement d'une Prison et d'une Cour, et autorisée par l'Acte Provincial, 48e. Geo. III. Chap. 35.

11. Pension de Thos. Amyot, comme Secrétaire Provincial, £400.

C'est la même somme que celle qui était alloué pour l'appointement et entrée maintenant dans l'estimation, sous la forme de pension, en conformité du warrant de Sa Majesté, donné sous le Seing Royal, en date du 28 Janvier 1828.

Appendice
(Z.)
28 Janvr.

Copie.

Downing Street, 4 Octobre 1827.

Milord,

Ayant renvoyé aux Lords Commissaires de la Trésorerie de Sa Majesté, la dépêche de votre Seigneurie, du 21 Avril dernier, portant que vous aviez été induit à louer pour un court espace de temps, une grande maison pour l'usage des différens Départemens du Gouvernement à Québec; J'ai l'honneur de vous transmettre en réponse, copie d'une communication qui a été reçue de la Trésorerie, autorisant la dépense à résulter de ces arrangemens, mais il paraît à leurs Seigneuries que la dépense est d'une espèce à demander à être soumise à la Législature et payé par une allocation de sa part.

J'ai l'honneur d'être,

Milord

de votre Seigneurie

l'obéissant serviteur,

(signé) W. HUSKISSON.

Au Lieutenant-Général le Comte de *Dalhousie*.(vraie copie.)
C. YORKE, Secrétaire.Province du *Bas-Canada*, }
District de *Québec*.

A Son Excellence Sir *James Kempt*, Chevalier Grand-Croix du Très-Honorable Ordre Militaire du Bain, Commandant en Chef des Troupes de Sa Majesté, et Administrateur de la Province du *Bas-Canada*, &c. &c. &c.

Qu'il plaise a Votre Excellence,

Votre mémorialiste *Charles Lafrenaye*, de la Ville des Trois-Rivières, à l'honneur de représenter très-respectueusement à votre Excellence :

Qu'il tient la situation de Coronaire pour le District des Trois-Rivières, et se trouve soumis à toutes les assiduités et devoirs qui lui sont imposés par la loi en vertu de sa commission, de la même manière que les Coronaires des Districts de Québec et de Montréal.

Que les Coronaires des Districts de Québec et de Montréal ont un salaire annuel et fixe, tandis qu'il n'y en a aucun pour le District des Trois-Rivières; mais que votre mémorialiste croyant qu'il est juste qu'un salaire soit accordé au Coronaire du District des Trois-Rivières, ainsi que dans les autres Districts, ose supplier votre Excellence de prendre en considération la justice de la demande de votre mémorialiste, et de faire fixer et allouer un salaire annuel au Coronaire pour le District des Trois-Rivières; et votre mémorialiste ne cessera de prier pour la conservation de votre Excellence.

C. LAFRENAYE.

Québec, le 15 Décembre 1828.

Copie.

No. 18.

Downing Street, 20 Février 1828.

Milord,

La Chambre d'Assemblée du Bas-Canada, ayant constamment refusé le salaire du Secrétaire Provincial, a raison de sa non-résidence; et Mr. *Amyot* ayant été nommé dès 1807, il était autorisé par sa patente à exécuter l'office de député, j'ai cru devoir recommander aux Lords Commissaires de la Trésorerie, d'accorder à Mr. *Amyot* une pension de £400 par an, payable sur les revenus provinciaux de la couronne affectés, sur la résignation de son office; et Mr. *Amyot* ayant acquiescé à cet arrangement, ce sera un moyen de faire disparaître ce qui a été longtemps une source de mécontentement dans cette colonie, sans occasionner aucune dépense additionnelle. Son successeur ne doit recevoir aucuns appointemens, ses émolumens devant être limités aux honoraires de l'office. C'est pourquoi je transmets à votre Seigneurie un *warrant*, sous le seing royal, contresigné par les Lords de la Trésorerie, accordant à Mr. *Amyot* pour la vie, une pension de £400 sterling, sur les revenus de la Province, sujette à l'approbation de la couronne, et je dois vous dire que je désire que vous fassiez passer en conséquence des lettres patentes sous le sceau de la province.

J'ai de plus à informer votre Seigneurie qu'il a plu à Sa Majesté de nommer Mr. *D. Daly*, comme le successeur de Mr. *Amyot*.

J'ai l'honneur d'être,

Milord

le très-obéissant serviteur de votre Seigneurie,

(signé) W. HUSKISSON.

Lt.-Général le Comte de *Dalhousie*.(vraie copie.)
C. YORKE, Secrétaire.

Thomas Amyot, Ecuyer, £400; en remettant sa Patente de Secrétaire et Régistrare des Archives, dans le Bas-Canada.

George R.

Appendice
(Z)
28 Janvier

Attendu que feu notre Père Royal, le Roi George Trois, par warrant sous Son seing et sceau royal, en date du 24^e jour de Mars 1807, autorisa et ordonna de passer des Lettres Patentes sous le sceau de la Province du Bas Canada, en Amérique, constituant et nommant Thomas Amyot, Ecuyer, Secrétaire et Régistrare des archives de et dans la dite Province, pour avoir, tenir, exercer les dits offices et places et en jouir, par lui ou par député ou députés capables, à être par lui nommés et que telles Lettres Patentes furent en conséquence de suite et en due forme passées sous le sceau de la dite Province: Et attendu qu'il nous a été représenté, qu'il serait expédient que l'office de Secrétaire et Régistrare des Archives de et dans notre dite Province, fut à l'avenir rempli par un officier résidant dans le Bas-Canada susdit, et exécuter en personne les devoirs de tels offices et dans la vue qu'effet soit donné à telle fin, il a été proposé que le dit Thomas Amyot remette la Patente, en vertu de laquelle il tient le dit office, et abandonne toute prétension à icelui, et aux salaires, honoraires et émolumens y attachés: MAINTENANT SACHE'S, qu'en considération de telle remise et abandon comme susdit, Nous vous autorisons et ordonnons par le présent de faire passer sous le sceau de notre dite Province du Bas-Canada des Lettres Patentes, octroyant au dit Thomas Amyot, pour et durant le terme de sa vie naturelle, une pension annuelle de quatre cens livres, argent Sterling de la Grande-Bretagne, à être payées et payables à lui ou à son procureur, sur tous et aucun de nos revenus prélevés dans notre dite Province, et sujets à être affectés par nous, le premier paiement à être compté du jour de la date de la remise de la Patente, lui octroyant le dit office, jusqu'au 1^{er} jour de Mai ou 1^{er} jour de Novembre; qui pourra arriver à la remise d'icelle, et les payemens à venir à être faits semi-annuellement, le 1^{er} jour de Mai et le 1^{er} jour de Novembre de chaque année. Et pour ce faire, le présent sera votre Warrant.

Donné à notre Cour de St. James, le 28^e jour de Janvier 1828; Dans la huitième année de Notre Règne.

Par l'ordre de Sa Majesté.

A Notre très fidèle et Bien-amié Cousin George,
Comte Dalhousie, notre Capitaine Général et
Gouverneur en Chef, dans et sur nos Provinces
du Haut-Canada et du Bas-Canada, et à notre
Lieutenant Gouverneur ou Commandant de
notre Province du Bas-Canada, pour le temps
d'alors.

Signé

HENRY GOULBURN,
MOUNT CHARLES,
ELIOT.

Vraie Copie.

C. YORKE.

ESTIMATION de l'ARCHITECTE pour achever les bâtimens qui s'érigent maintenant pour recevoir les femmes Prisonnières, sur l'établissement de la Prison Commune de la Cité et District de Quebec, auquel il est ajouté une estimation des articles d'ameublement, &c. nécessaires à ce bâtiment, avant qu'il soit consacré aux usages auxquels on le destine, accompagné des pièces justificatives.

Montant de l'Estimation de l'Architecte des Dépenses probables pour achever les travaux encore à faire dans le bâtiment en arrière de la Prison, comme il appert par la pièce, No. 1.	£147	8	7
Montant de l'Estimation du Forgeron pour fournir cinquante Lits pliants de fer, pièce No. 2,	175	0	0
Montant pour le linge de soixante Lits, consistant en une couverture grossière, une couverture, un drap et une paille, à 28s. 9d. par chaque lit	86	5	0
Dix tables de cinq pieds de long, à 10s. chaque	5	0	0
Douze bancs, à 5s. chaque	3	0	0
Cinq jarres ou quarts à eau, à 9s. chaque	2	5	0
Cinq cuves pour laver et deux sceaux, à 3s. 9d. chaque	1	6	3
Deux grandes chaudières de fer pour laver, 15s. chaque	1	10	0
Quatre chaudrons pour l'ordinaire, à 6s. chaque	1	4	0
Seize Boîtes pour le bois de chauffage, à 15s. chaque	12	0	0
Quatre vingt dix verges grosse toile pour faire dix grandes pailles, à 10d la verge	3	15	0
Cent feuilles de fer Blanc, à 7½d. chaque	3	2	6
Cent tasses et écuelles de fer blanc, à 4d. chaque	1	13	4
Vingt chandeliers de fer, plats, à 1s. 3d. chaque	1	5	0
Pour monter des chevalets pour étendre les lits par toute la prison, recommandés par le médecin de la prison	17	0	0
Courant.....	£461	14	8
Sterling.....	£415	11	3

W. SEWELL, Sherif.

Pièces

Appendice
(Z.)

PIECE JUSTIFICATIVE.—No. 1.

28 Janvr.

Etat de l'Argent dépensé pour convertir le Moulin Pédal de Québec en une Prison pour les Femmes, et estimation de l'ouvrage qui reste encore à faire.

Montant dépensé par les Commissaires, jusqu'à cette date	£757	8	7
Balance due à Richard Date, Menuisier et Charpentier, sur son contrat	170	0	0
Pour avoir percé une fenêtre dans le pignon du sud (comme marqué dans le plan) posé un cadre de pierre taillé, barres de fer, et pour avoir posé un cadre de pierre taillée et barres de fer à un ditto, servant maintenant comme porte d'entrée, et préparer et poser deux foyers de pierre	15	0	0
Pour réparer les murs de clôture de la Prison et du Moulin Pédal	10	0	0
Pour dépenses non prévues dans le Contrat du Charpentier et du Menuisier	20	0	0
	£972	8	7
A déduire de cette somme le montant entier de l'allocation pour le Moulin Pédal	825	0	0
Manquant pour compléter l'ouvrage	147	8	7

JAMES CHILLAS, Architecte.

PIECE JUSTIFICATIVE.—No. 2.

Québec, 8 Décembre 1828.

Estimation pour fournir cinquante lits plians de fer, demandés pour le service de la Prison Commune de la Cité et District de Québec, à être faits de la même grandeur et des mêmes matériaux que ceux maintenant en usage dans les Casernes Militaires, achevés et d'un bon travail, avec une couche de peinture, pour la somme de soixante dix shelins chaque; montant à la somme de cent soixante cinq livres courant.

Par *John Graves* et Cie.

JOHN GRAVES.